

In The Matter Of:

*DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
CHARTER AUTHORIZING PANEL*

November 19, 2019

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ARKANSAS DIVISION OF
ELEMENTARY AND SECONDARY EDUCATION

CHARTER AUTHORIZING PANEL

NOVEMBER 19, 2019
10:00 A.M.

A P P E A R A N C E S

PANEL MEMBERS:

DR. IVY PFEFFER	Chairperson/DESE Deputy Commissioner
MR. GREG ROGERS	DESE Asst. Commissioner - Fiscal and Admin. Services
MR. MIKE WILSON	Attorney & Education Advocate
DR. NACCAMAN WILLIAMS	Past State Board of Ed. Member
MR. PHIL BALDWIN	CEO, Citizens Bank
DR. ANGELA KREMERS	Deputy Director - CTE/Ark. Dept. of Career Ed.

ADE LEGAL COUNSEL:

MS. MARY CLAIRE HYATT DESE Attorney

ALSO APPEARING:

MS. TRACY WEBB	DESE Coordinator of Monitoring and Systems Support
MS. KELLY McLAUGHLIN	DESE Public School Program Advisor
MR. FREDDIE SCOTT	DESE Operations Manager

LOCATION:

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Teacher Planning Time

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P R O C E E D I N G S

CHAIRMAN PFEFFER: Good morning, everyone. We will call the November 19, 2019 meeting of the Charter Authorizing Panel to order. I'd like to welcome everybody here today. As chair of the Charter Authorizing Panel it's my goal to facilitate a fair and responsible hearing. I ask that each person speaking please state your name and title for the record and continue to speak clearly into the microphone for the benefit of the Panel, the audience, and the viewing audience. This meeting is being livestreamed and recorded. Ms. Sharon Hill, our court reporter, will be providing a transcript of the meeting and it will be posted on the ADE website.

CONSENT AGENDA

CHAIRMAN PFEFFER: So we will go ahead and get started with the Consent Agenda that is posted on your agenda. And if you've had time to review that, I will take a motion to approve that.

MR. WILSON: So moved.

DR. WILLIAMS: Second.

CHAIRMAN PFEFFER: I have a motion and a second to approve the Consent Agenda. All those in favor?

(UNANIMOUS CHORUS OF AYES)

CHAIRMAN PFEFFER: Okay. The Consent Agenda is

1 approved.

2 And we will move on to our action agenda.

3 A-1: HEARING FOR DISTRICT CONVERSION PUBLIC CHARTER SCHOOL
4 AMENDMENT REQUEST - BAUXITE MINER ACADEMY

5 CHAIRMAN PFEFFER: Our first item on the action
6 agenda is the Hearing for District Conversion Charter
7 School Amendment for Bauxite Miner Academy. Ms.
8 McLaughlin, you're recognized.

9 MS. McLAUGHLIN: Good morning. Kelly
10 McLaughlin, Charter School Office.

11 On March 11, 2013, the Charter Authorizing Panel
12 approved the application for Bauxite Miner Academy.
13 The charter is approved to serve students in grades
14 6-12 with a maximum enrollment of 200.

15 Representatives from Bauxite Miner Academy are
16 appearing before the Charter Authorizing Panel to
17 request an amendment to their current charter. We do
18 have representatives from the Academy: Superintendent
19 Matt Donaghy; Leann Pinkerton, Director of
20 Curriculum; and Michael Driggers, High School
21 Principal. They will have 20 minutes to make their
22 presentation. If there is any opposition, they will
23 also have 20 minutes. And then the school district
24 will have 5 minutes to respond.

25 CHAIRMAN PFEFFER: Okay. So can we have all the

1 representatives who will be speaking on behalf of the
2 charter and anyone in opposition please stand to
3 receive the oath? Okay. And if you will raise your
4 right hand -- do you swear or affirm that the
5 testimony you are about to give shall be the truth,
6 the whole truth, and nothing but the truth?

7 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

8 CHAIRMAN PFEFFER: Okay. Thank you.

9 All right. So we are ready for your
10 presentation. If you all want to come up -- if some
11 of you want to stay seated -- if you'll just state
12 your name and position for the record you'll be
13 recognized. So --

14 MS. PINKERTON: Leann Pinkerton; I'm the
15 Director of Curriculum.

16 MR. DONAGHY: Matt Donaghy, Superintendent.

17 MR. DRIGGERS: Michael Driggers, High School
18 Principal.

19 CHAIRMAN PFEFFER: Okay. Well, welcome. We're
20 glad you're here with us today. Okay. And you can
21 go ahead and get started.

22 MS. PINKERTON: Okay. So Miner Academy is a
23 charter conversion school which started in 2013, and
24 was renewed for five years in 2017. It's available
25 to all of our Bauxite students in grades 6-12,

1 although it's more heavily utilized with grades 9-12.
2 Miner Academy allows students to work at their own
3 pace. We've had students who would not have been
4 able to graduate from the high school who are able to
5 go into Miner Academy and graduate because they're
6 able to take online courses. We have -- we offer
7 courses through Virtual Academy -- or Virtual
8 Arkansas and Virtual Academy. And they've been able
9 to graduate through some of the waivers that we have
10 at Miner Academy. Currently, we have 194 students
11 who are taking courses through Miner Academy. Most
12 of those students are Bauxite High School students.
13 We actually only have about 15 students who are
14 fulltime Miner Academy.

15 Miner Academy has always held the waiver -- or
16 the waiver of statute, Arkansas Code Annotated 6-15-
17 1004, which concerns qualified teachers in every
18 classroom. So our students are offered core classes
19 by certified teachers in their area, but that 6-15-
20 1004 allowed us to offer electives with core
21 certified teachers who might not be certified in that
22 elective area. The original waivers have always
23 allowed the district to do that, but starting last
24 year we started to get standards errors for 4(d)(1).
25 And last year they went ahead and waived the errors

1 because of the 6-15-1004, but this year they said,
2 "We would like to go ahead and get that waived; you
3 need to go ahead and get the 4(d)(1) waiver." So
4 that's what we're here today to request is the
5 4(d)(1) waiver to allow us to continue to operate in
6 the manner we've been operating since 2013.

7 CHAIRMAN PFEFFER: Okay. Are you ready for us
8 to ask questions?

9 MS. PINKERTON: Sure.

10 CHAIRMAN PFEFFER: Okay. And do we have anybody
11 here in opposition?

12 MS. HYATT: (Shaking head from side to side.)

13 CHAIRMAN PFEFFER: No, okay. Well, we'll go
14 ahead and start with questions, and I will start with
15 Mr. Baldwin.

16 MR. BALDWIN: No questions.

17 CHAIRMAN PFEFFER: No questions. Dr. Kremers?

18 DR. KREMERS: Can you just share an example of
19 an elective where the teacher would not have the
20 correct licensure?

21 MS. PINKERTON: Yes. We -- these are the
22 electives that we have -- are getting a standards
23 error on: web technologies, business law, and college
24 and career readiness, and multicultural studies.
25 It's like I said, all of our core classes we have a

1 certified teacher. These are just for electives.
2 And they're still certified teachers; they're just
3 not certified for multicultural studies or business
4 law or college and career readiness.

5 DR. KREMERS: The college and career readiness,
6 I think that's just an endorsement on their license.
7 So it's just a process of going through mentorship --

8 MS. PINKERTON: Yes.

9 DR. KREMERS: -- which is always a positive.

10 MS. PINKERTON: Yes.

11 DR. KREMERS: So are they willing to work
12 towards that --

13 MS. PINKERTON: Yes.

14 DR. KREMERS: -- or you say that they do not
15 want to do the mentorship opportunity?

16 MS. PINKERTON: We actually have several
17 teachers in our district who have college and career
18 readiness on their license; it's just that we didn't
19 place them under those teachers at the beginning of
20 this school year. We know now that we could do that
21 for next year. But for this school year, when we
22 started getting those errors, they weren't under
23 those teachers; they were under, you know, like Ms.
24 Webb, who is our principal. And then another lady
25 who we're getting the error on, she is actually 4-12

1 business tech certified but she just doesn't have
2 that particular endorsement.

3 DR. KREMERS: Okay.

4 MS. PINKERTON: But we've done that mentorship
5 with two of our teachers already that you're talking
6 about.

7 DR. KREMERS: Okay.

8 CHAIRMAN PFEFFER: Okay.

9 DR. WILLIAMS: What type of preparation do the
10 teachers go through to teach these courses?

11 MS. PINKERTON: So our teachers go through all
12 of our traditional 60 hours of professional
13 development, but they don't have any specific
14 preparation for business law or web technologies or
15 college and career readiness because they are
16 teaching it through Virtual Arkansas. So the
17 curriculum is delivered online and then all our
18 teachers are doing is basically grading the
19 curriculum.

20 DR. WILLIAMS: Okay. That makes sense for me
21 now. Okay.

22 CHAIRMAN PFEFFER: Okay. Mr. Rogers?

23 MR. ROGERS: No questions.

24 CHAIRMAN PFEFFER: Okay.

25 MR. WILSON: No questions.

1 CHAIRMAN PFEFFER: No questions?

2 You talked a little bit about the success that
3 you've seen with your students through participation
4 in Miner Academy. So you have 15 students who are
5 fulltime?

6 MS. PINKERTON: Yes.

7 CHAIRMAN PFEFFER: And then 194 that participate
8 at some level with that?

9 MS. PINKERTON: Yes.

10 CHAIRMAN PFEFFER: So in addition to graduation,
11 what are some of the other things you look at to
12 measure the success?

13 MS. PINKERTON: It is mainly our graduation
14 rate. It's one of the highest in the state. We had
15 -- I believe it was 95% last year that we were able
16 to get through. It's mainly the flexibility that
17 we're able to offer our students who might
18 traditionally drop out.

19 CHAIRMAN PFEFFER: Okay. All right. Any other
20 questions from the Panel?

21 DR. WILLIAMS: And about how many students do
22 y'all have enrolled in -- I noticed you said about 15
23 are fulltime students --

24 MS. PINKERTON: Yes.

25 DR. WILLIAMS: -- on-site basically. And the

1 rest would be the ones that are just doing the online
2 work?

3 MS. PINKERTON: Well, it's -- we have -- Bauxite
4 High School and Miner Academy are basically in the
5 same area.

6 DR. WILLIAMS: Okay.

7 MS. PINKERTON: And so our students go back and
8 forth. So we don't really have -- if we have any
9 students, it might be one student who is not coming
10 to class every day on ground. Most of our students
11 though are taking most of their classes at the high
12 school and then come down for an elective at Miner
13 Academy.

14 DR. WILLIAMS: Okay.

15 CHAIRMAN PFEFFER: Okay. And you're able to
16 offer different electives through this --

17 MS. PINKERTON: Yes.

18 CHAIRMAN PFEFFER: -- with some flexibility?

19 MS. PINKERTON: And we have been since 2013.
20 It's not anything new we're requesting.

21 CHAIRMAN PFEFFER: Okay.

22 MS. PINKERTON: It's just that that standard got
23 missed when we --

24 CHAIRMAN PFEFFER: With the update?

25 MS. PINKERTON: Yes.

1 DR. WILLIAMS: Okay. Good.

2 CHAIRMAN PFEFFER: Okay. Well, if there are no
3 more questions I would entertain a motion.

4 MR. WILSON: I move approval of the waiver.

5 CHAIRMAN PFEFFER: We have a motion to approve.

6 DR. KREMERS: Second.

7 CHAIRMAN PFEFFER: And a second.

8 Any discussion?

9 Oh, I'm sorry.

10 MS. WEBB: Tracy Webb, Charter Unit Leader.

11 Just for clarification, does this -- is this for
12 all licensure or just non-core classes only?

13 CHAIRMAN PFEFFER: Okay. So I think that would
14 be a question that you all would need to speak to, I
15 think. Let me go back and find where you've -- yes.

16 MS. PINKERTON: We're only requesting it for
17 electives. We're not requesting this 41 for core
18 classes.

19 CHAIRMAN PFEFFER: Okay. Is that sufficient?

20 MS. WEBB: Yes.

21 CHAIRMAN PFEFFER: Okay. All right. Thank you
22 very much.

23 So with that clarity, we have a motion and a
24 second.

25 Any discussion?

1 Okay. All those in favor say "aye."

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIRMAN PFEFFER: Opposed?

4 All right. Congratulations.

5 And each Panel Member will record feedback and
6 we'll share that with you in just a moment.

7 (A FEW MOMENTS OF SILENCE)

8 CHAIRMAN PFEFFER: All right. We will go ahead
9 and start with feedback.

10 Mr. Baldwin.

11 MR. BALDWIN: Yes. I approved the request. I
12 think it's appropriate and reasonable.

13 CHAIRMAN PFEFFER: Okay. Dr. Kremers.

14 DR. KREMERS: I approved the motion to allow
15 more flexibility for non-core classes and electives.

16 CHAIRMAN PFEFFER: Dr. Williams.

17 DR. WILLIAMS: I support the motion. The waiver
18 allows Miner Academy to continue to offer diverse
19 curriculum-slash-electives through online courses.

20 CHAIRMAN PFEFFER: Okay. Mr. Rogers.

21 MR. ROGERS: I have no concerns with the waiver
22 request.

23 CHAIRMAN PFEFFER: Mr. Wilson.

24 MR. WILSON: I thought the request was
25 reasonable, and it sounds like your program with your

1 electives is working well with the Virtual Academy.
2 Congratulations.

3 CHAIRMAN PFEFFER: Okay. All right. Thank you
4 very much and we appreciate you being here.

5 A-2: HEARING FOR DISTRICT CONVERSION PUBLIC CHARTER SCHOOL
6 AMENDMENT REQUEST: FAYETTEVILLE VIRTUAL ACADEMY

7 CHAIRMAN PFEFFER: Okay. All right. We will go
8 ahead and move to the next item on our agenda, and
9 this is a request for the Fayetteville Virtual
10 Academy. Ms. McLaughlin, will you introduce this for
11 us?

