

**In The Matter Of:**  
*BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION  
CHARTER AUTHORIZING PANEL*

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*June 11, 2019*

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*Sharon Hill Court Reporting  
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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION  
CHARTER AUTHORIZING PANEL

SPECIAL MEETING

JUNE 11, 2019  
1:00 P.M.

A P P E A R A N C E S

PANEL MEMBERS (IN PERSON):

DR. IVY PFEFFER	Chairperson/ADE Deputy Commissioner
MR. GREG ROGERS	ADE Asst. Commissioner - Fiscal and Admin. Services
MR. PHIL BALDWIN	CEO, Citizens Bank
DR. ANGELA KREMERS	Deputy Director - CTE/Arkansas Dept. of Career Ed.

PANEL MEMBERS (CONFERENCE CALL):

MR. MIKE WILSON	Attorney & Education Advocate
MS. TOYCE NEWTON	Past State Board of Ed. Member

ADE LEGAL COUNSEL:

MS. MARY CLAIRE HYATT	ADE Specialist
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ALSO APPEARING:

MR. REGINALD BALLARD	Public School Program Coordinator
MS. KELLY McLAUGHLIN	Public School Program Advisor
MR. FREDDIE SCOTT	Operations Manager

LOCATION:

Arkansas Department of Education  
#4 Capitol Mall, Room 201A  
Little Rock, Arkansas

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P R O C E E D I N G S

CHAIRMAN PFEFFER: Ladies and Gentlemen, we will call to order the June 11, 2019, special Charter Authorizing Panel meeting. We appreciate those who are here with us today. We have members Greg Rogers, Angela Kremers, Phil Baldwin, and Ivy Pfeffer at the meeting, and then we have Ms. Newton joining us by phone. Ms. Newton, can you hear us okay?

MS. NEWTON: I'm having -- I have a little problem hearing you.

CHAIRMAN PFEFER: Okay. Is this better?

MS. NEWTON: A little bit.

CHAIRMAN PFEFFER: All right. We will try to -- we'll just try to speak up. And if you have any problems just interrupt us. Okay?

MS. NEWTON: All right.

CHAIRMAN PFEFFER: Okay. So Dr. Williams will not be joining us, and right now Mr. Wilson is not on the call.

Mr. Wilson, have you joined us?

[MOMENT OF SILENCE]

CHAIRMAN PFEFFER: Okay. All right. We will go ahead and get started with the meeting.

As Chair, my goal is to facilitate a fair and responsible hearing. Since we're not in our

1 traditional space today, I still ask that each person  
2 speak loudly and clearly for the benefit of those who  
3 are joining us by phone and also for the benefit of  
4 our court reporter who will take care of providing a  
5 transcript of the meeting.

6 CONSENT AGENDA

7 CHAIRMAN PFEFFER: On your agenda we have one  
8 consent item, which is a review of last month's  
9 meeting minutes. So I will give everybody a minute  
10 to look at those and, unless there's an issue, ask  
11 for a motion to approve the minutes.

12 DR. KREMERS: So moved.

13 MR. BALDWIN: Second.

14 CHAIRMAN PFEFFER: Okay. I have a motion and a  
15 second to approve the minutes.

16 All those in favor say "aye."

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIRMAN PFEFFER: Okay. Those minutes are  
19 approved.

20 And we will move to the Action Agenda.

21 A-1: REQUEST FOR DISTRICT CONVERSION CHARTER SCHOOL CLOSURE -  
22 BADGER ACADEMY

23 CHAIRMAN PFEFFER: Our first item is a Request  
24 for closure of a district conversion charter school,  
25 the Badger Academy. Mr. Scott, you're -- where is

1 Mr. Scott? Oh, there he is. Are you presenting that  
2 for us? I'm sorry, did I skip -- I skipped a report.  
3 Okay. I apologize. I didn't mean to skip you. I've  
4 got to get down here on my agenda. Did you have  
5 anything you needed to present to us?

6 MR. SCOTT: No. It was only pertaining to the  
7 consent agenda.

8 CHAIRMAN PFEFFER: Okay. All right. Sorry  
9 about that. I'll catch up here with my notes.

10 Kelly McLaughlin is going to present that to us.  
11 There she is.

12 MS. McLAUGHLIN: Is it okay if I sit here?

13 CHAIRMAN PFEFFER: You can sit there, yes.

14 MS. McLAUGHLIN: Okay. So we do have folks on  
15 the line that have called in from Badger Academy with  
16 Beebe School District.

17 At a recent local school board meeting --

18 MR. WILSON: This is Mike Wilson. I'm a little  
19 late. I'm sorry.

20 CHAIRMAN PFEFFER: Good afternoon. We have just  
21 gotten to the first action agenda item and Ms.  
22 McLaughlin is giving us an overview of this item.

23 MS. McLAUGHLIN: At a recent local school board  
24 meeting the Beebe School District voted to close the  
25 Badger Academy district conversion charter.

1 MS. NEWTON: I'm sorry. I can't hear, Ivy.

2 CHAIRMAN PFEFFER: Okay.

3 MS. NEWTON: I could hear you in the beginning,  
4 but I can't hear you now.

5 CHAIRMAN PFEFFER: We're going to have Ms.  
6 McLaughlin move over to the microphone.

7 MS. McLAUGHLIN: Okay. This is Kelly McLaughlin  
8 with the ADE. At a recent local school board meeting  
9 the Beebe School District voted to close the Badger  
10 Academy district conversion charter. And we do have  
11 representatives on the phone to present. They have  
12 submitted their letter for the closure that you have  
13 on the agenda that you can review.