12 MS. McLAUGHLIN: On November 18, 2015, the
13 Charter Authorizing Panel approved the application
14 for Fayetteville Virtual Academy. The charter is
15 approved to serve students in grades 4-12 with a
16 maximum enrollment of 500. Representatives of
17 Fayetteville Virtual Academy are speaking before the
18 Panel today to seek an amendment to their current
19 charter. We do have Dr. Megan Slocum, Associate
20 Superintendent for Support Services, and Kim Cook,
21 Principal here. And you'll want to swear them in.

22 CHAIRMAN PFEFFER: Okay. All right. If you
23 will stand and raise your right hand -- do you swear
24 or affirm that the testimony you're about to give
25 shall be the truth, the whole truth, and nothing but

1 the truth?

2 DR. SLOCUM: Yes, ma'am.

3 CHAIRMAN PFEFFER: Okay. Thank you. If you
4 will state your name and title for the record, you
5 are recognized. And welcome --

6 DR. SLOCUM: Yes, ma'am. Good morning.

7 CHAIRMAN PFEFFER: -- back to the ADE --

8 DR. SLOCUM: Yea!

9 CHAIRMAN PFEFFER: -- the Division now of
10 Elementary and Secondary Education.

11 DR. SLOCUM: I know. It's kind of fancy. This
12 room looks amazing.

13 CHAIRMAN PFEFFER: Yeah.

14 DR. SLOCUM: Good job.

15 Good morning. My name is Megan Slocum. I'm
16 Associate Superintendent of Fayetteville Public
17 Schools. And Ms. Kim Cook is here with me, as
18 Principal.

19 And we are coming before you today to ask for a
20 waiver that impacts only a few of our students, but
21 we want to make sure that we're being equitable and
22 being transparent on our end. So it is a request
23 that impacts the recent legislation from Act 641,
24 specifically on 6-16-102. We want to make sure that
25 we are addressing the Instructional Time and we also

1 have the appropriate position in place for when we do
2 have accreditation. The change has made it necessary
3 for us to ask for this, because we do have some
4 students that physically are not on our campus and if
5 they're not on our campus there's no way for us to
6 guarantee that that time is actually occurring at
7 home. So we just want to make sure that if we have a
8 student who has a particular need or is in a
9 particular situation -- we serve a vast and specific
10 kind of unique population and we want to make sure
11 that we have the ability to accommodate whatever
12 their needs are.

13 CHAIRMAN PFEFFER: Okay.

14 DR. PFEFFER: So I'm going to yield the rest of
15 my time to the Panel.

16 CHAIRMAN PFEFFER: Okay. And so there were two
17 pieces. The other was the Elementary Recess and
18 Unstructured Social Time. So it would be --

19 DR. SLOCUM: Yes.

20 CHAIRMAN PFEFFER: -- the school day plus -- can
21 you talk a little bit about that --

22 DR. SLOCUM: Yes.

23 CHAIRMAN PFEFFER: -- part too?

24 DR. SLOCUM: Yes. Those -- we have about two --
25 10 students that that impacts --

1 CHAIRMAN PFEFFER: Okay.

2 DR. SLOCUM: -- who are completely online, who
3 don't come to school. And so we just want to make
4 sure that in that timeframe that, if they are at
5 home, that we try to encourage it. We have it part
6 of our handbook. It's something that we try to
7 structure for the kids who do come on campus, but
8 that's not always the case that we're actually at
9 home with the child.

10 CHAIRMAN PFEFFER: Okay.

11 DR. SLOCUM: Yeah.

12 CHAIRMAN PFEFFER: All right. Well, we will go
13 ahead then and turn to questions.

14 Do you have any questions, Mr. Baldwin?

15 MR. BALDWIN: As you look out into the future,
16 what are your plans for the online program? Do you
17 see that growing or do you think you'll stay the size
18 -- about what it is now?

19 DR. SLOCUM: We see it growing. We are planning
20 to come back for reauthorization next year, and so
21 that's something that we see is still a need. It
22 isn't for every child; it's also not for every
23 teacher. We've had teachers who don't feel
24 comfortable in that environment; we have kids who
25 aren't comfortable in that environment. But it

1 really does speak to some of the needs we have,
2 particularly with social/emotional learning -- kids
3 that need maybe a smaller class size, reduced class
4 size, and one-on-one intervention. We see it helping
5 in some really specific areas and some kids that we
6 never initially envisioned in this environment doing
7 extraordinarily well. And so in comparison, we
8 really want to make sure that we have different
9 opportunities for kids, depending on what their
10 specific needs are, and for some kids this is just a
11 perfect fit.

12 CHAIRMAN PFEFFER: Okay. Dr. Kremers.

13 DR. KREMERS: No questions.

14 CHAIRMAN PFEFFER: Dr. Williams.

15 DR. WILLIAMS: I just need to catch-up on the
16 waivers here. Are you asking for one waiver or two
17 waivers?

18 DR. SLOCUM: We're asking for -- to address
19 specifically Act 641 which encompasses kind of two
20 different areas. One is making sure that we are
21 being valid in the requirement of the new recess
22 extension. For about 10 of our students that would
23 impact them. And also for the accreditation part, to
24 know that we have approval and that you're aware that
25 we cannot necessarily guarantee that time occurring

1 when they're not on-site with us.

2 DR. WILLIAMS: Okay. So what we're looking at
3 today, this is -- I'm looking at the second part,
4 which you said is a broader piece other than the
5 recess. Is that correct? Or is this just only for
6 the recess?

7 DR. SLOCUM: It's just to address Act 641. We
8 have some other waivers in place that allow us to do
9 some other things.

10 DR. WILLIAMS: Okay.

11 DR. SLOCUM: But this new legislation -- we
12 worked with the Division and they helped to kind of
13 give us some guidance. We just want to make sure
14 that we have -- that we're doing what we need to do
15 on the paperwork end and in the practice part as
16 well.

17 DR. WILLIAMS: Okay.

18 CHAIRMAN PFEFFER: But to clarify -- and maybe
19 Ms. Hyatt can answer this -- the waiver of 6-16-102
20 would waive the six-hour Instructional Day
21 requirement for the charter. Is that correct? And I
22 think -- well, I'll ask first is that correct?

23 MS. HYATT: Mary Claire Hyatt with the Division.

24 Yes. So the recess legislation was codified in
25 the Arkansas Code at 6-16-102(a)(5), which just says

1 the recess. The rest of the statute has the six
2 hours a day, average six hours a day or 30 hours a
3 week requirement in it. But I don't know off the top
4 of my head -- and I can go check; they may already
5 have a waiver of the rest of the statute, or
6 (1)(a)(5)(2) in the standards, which is the companion
7 standard to the law.

8 CHAIRMAN PFEFFER: Okay.

9 MS. HYATT: So I can go check that real quick,
10 if you give me a second.

11 CHAIRMAN PFEFFER: Okay, yes. I just wanted to
12 make sure that you were aware of that. But I think
13 that the nature of the delivery model with this type
14 of online, and knowing that some kids are physically
15 on campus -- sometimes, all the time -- versus some
16 --

17 DR. SLOCUM: Yes.

18 CHAIRMAN PFEFFER: -- not any of the time, it
19 stands to reason that that flexibility makes sense.
20 So --

21 DR. SLOCUM: And we do have some kids who
22 physically attend, physically come, and they're
23 physically there all day. And then, of course, then
24 we comply with that when they're here. The
25 difference is not knowing what type of model the

1 family or the child needs.

2 CHAIRMAN PFEFFER: In just looking at your
3 student performance on the ESSA School Index, the
4 achievement was very high for your students.

5 DR. SLOCUM: Yes.

6 CHAIRMAN PFEFFER: I noticed that. Maybe the
7 growth wasn't quite --

8 DR. SLOCUM: Where we want it.

9 CHAIRMAN PFEFFER: -- where you want it to be.

10 DR. SLOCUM: Uh-huh.

11 CHAIRMAN PFEFFER: So have you had any
12 conversations about --

13 DR. SLOCUM: We have.

14 CHIARMAN PFEFFER: -- like the high achievement
15 but the lower growth, what you --

16 DR. SLOCUM: I think what we find in this
17 particular population is sometimes it serves a
18 specific need for a shorter amount of time. So
19 sometimes when we're comparing two populations from
20 one academic year to the next academic year, from one
21 fiscal to the next fiscal, it can be a pretty
22 different population. So we try to watch that in
23 terms of growth, but we also know we're not
24 necessarily comparing the same child to himself or
25 herself a year later in another grade; so it is like

1 this kind of moving orb. Because we do pay attention
2 to the quadrants; we want everybody to be in the
3 upper right all the time, but it's trying to chase
4 where are they. So what we try to do is if they do
5 go back into a traditional setting, or they've come
6 out of a traditional setting, which are in metrics
7 that we don't necessarily follow for the Division but
8 us internally looking to see how did that child do
9 coming into this environment or leaving this
10 environment, where are they now specifically.

11 CHAIRMAN PFEFFER: No, that makes perfect sense.
12 And it sounds like there -- we recognize the need to
13 continue to provide more information about individual
14 student growth for districts. That could be helpful.

15 DR. SLOCUM: For sure.

16 CHAIRMAN PFEFFER: Okay. Ms. Hyatt.

17 DR. SLOCUM: Sorry.

18 MS. HYATT: No, that's okay.

19 Mary Claire Hyatt.

20 They -- so the school already has a waiver of 6-
21 16-102 and (1)(a)(5)(2) in the standards, which is
22 the six hours a day, 30 hours a week requirement; so
23 they already have that flexible scheduling waiver.
24 So this really would be the 6-16-102(a)(5) with the
25 new recess legislation codified in it.

1 CHAIRMAN PFEFFER: Okay.

2 DR. WILLIAMS: Okay.

3 CHAIRMAN PFEFFER: That makes sense.

4 DR. WILLIAMS: Uh-huh.

5 CHAIRMAN PFEFFER: Do you have any questions?

6 MR. WILSON: No, thank you.

7 CHAIRMAN PFEFFER: Okay.

8 MR. WILSON: No questions.

9 CHAIRMAN PFEFFER: All right. Well, if we don't
10 have any more questions, is there anything from Staff
11 that we need to look at?

12 MS. WEBB: No.

13 CHAIRMAN PFEFFER: Okay. Well, seeing none, I
14 will entertain a motion.

15 MR. BALDWIN: Motion.

16 CHAIRMAN PFEFFER: Okay. Motion to approve.

17 DR. WILLIAMS: Second.

18 CHAIRMAN PFEFFER: I have a motion and a second.
19 All those in favor say "aye."

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN PFEFFER: Any opposed?

22 All right.

23 DR. SLOCUM: Thank you very much.

24 CHAIRMAN PFEFFER: Congratulations.

25 DR. SLOCUM: Thank you.

1 CHAIRMAN PFEFFER: We'll record our responses
2 and give you some feedback.

3 (A FEW MOMENTS OF SILENCE)

4 CHAIRMAN PFEFFER: Okay. And in looking at all
5 of our panel members' responses, there were no
6 concerns with the motion and they recognize the need
7 for flexibility around making your model successful.
8 So if everyone is good, then --

9 DR. WILLIAMS: Yeah, yeah.

10 CHAIRMAN PFEFFER: -- we will wish you well and
11 have a safe trip.

12 A-3: HEARING FOR DISTRICT CONVERSION PUBLIC CHARTER SCHOOL
13 APPLICATION - MOUNTAINBURG MIDDLE SCHOOL BRAIN ACADEMY

14 CHAIRMAN PFEFFER: Okay. So our next item is
15 for the Mountainburg Middle School Brain Academy.
16 And I think that we have some additional information
17 that has been passed out.

18 MS. WEBB: We do.

19 CHAIRMAN PFEFFER: So, Ms. Webb.

20 MS. WEBB: Mountainburg Middle School Brain
21 Academy is a proposed district conversion public
22 charter school in the Mountainburg School District.
23 The application request was heard by the Panel at the
24 October meeting. Panel Members voted to table the
25 request until the November meeting so that additional

1 information could be provided.

2 There are several representatives here today
3 from Mountainburg: Representative Lee Johnson;
4 Representative Bruce Coleman; Mountainburg mayor
5 Susan Wilson; Debbie Pinkerton, LEA supervisor; Adam
6 Hamilton, teacher; Amanda Howard, principal; and Dr.
7 Debbie Atwell, superintendent.

8 CHAIRMAN PFEFFER: Okay. So, yes, those that
9 are going to be speaking on behalf of the
10 Mountainburg Academy if you -- or Mountainburg Middle
11 School, excuse me -- if you will stand and raise your
12 right hand. And after we swear you in we will let
13 our elected representatives speak first. I'm sorry;
14 I apologize, I missed that.

15 REP. LEE JOHNSON: Swear us in, just in case.

16 CHAIRMAN PFEFFER: Okay. Okay. And I don't
17 know the technical answer on that. Should they be
18 sworn in?

19 REP. LEE JOHNSON: I think we're as accountable
20 as anybody.

21 CHAIRMAN PFEFFER: Okay. We're going to swear
22 in, just in case. Okay. All right. Do you swear or
23 affirm that the testimony you're about to give shall
24 be the truth, the whole truth, and nothing but the
25 truth?

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(ALL SPEAKERS ANSWERED AFFIRMATIVELY)

CHAIRMAN PFEFFER: Okay. And we will go ahead and start with our Representatives, if you'd like to. We want to welcome you to our Department of Education, Division of Elementary and Secondary Education, Representative.

REPRESENTATIVE BRUCE COLEMAN: Thank you for having the hearing. And I'm here today to support this request. I'm a Mountainburg School product of many years ago. But anyway, I was very glad that we have Dr. Atwell there as superintendent. I appreciate her innovative initiation of this activity period, which I think will help learning, and I think that this is one of those things that's innovative. I always thought how -- you know, a lot of times we didn't know before about how -- nutrition and how it affected learning, and I think it's very interesting to increase the activity and having these organized activity periods will help. So I'm very much in support of this and I thank you for your attention. Thank you.

CHAIRMAN PFEFFER: Okay.

DR. WILLIAMS: Thank you.

CHAIRMAN PFEFFER: Thank you.

REPRESENTATIVE LEE JOHNSON: So I'm

1 Representative Lee Johnson, District 75, which also
2 includes parts of Mountainburg, and I'm also here in
3 support of this idea that the Mountainburg School
4 District has put forward.

5 I want to thank you all for your time too. As I
6 sit here and look and listen -- you know,
7 Representative Coleman and I have the opportunity to
8 sit on a lot of different committees, and this is,
9 you can tell, a functional committee. I appreciate
10 the way you give feedback. We were talking about if
11 we just gave a vote and then -- I'm sure at some
12 point y'all have had the opportunity to sit in a
13 legislative committee -- how that would work if we
14 each had to give individual feedback as to why we
15 voted how we voted. There's a lot of transparency in
16 that, and that's something I appreciate. So I think
17 y'all have a great process.

18 I'm also a physician, a practicing emergency
19 medicine physician. It's difficult sometimes for me
20 to take one hat off and put another on. But as you
21 know, we're very high in obesity in our state -- we
22 rank 47th -- so this is something we've struggled
23 with for a long time. We've required recess and P.E.
24 in our schools for many, many years, since I was a
25 child, and yet, we still struggle with obesity in our

1 state. And so I applaud our Mountainburg people for
2 coming up with some innovative ideas to try to
3 address activities in our school, and I hope that
4 you'll be able to support their charter application.

5 CHAIRMAN PFEFFER: Okay.

6 REPRESENTATIVE LEE JOHNSON: Thank you.

7 CHAIRMAN PFEFFER: Thank you, Representative
8 Johnson. We appreciate both of you for being here.

9 Okay. All right. Well, we are ready for you
10 all to do your presentation, and you have 20 minutes
11 to start off, and then we will see if there's anyone
12 else to speak and move forward. Okay. So if you'll
13 state your name and position for the record you're
14 recognized.

15 SUPT. ATWELL: I'm Dr. Debbie Atwell,
16 superintendent.

17 MS. HOWARD: Amanda Howard, principal.

18 SUPT. ATWELL: So on behalf of our district and
19 from my team, I want to thank you for the opportunity
20 to let us come back and bring you some more
21 information. The process was good for us; it let us
22 go back and revisit and reframe our concept. And we
23 believe that given the opportunity that we can
24 implement a whole school concept that creates
25 personalized learning where our learners have agency

1 to set their own goals; they have a reflective
2 process that they can use to monitor their journey to
3 attain their goals; and that we can have -- help our
4 learners have flexibility to take their learning
5 outside of a traditional schedule and outside of a
6 traditional setting. We feel that the whole school
7 concept is important for the middle school because we
8 want to prepare them and get them primed and pumped
9 and ready for what could be the future for where we
10 want to go with Mountainburg High School. And if a
11 charter is in the future for the high school we think
12 it's important that we start those foundations early
13 with performance for our middle schoolers.

14 So some of the questions that you've asked we've
15 tried to address. We didn't go back and bring the
16 whole concept again; we tried to narrow down
17 specifically to the information that came out of the
18 discussion last month.

19 So with that, Ms. Howard.

20 MS. HOWARD: Mr. Wilson, I don't know if you
21 remember, but you said, "You guys need to press
22 Pause; there's a lot going on here with your
23 presentation." So I want to preface that by saying
24 we are really proud of what we are doing. There were
25 three things that we addressed with you:

1 One was a culture of academic growth. We don't
2 need a waiver for that. In fact, we don't need a
3 charter for that. We're doing great work. But we
4 wanted to share with you -- and I think that took a
5 lot of time and energy, mental energy;

6 Number two was a culture of self-efficacy.
7 That's what we'll focus on in this presentation;

8 And then the third one was a culture of success
9 and citizenship. That, we're doing now and we're
10 just going to continue. We're also very proud of it,
11 but it took a lot of mental energy to process that
12 last time we were here.

13 And so we're just going to go through the
14 questions one at a time:

15 So number two, your second question was "how
16 will you measure if Brain Breaks actually impact
17 academics." So that was a great question. It took a
18 long time to describe. There was a lot of research
19 behind that, and Dr. Atwell is going to cover that in
20 a minute. But what I want to talk about first is the
21 difference between Brain Breaks and what really our
22 plan is. So you might've had in your mind some
23 Jumping Jack activities or maybe a thumbs war. That
24 is not what we're talking about. We're talking about
25 a very clear and precise plan, a 10-minute chunk of

1 time in between your English class, where a physical
2 education teacher is addressing standards -- state
3 standards and a lot of other activities that will
4 support brain development; just those energy -- all
5 the energy in a student's body that needs to be
6 released before they can get back to class. So I'm
7 going to kind of explain. Cyan right here is a 7th
8 grader. He wants to be an astronaut when he gets
9 older. He is a busybody. But let's say he spends
10 all of his time on (inaudible). We don't like this.
11 To get him to re-engage in his studies we're going to
12 try to focus on student autonomy and self-advocacy by
13 using a personal trainer. And Mr. Adam Hamilton
14 looks like a personal trainer today; right? This is
15 what all of our teachers will look like. Right now,
16 we look like this, we look really professional, and I
17 love that. But if you can imagine the kids walking
18 into a school where every teacher looks like your
19 coach; they have a whistle, they have a timer, and we
20 are ready to get to it. On top of that, they're your
21 teacher academically but they're your coach
22 physically. And so let's say Mr. Hamilton sits down
23 with Cyan and he says, "Hey, look at your scores in
24 English; you're doing pretty good there. In reading,
25 you have some possible things we could work on. But,

1 Cyan, I want you to go all the way down to your math
2 -- wow, we have a big red exclamation point, you're
3 struggling here. Let's talk about in what areas,
4 specifically, expressions and equations, ratios and
5 proportions, and geometry. So what are we going to
6 do, Cyan?" And at this point that life coach, that
7 personal trainer is going to walk Cyan through a
8 personal schedule. But, first, we need Cyan to set
9 some personal goals; so he'll have academic goals
10 that he needs to set, physical fitness goals, as well
11 as his citizenship goals. Now this student probably
12 isn't going to choose to take math three times that
13 day or week, and so this is guided choice. He has a
14 life coach sitting right beside him, encouraging him
15 to reflect on his academic scores, on his behaviors
16 that might help him make good choices.

17 I said it before, I used to tell my daughter
18 before bedtime -- she was four, and I'd say, "You can
19 go to bed or you can read," and she always chose to
20 read. And so we're going to be kind of tricky with
21 the way we handle that.

22 So this is a digital student performance report.
23 So at this point Cyan is going to plan out almost a
24 month's worth of work with his personal trainer and
25 life coach. So week one he is -- this is just an

1 example -- this is live; this is almost -- it looks
2 like -- more like video game-ish because that donut
3 starts at red. But as they put in their numbers
4 weekly or daily, that grows. But I couldn't show you
5 that, so I just took screenshots. So that first week
6 Cyan is struggling in academic growth. He has
7 completed 27% of his work and he's still remaining at
8 73, and so his donut looks pretty pitiful at all red;
9 right? So we want to encourage him, "What are you
10 going to do, Cyan?" And then week two, as soon as he
11 puts in his new numbers the donut grows. And then
12 week three we're getting closer to all green, and
13 that's where we'll get him to. This is not just in
14 academics; he'll set his own goals for physical
15 fitness and citizenship as well.

16 Another question you all asked was to provide a
17 greater focus and detailed strategy for the Brain
18 Breaks, what does this look like in a day. So this
19 is what it looks like. The yellow are the Dragon
20 Fitness Training. We've renamed it because it's not
21 just a brain break; it's serious stuff. Dragon
22 Fitness Training, a DFT, is very military-like. I'm
23 a military wife. When the PFTs come up in the Air
24 Force, physical fitness training, it is no joke; all
25 we eat is chicken for a month because my husband is

1 getting ready for that. That's kind of how we want
2 to play this with students. Your Dragon Fitness
3 Training is coming up, your Dragon Fitness test. So
4 it's not play; it's intentional.

5 To break down the schedule just a little bit
6 more, if you take that purple block from here, the
7 bottom, this is where we offer student choice and
8 it's more innovative with how our kids can have
9 autonomy but also just joy in their own learning.

10 So there's three blocks of student performance
11 where the student gets to pick. Okay, Cyan knows
12 he's struggling in math; so for his remediation that
13 week he's going to take three math sessions in
14 addition to he was struggling a little bit in ELA.
15 But also we're going to offer some enrichment, like
16 Project Lead the Way, community service, book clubs,
17 and stuff like that.

18 This is Sarah Beth. She wants to be a teacher
19 and she spends a lot of her time doing pageants. One
20 of the questions was how are we going to handle our
21 special ed. students with 504s or IEPs. Sarah Beth
22 has a heart condition. So just like Cyan set his
23 personal goals, her physical fitness personal goal
24 will look a bit different because we're going to work
25 with a team of people to make sure she's taken care

1 of in those ways.

2 Another question you had was about the
3 supporting data for both Brain Breaks and physical
4 activity and the impact it has on student
5 achievement. I'm going to let Dr. Atwell talk about
6 that a bit.

7 SUPT. ATWELL: The 2018 physical activity
8 guidelines very strongly advocate for 60 minutes of
9 vigorous activity for students each day to get the
10 most benefit from an active lifestyle, and so we
11 strive to increase the amount and the opportunities
12 for physical activity. We reached out to Dr. Charles
13 Hillman, who served on that national advisory
14 committee, and he sent -- and I've shared with you --
15 some of his MRI slides, scans that show the brain and
16 what happens with a brain that's not been active
17 versus where the areas of the brain light up after as
18 little as 20 minutes of physical activity. And so he
19 was very encouraging. He suggested that we look at a
20 Burn-to-Learn curriculum that's being used in Wales
21 where they interject 10-minute bouts of physical
22 activity throughout the day, and he indicated that's
23 showing some promising results. In our research we
24 also looked at Dr. John Ratey's work, and Dr. Ratey
25 has linked increased academic performance to physical

1 activity. So in schools where students took P.E. and
2 then took a literacy course their scores were higher;
3 where they had a good P.E. program and then took math
4 their math scores were higher.

5 We also looked to see -- you had asked if there
6 was anybody in the state doing this; so we reached
7 out to Dr. Crystal Brashears at the Office of
8 Innovation. She stated that they didn't have any
9 research or data currently to show that that was
10 taking place in Arkansas, but she did refer us to a
11 study that says perhaps that's what's missing. And
12 there was a national review where they looked at
13 charters across the nation to see who was emphasizing
14 physical activity, and they suggested that that was a
15 need or a gap.

16 We also have shared with you some information
17 from Dr. Eric Jensen who ties in and capitalizes on
18 how we can incorporate brain-friendly learning
19 environments and how we can capitalize on the power
20 of the brain.

21 MS. HOWARD: One of the other questions that you
22 all had was to make sure with all of this extra stuff
23 in our waiver on planning time that -- how do we make
24 sure our teachers actually get planning time. And so
25 I wanted to show you in this infographic right here,

1 under teacher planning time, so currently our
2 teachers get 250 total minutes of planning. In no
3 way do we want to take that planning time away from
4 our teachers. Our goal is to make sure our teachers
5 have time to collaborate together, but also to do
6 some professional development during what has
7 traditionally been called individual planning time.
8 And so if you'll see, they're still getting 250
9 minutes, but 150 of those minutes will be individual
10 and 100 will be team planning time.

11 I hope that covers most of the questions.

12 Additionally though, in the infographic you'll
13 see that, under physical education hours, currently
14 we do 40 minutes a week, 4th, 5th and 6th graders.
15 In Brain Academy, we would have 200 minutes a week.
16 That turns out to be in a month 13 hours, in a
17 semester 60 hours, and in a year 117 hours versus the
18 traditional 23 hours. That's an 80% increase in
19 physical activity. We're very excited because of the
20 other impacts that that can have on ADHD, depression,
21 anxiety, obesity.

22 And then the last infographic I have is maybe a
23 better visual of the schedule in which we're offering
24 not only physical education but personalized learning
25 and a response to intervention in ways that we are

1 not currently. For example, there will be 120
2 minutes more of personalized learning and student
3 choice every single day. In addition, 75 more
4 minutes of innovative remediation, of intervention
5 time every day, and 150 more minutes than we
6 currently are having every week.

7 Do you have anything else, Dr. Atwell?

8 SUPT. ATWELL: (Shaking head from side to side.)

9 CHAIRMAN PFEFFER: Before we go to questions,
10 could you go ahead and talk us through -- I know
11 there's some changes that you've made in terms of
12 what you feel like you would need to request a waiver
13 for. So I was just looking at that document and
14 going to, you know, just make sure we're
15 understanding then what it is you would be looking to
16 waive.

17 Ms. Hyatt, we may need you on that. I'm looking
18 at the legal response to some of their waivers. So
19 if we could just start with the Licensure waiver and
20 kind of confirm --

21 MS. HYATT: Sure. So there were only two areas
22 when this was first submitted to you where there were
23 still outstanding concerns, which was the Flexible
24 Schedule waiver and then also I just thought they
25 might need to look into whether or not they needed

1 waivers of the Physical Activity and Nutrition rules
2 that have certain requirements about physical
3 education. Those concerns have been resolved as of
4 last night, but I would like to give them an
5 opportunity to explain what they explained to me
6 about how -- you know, which waivers they need under
7 Flexible Scheduling and about the P.E. waivers.

8 SUPT. ATWELL: So upon clarification, we do not
9 need a waiver of the six-hour day and the 30-hour
10 week to accomplish what we need with flexibility in
11 the day. So we've rescinded that request.

12 We do request a waiver for Teacher -- Class Size
13 and Teacher Load so that we have, with a limited
14 staff, the flexibility to personalize and customize
15 our classes.

16 We do request the waiver for the Teacher
17 Licensure area so that in the event that we do have
18 an opportunity to do some hiring or re-staffing or
19 repositioning we can be creative with that.

20 We do request the waiver for Individual Planning
21 Periods so that we can make sure -- and as we stated,
22 we want to be able to provide the planning time; we
23 just need to make sure we can do that collaboratively
24 and not only individually.

25 We also would like the waiver for Non-

1 Instructional Duty and Duty-Free Lunch, not that we
2 are going to schedule our students where they're
3 doing more supervision but they have flexibility;
4 that if they want to offer an extension, a
5 remediation session, a learning opportunity during
6 those periods it wouldn't be construed as non-
7 instructional duty.