14 CHAIRMAN PFEFFER: Okay. The representatives  
15 from Badger Academy, we're going to go ahead and  
16 swear you in. Do you swear or affirm that the  
17 testimony you're about to give shall be the truth,  
18 the whole truth and nothing but the truth?

19 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

20 CHAIRMAN PFEFFER: Okay. And will you recognize  
21 yourself, please?

22 SUPT. NAIL: Chris Nail, superintendent of the  
23 school district.

24 DR. DUFF: Rick Duff, assistant superintendent.

25 DR. Embrey: Scott Embrey, assistant

1 superintendent.

2 CHAIRMAN PFEFFER: Thank you all very much.

3 You have 20 minutes to do a presentation if you  
4 need to -- and we all have your information, if you  
5 want to refer to any of the documents that are loaded  
6 on the agenda.

7 SUPT. NAIL: Okay. We are wanting to transition  
8 from our conversion charter at Badger Academy, the  
9 ALE, to go with Arch Ford to provide the services for  
10 our students. And so we're looking for approval to  
11 dismiss our LEA number for our conversion charter; it  
12 would be filled by the Arch Ford model which would be  
13 more advantageous for our students.

14 CHAIRMAN PFEFFER: Okay. Are you ready for  
15 questions?

16 SUPT. NAIL: Yes.

17 CHAIRMAN PFEFFER: All right. Panel Members,  
18 I'll start with Mr. Baldwin. Do you have any  
19 questions for them?

20 MR. BALDWIN: Yes. Thank you. The question I  
21 have is -- so you're shutting down your Badger  
22 Academy and you're going to have three other what you  
23 call alternative learning environments. I'm not an  
24 educator. So could you explain what that means?

25 SUPT. NAIL: I'm sorry; we can't hear the



1 question.

2 MR. BALDWIN: Okay. Can you hear me now?

3 COURT REPORTER: That's my microphone.

4 SUPT. NAIL: It's a little bit better; not very  
5 good.

6 CHAIRMAN PFEFFER: Okay. I thought these were  
7 for the phone. We don't have any microphones for the  
8 phone?

9 MR. BALLARD: No.

10 CHAIRMAN PFEFFER: Okay. We apologize. We  
11 thought we had phone microphones near us, and we  
12 don't.

13 MR. BALDWIN: I've moved over closer. Is this  
14 better?

15 SUPT. NAIL: That's better.

16 MR. BALDWIN: Okay. Thank you. And I'm asking  
17 this question as a non-educator but -- you are  
18 shutting down the Badger Academy, but you're going to  
19 open up three alternative learning environments.  
20 Could you give us a little bit more background on  
21 what those are?

22 SUPT. NAIL: Yes. We -- Badger Academy was our  
23 conversion charter, which was our ALE program for our  
24 district. We've had that for several years. But the  
25 three that we're looking at -- I mean, it's Arch --

1           it's an alternative learning environment through Arch  
2           Ford, and they do several throughout the state. And  
3           the three that we are talking about would be one for  
4           secondary, one for elementary, and one for students  
5           that are having some anxiety issues and things -- an  
6           option for them to go to school, just more of an  
7           online setting for them.

8           DR. DUFF: Our current Badger Academy serves  
9           students in grades 7 through 12. But Arch Ford is  
10          going to be able to assist us with our students in 8  
11          through 12.

12                           [MOMENT OF SILENCE]

13          MR. BALLARD: Hello? Hello? Are you still on  
14          the line?

15          SUPT. NAIL: Yes.

16          CHAIRMAN PFEFFER: Oh, okay.

17          SUPT. NAIL: Yes, sir.

18          CHAIRMAN PFEFFER: Yes. And do you mind  
19          whenever you switch speakers to go ahead and identify  
20          yourself please?

21          SUPT. NAIL: Okay. This is Chris Nail,  
22          superintendent of the school district. And the  
23          reason why we want to transition to Arch Ford and  
24          drop our charter is threefold. The first thing is it  
25          allows us to provide more mental health through the

1 Arch Ford program to the schools. The second thing  
2 that it provides for is the HUB program which allows  
3 kids with either emotional needs or medical needs to  
4 achieve a high school diploma instead of home-  
5 schooling. And then the third thing, it allows us to  
6 consolidate our ALE; instead of doing 7-12 and K-6  
7 differently, we can streamline it and do K-12 all  
8 through the Arch Ford model.

9 CHAIRMAN PFEFFER: And for the benefit of panel  
10 members who may not be familiar with Arch Ford's ALE  
11 process, they have different structures within their  
12 overall framework that they work with schools so that  
13 it can be more tailored. In some cases students  
14 would be provided with maybe some career  
15 opportunities; in some cases it might be more of a  
16 strictly credit recovery type model; in some cases it  
17 could be more of what they're talking about with the  
18 social and emotional or mental health connections.

19 So, is that accurate? Would that be accurate  
20 for what you-all are doing?

21 SUPT. NAIL: Yes. This is Chris Nail again.  
22 Yes. But the things that we're very excited about,  
23 the extra opportunities, is because -- they call it  
24 the HUB program; the Dream is going to be our acronym  
25 for it. And it gives -- it allows students to still

1 achieve a high school diploma that also has a JAG  
2 component tied into it where they can actually work  
3 and have a job while they're obtaining their high  
4 school diploma.