8 CHAIRMAN PFEFFER: So in your Class Size/
9 Teaching Load what would you foresee -- do you have
10 an idea of how much flexibility you need? I mean
11 are, you know, 80 in a class or --

12 SUPT. ATWELL: No, ma'am. No more than 35 in a
13 class, or 180 students a day.

14 CHAIRMAN PFEFFER: Okay. And on the Licensure
15 waiver, in terms of middle school, what type of
16 flexibility might you envision that you need, I think
17 just to provide some clarity for us?

18 SUPT. ATWELL: We're looking at how -- with the
19 implementation of Project Lead the Way how we would
20 staff that. And we just know that in our hiring in
21 the past we haven't always had people that had a
22 license certification in a secondary science teaching
23 subject or in the middle school. So if we had an
24 opportunity to do some hiring and staffing where --
25 maybe an engineer who doesn't necessarily have a

1 teaching degree but would have the interest and
2 flexibility to do that, or say, for example, if we
3 need shared staff for a period from the high school,
4 we might be able to bring a high school science
5 teacher in to help us with some of the Project Lead
6 the Way, things like that.

7 CHAIRMAN PFEFFER: Okay. And then on the
8 Individual Planning Time, if you're still planning to
9 do that 150 minutes a week, do you need that waiver?

10 SUPT. ATWELL: In the conversation with legal
11 counsel, we understand that's tricky, so --

12 CHAIRMAN PFEFFER: Okay.

13 MR. WALTER: Good morning, Madam Chair, Members
14 of the Panel. Tripp Walter, staff attorney, Arkansas
15 Public School Resource Center.

16 One of the things I want to emphasize in this as
17 we've talked about the 150 -- one of the things I
18 wanted to make sure you realized is that the State
19 required amount is a minimum of 200, giving it in 40
20 -- at least 40 minute increments. Mountainburg has
21 voluntarily chosen to go up to 250; so cutting that
22 to 100 would be 150. The thing is there are two
23 reasons behind the waiver: one, that that's going to
24 be less than 200 as far as the individual time; and,
25 two, the way they plan to utilize it, as Dr. Atwell

1 said, will be that there may be times that that's
2 given in less than 40-minute increments.

3 CHAIRMAN PFEFFER: Okay.

4 MR. WALTER: But there's a -- as she indicated,
5 there's a complete and total emphasis in making sure
6 there's adequate planning time given for the
7 teachers, as well as breaks and a rotation system to
8 make sure -- you were concerned about how much time
9 that would leave this combination of the Non-
10 Instructional Duty waiver, the Duty-Free Lunch, and
11 the Planning Time. But she and I talked, and it's in
12 the response, about going to a rotation system so
13 you're not going to have a teacher that's losing like
14 three lunches in a week. So --

15 CHAIRMAN PFEFFER: Okay. Thank you for
16 clarifying that. I was looking at the wrong line
17 there. So the 200 minutes of planning time would
18 include some team time. Okay.

19 SUPT. ATWELL: Correct.

20 CHAIRMAN PFEFFER: All right. Okay. I will
21 see, does any -- do any of my panel members -- do you
22 have questions about the waivers specifically then?

23 Okay. If we don't have any more waiver
24 questions, then I'll open it up for general
25 questions. And I'll start on this end with Mr.

1 Wilson.

2 MR. WILSON: Okay. Well, using John's schedule
3 here, in my simple-minded way of thinking, best I can
4 understand, the total of instructional time -- either
5 in John's schedule today or John's schedule with
6 Brain Academy, total instructional time will be the
7 same; it's simply -- the fitness training is simply
8 divided up into five parts, in this instance, instead
9 of one?

10 SUPT. ATWELL: Yes, sir.

11 MR. WILSON: And your understanding -- well,
12 strike that. That's all I have. Thank you.

13 CHAIRMAN PFEFFER: Okay. Mr. Rogers.

14 MR. ROGERS: I don't have any.

15 CHAIRMAN PFEFFER: Okay. Dr. Williams.

16 DR. WILLIAMS: Yes, a couple of things here. On
17 the fitness training, what type of fitness training
18 would you all be using? You know, it's not football
19 practice every 10 minutes, and so --

20 SUPT. ATWELL: No. We intend to install a Game
21 Time Youth Challenge fitness course, which is located
22 on our campus right between the two sections of
23 classrooms, and we have a walking trail and a
24 basketball court.

25 DR. WILLIAMS: Okay.

1 SUPT. ATWELL: So we'll get kids out. It might
2 be that they're going to do laps of walking goals;
3 they could run through the obstacle course -- it's
4 got chin-ups, push-ups; they can do self-timed speed
5 events; they can set personal goals; they can
6 compete.

7 DR. WILLIAMS: Okay.

8 SUPT. ATWELL: And so it would be personalized
9 based on their interests and what their personal
10 fitness goals were.

11 DR. WILLIAMS: Okay. Will all of the kids
12 participate in this program? Will they have the
13 option to opt-out? I don't know, so I'm just asking.

14 SUPT. ATWELL: Under the nutritional and
15 physical activity guidelines, in Section 7, there are
16 waivers. If a parent wants to opt-out and waive for
17 physical or for religious conditions, they can.

18 DR. WILLIAMS: Okay.

19 SUPT. ATWELL: And so we would work with those
20 students to develop what they would do during that
21 activity or what their personal goals were. But they
22 would be allowed to opt-out if they needed to.

23 DR. WILLIAMS: Okay. All right. Thank you.

24 CHAIRMAN PFEFFER: Okay. Dr. Kremers.

25 DR. KREMERS: I'm trying to visualize the flow

1 of the day, because the schedule example on the slide
2 -- for example, the Cyan schedule for the week slide,
3 it goes every -- there's no transition time; so it
4 goes like one thing ends, the next thing begins at
5 the exact same time. So how do they get outside and
6 get back? Because, you know, just kids getting down
7 a hallway there's usually a short transition time; so
8 the actual time they would have doing physical
9 activity is mostly walking to get outside and to get
10 back. So I'm trying to just understand a little bit
11 of the flow of that now to manage.

12 And then also who oversees them when they're
13 outside? Is that like the recess duty for whatever
14 teacher when they go outside? Who supervises there,
15 and then when they come back in?

16 MS. HOWARD: So to answer your first question
17 about transitions, we actually have some ideas about
18 putting actual activities through the hallways,
19 right, so kids -- it's not like a bell that rings and
20 you go to Dragon Fitness. The teachers kind of
21 modify, "Hey, we're headed out to Dragon Fitness; on
22 your way" -- I don't know if you've seen them, like
23 vinyl on the floors so you can do Jumping Jacks all
24 the way out. So it's not like you have like this
25 very structured bell rings, walk out. You can be

1 active on the way out. And so that's the vision.

2 And on your second question for the waiver for
3 P.E. -- and that's a big reason we need that waiver,
4 so every teacher will essentially be our P.E.
5 teacher.

6 DR. KREMERS: So when does planning period
7 happen if they're in the class, and then they go
8 outside with them, and then they come back? Where
9 does their planning time happen?

10 SUPT. ATWELL: One of those blocks would be
11 their planning. They wouldn't be assigned a course
12 during one of those instructional blocks. We just
13 showed a student schedule; we didn't show you a
14 teacher's schedule. We would still schedule a
15 planning period for teachers.

16 MS. HOWARD: There is a schedule --

17 DR. KREMERS: Okay.

18 MS. HOWARD: -- in your packet --

19 DR. KREMERS: Okay.

20 MS. HOWARD: -- for the teachers. And let me
21 find that page for you.

22 DR. KREMERS: Okay.

23 MS. HOWARD: Under Number 6, the question Number
24 6, "provide effective use of teacher time to support
25 this initiative," there's an example of an English

1 teacher's schedule.

2 DR. KREMERS: Okay. And then I did have another
3 question. With the class size of 30, so that would
4 be the 30 students per class rotating through that
5 schedule. So do you have enough teachers to cover
6 the 30 students? Because I see the total possible
7 enrollment is 400. So if you have a maximum of 30,
8 do you have enough teachers to accomplish --

9 SUPT. ATWELL: No. If our enrollment grew from
10 200 to 400, we would have to add teaching positions.

11 DR. KREMERS: Uh-huh. But you're currently --
12 you feel confident in accomplishing that with the
13 teachers that you have?

14 SUPT. ATWELL: With the staff we have and the
15 enrollment we have, yes. We would have to adjust if
16 our numbers grew.

17 DR. KREMERS: And my last question would be what
18 is it that is the barrier to keep you from doing what
19 you want to do without doing a charter? Because are
20 there not existing waivers to help with your planning
21 time, to assist, without it being -- because like you
22 mentioned, you know, the uniform design, you know,
23 those type things, you can implement many of those
24 things, like the things -- the vinyl on the floor,
25 what people are wearing, how you approach physical

1 activity and adding that in a day in the waiver
2 request. So what is it still that's left that would
3 make a need for a charter?

4 MS. HOWARD: So one of the biggest things are
5 human resources, you know, to do this idea where
6 every -- those 10-minute sections are going to be
7 owned and looked over by a physical education
8 teacher. We have one, Adam Hamilton, and we really
9 need every teacher to have the ability to do that.

10 CHAIRMAN PFEFFER: Okay. Do you have any
11 questions, Mr. Baldwin?

12 DR. BALDWIN: Yes, thank you. So I'm looking at
13 this sheet too, which is very interesting. And then
14 I want to thank you all for coming back with
15 responses to our questions. I think that's been very
16 helpful. And my comments will be also tied to the
17 ability to basically do this with the current
18 staffing. And just let me ask about it. I think
19 we've already asked the question about teacher
20 staffing. But let's say you get into the middle of
21 this and it doesn't -- you know, it doesn't work out
22 quite like what the schedule shows. Are you flexible
23 to -- are you able to make changes to adjust for the
24 realities of what you see? And do you have to come
25 back to us, or can you just do that on your own?

1 MS. HOWARD: So the required 40 minutes of P.E.
2 for 5 and 6 is different than 7 and 8. And so my
3 guess is that we would have to come back and modify
4 with you all, get an amendment.

5 CHAIRMAN PFEFFER: We may need Legal to confirm
6 that. But I know that it does get a little bit
7 tricky sometimes with Standards for Accreditation and
8 looking at the instructional minutes for physical
9 education.

10 MS. HYATT: So the law and our nutrition/
11 physical activity rules have different standards for
12 different grades. So if there was a change in the
13 model they would have to come and get an amendment
14 request, depending on how the change impacted the
15 waivers, if that makes sense. Because they -- just
16 like any other charter, you can make some changes and
17 it doesn't impact the need for an amendment request,
18 but other more significant changes might; you might
19 need additional waivers or might need -- you'd need
20 to come and modify your model in front of the Panel.
21 So it just kind of depends.

22 CHAIRMAN PFEFFER: I'd like to hear from Mr.
23 Hamilton, if that's okay. I don't want to
24 necessarily put you on the spot, but it sounds like
25 this is -- you're going to be an integral role for

1 this. And I thought maybe if you wanted just to talk
2 a little bit from the teacher perspective of, you
3 know, what is the staff thinking about this idea and
4 this model and the benefits of having a conversion
5 charter versus, you know, what -- how much of this
6 could we do on our own without that. So --

7 MR. HAMILTON: Well, as of right now I'm the
8 only P.E. teacher in the middle school, as far as
9 grades 7 and 8, and I have students for one semester.

10 CHAIRMAN PFEFFER: I'm sorry; they want you to
11 speak in the microphone please.

12 MR. HAMILTON: Oh, I'm sorry.

13 CHAIRMAN PFEFFER: Sorry. Yeah.

14 MR. HAMILTON: Sorry; I'm tall. Can you hear me
15 now? Okay. All right. Thank you.

16 I'm the only 7th and 8th grade P.E. teacher
17 right now and I have these students for one semester;
18 so that means that for one semester they don't have
19 P.E. And so as a faculty we talk about these kids
20 need to move more. You know, just like you and I, we
21 need a break every now and then to, you know, get up
22 and move a little bit. And same with the students;
23 they sit all day, class-to-class and learning, and so
24 something between class to get them moving, other
25 than just to have enough time to go to the restroom,

1 to their locker, and to the next class, and to get
2 some energy out.

3 And so as far as the staff goes, with every
4 teacher being, you know, a coach basically at that
5 point, a trainer, you know, setting these goals for
6 these kids, it not only gets them excited about, you
7 know, class, but also gets them a relationship with
8 their teacher they wouldn't have otherwise. And so
9 build some understanding there or build some
10 relationships there, but also trying to build some
11 skills in their life to keep them more healthy.

12 CHAIRMAN PFEFFER: Okay.

13 MR. HAMILTON: So did I answer your question?

14 CHAIRMAN PFEFFER: I think so.

15 MR. HAMILTON: Okay.

16 CHAIRMAN PFEFFER: Do you -- planning time,
17 thoughts on planning time and changes that might be
18 coming for teachers?

19 MR. HAMILTON: Right. Right. We're all
20 Singletons; we're a small school.

21 CHAIRMAN PFEFFER: Okay.

22 MR. HAMILTON: So as far as planning time with
23 integrated units, that would be very beneficial for
24 us where we can talk and we can collaborate, you
25 know, what we're doing in history class, how does

1 that relate to science class. And so we can come
2 together and give us some time to actually, you know,
3 spend with each other as a faculty and collaborate.

4 CHAIRMAN PFEFFER: Okay. Any questions for Mr.
5 Hamilton?

6 DR. WILLIAMS: Yes. It's just really kind of a
7 comment and a question at the same time. Your
8 speaking is really helping things kind of come
9 together for me. First of all, I was about to ask
10 how many grades for middle school. So you-all are
11 defining middle school as 7th and 8th grade?