5 CHAIRMAN PFEFFER: All right. Dr. Kremers, did  
6 you have a question?

7 DR. KREMERS: No.

8 CHAIRMAN PFEFFER: No.

9 Mr. Rogers?

10 MR. ROGERS: No.

11 CHAIRMAN PFEFFER: Ms. Newton, do you have a  
12 question?

13 MS. NEWTON: No, I don't think I do.

14 CHAIRMAN PFEFFER: Okay. Mr. Wilson?

15 MR. WILSON: No. No questions. Thank you.

16 CHAIRMAN PFEFFER: Okay. If we don't have any  
17 other questions, Dr. Nail, is there anything  
18 additional that you wanted to share with us?

19 SUPT. NAIL: No, other than the conversion  
20 charter has been very good for Beebe Schools for a  
21 long time; it helped a whole lot of kids. And now we  
22 think this new model will benefit our kids even more.

23 MS. NEWTON: Well, I do have a question. What's  
24 the -- this is Toyce Newton. What's the "even more?"  
25 What's the bonus of this? What's the -- what do you

1 see as the win-win with this particular request, as  
2 opposed to what's going on now? I understand the  
3 part about the JAG and about the students with -- you  
4 know, that would typically be home-schooled because  
5 of different reasons, whether they be, you know,  
6 health-related or psychological or -- so what is the  
7 win-win for this as opposed to what you've done  
8 previously?

9 SUPT. NAIL: Well, you mentioned the first part  
10 with the school of innovation that's tied to the JAG  
11 program. But the thing that impressed us the most  
12 about this model is that there's going to be more  
13 mental health in the classrooms for kids that need  
14 the emotional support. There's going to be two full-  
15 time mental health specialists on top of the teachers  
16 in this model and ALE -- a big part of it is  
17 providing those kids the mental support they need.  
18 And so that's the win-win to us.

19 MS. NEWTON: So, and we're to assume -- and so  
20 there are going to be two mental health specialists  
21 in a classroom. And I noticed that the numbers are  
22 not -- what is the average classroom size?

23 SUPT. NAIL: It could be no more than 15.

24 MS. NEWTON: No more than 15. So we're just two  
25 -- I'm just thinking two mental health specialists, I

1 could see if they were needed. But they're actually  
2 going to be in the classroom?

3 DR. DUFF: This is Rick Duff. They are going to  
4 be available to all of our students K-12. They're  
5 going to be -- elementary will have two classrooms  
6 and the secondary will have two classrooms. So they  
7 are going to be available and we're going to be on  
8 one site location, two buildings beside each other,  
9 where they will be readily available for students at  
10 any point in time.

11 MS. NEWTON: So how many will be on a campus?  
12 How many mental health specialists will be on the  
13 elementary campus?

14 DR. DUFF: Well, the buildings are right beside  
15 each other. So there's two people for the whole area  
16 there.

17 MS. NEWTON: For all -- for the entire --

18 DR. EMBREY: Yeah. This is Scott Embrey. It  
19 will be two mental health personnel for approximately  
20 25 students --

21 MS. NEWTON: I see. And, you know, I --

22 DR. EMBREY: -- between the secondary -- between  
23 secondary and elementary.

24 MS. NEWTON: Okay. One of the things that is of  
25 concern to me, I know that mental health specialists

1 need to be viable and to be relevant in each of these  
2 buildings. I'm concerned -- I know there's certain  
3 psychological needs of -- in different schools that  
4 vary -- at various levels. I don't want us to be in  
5 a position of connecting students with mental health  
6 and starting a system that would have them diagnosed  
7 and categorized for years. You know, so we've got to  
8 generate -- they've got to generate billable hours --  
9 and I'm not suggesting anything improper but it just  
10 -- it's a little disconcerting maybe -- I don't know  
11 -- to have that as -- you know, do you get my drift?

12 CHAIRMAN PFEFFER: Miss --

13 DR. EMREY: We understand. This is Scott Embrey  
14 again. We understand that. And one thing that we  
15 had talked with Arch Ford about is that we wanted to  
16 have some of those people available for other  
17 students in our district that have some of those  
18 needs, ones that -- on an as-needed basis. Because  
19 we know that they may not necessarily need to be  
20 there the full time but that they would be available  
21 if needed and then possibly help on our main campuses  
22 throughout the school year.

23 MS. NEWTON: I see. I see. Because that does  
24 seem like an over-saturation for that number of  
25 students, unless you're assuming that all of them are

1 going to have mental health issues. And, again, in  
2 order for them to be viable and for them to be in a  
3 position to justify their positions they have to bill  
4 so many hours or units. And I wouldn't want us to  
5 get caught up in that as a part of a charter because  
6 then it earmarks our students as being in a certain  
7 category sometimes when they're not. That's just my  
8 personal opinion about that. So I wouldn't want us  
9 to get into having it be designated as mental health  
10 as opposed to educational experience.