12 MR. HAMILTON: We're grades 5 through 8. I only
13 teach in grades 7 and 8.

14 DR. WILLIAMS: 8, okay. And so do y'all have
15 another teacher, physical education teacher for the
16 earlier grades?

17 MR. HAMILTON: Yes, uh-huh. Coach McDonald.

18 DR. WILLIAMS: Okay. So you have one teacher
19 for those two grades, basically?

20 MR. HAMILTON: Yes, sir.

21 DR. WILLIAMS: Okay. That helps me out there.

22 You know, I admire the fact that we do know that
23 physical activity makes a difference throughout the
24 day. So I think you're on the right concept, and I
25 like the idea of you all being innovative enough to

1 kind of reach out there. And one of the things I
2 look for is, first, do no harm; you know, in other
3 words, is the core curriculum still being covered?
4 I'm all for innovation but not innovation at the
5 expense of covering the basics. So it looks like
6 you're covering the bases.

7 What's the total number of students we have
8 involved in this right now? If this was approved,
9 how many students would you all have?

10 SUPT. ATWELL: 210.

11 DR. WILLIAMS: 210 students. And you all work
12 it so that each student would have kind of that
13 personal coach and so-forth?

14 SUPT. ATWELL: (Nodding head up and down.)

15 DR. WILLIAMS: Okay. So basically -- let me
16 come back to us now. So what we're looking for to do
17 today is to approve the conversion. And by approving
18 the conversion, the waivers come along with that?

19 CHAIRMAN PFEFFER: (Nodding head up and down.)

20 DR. WILLIAMS: Okay. I just want to make sure I
21 know what I'm approving here.

22 Okay. Well, overall, I think the idea is a good
23 idea, and I just like the idea that the community is
24 behind you. And I sure would like to see -- well,
25 let me just ask a question. Do you all have a way of

1 base-lining academic performance and to kind of
2 monitor it as you move through this process?

3 SUPT. ATWELL: Yes, sir. Yes, sir. We are
4 building systems of data and examining our work and
5 making sure we do that in short, frequent periods; so
6 short learning cycles as well as year-to-year. So,
7 yes, sir, we plan to do that.

8 DR. WILLIAMS: Okay.

9 CHAIRMAN PFEFFER: And with this waiver request,
10 is this a five-year request?

11 SUPT. ATWELL: Yes, ma'am.

12 CHAIRMAN PFEFFER: Is that right? Okay.

13 Mr. Rogers, did you have a question?

14 MR. ROGERS: I wasn't here last week, so if I --
15 or last month, so if I ask some repeat questions --

16 So this is going to be -- you're just doing your
17 whole middle school?

18 SUPT. ATWELL: Yes, sir, whole school.

19 MR. ROGERS: And you're asking for a 400 cap.
20 Can you tell me why you're asking for 400?

21 SUPT. ATWELL: Our enrollment is 200. But if
22 you look at the number of classrooms and the maximum
23 space at our facility, then we could enroll up to
24 400. I don't know that there will be that sort of
25 demand in the community, but I sure hope there is. I

1 hope when they hear about Mountainburg Middle School
2 Brain Academy we have to come back and say, "We need
3 more space."

4 MR. ROGERS: Okay. And then outside -- you said
5 that they're going to go outside and do this. But
6 what happens when it's -- now? What -- I mean you
7 said you -- so you're going to have -- because when
8 you were talking about the teachers and having 30
9 kids in a class, I mean I'm thinking 5 through 8, 30
10 kids running around and it's raining outside and
11 they're running down the hall doing exercise, how is
12 that -- I mean I just see it in my head and I'm
13 trying to understand a little bit more about how
14 that's not going to be just absolute chaos. Can you
15 tell me a little bit about that?

16 SUPT. ATWELL: We do have a middle school gym
17 and we use that gym for our before-school, our P.E.,
18 our lunchtime activity. We did get a Joint Usage
19 grant this year and we installed an 8-foot asphalt
20 walking path around the perimeter, with a loop of our
21 playground, and we're getting a lot of laps in on
22 that. And our kids are getting a lot of movement and
23 breaks between classes where they can go out and
24 stretch and move and they don't get muddy. And so
25 having a place when the rain is not falling where

1 they can get out and move quick, we can. We also
2 have several long hallways. And like we have -- one
3 of our building complex has a walking sidewalk around
4 the building, and so we utilize that space now for
5 transitions.

6 CHAIRMAN PFEFFER: Mr. Rogers, you should've
7 been with me Friday subbing in 1st grade. I can
8 assure you, you get a lot of physical activity in a
9 very small space. I'm sorry; I'm just kidding.

10 SUPT. ATWELL: And we do have -- our middle
11 school campus joins the high school campus and we
12 have a safe room with a P.E. facility there and we do
13 have exercise equipment there. So during inclement
14 weather we utilize the safe room for P.E. as well.

15 MR. ROGERS: I guess -- and the only other
16 concern -- I know that whatever it looks like,
17 whatever you're doing right now at your middle school
18 -- I don't know if it's a concern or good, but you're
19 improving, because I know y'all were a C and now your
20 report card was a B. And so now changing -- since
21 you are doing good stuff now, now switching it all up
22 how is that going to look too?

23 SUPT. ATWELL: Well, we're proud of the growth
24 that we've made, and the growth that we made is a
25 direct result of teacher collaboration and starting

1 to use data. And this is a -- we're proud of the
2 progress, but it's early; it's early in the game.
3 And so we're glad to see it and have a celebration
4 with our staff. And it just affirms even more that
5 when we work together and we use data to drive our
6 conversations and we make our decisions based on
7 what's best for kids we can change our data. And so
8 we continue -- we plan to continue that work.

9 CHAIRMAN PFEFFER: So, Ms. Howard, what does the
10 collaboration look like with the elementary and then
11 at the high school, if you're doing this in middle
12 school? Because a lot of times progress that you see
13 at the high school is the result of a strong middle
14 school and elementary foundation. And so, you know,
15 are there conversations as far as what you're doing
16 here and then how it might be something that would
17 become a seamless process?

18 SUPT. ATWELL: Unfortunately for us, Ms. Howard
19 is the middle school and the high school principal.

20 CHAIRMAN PFEFFER: Oh, okay. I'm sorry; I may
21 have missed that then.

22 SUPT. ATWELL: So there's a lot of --

23 CHAIRMAN PFEFFER: Okay.

24 SUPT. ATWELL: -- planning -- co-planning
25 between the two schools.

1 CHAIRMAN PFEFFER: Okay. Definitely.

2 MS. HOWARD: I definitely see a step towards
3 doing similar stuff in high school, the concept of
4 not having anyone sit for 50 straight minutes and try
5 to gain all the academic knowledge that they need to.
6 So I definitely love the concept that an 8th grader
7 could move to 9th grade and not be completely caught
8 off-guard by such a rigid structure, like a college
9 classroom. Those are plans in the making.

10 CHAIRMAN PFEFFER: Okay. Are there any other
11 questions?

12 DR. KREMERS: I guess just if State staff --
13 would you mind just -- what is the barrier to them
14 where they -- what is the barrier why they need a
15 charter? I still am unclear of that question.

16 MS. HYATT: Mary Claire Hyatt with the Division.

17 I can speak to it from a legal standpoint. So
18 they have requested quite a few waivers. I do know,
19 as you all know, there are multiple avenues to get
20 waivers. So, they could go the 1240 route; I think
21 all of the waivers they've requested at least one
22 open-enrollment has them. But typically when schools
23 come for 1240s -- and I don't think this is
24 prohibitive, but it's just in practice -- it's
25 usually more limited, not an entire -- you know,

1 pages and pages of waivers. We see that more with
2 district conversions. Typically when we have 1240s
3 it's to address a particular issue. That doesn't
4 mean that they couldn't get 1240 waivers for these
5 reasons. I think they absolutely could. But I also
6 think there are other -- outside of waivers, you
7 know, things that they can get when they have a
8 charter that they can't get without the charter. And
9 I think that's more about applying for grants,
10 applying for different types of funding, and stuff
11 like that. But that comes along with having the
12 charter designation.

13 DR. KREMERS: Thank you.

14 CHAIRMAN PFEFFER: Okay. Something -- and I
15 want to apologize. Mayor Wilson, I should have asked
16 you if you wanted to speak earlier, and I apologize
17 for that. I get nervous up here and just start
18 rambling on. And so would you like to say any
19 remarks?

20 MAYOR SUSAN WILSON: I'm Mayor Susan Wilson from
21 Mountainburg. And our school needs this; our
22 enrollment has been declining, because of school
23 choice to some degree. So if we got this, it would
24 impact the entire city by bringing more people to
25 Mountainburg. So school of choice -- this would be

1 something that if a child that goes to school 12
2 miles away and they see that we're doing activity all
3 day that they will bring their children to
4 Mountainburg. But also our city in general has just
5 put in a Joint Usage grant to -- for walking that
6 connects our city park and city complex to the
7 school. So it is -- we are as a community trying to
8 do more physical activities with everyone, and that
9 Joint Usage grant allows our population in general to
10 use that walking trail after school hours.

11 So we are trying as a community to beat and be
12 better than what we have been in the past, and with
13 our school grades coming up that really -- it means a
14 lot. We have been lower than a C at times. So we
15 are super excited about the improvements for the city
16 schools. Thank you.

17 CHAIRMAN PFEFFER: Thank you.

18 Okay. So if there aren't any additional
19 questions for the applicants, is there -- anybody
20 have any discussion or questions for panel members?

21 Okay. I think that the applicant did a good job
22 in addressing the questions that we had asked them
23 last time and some of those things that were causing
24 the uncertainty.

25 Just speaking to some of Dr. Kremers' concerns,

1 you know, I know there are times when we've had
2 applications and there are different avenues for
3 districts to seek waivers and try to be able to do
4 what they want to. But the district conversion
5 charter is a route where if a school has a plan that
6 they've put together in a thoughtful way and they
7 need that flexibility, you know, that has been the
8 basis for approvals in the past. So hopefully that
9 can help answer some of your concerns.

10 But if there are no more questions or discussion
11 --

12 DR. WILLIAMS: Yeah, I just -- just to add that
13 somewhere I think in an update on the academic
14 performance on this model -- you know, instead of
15 waiting till the end of five years, it would probably
16 be helpful maybe at the end of maybe year-three or
17 something like that just to kind of keep it on the
18 radar on what's going on. I'm sure they're going --
19 by the end of year-three, if they need to do
20 something different, they will have come to us to
21 make some adjustments. But waiting till end of year-
22 five --

23 CHAIRMAN PFEFFER: Sure.

24 DR. WILLIAMS: -- is a little bit long.

25 CHAIRMAN PFEFFER: Well, so what I would propose

1 that we do -- because after this we are going to do a
2 review of the ESSA School Index school letter grades
3 for our open-enrollment charter schools. And then
4 either next month or January we could do that for
5 district conversion charters. And if we start that
6 as a regular process annually --

7 DR. WILLIAMS: Okay.

8 CHAIRMAN PFEFFER: -- as a Panel, then that
9 gives us that chance to review. And if we do see
10 concerns, lack of progress, anything, then we're on
11 an annual basis kind of doing a check --

12 DR. WILLIAMS: Yes.

13 CHAIRMAN PFEFFER: -- on all of those that --
14 all of our charters, be it the open-enrollment or
15 district conversion. So is that something --

16 DR. WILLIAMS: (Nodding head up and down.)

17 CHAIRMAN PFEFFER: Okay.

18 DR. WILLIAMS: That will work.

19 CHAIRMAN PFEFFER: And that gives us even -- you
20 know, that way each year we can look at their
21 progress.

22 DR. WILLIAMS: Uh-huh.

23 CHAIRMAN PFEFFER: Okay.

24 DR. WILLIAMS: Okay.

25 CHAIRMAN PFEFFER: All right. Well, if there

1 are no more issues I would entertain a motion.

2 DR. WILLIAMS: So moved.

3 CHAIRMAN PFEFFER: Okay. So we have --

4 MR. BALDWIN: Second.

5 CHAIRMAN PFEFFER: -- a motion to approve and a
6 second. All those in favor say "aye."

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN PFEFFER: Any opposed?

9 Okay. Congratulations, you've been approved.

10 And if you'll give us a minute we will each give
11 our responses and feedback.

12 (A FEW MOMENTS OF SILENCE)

13 CHAIRMAN PFEFFER: Representative Johnson, if
14 you'd like us to set you up with a similar process in
15 the legislative committee, we can do that.

16 REPRESENTATIVE LEE JOHNSON: (inaudible)

17 CHAIRMAN PFEFFER: Okay. You all would be very
18 popular, I'm sure, for introducing that.

19 REPRESENTATIVE LEE JOHNSON: (inaudible)

20 CHAIRMAN PFEFFER: Yes. Just don't give me any
21 credit for that idea, please.

22 (A FEW MORE MOMENTS OF SILENCE)

23 CHAIRMAN PFEFFER: And as soon as we read our
24 responses we're going to do a 10-minute brain break.

25 Okay. Mr. Baldwin.

1 MR. BALDWIN: Yes. I want to thank you all for
2 the hard work that you've put into this. And I
3 personally appreciate the innovation and look forward
4 to seeing you all achieve what you want to. So I
5 voted to approve your -- approve the motion.

6 CHAIRMAN PFEFFER: Okay. Dr. Kremers.

7 DR. KREMERS: I approved the motion to allow
8 flexibility for innovation with activity immersed in
9 the academic school day. The conversion charter
10 should assist with this. I also applaud your
11 willingness to come back and share more details and
12 helping us visualize what the day will look like. So
13 I appreciate your patience with all the questions;
14 that really helped me better understand what your
15 plan is. So, thank you.

16 CHAIRMAN PFEFFER: Okay. Mr. Rogers.

17 MR. ROGERS: I supported the motion for this
18 district conversion and look forward to seeing how
19 the overall student growth continues.

20 CHAIRMAN PFEFFER: Okay. Mr. Wilson.

21 MR. WILSON: I supported the motion. I think
22 the approach is somewhat novel, maybe really novel.
23 And I agree with Dr. Williams that having an
24 assessment is -- by us is a good idea. I'm not real
25 sure how you're going to keep cell phones away from

1 these kids while they're outside; that's another
2 problem.

3 CHAIRMAN PFEFFER: Okay. Well, we'll work on
4 that later.

5 MR. WILSON: Yes.

6 CHAIRMAN PFEFFER: Okay. Dr. Williams.

7 DR. WILLIAMS: I support the motion. The
8 district conversion will allow the inclusion of
9 physical activity throughout the day. I also like
10 the innovation and the community support behind it.