11 CHAIRMAN PFEFFER: Yes. And, Ms. Newton, I  
12 think -- and I'm going to direct this question to Ms.  
13 Hyatt just to clarify. But in --

14 MS. NEWTON: Okay.

15 CHAIRMAN PFEFFER: -- granting the request to  
16 close the conversion charter -- I mean, basically  
17 that's where the Charter Panel -- our role ends,  
18 because at that time basically the District is now  
19 just a traditional public school district, no longer  
20 having the conversion charter. They will be revising  
21 their ALE plan to insure that those students are  
22 receiving services, but what they're basically doing  
23 is going to have also the option for additional  
24 mental health services available to all students.

25 Is that -- am I correctly interpreting



1 everything, Ms. Hyatt?

2 MS. HYATT: Mary Claire Hyatt. Yes, ma'am. So  
3 basically the Panel today is just voting on whether  
4 or not to approve their request to basically rescind  
5 or voluntarily surrender their charter. And they  
6 would revert back to a traditional public school  
7 district; they would no longer be responsible for the  
8 things that are in the charter contract; they  
9 wouldn't have the waivers anymore that they have  
10 under the district conversion charter; and they would  
11 just be responsible for operating as a traditional  
12 public school district and following all the laws and  
13 rules, unless they were granted some waiver under  
14 1240. But that's really all you're voting on today  
15 is either to approve that or not, which would force  
16 them to continue operating their district conversion  
17 program until the charter contract expires.

18 CHAIRMAN PFEFFER: Okay. And, Ms. Coffman, have  
19 there been any concerns raised by anybody at the  
20 Department --

21 MS. COFFMAN: No.

22 CHAIRMAN PFEFFER: -- regarding the plan the  
23 district has?

24 MS. COFFMAN: No.

25 CHAIRMAN PFEFFER: Okay. Panel, are there any

1 additional questions for the District?

2 MR. BALDWIN: One more question.

3 CHAIRMAN PFEFFER: Okay. Mr. Baldwin has  
4 another question.

5 MR. BALDWIN: Yes. Have you all signed a  
6 contract with the Arch Ford co-op yet or is that  
7 still a pending matter?

8 SUPT. NAIL: No. So the board has given us  
9 permission to go to Arch Ford, but we've not come up  
10 with the contract yet.

11 MR. BALDWIN: But you expect that that will in  
12 fact happen?

13 SUPT. NAIL: Yes, sir.

14 MR. BALDWIN: Okay.

15 CHAIRMAN PFEFFER: Okay. If there are no other  
16 questions, I will accept a motion to either approve  
17 the request, deny the request, or take the matter  
18 under advisement.

19 DR. KREMERS: I move to approve the request.

20 CHAIRMAN PFEFFER: I have a motion to approve  
21 from Dr. Kremers.

22 MR. BALDWIN: Second.

23 CHAIRMAN PFEFFER: Second from Mr. Baldwin.

24 Is there any discussion?

25 All those in favor say "aye."

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(UNANIMOUS CHORUS OF AYES)

CHAIRMAN PFEFFER: Any opposed?

Okay. The motion passed.

If the District will stay on the line for just a minute -- instead of having each individual read -- we have our voting sheets where they're recording their information. And given the difficulty in hearing, I will just give you a summary of what each of the panel members include in their voting decision.

MS. NEWTON: I'm not able to access my voting sheet.

MR. WILSON: And I don't have sense enough to know how to make one work anyway. This is Mike Wilson.

CHAIRMAN PFEFFER: I tell you what, if -- Mr. Wilson, we will start with you -- if you'll just give us a quick summary, then Mr. Ballard is going to type that in.

MR. WILSON: Sure. I thought the request was reasonable and well thought-out with the Arch Ford Cooperative being involved with these kids. I thought it should work out all right.

CHAIRMAN PFEFFER: Okay. Thank you.

Ms. Newton.

1 MS. NEWTON: I voted for the request based on  
2 the fact that Arch Ford has demonstrated a history of  
3 being able to serve in this capacity.

4 CHAIRMAN PFEFFER: Okay. Thank you.

5 The other comments are very similar; "reasonable  
6 request" and "providing expanded services under a  
7 newer model through the cooperative" seemed to be in  
8 line with approval.

9 So, Beebe School District, congratulations and  
10 you are approved to no longer have the district  
11 conversion charter and to move forward with your new  
12 plans.

13 SUPT. NAIL: Thank you, ma'am.

14 CHAIRMAN PFEFFER: Okay. Have a great rest of  
15 the day.

16 SUPT. NAIL: Okay. Bye-bye.

17 A-2: REQUEST FOR DISTRICT CONVERSION CHARTER SCHOOL CLOSURE -  
18 WASHINGTON ACADEMY

19 CHAIRMAN PFEFFER: All right. We will go ahead  
20 and move to our next action agenda item, which is a  
21 request for closure of the Washington Academy  
22 district conversion charter -- and this is with the  
23 Texarkana Public School District.

24 Ms. McLaughlin, do you want to give us some  
25 details on this?

1 MS. McLAUGHLIN: Yes. We have Washington  
2 Academy. At the recent Texarkana School District  
3 board meeting the local school board voted to close  
4 the Washington Academy charter school for similar  
5 reasons -- outsourcing the ALE. And we do have Mr.  
6 Terry Taylor, who is the current principal of  
7 Washington Academy, on the line to present the  
8 information to you and answer any questions. Of  
9 course, the closure letter is attached in your  
10 agenda.

11 CHAIRMAN PFEFFER: Okay. Mr. Taylor, can you  
12 hear me?

13 MR. TAYLOR: Yes, I can hear you. Can you hear  
14 me?

15 CHAIRMAN PFEFFER: I can. Let's go ahead and  
16 swear you in. Do you swear or affirm that the  
17 testimony you're about to give shall be the truth,  
18 the whole truth and nothing but the truth?

19 MR. TAYLOR: Yes, ma'am.

20 CHAIRMAN PFEFFER: Okay. You have up to 20  
21 minutes to present to us any information, and then  
22 we'll follow-up with some questions.

23 MR. TAYLOR: Along with me here today is the  
24 assistant superintendent, Ms. Gwen Adams.

25 CHAIRMAN PFEFFER: Okay.

1 MS. ADAMS: Hello.

2 CHAIRMAN PFEFFER: Hi, Ms. Adams.

3 MR. TAYLOR: Okay. I guess, again, Washington  
4 Academy Charter School in the Texarkana, Arkansas,  
5 district is wanting to contract with Arch Ford  
6 Cooperative to provide all the alternative ed.  
7 programs, because Washington Academy is not only a  
8 charter school but also our alternative ed. program.  
9 And what Arch Ford would do, they would offer us two  
10 different alternative models similar to what we have.  
11 But the piece that's really going to help us also  
12 will be the mental health partnership and also the  
13 flex program, which provides the flexible school day,  
14 and it's focused on career readiness for our  
15 students. And of course the Texarkana, Arkansas,  
16 School District is also adding what we call the  
17 Collegiate Academy for those students who will be  
18 able to receive a high school diploma and receive an  
19 associate's degree at the same time.

20 So basically there will be three programs that  
21 will be taking the place of the Washington Academy  
22 charter school program that we think will be  
23 beneficial to all of our students. Thank you.

24 CHAIRMAN PFEFFER: Okay. Panel Members, let's  
25 move to questions. Anybody here in the room have

1 questions?

2 Okay. We don't have any questions here.

3 Ms. Newton, do you have questions?

4 MS. NEWTON: No, I do not.

5 CHAIRMAN PFEFFER: Mr. Wilson, how about you?

6 MR. WILSON: No, ma'am. Thank you.

7 CHAIRMAN PFEFFER: Okay. I think we probably  
8 were able to clear up some questions from the first  
9 agenda item. So since we have no questions --

10 Ms. Coffman, was there anything that came up as  
11 a concern from the Department?

12 MS. COFFMAN: No concerns.

13 CHAIRMAN PFEFFER: Okay. So the Department has  
14 no concerns.

15 With that, I would accept a motion to approve  
16 the request, deny the request, or take it under  
17 advisement.

18 MR. ROGERS: Move we approve the request.

19 CHAIRMAN PFEFFER: Okay. Mr. Rogers made a  
20 motion to approve the request.

21 MR. WILSON: Second.

22 CHAIRMAN PFEFFER: Mr. Wilson has seconded.

23 Any discussion?

24 All those in favor please say "aye."

25 (UNANIMOUS CHORUS OF AYES)

1 CHAIRMAN PFEFFER: Any opposed?

2 All right. That was a unanimous vote. And if  
3 you will stay on the line for just a minute, we've  
4 got the folks here at the -- that are present at the  
5 meeting, they're recording their information. And  
6 I'll just let Mr. Wilson and Ms. Newton go ahead and  
7 state their reasons for supporting the request.

8 MR. WILSON: I felt the request was reasonable  
9 and made provisions for the benefit of students.

10 CHAIRMAN PFEFFER: Ms. Newton has also noted  
11 that she has no concerns. And the other comments are  
12 that "the request seems to be being made to provide  
13 benefits for students" and "it's a positive step for  
14 the district."

15 So congratulations, you have the approval to  
16 close your conversion charter school and take up the  
17 new path going forward.

18 MR. TAYLOR: Thank you.

19 MS. ADAMS: Thank you.

20 CHAIRMAN PFEFFER: Okay. Have a great rest of  
21 the day.

22 MR. TAYLOR: You all too. Thank you.

23 A-3: REQUEST FOR OPEN ENROLLMENT CHARTER SCHOOL AMENDMENT -  
24 CAPITAL CITY LIGHTHOUSE CHARTER SCHOOL

25 CHAIRMAN PFEFFER: Okay. We are going to move



1 on then to the third item on our agenda, which is a  
2 request for the open enrollment charter school  
3 amendment for the Capital City Lighthouse charter  
4 school.

5 So, Mr. Ballard, you're going to talk to us  
6 about this one.

7 MR. BALLARD: Yeah. So on October 15, 2014, the  
8 Charter Authorizing Panel approved the application  
9 for Capital City Lighthouse Charter School. The  
10 charter is approved to serve students in grades K  
11 through 12 with a maximum enrollment of 750.  
12 Representatives of Capital City Lighthouse Charter  
13 School are appearing before the Charter Authorizing  
14 Panel to request an amendment to their current  
15 charter.

16 This item was added to the agenda due to the  
17 flooding that occurred in Arkansas. Unfortunately,  
18 Lighthouse Academy/Capital City campus suffered  
19 severe damage, and so they're going to present that  
20 damage and also request an amendment to help their  
21 students get through the next school year.

22 CHAIRMAN PFEFFER: Okay. And I think we have  
23 presenters here. So let me go through and make sure  
24 I have everyone's name. We have LaShawnda Noel and  
25 Amanda Crowder. And anybody else that will be

1 presenting for the charter?