11 CHAIRMAN PFEFFER: Okay. All right. Thank you
12 very much, and we will look forward to hearing about
13 your success.

14 Would a 5-minute break be good for everybody?

15 Okay. We'll do a 5-minute break; then we're
16 going to come back and look at progress for our
17 charters.

18 (BREAK: 11:10 - 11:22 a.m.)

19 A-4: REVIEW OF OPEN-ENROLLMENT CHARTER SCHOOLS

20 CHAIRMAN PFEFFER: Okay. So in this next part
21 we're going to do a review of data. And today it
22 will only be the open-enrollment charter schools, and
23 then in January I think we'll come back and review
24 district conversion charters.

25 So Ms. Webb has put together I think a way for

1 us to review. We did this last year for the first
2 time and kind of got a high-level overview of how
3 well our charter schools were doing to help us
4 determine whether or not there might be a need for us
5 to ask any questions, call any of our charters in.
6 So we want to start today with this initial review,
7 and they put together -- did you put together a
8 packet of materials for us to look at?

9 MS. WEBB: I emailed it to everyone.

10 CHAIRMAN PFEFFER: Okay. And so it's on the
11 email?

12 MS. WEBB: Yes.

13 CHAIRMAN PFEFFER: And we will let you walk us
14 through. And feel free to ask questions, if you want
15 to stop along the way and ask questions. And as you
16 -- and also then we can make some decisions if we do
17 feel like we need to call any charters in.

18 MS. WEBB: Okay. First, I provided just a
19 little overview information for you about our current
20 open-enrollment charters. There are currently 25
21 open-enrollment charters; two of those are virtual,
22 one is an adult learning center that serves students
23 ages 19 years old and above; and then we have three
24 charters that serve students in an alternative
25 learning environment.

1 In looking at letter grades, we have three
2 charters that increased from last year; seven that
3 decreased in letter grades; and 32 that remain the
4 same.

5 Now just a quick little graph about how many
6 A's, B's, and C's we had for open-enrollment
7 charters. You can see those numbers there.

8 And another piece of data that we thought was
9 very relevant was students that scored in need of
10 support in reading. Two of our charters had students
11 that scored 40% or more needed support in reading,
12 and then 10 charters had 50% or more of students that
13 needed support in reading -- and I'll highlight some
14 of those in just a few minutes.

15 So in your packets I did an overview of every
16 open-enrollment charter, but I would like to
17 highlight just a couple right now that we maybe have
18 concerns about or that the data is such that you need
19 to take a look at it.

20 SOUTHEAST ARKANSAS PREPARATORY HIGH SCHOOL

21 MS. WEBB: So, the first one is Southeast
22 Arkansas Preparatory High School.

23 So in here you can see their enrollment stayed
24 close to the same. They were an F school this year.
25 They just opened in the 18-19 school year. Sixty --

1 almost 66% of their students are in need of support
2 in reading. They've had several financial issues
3 with child nutrition -- and I think Child Nutrition
4 is here, if you have any questions about that -- in
5 submitting reports.

6 DR. WILLIAMS: Excuse me just a second.

7 MS. WEBB: Yes.

8 DR. WILLIAMS: Do we have access to the
9 information, the slides that you just presented?

10 MS. WEBB: The ones on here?

11 DR. WILLIAMS: Yes.

12 MS. WEBB: The ones --

13 DR. WILLIAMS: No, I was looking at my printout
14 here.

15 CHAIRMAN PFEFFER: Yeah.

16 DR. WILLIAMS: I have a printout that's --

17 CHAIRMAN PFEFFER: I don't think we have what
18 you have on this -- we don't have your slides, I
19 don't think.

20 MS. WEBB: Okay.

21 MR. ROGERS: Yeah, I think that last slide you
22 had with 40% and the 50% --

23 MS. WEBB: I have not sent the PowerPoint to
24 you. No.

25 DR. WILLIAMS: Okay.

1 MS. WEBB: What you do have in the packet are
2 like the information for each charter that is on --

3 DR. WILLIAMS: Okay.

4 MS. WEBB: -- that slide.

5 DR. WILLIAMS: And -- but we need to scroll down
6 to catch up to the charter school that you're looking
7 at?

8 MS. WEBB: I'm looking at Southeast Arkansas.
9 So they are in ABC order, so it should be closer to
10 the end.

11 CHAIRMAN PFEFFER: Okay.

12 DR. WILLIAMS: Okay.

13 CHAIRMAN PFEFFER: Could we go ahead -- Dan,
14 could you share that with us pretty quickly, and that
15 way we can look at those? It just helps because you
16 have the waivers in between on our document. Dan, do
17 you have it?

18 MR. DAN DAVIS: I just have the PowerPoint that
19 she's presenting to you on those screens. No, ma'am.

20 CHAIRMAN PFEFFER: Okay. So you can't email it.
21 Kelly or somebody -- can somebody email it to us?

22 MS. WEBB: I can do it real fast.

23 CHAIRMAN PFEFFER: I'm sorry. Yeah.

24 DR. WILLIAMS: It's just tough trying to --

25 MS. WEBB: Sure.

1 DR. WILLIAMS: -- catch up to you.

2 CHAIRMAN PFEFFER: And while she's doing that --
3 so when she's talking about schools that have 40% or
4 50% or more of their students in need of support in
5 reading, that is a particular concern. There was
6 legislation passed in the '19 session that -- where
7 if schools have 40% or more of their students that
8 score in that lowest category on the reading portion
9 of the ACT Aspire, then those schools are going to
10 need to take extra steps to really insure that
11 they're focused on reading. So if it was between 40%
12 and 50%, their school level plans, they work with
13 their educational co-ops or -- and also the
14 Department to detail in their plans how they're going
15 to address the reading issues. If it's 50% or more,
16 then the Department is more heavily involved in the
17 planning that they do and looking at how they're
18 directing their funds, specifically their ESA funds,
19 to address that. So those are particularly --

20 And can you go back to the number of schools
21 that were at 50% or more?

22 So there were 10 that had 50% or more, and
23 that's in that lowest category of in need of support.
24 Okay.

25 DR. WILLIAMS: That's very helpful.

1 DR. KREMERS: I'm sorry; email problems.

2 CHAIRMAN PFEFFER: Okay.

3 DR. WILLIAMS: We can keep moving. We can catch
4 up with you.

5 CHAIRMAN PFEFFER: Yeah, we'll catch up with
6 you.

7 MS. WEBB: Okay. So Southeast Arkansas Prep has
8 had some issues, financial issues with extremely low
9 bank balances, negative end-of-year projections, and
10 the child nutrition claims not being submitted. I
11 think we have someone from Finance as well as the
12 Child Nutrition Unit here to answer any questions.

13 Another issue is that -- I believe this is the
14 new superintendent, and so he may not be familiar
15 with the things that must be submitted throughout the
16 year. And so they have failed to submit the
17 Statement of Assurance for Constitutionally Protected
18 Prayer and the Minority Teacher and Administrator
19 Recruitment Plan. I think they were contacted
20 several times, but I don't think they've submitted
21 that as of today.

22 Currently, their accreditation status is
23 Probationary Pending; so they do have some things to
24 correct. I can tell you the exact number -- they
25 have a variety of about 17 different items that need

1 to be corrected within the SFA system in order to
2 meet standards. And we have specialists that work
3 with them daily to try to correct those.

4 CHAIRMAN PFEFFER: And so their first year of
5 operation was 2018-19?

6 MS. WEBB: It was, yes.

7 CHAIRMAN PFEFFER: Okay.

8 MS. WEBB: So this will be their second year.

9 MR. ROGERS: Have they fixed the child
10 nutrition?

11 MS. WEBB: They have submitted all their child
12 nutrition claims?

13 MS. SUSAN CHASTAIN: They have not submitted
14 their --

15 CHAIRMAN PFEFFER: Come on up to the microphone.

16 MS. CHASTAIN: Good morning. They have not
17 submitted their September claim as of this morning.
18 They have 60 days to do that, which is the end of
19 November.

20 MR. ROGERS: Have they gotten their previous
21 claims in now? I know that there was some problem
22 with getting them in.

23 MS. CHASTAIN: Yes.

24 MR. ROGERS: Okay.

25 MS. CHASTAIN: The prior claim for August has

1 been submitted and paid.

2 MR. ROGERS: Okay. So they did get it in in
3 time?

4 MS. CHASTAIN: Yes, by about five hours.

5 MR. ROGERS: How many?

6 MS. CHASTAIN: A few, five. Yes, sir.

7 MR. ROGERS: So they got it in in five hours in
8 time?

9 MS. CHASTAIN: Yes, sir.

10 MR. ROGERS: And how receptive are they when you
11 have been trying to reach out and get --

12 MS. CHASTAIN: I beg your pardon?

13 MR. ROGERS: How receptive are they when you
14 contact them as far as when you're trying to help
15 them?

16 MS. CHASTAIN: My assessment would be not
17 receptive. It is very difficult to make any
18 progress.

19 MR. ROGERS: Okay.

20 MS. CHASTAIN: Thank you.

21 DR. WILLIAMS: It sounds like we need to have
22 them to come pay us a visit.

23 MR. ROGERS: Well, that's what I was going to
24 ask. Do you want to go through all of them and then
25 go back?

1 CHAIRMAN PFEFFER: I'm fine if y'all want to
2 kind of stop along the way. I was just looking here;
3 so this is one of the three schools that had a letter
4 grade of F?

5 MS. WEBB: Right.

6 CHAIRMAN PFEFFER: And in addition to that --
7 and that was in their first year of operation. In
8 addition to that, 65% were scoring in that lowest
9 category. That's a very high percent. And then with
10 the financial issues and just the Statement of
11 Assurances -- yeah, I think -- and a probationary
12 pending, I think that would indicate --

13 MS. WEBB: Okay.

14 CHAIRMAN PFEFFER: Okay. So we need to -- what
15 are we thinking on timelines as far as calling
16 schools in?

17 MS. WEBB: We have a pretty full schedule for
18 the December meeting with eight renewal applications
19 and an amendment request. So, January?

20 CHAIRMAN PFEFFER: Is that -- would you rather
21 --

22 MR. ROGERS: At the latest. I would like to do
23 this one -- especially this one, because I know that
24 what she was talking about with the five hours --
25 they had five hours to get that claim in or they

1 would've lost that federal funding for child
2 nutrition. They have -- they've got issues going on
3 financially that -- we've tried to reach out to them
4 and talk to them -- sorry, my phone is going off in
5 my pocket; that's why I started jumping.

6 MS. WEBB: Do you want to do this one in
7 December?

8 MR. ROGERS: And so there's a lot of issues that
9 I think that both Child Nutrition and Finance have
10 had with this one, and I would like to get them in as
11 soon as possible.

12 CHAIRMAN PFEFFER: Okay. So in our December
13 meeting we have renewals --

14 MS. WEBB: Correct.

15 CHAIRMAN PFEFFER: -- for open-enrollment
16 charters.

17 MS. WEBB: Yes, ma'am.

18 CHAIRMAN PFEFFER: Is that correct?

19 MS. WEBB: Yes.

20 CHAIRMAN PFEFFER: And we have eight -- [cough]
21 -- excuse me -- eight renewals. So we were thinking
22 try to do five of those on the first day and then
23 three on day two.

24 MS. WEBB: We also have an amendment request.

25 CHAIRMAN PFEFFER: And then an amendment

1 request. So that's probably two pretty full days
2 there. We could add a third day in December
3 potentially to bring in any charters of concern, but
4 I don't know how you feel about that -- you know,
5 trying to do three days -- or we could try to just do
6 a separate time. But I'm almost concerned about
7 waiting till January, especially with this with
8 multiple issues.

9 MS. WEBB: We might could do one in December
10 possibly with the two-day schedule.

11 CHAIRMAN PFEFFER: Okay.

12 MR. ROGERS: I would -- if y'all would like, I
13 would like to have this one in December.

14 MS. WEBB: Okay.

15 MR. ROGERS: I think this one is serious enough
16 that the sooner we can get them in to find out what's
17 going on the better.

18 MS. WEBB: All right.

19 CHAIRMAN PFEFFER: Okay.

20 MS. WEBB: Next we have --

21 CHAIRMAN PFEFFER: Now are we --

22 Ms. Hyatt, do we need to make motions to that
23 effect, like maybe discuss it now and then at the end
24 summarize what the motion would be?

25 MS. HYATT: Yes, ma'am. So you can do it now,

1 you can make the motion on each individual school, or
2 you can wait until the end in case there are more.
3 It's up -- you have the flexibility to do what you
4 want, but you do need to make a motion in order to
5 bring in a school before you.

6 CHAIRMAN PFEFFER: Okay. So let's go through
7 and look at all of them, and then we'll make the
8 final motion on details.

9 CAPITAL CITY LIGHTHOUSE

10 MS. WEBB: So the next one I'd like to present
11 is Capital City Lighthouse. They have had an F in
12 their lower academy and D's in their upper academy
13 for the last two years. They are at almost 61% of
14 their students are in need of support in reading.
15 They have been identified, as far as federal
16 accountability goes, as a school in need of
17 comprehensive support. They have monitoring that was
18 scheduled for -- it's scheduled for tomorrow. And
19 their accreditation status is pending, cited Pending.
20 And their issues -- they only have two and those are
21 background checks, as far as accreditation status
22 goes. And so they could've hired a new employee and
23 so their background checks haven't passed yet; so
24 that's not as much of a concern. Just letter grades
25 and their reading.

1 CHAIRMAN PFEFFER: So the onsite monitoring
2 that's scheduled for tomorrow --

3 MS. WEBB: Yes.

4 CHAIRMAN PFEFFER: -- what will be addressed
5 there?

6 MS. WEBB: So we will look at all of the things
7 on the monitoring tools for Standards for
8 Accreditation and the federal side, are they in
9 compliance of all of those issues.

10 CHAIRMAN PFEFFER: So it looks like their
11 enrollment has also declined pretty significantly
12 over the last five years?