2 MR. ELLIOTT: Brent Elliott.

3 CHAIRMAN PFEFFER: Brent Elliott. Okay.

4 MR. BELL: Chris Bell.

5 CHAIRMAN PFEFFER: All right. So let me go  
6 ahead and swear all of you in, please. Do you swear  
7 or affirm that the testimony you're about to give  
8 shall be the truth, the whole truth and nothing but  
9 the truth?

10 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

11 CHAIRMAN PFEFFER: Okay. Thank you very much.  
12 And you have 20 minutes to share information.

13 This is much harder when you're just trying to  
14 sit around the room; you know, it's like -- it's a  
15 little easier in the auditorium to feel like you know  
16 what to do.

17 Okay. And for those who are with us by phone, I  
18 think you --

19 MR. BALLARD: I emailed all the images that  
20 they're sharing to Ms. Newton and Mr. Wilson.

21 CHAIRMAN PFEFFER: Okay. In case you can't  
22 access the images, they're just sharing with us what  
23 the flooding looked like and are going to talk to us  
24 about the damage to the structure. Okay.

25 MS. NOEL: Good afternoon again.

1 CHAIRMAN PFEFFER: Okay. And please state your  
2 name and position for the record, and then you're  
3 recognized.

4 MS. NOEL: Yes, ma'am. I am LaShawnda Noel,  
5 Regional Director of Operations --

6 CHAIRMAN PFEFFER: You may need to go ahead and  
7 move up here closer, Ms. Noel, because I'm afraid  
8 they can't hear you.

9 MS. NOEL: Yes, ma'am.

10 (COURT REPORTER'S NOTE: Ms. Noel moves to stand  
11 beside the conference phone.)

12 MS. NOEL: I am LaShawnda Noel, Regional  
13 Director of Operations. I have with me Ms. Amanda  
14 Crowder, Regional Director of Academics; Mr. Brent  
15 Elliott, Accountant/Bookkeeper; and Mr. Chris Bell,  
16 General Business Manager -- all of Arkansas  
17 Lighthouse Charter Schools.

18 We're here before you today on behalf of the  
19 Capital City Lighthouse Charter School District to  
20 request an emergency change in our existing charter  
21 due to the most recent natural flood disaster in the  
22 state. Our campus suffered major loss, including  
23 that of a modular building which unfortunately is  
24 unrecoverable. This building is where the upper  
25 grades were housed and classes were conducted.

1           Because of these extenuating circumstances and  
2           the potential long-term impact that it may have on  
3           the campus, we are requesting an emergency amendment  
4           change to our charter to serve grades kindergarten  
5           through 5th only.

6           We are saddened to have to make this request but  
7           do so with the support of our board of directors,  
8           management company, staff, and parents. We have  
9           explored all viable options and unfortunately this is  
10          where we've landed. We want to provide our rising  
11          6th through 8th graders the opportunity to enroll in  
12          available open seats at our Jacksonville campus  
13          permanently, effective July 1, 2019.

14          With this being said, we are requesting that our  
15          college preparatory LEA that serves grades 7-8 at  
16          3901 Virginia, North Little Rock, Arkansas, be  
17          dissolved. Currently, we have temporarily  
18          transitioned all grade levels to the Jacksonville  
19          site for the remainder of this school year. Thank  
20          you.

21                 CHAIRMAN PFEFFER: Okay. Is there anyone else  
22                 who is going to do any part of the presentation -- or  
23                 they'll be available for questions?

24                 MS. NOEL: They will be available.

25                 CHAIRMAN PFEFFER: Okay. All right. So do we

1 have -- Mr. Baldwin, do you have any questions for  
2 them?

3 MR. BALDWIN: No.

4 CHAIRMAN PFEFFER: Dr. Kremers?

5 DR. KREMERS: No.

6 CHAIRMAN PFEFFER: Mr. Rogers?

7 MR. ROGERS: How many kids are we talking about?

8 MS. NOEL: 49.

9 CHAIRMAN PFEFFER: Okay. So, currently 49  
10 students would need the opportunity to transfer. Do  
11 you have that many available seats should they all  
12 want to go to Jacksonville?

13 MS. NOEL: We do. And we have been also in  
14 contact with Mr. Michael Stone of the North Little  
15 Rock School District, so just in case we have  
16 students who just don't want to transfer to our  
17 Jacksonville campus we will assist them in  
18 transferring back into the North Little Rock School  
19 District.

20 MR. ROGERS: Okay. That was all I had.

21 CHAIRMAN PFEFFER: Okay. That was my question  
22 as well about those students who might need a place.

23 Okay. So, Ms. Newton, did you have any  
24 questions?

25 MS. NEWTON: No, I don't.

1 CHAIRMAN PFEFFER: Okay. Mr. Wilson?

2 MR. WILSON: No. No, ma'am. Thank you.

3 CHAIRMAN PFEFFER: Okay. All right. Ms.  
4 Coffman, ADE, do we have any considerations here?

5 MS. COFFMAN: We do not have any concerns, but I  
6 would like to brag on them.

7 CHAIRMAN PFEFFER: Okay.

8 MS. COFFMAN: This school district immediately  
9 put into place a plan to serve kids. They still had  
10 10 days of school left in their calendar and so they  
11 could've come before us and asked for a waiver to not  
12 have those 10 days; but instead, they chose to make  
13 an alternative plan to educate the kids. So we  
14 really want to support them.