13 MS. WEBB: Uh-huh.

14 CHAIRMAN PFEFFER: Steady decline each year.
15 Well, maybe not each year.

16 MR. ROGERS: Is this the one that had the
17 flooding last year?

18 MS. WEBB: Yes.

19 MR. ROGERS: So they gave up -- they moved. So
20 this is in the one in North Little Rock that they had
21 the emergency and they moved their high school or
22 their --

23 MR. SCOTT: 6th grade.

24 MR. ROGERS: Okay. So now they're just a middle
25 school?

1 MR. SCOTT: K through 5.

2 DR. WILLIAMS: And this is the one that we're
3 going out to visit this afternoon.

4 MR. ROGERS: Yeah.

5 DR. WILLIAMS: It's in North Little Rock.

6 MS. WEBB: We visited Jacksonville Lighthouse
7 Charter yesterday, and tomorrow we have the onsite
8 visiting for Capital City.

9 DR. WILLIAMS: Okay.

10 MS. WEBB: Yes.

11 MR. ROGERS: So are we talking about the Capital
12 City -- are we just talking about the North Little
13 Rock campus or are we talking about both campuses?

14 MS. WEBB: We're talking about the North Little
15 Rock campus only.

16 MR. ROGERS: Well, they only have K through 5
17 now?

18 MS. WEBB: (Nodding head up and down.)

19 MR. ROGERS: Okay.

20 DR. WILLIAMS: Yeah, this is just a K through --
21 oh, they moved the 6th grade because of the flooding.

22 MS. WEBB: Yeah, last year.

23 MR. ROGERS: I did go visit this one. They are
24 a K through 5. And they've added -- they've worked
25 more on their culture; they've worked more on their

1 reading; they're working on getting more of their
2 teachers RISE certified; they've changed up their
3 structure of how they're going through their school.

4 I think it would still be, since they are an F,
5 something to consider bringing in. But I have been
6 there and know that they are working on improving,
7 and they did have that flooding issue last year. So
8 I know they had a lot -- their ESSA score was the
9 SQSS, but -- and that dropped them down because of
10 their attendance, which towards the last quarter they
11 didn't have good attendance because they had flooding
12 issues. So they know that and they're working to
13 address that too.

14 So I think that this would probably be a good
15 one to talk to as well, but I'm not as -- jumping on
16 it like I was --

17 MS. WEBB: Ms. McLaughlin noted that you brought
18 them in last year for a review as well.

19 CHAIRMAN PFEFFER: Okay. So would you maybe
20 want to hold until you've had an opportunity to visit
21 and they've had an opportunity to do the onsite
22 review and then we can make that decision?

23 DR. WILLIAMS: Very good. Yes.

24 CHAIRMAN PFEFFER: Okay.

25 PINE BLUFF LIGHTHOUSE

1 MS. WEBB: The next one I'd like to review is
2 Pine Bluff Lighthouse. They too had a declining
3 enrollment. They have been -- they're an F school in
4 their elementary and a -- in their 7/8 they received
5 a D. They have 62% of their students that are in
6 need of support in reading. And their accreditation
7 status is pending, cited Pending. And their issues
8 are nine background checks that have not been cleared
9 yet; so it could be that they've hired new employees
10 and that we're just waiting on those to clear.

11 CHAIRMAN PFEFFER: Okay. Did we bring this
12 school in last year --

13 MS. McLAUGHLIN: Yes.

14 CHAIRMAN PFEFFER: -- to review?

15 MS. McLAUGHLIN: And we chose to not renew, in
16 February.

17 CHAIRMAN PFEFFER: Okay.

18 MS. McLAUGHLIN: It went before the State Board.

19 MS. HYATT: Kelly may have just said this, but
20 this was the school, during their review last year,
21 that you voted not -- to non-renew. And then the
22 State Board -- they had a hearing and the State Board
23 overturned it and allowed the school to continue
24 operating.

25 CHAIRMAN PFEFFER: Okay.

1 DR. WILLIAMS: I think we need to bring them
2 back in. I would put them in the same category as
3 Capital City Lighthouse.

4 CHAIRMAN PFEFFER: Okay. And I -- yes, I'm
5 anxious to see what the background checks -- we need
6 to make sure that those get cleared immediately. So
7 if we go ahead and schedule them to come in at the
8 same time that would give a chance to make sure all
9 of that gets cleared up too.

10 DR. WILLIAMS: Uh-huh.

11 CHAIRMAN PFEFFER: Okay.

12 SCHOLARMADE ACHIEVEMENT PLACE

13 MS. WEBB: The next one is ScholarMade
14 Achievement Place. They're a K-3 building that
15 received a D letter grade. Last year was their first
16 year in existence -- actually, their second year; I'm
17 sorry. They have increased enrollment, but we have
18 75% of their students that are in need of support in
19 reading. And they were also credited pending for
20 their accreditation status -- cited pending; I'm
21 sorry. And their issues, they have three background
22 -- three issues; two are background checks and one is
23 the GT person in their district.

24 CHAIRMAN PFEFFER: So regarding the students in
25 need of support for reading, yeah, that is a very,

1 very high percentage in the lowest category. And
2 they're primary -- what grades?

3 MS. WEBB: K-3.

4 CHAIRMAN PFEFFER: K-3, okay. Do we know --
5 have we done any checks to see what they've done to
6 address that this year? Do we know if there's been a
7 substantial change made?

8 MS. WEBB: We don't. We know that Jane Green's
9 group is working with all of those schools in
10 districts to set forth a plan to implement things to
11 help improve their reading. But I can get more
12 information from her exactly what they're doing. But
13 we have not been on-site to monitor ScholarMade.

14 CHAIRMAN PFEFFER: Okay. So, but our team is
15 working with them on their plan?

16 MS. WEBB: Right.

17 CHAIRMAN PFEFFER: So last year was their first
18 year?

19 MS. WEBB: Correct.

20 CHAIRMAN PFEFFER: Okay. Would -- Panel
21 Members, how would you feel about our internal group
22 first checking to see what was put in place for this
23 year, since they've only had the one year? And even
24 though that is an unacceptably low number, obviously,
25 if there have been substantial changes made to

1 correct from that first year, see what our team has
2 to say. And then we could always come back and bring
3 them in in January, if needed. Would that be --

4 (COURT REPORTER'S NOTE: Panel Members are
5 nodding assent.)

6 DR. WILLIAMS: Uh-huh.

7 EXALT ACADEMY OF SOUTHWEST LITTLE ROCK

8 MS. WEBB: And the last one that I've
9 highlighted out of the open-enrollments is Exalt
10 Academy of Southwest Little Rock. They've maintained
11 a D letter grade for the past three years. They have
12 increased in enrollment somewhat. They have 60% of
13 their students that are in need of support in
14 reading. They did have state and federal monitoring
15 during the 2018-19 school year, and they were in
16 compliance. And their probationary status is -- or
17 their accreditation status is Probationary Pending.
18 And their issues include a variety of 25 different
19 items that still are not cleared up in the SFA
20 system; so things that they need to work on to meet
21 accreditation standards.

22 CHAIRMAN PFEFFER: So what is the expected
23 timeline on the Standards for Accreditation?

24 MS. WEBB: We've been working with districts
25 every day to help them clear those issues. Sometimes

1 it's a matter of schools not having the right person
2 to put the right information in. But 25 is a lot at
3 this point.

4 CHAIRMAN PFEFFER: It definitely is. So if it's
5 a Standards for Accreditation issue, is that
6 something normally that comes to the Charter Panel
7 before the State Board? Or is that something that
8 may need to go straight to the State Board first?
9 How do we normally -- I don't know how we normally --
10 I'm sorry.

11 MS. WEBB: State Board. And I think last year
12 we did that in May or June. So I don't know if we
13 have a different timeline for this year.

14 MS. COFFMAN: Deborah Coffman, Public School
15 Accountability.

16 We take Standards for Accreditation -- final
17 accreditation to the Board usually in June. But at
18 any time if a school is out of compliance and not
19 making efforts to get into compliance we have the
20 liberty to take that issue to the State Board at any
21 time.

22 CHAIRMAN PFEFFER: So is this something you
23 would envision needing to go ahead and go to the
24 State Board or -- I just -- that many items and it
25 being probationary violations -- if the Panel needs

1 to bring in for a review first, then we can do that.
2 Or if it's needing to go ahead and go to the State
3 Board, then I guess we would need your guidance on
4 what might be the best course of action.

5 MS. COFFMAN: We can discuss that. I mean
6 that's certainly -- we need to get their attention.
7 So if you would like for us to take care of that, we
8 can do that. If that's something that the Panel
9 would like to address in addition to accreditation
10 these other issues you would like to address at the
11 same time, then we can certainly bring them to the
12 Panel.

13 CHAIRMAN PFEFFER: Okay. Panel Members, what
14 are your thoughts since --

15 DR. WILLIAMS: I'm open to -- let me back-up
16 just a second now. What's the current plan for them?
17 What's already happened with the Department?

18 MS. WEBB: So we have Standards Specialists that
19 work with them daily to help -- to assist them in
20 correcting those deficiencies in the SFA system.

21 DR. WILLIAMS: Okay. And they're responsive to
22 the assistance you all are providing?

23 MS. WEBB: I think there's always conversation,
24 but not always action in correcting that.

25 DR. WILLIAMS: Uh-huh. When's the last time

1 that we -- have they been before us recently, like
2 last year, or has it been awhile?

3 MS. McLAUGHLIN: I don't believe we've reviewed
4 them.

5 DR. WILLIAMS: We haven't -- we have not
6 reviewed them. Okay.

7 MR. ROGERS: I remember them being here. I
8 think it was at least two -- maybe two years ago. I
9 do remember them --

10 DR. WILLIAMS: Okay.

11 MR. ROGERS: -- coming to us.

12 DR. WILLIAMS: I do too. And I just don't have
13 a sense of time on that.

14 I would put them in the -- I think we need to
15 see them. I wouldn't put them in the December box
16 though.

17 MR. ROGERS: Right. I agree.

18 DR. WILLIAMS: So sometime in the spring -- if
19 we have a day in the spring that we can kind of see
20 the ones that we need to see that's not in the
21 December group.

22 MS. WEBB: Absolutely.

23 DR. WILLIAMS: Does that make sense to --

24 CHAIRMAN PFEFFER: I think that makes sense as
25 far as looking -- kind of the Panel looking at the

1 overall -- I would suggest though that if the
2 Standards for Accreditation probationary items don't
3 get cleared up sooner rather than later, then they go
4 straight to the State Board. That would be my
5 recommendation.

6 DR. KREMERS: I would agree.

7 DR. WILLIAMS: I agree with that.

8 CHAIRMAN PFEFFER: Okay.

9 MS. WEBB: So those are all that I've
10 highlighted today.

11 MISC. MATTERS

12 MS. WEBB: There are a couple more that have had
13 an issue in the same data that we've presented here.
14 If you want me to review more of those, I can -- or
15 if you've had a chance to look through the packet, if
16 there are any that you would like to review. But
17 those five are the ones that I wanted to bring to
18 your attention.

19 DR. WILLIAMS: And given the fact that you've
20 brought to our attention, how does the -- are these
21 the five F schools or are there any more F schools?

22 MS. WEBB: They weren't -- they didn't all have
23 F's.

24 DR. WILLIAMS: Okay.

25 MS. WEBB: Yeah. Yes, I think those were all

1 the F schools.

2 CHAIRMAN PFEFFER: These schools with the letter
3 grade of F were the -- Southeast Arkansas Prep High
4 School --

5 MS. WEBB: Pine Bluff --

6 DR. WILLIAMS: Okay.

7 CHAIRMAN PFEFFER: -- the Capitol City lower
8 academy --

9 DR. WILLIAMS: Okay.

10 CHAIRMAN PFEFFER: -- and the Pine Bluff
11 Lighthouse elementary --

12 DR. WILLIAMS: I gotcha, okay.

13 CHAIRMAN PFEFFER: -- were the three that had --

14 DR. WILLIAMS: F grades.

15 CHAIRMAN PFEFFER: Uh-huh.

16 DR. WILLIAMS: Okay. In giving information on
17 those schools, is there a way to kind of give the
18 surrounding schools' grades also, --

19 MS. WEBB: Sure.

20 DR. WILLIAMS: -- whether that be charter or
21 traditional public schools, just to have an idea of
22 what are options for parents within that area.

23 MS. WEBB: Okay. We can do that and send
24 everyone an email with that information.

25 DR. WILLIAMS: Okay. Thank you.

1 CHAIRMAN PFEFFER: And this is very helpful to
2 see --

3 DR. WILLIAMS: Yes, it is.

4 CHAIRMAN PFEFFER: This has been very helpful
5 for me. You know, it's one thing to just say here's
6 a list of what a letter grade is; it's another when
7 you put together kind of a holistic picture where it
8 helps us to ascertain the levels of concerns that
9 might be there.

10 MS. WEBB: If there's ever any additional
11 information you would like on there, just let me
12 know.

13 CHAIRMAN PFEFFER: Okay.

14 MR. ROGERS: I'd like to know the 10 schools
15 that are at 50% or more of needing --

16 MS. WEBB: I have those.

17 MR. ROGERS: -- needing support in reading.

18 DR. WILLIAMS: Uh-huh.

19 MS. WEBB: At Premier --

20 MR. ROGERS: The 10 charters that scored in need
21 of support in reading of 50%, I would just like to
22 know who those are.

23 MS. WEBB: So the additional ones -- these five,
24 plus Premier High School-Little Rock, Friendship
25 Academy of Pine Bluff, Graduate Arkansas, Future

1 School of Fort Smith, Imboden Charter School, and
2 KIPP Delta.

3 DR. WILLIAMS: When you say KIPP Delta, which
4 one is that? Is that the -- well, Helena-West Helena
5 or Blytheville?

6 MS. WEBB: So the reading scores are provided as
7 a district; so all of them together.

8 DR. WILLIAMS: Okay. Uh-huh, okay. So it would
9 be combined for both?

10 CHAIRMAN PFEFFER: It would.

11 So would you all like to kind of start with what
12 they've presented today and pick out what we know,
13 like the one or two that we feel like we need to
14 bring in next month? And then maybe if you want more
15 details on those additional schools that had the 50%
16 or more below the in need of support for reading,
17 then she can provide some additional information for
18 us next month, and then we can decide whether or not
19 you want to take a deeper dive.