15 CHAIRMAN PFEFFER: Okay. And thank you for  
16 sharing that.

17 Yes, Mr. Baldwin.

18 MR. BALDWIN: When did the flood occur? And are  
19 your other buildings at risk if it floods more?

20 MS. NOEL: What we have learned, which we didn't  
21 know before now, is that this was the perfect storm  
22 shall I say. We are not considered to be in a flood  
23 zone at all. It just so happens that our campus  
24 bumps up to the back of Burns Park, which is a part  
25 of the something-something-something-something. And

1 so our main building was not affected whatsoever, but  
2 the modular which houses our upper grades -- we saw  
3 the water rising; we did not know how quickly it  
4 would rise or how high. But we were able to get all  
5 of the staff members -- we had community members come  
6 over and just assist us in up-, you know, -rooting  
7 all of our equipment in a timely fashion to get it to  
8 higher ground. Fortunately, our main building sits a  
9 little bit higher than this modular building. And  
10 North Little Rock School District came over; they  
11 helped us out quite a bit. I mean, it was just a  
12 great community effort, and so we were happy about  
13 being able to get all of our things out in time. We  
14 hoped that we could salvage the building, but  
15 unfortunately we couldn't.

16 MR. BALDWIN: It looks like you've done the very  
17 best you could in a bad situation. I'm sorry that it  
18 happened.

19 MS. NOEL: (Nodding head up and down.)

20 CHAIRMAN PFEFFER: Well, again we want to add  
21 our appreciation for you thinking first about the  
22 kids, and we're happy to be able to work with you.

23 So, all right. With that said, if there aren't  
24 any additional questions I'll entertain a motion for  
25 this request.

1 MR. ROGERS: Move we approve the request.

2 CHAIRMAN PFEFFER: Okay. I have a motion from  
3 Mr. Rogers to approve the request.

4 MR. WILSON: Second.

5 CHAIRMAN PFEFFER: Second from Mr. Wilson.

6 All those in favor say "aye."

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN PFEFFER: Any opposed?

9 Okay. It was unanimous to approve the amendment  
10 request.

11 And Panel Members will be recording their votes  
12 on the voting sheet.

13 Ms. Noel and Team, we acknowledge that you had  
14 an impossible situation. You're doing what's best  
15 for kids. We appreciate your attention to the safety  
16 concerns, both immediate and in the long-term, and  
17 we're glad to be able to work with you today. And so  
18 thank you very much. If you need anything, let us  
19 know.

20 MS. NOEL: Thank you.

21 A-4: REQUEST FOR CHARTER CONTRACT AGREEMENT APPROVAL

22 CHAIRMAN PFEFFER: Okay. All right. The last  
23 item on our agenda is a request to approve the  
24 Charter Contract Agreement. So, Mr. Ballard, will  
25 you walk us through what those changes entail?



1 MR. BALLARD: Yes, ma'am. I'm actually going to  
2 defer to Mary Claire Hyatt for kind of the review of  
3 the Charter Contract Agreement.

4 CHAIRMAN PFEFFER: Okay. So, Ms. Hyatt, we will  
5 let you --

6 MS. HYATT: So there have been multiple versions  
7 of the charter contract in the past. Most recently,  
8 we have actually not been using a written formal  
9 charter contract and have rather been using the  
10 amendment request, the application, and the hearing  
11 transcript to kind of make a contract. I think it's  
12 been one of the goals of Public School Accountability  
13 to make sure we're being transparent. And we get a  
14 lot of requests to view the actual charter contract  
15 from members of the public and stakeholders. So in  
16 an effort to make sure that we're being transparent  
17 we decided to kind of move back to the more formal  
18 Charter Agreement that looks like a traditional  
19 contract. We did draft this and then we did work  
20 with stakeholders to kind of give us some feedback on  
21 things that were included in here. Everything that  
22 is in the contract either comes from law or rule or  
23 something that's within the discretion of the  
24 Authorizer to require and basically holds charters  
25 accountable to what's in their application and any

1 changes that they agree on during the original  
2 hearing. And then also has appendixes that would  
3 include all their waivers so that they're in one spot  
4 for everyone to view, all their amendment requests so  
5 they're in one spot for anyone to view, and that -- I  
6 think the goal is that moving forward if there -- we  
7 would use this contract for all new charters, open  
8 enrollment charters. And then anyone who doesn't  
9 have a signed contract, we'll use this one. There  
10 are some charters that have signed formal contracts  
11 that were of a previous version, and we'll continue  
12 to operate under that version of the contract until  
13 they're up for renewal; so we won't be retroactively  
14 applying this contract to anyone. I think there are  
15 only a handful of schools that don't have a charter  
16 contract, so we'll use this one. And then anyone  
17 that you approve this year we'll use it moving  
18 forward. I think we met with APSRC and discussed  
19 some of their concerns with the Charter Contract and  
20 got to an agreement on that with them too; so I think  
21 everyone is onboard.

22 CHAIRMAN PFEFFER: Okay. So, and this includes  
23 any new legislation that passed that would need to be  
24 included?