20 DR. WILLIAMS: Okay.

21 CHAIRMAN PFEFFER: Because as you said, with
22 some of the charters that have multiple sites it may
23 be -- as we dig in it may be that one campus looks a
24 little bit different than another campus, and it may
25 not; it may be that there's something to be looked at

1 in multiple locations.

2 MS. WEBB: So you want to receive this packet
3 with -- this information for each charter. Okay.

4 DR. WILLIAMS: Uh-huh.

5 MS. WEBB: So that information for those other
6 five that I just mentioned is in there as well.

7 CHAIRMAN PFEFFER: It's in there, okay.

8 MS. WEBB: You can take a look at that.

9 CHAIRMAN PFEFFER: So maybe what we need to do
10 is just look at the additional schools that -- in our
11 packet, and when we come back in December then we can
12 have a discussion if there might be some other
13 districts that we need to look at further.

14 DR. KREMERS: And I guess it's hard to put the
15 citations -- you know, like was mentioned, like the
16 25 items because it's probably ever-changing, it's a
17 moving target. So that's something you'd have to
18 add.

19 MS. WEBB: It does from day-to-day. If they
20 receive a new student that could trigger class size;
21 I mean it could trigger licensure. So it is, but I
22 can send you what those exceptions are currently.

23 DR. KREMERS: Okay.

24 MS. WEBB: Do you want those for the five that
25 you're going to take a look at?

1 DR. KREMERS: Well, we could just add that in
2 December --

3 MS. WEBB: Okay.

4 DR. KREMERS: -- like just --

5 MS. WEBB: Sure.

6 DR. KREMERS: You know, if it were just a bullet
7 and you could just say "as of" --

8 MS. WEBB: Sure.

9 DR. KREMERS: -- because that's really helpful
10 to give like that --

11 CHAIRMAN PFEFFER: Okay.

12 MS. HYATT: I just wanted to answer Dr.
13 Williams' question. Two of the three schools -- Pine
14 Bluff Lighthouse and Southeast Arkansas Prep -- are
15 in the bounds of the Pine Bluff School District which
16 is under State takeover; the other two surrounding
17 districts are Dollarway, under state takeover, and
18 Watson Chapel, which all of the schools have D's or
19 F's. And then Capital City is in the bounds of the
20 North Little Rock School District which has a more
21 varied grade level throughout the school. So, you
22 know --

23 DR. WILLIAMS: Yeah, okay. Thank you. That
24 gives us a better picture. Uh-huh.

25 CHAIRMAN PFEFFER: Okay. So kind of having that

1 information, this is almost, you know, taking a
2 triage approach in terms of, you know, what do we
3 need to look at doing first. And then I think just
4 having this type of information available will help
5 us then to continue to try to stay ahead of things or
6 on top of things so that we don't get too far down
7 the road.

8 Ms. Coffman is coming up.

9 MS. COFFMAN: Just a reminder that the schools
10 that -- or the districts that have been identified in
11 need of support for reading, that is new legislation;
12 it's in its infancy. We're bringing those schools --
13 they've been coming in to receive training from our
14 support team, and our district support team is in the
15 process of reviewing their district support plan. So
16 that'll go on for the next month or so. So we'll
17 have a lot more information in January on those
18 districts that you're bringing in in January than we
19 do today.

20 DR. WILLIAMS: Okay.

21 CHAIRMAN PFEFFER: So I think that's why we then
22 -- so like a district like ScholarMade, one year of
23 operation, knowing they have the district support
24 plan, I think that's why we had said we would hold
25 off on brining in ScholarMade. I think it's more of

1 the ones that have been in existence for awhile or
2 have those other things that are outside of the
3 reading that will prompt us to move more quickly.

4 So, okay.

5 DR. WILLIAMS: What about our December plans?

6 I'm trying to --

7 CHAIRMAN PFEFFER: Yes. So what -- we had a
8 couple that I think we were the most concerned about
9 -- Southeast Arkansas Prep was one because of -- and
10 also those financial issues really make it important
11 to bring them in soon. Was there another one that we
12 felt like we needed to see in December?

13 DR. WILLIAMS: Was it Capital City?

14 DR. KREMERS: That was to hold for onsite
15 visits.

16 DR. WILLIAMS: Right. That's right.

17 DR. KREMERS: Exalt, we were talking -- is that
18 December or is that --

19 MR. BALDWIN: I've got Pine Bluff Lighthouse.

20 DR. WILLIAMS: So it's number three. Capital
21 City, we decided to hold on that one until the visits
22 are done. I think Pine Bluff Lighthouse was the next
23 one on the list in December.

24 CHAIRMAN PFEFFER: Mr. Rogers, I think you were
25 wanting to see Pine Bluff Lighthouse. Are you

1 wanting to see both the elementary and the secondary
2 -- or the 7/8?

3 MR. ROGERS: I'm really -- yeah, I mean I guess.
4 The elementary is what I was more concerned with
5 because they've dropped down to F's in the past two
6 years and haven't come back up. And so that's really
7 where more of my concern is right now; it's just
8 because they're starting off at an F.

9 CHAIRMAN PFEFFER: Okay.

10 DR. WILLIAMS: So what day in December would we
11 have them come in on? Would it be on the 18th?

12 MS. McLAUGHLIN: Yes.

13 DR. WILLIAMS: Okay.

14 CHAIRMAN PFEFFER: Is that day-two of our two --

15 MS. McLAUGHLIN: On the 18th you'll have three
16 applications and an amendment request, and then we'll
17 bring in the reviews on the 18th.

18 DR. WILLIAMS: Okay.

19 CHAIRMAN PFEFFER: Okay. Is that going to be
20 feasible?

21 MS. McLAUGHLIN: I think so, if you're planning
22 to stay all day.

23 CHAIRMAN PFEFFER: Okay.

24 MS. McLAUGHLIN: I think it's doable. It
25 equates to the same as the 17th, I believe.

1 CHAIRMAN PFEFFER: Okay.

2 MS. McLAUGHLIN: So just for clarity's sake, you
3 want to bring in Southeast Prep on the 18th and --
4 anyone else?

5 MR. ROGERS: That was the only one that I
6 thought needed to --

7 MR. BALDWIN: Pine Bluff Lighthouse.

8 MR. ROGERS: You want to bring them in also on
9 --

10 MR. BALDWIN: (Nodding head up and down.)

11 CHAIRMAN PFEFFER: Okay.

12 MR. ROGERS: Do we need to make a formal motion
13 on that?

14 MS. HYATT: It would be my preference if you
15 would make one motion for the schools you would like
16 to hear in December and one motion for the schools
17 you would like to hear in January.

18 CHAIRMAN PFEFFER: Okay. All right. So for
19 schools in December, can we -- do I have a motion to
20 bring in --

21 DR. WILLIAMS: Southeast Arkansas Preparatory
22 and Pine Bluff Lighthouse elementary school.

23 CHAIRMAN PFEFFER: Okay. So I have a motion to
24 bring in Southeast Arkansas Prep High School and Pine
25 Bluff Lighthouse Elementary to the December 18th

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Charter Authorizing Panel.

Do I have a second?

MR. ROGERS: Second.

CHAIRMAN PFEFFER: Okay. I have a motion and a second. All those in favor say "aye."

(UNANIMOUS CHORUS OF AYES)

CHAIRMAN PFEFFER: Any opposed?

So do we need to -- in contacting the schools do we need to provide them -- do we need to state today what it is that we're going to want to look at or is that something then that we could follow-up with them as panel members?

MS. HYATT: I think it would be best if you would right now give your -- the concerns you have right now. And then maybe if you come up with another one in the next day or so you can email the Charter Unit and they can include that in the notice. But we do have to get notice to the charter schools about the specific concerns that you have that you want to look at.

CHAIRMAN PFEFFER: Okay. And this is a full review, so we're wanting to bring them in for a full review. I don't know if we make -- I think that was the intent of the motion to bring them in. I think though with both of these the reasons have been

1 outlined with -- from what Ms. Webb presented. Those
2 reasons for sure would be what we want to discuss
3 with them -- and then, any additional information.
4 Can you -- does anybody have something that's not on
5 here that you're going to want to look at?

6 DR. WILLIAMS: I don't know how to capture this,
7 but the responsiveness to concerns from the
8 Department of Ed.

9 CHAIRMAN PFEFFER: And we would want that from
10 both schools. Okay.

11 And I think Dr. Williams has already stated,
12 just as part of that review date, maybe having a list
13 of performance in schools within the area would be
14 helpful.

15 DR. WILLIAMS: Yes.

16 CHAIRMAN PFEFFER: Okay. All right. So we have
17 a motion for those two. Is there -- are there any
18 others that we want to go ahead and plan to bring in
19 for a review in January or possibly February?

20 DR. KREMERS: We mentioned Exalt, and we were
21 saying that we'd see if they quickly responded to
22 things. But we didn't -- what is "quickly?" So do
23 we want to set them on January tentative? If they're
24 not responsive, like is there a timeframe we want to
25 put around that? I feel like that was kind of open-

1 ended on what's timely for their response.

2 MS. WEBB: And you're referring to the Standards
3 for Accreditation issues?

4 DR. KREMERS: Uh-huh.

5 MS. WEBB: I would think they could have those
6 cleared up by the end of December at the latest. But
7 we will do our best to work with them or go visit to
8 help them clear those up by mid-December at least.

9 MR. ROGERS: So could we just get an update in
10 January --

11 MS. WEBB: Sure.

12 MR. ROGERS: -- just to see that they've got it
13 all in, and then --

14 MS. WEBB: Absolutely.

15 MR. ROGERS: Okay.

16 DR. KREMERS: And it's not hard to just add them
17 to January? Like do we need to make a motion to say
18 if they're not resolved then we would add them to
19 January for review? Do we need to -- or can we just
20 do that at that time?

21 MR. ROGERS: That's kind of what I was thinking.
22 In January, if they come in and say they haven't,
23 then we can --

24 DR. KREMERS: Okay.

25 MR. ROGERS: -- make a motion to ask for them to

1 come in at that time --

2 DR. KREMERS: Okay.

3 MR. ROGERS: -- is what I was thinking.

4 MS. WEBB: And we can provide -- since our next
5 meeting is the 17th and 18th, we could provide an
6 update at that time as well --

7 CHAIRMAN PFEFFER: Okay.

8 MS. WEBB: -- to see if they have all those
9 cleared up.

10 DR. KREMERS: Because it's been mentioned it may
11 go straight to the Board or -- in January. Okay.

12 CHAIRMAN PFEFFER: Okay. I think it would be
13 good at the December meeting then to have an update.

14 DR. WILLIAMS: Uh-huh. What about ScholarMade?
15 Where did we leave ScholarMade at?

16 CHAIRMAN PFEFFER: So I think since they've only
17 had the one year of operation and --

18 DR. WILLIAMS: Okay.

19 CHAIRMAN PFEFFER: -- and our team has been
20 working with them on their district plan of support,
21 maybe that's something in January --

22 Ms. Coffman, if your team can update us on any
23 of the charters that we're working with to develop a
24 district plan of support, maybe we put that on a
25 report -- as a report in January from your team. And

1 if there are outstanding concerns at that time, based
2 on their plan or capacity to implement their plan, we
3 can start that conversation. Does that sound
4 reasonable to everyone?

5 Yeah, and as she said, this is a new process; so
6 the development of those plans and the monitoring of
7 those plans and implementation, that is going to take
8 a little bit of time. We just don't want that to
9 drag on too long without seeing improvement for
10 students.

11 DR. WILLIAMS: Yes. Uh-huh.

12 CHAIRMAN PFEFFER: Okay. Okay. Anything else?

13 DR. KREMERS: So we don't have anybody for
14 January we're recommending?

15 CHAIRMAN PFEFFER: At this time I don't think we
16 have anybody for January. We have the two of
17 greatest concern that'll be coming in in December.

18 DR. KREMERS: Okay.

19 CHAIRMAN PFEFFER: Okay. Anything else?

20 Okay. And, Team, this was very helpful. Thank
21 you --

22 DR. WILLIAMS: Absolutely.

23 CHAIRMAN PFEFFER: -- for putting that together.

24 DR. WILLIAMS: Great job.

25 CHAIRMAN PFEFFER: Yeah.

1 CLOSING COMMENTS

2 CHAIRMAN PFEFFER: And, okay. Is there anything
3 else then that's on our agenda?

4 MS. WEBB: (Shaking head from side to side.)

5 CHAIRMAN PFEFFER: No. All right.

6 So our next meeting will be December 17th and
7 18th, and they will be updating us soon on all the
8 logistics.

9 So we appreciate everyone for being here. And
10 if there's no other items I would accept a motion to
11 adjourn.

12 DR. WILLIAMS: So moved.

13 DR. KREMERS: Second.

14 CHAIRMAN PFEFFER: Motion and second. All those
15 in favor?

16 (UNANIMOUS CHORUS OF AYES)

17 CHAIRMAN PFEFFER: All right. We're adjourned.

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20 (The meeting was concluded at 12:01 p.m.)

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A-3: MOUNTAINBURG MIDDLE SCHOOL BRAIN ACADEMY

EXHIBIT ONE (1)

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A-3: MOUNTAINBURG MIDDLE SCHOOL BRAIN ACADEMY

EXHIBIT TWO (2)

C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.
COUNTY OF SALINE)

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter and Notary Public before whom the foregoing proceedings was taken, do hereby certify that the same is a true and correct transcription before the Arkansas Division of Elementary and Secondary Education, Charter Authorizing Panel, in Little Rock, Arkansas, on November 19, 2019, that the said proceedings was reduced to typewritten form by me or under my direction and supervision; and that the foregoing pages constitute a true and correct transcription of all proceedings had in said matter.

I FURTHER CERTIFY that I am neither counsel for, related to, nor employed by any of the parties to this action.

I FURTHER CERTIFY that I have no contract with any parties within this action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial agency, or that requires me to provide any service not made available to all parties to the action.

WITNESS, MY HAND AND SEAL, THIS DATE: December 1, 2019.

SHARON K. HILL, CCR
Certified Court Reporter
Certificate No. 670

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