25 MS. HYATT: So we didn't include any -- we --

1 the only thing that changed in the Charter Contract  
2 was one of the acts that referred to the Charter  
3 Panel's new ability to transfer an assignment, and  
4 that is included in the Charter Contract. All of the  
5 other laws and rules that changed are just kind of  
6 incorporated in general language about following  
7 Title 6 unless waived and following ADE rules unless  
8 waived.

9 CHAIRMAN PFEFFER: Okay. All right. Panel  
10 Members, any questions? Mr. Rogers, did you --

11 MR. ROGERS: (shaking head from side to side.)

12 DR. KREMERS: (shaking head from side to side.)

13 MR. BALDWIN: (shaking head from side to side.)

14 CHAIRMAN PFEFFER: Okay. Mr. Wilson, did you  
15 have any questions?

16 MR. WILSON: No, ma'am. Thank you.

17 CHAIRMAN PFEFFER: Okay. Ms. Newton?

18 MS. NEWTON: No, I don't.

19 CHAIRMAN PFEFFER: All right. Well, if there  
20 are no questions I'll entertain a motion to approve  
21 the contract.

22 MR. BALDWIN: Motion.

23 MR. WILSON: So moved.

24 MR. BALDWIN: Second.

25 CHAIRMAN PFEFFER: Okay. So I have a motion to

1 approve and second.

2 And, Ms. Hyatt, you did say that this would go  
3 into effect at the time of a renewal or a new  
4 approval; correct?

5 MS. HYATT: So new approval, renewal, and then  
6 the ones that don't currently have a charter contract  
7 it will apply to those.

8 CHAIRMAN PFEFFER: It will apply to those.  
9 Okay. Very good.

10 All right. All of those in favor say "aye."

11 (UNANIMOUS CHORUS OF AYES)

12 CHAIRMAN PFEFFER: Any opposed?

13 All right. Congratulations to the Charter Unit.  
14 You have approval to move forward with the new  
15 Charter Agreement, so --

16 MISC. BUSINESS

17 MS. HYATT: I do have one proposition to the  
18 Panel. I know you guys spend a lot of time in the  
19 meetings reviewing what you guys are entering into  
20 the Google document. And it might be, if the Panel  
21 is open to this, more expeditious if instead of  
22 having you guys read all of that -- we're just  
23 providing a copy in writing to the charter applicant  
24 or school and also to media rather than have to have  
25 you guys go through everything you've just spent all

1 that time discussing. If you're open to that, we can  
2 make that change in the process.

3 CHAIRMAN PFEFFER: How do you feel about that?

4 DR. KREMERS: The only thing is if they have a  
5 question they would have to wait till -- would we  
6 have to reconvene if there was a question? And I  
7 guess --

8 MS. NEWTON: I'm sorry, Dr. Kremers, I can't  
9 hear you.

10 DR. KREMERS: I was just saying would that only  
11 possibly create a situation where if they had a  
12 disagreement or question about comments would we have  
13 to reconvene or just answer it in a formal or  
14 informal way? That's my only thought. But  
15 otherwise, I'm flexible.

16 MS. HYATT: You can just think about it.

17 CHAIRMAN PFEFFER: Yeah.

18 MS. HYATT: We don't have to make a decision.

19 CHAIRMAN PFEFFER: Maybe it is something we want  
20 to think about. I think there are times when, for  
21 example, if it's a new charter that -- you know, I  
22 know at times when we have not approved new charters,  
23 and especially if there's a split vote, sometimes it  
24 is helpful to hear the reasons behind and it does  
25 give the Panel Members time to explain their vote.

1 It just maybe is not like for a situation like today  
2 when it was obvious why everyone approved, you know.

3 So maybe we think about how do we do it moving  
4 forward and are there times when it's okay for us  
5 just to do like one summary statement or when does  
6 everybody need to maybe explain. Okay. But we'll --  
7 if that's okay, we'll kind of think about the  
8 procedural part before next time.

9 CLOSING COMMENTS

10 CHAIRMAN PFEFFER: Okay. All right. Do we  
11 have any additional things that we need to discuss?

12 All right. Our next meeting is scheduled for --

13 MR. BALLARD: August 13th.

14 CHAIRMAN PFEFFER: -- August 13th. And that  
15 will be for the new applications. All right. So Mr.  
16 Baldwin will be excited for that. He's not gotten to  
17 review new applications yet, so he's going to be  
18 ready for that new experience. And everybody else  
19 it's old-hat by now.

20 So, Ms. Newton or Mr. Wilson, is there anything  
21 you need from us?

22 MS. NEWTON: No.

23 MR. WILSON: No, ma'am. Many thanks for a well-  
24 run meeting again.

25 CHAIRMAN PFEFFER: Well, thank you for joining.

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We look forward to seeing you soon, Ms. Newton.

MS. NEWTON: All right.

ADJOURNMENT

CHAIRMAN PFEFFER: Okay. All right. Motion to

--

MS. NEWTON: Goodbye.

CHAIRMAN PFEFFER: Do we have a motion to  
adjourn?

DR. KREMERS: So moved.

MR. BALDWIN: Second.

CHAIRMAN PFEFFER: All right.

MR. WILSON: Bye-bye.

CHAIRMAN PFEFFER: Bye. We're adjourned.

(The meeting was concluded at 1:45 p.m.)

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 State Department of Education, Charter Authorizing Panel, in Little Rock, Arkansas, on June 11, 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: June 15, 2019.

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



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