

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

November 13, 2018

*Sharon Hill Court Reporting
4021 Robinwood Cr.
Bryant, AR 72022
(501) 680-0888*

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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
CHARTER AUTHORIZING PANEL

NOVEMBER 13, 2018
1:30 P.M.

A P P E A R A N C E S

PANEL MEMBERS:

DR. IVY PFEFFER	Chairperson/Deputy Commissioner
DR. MIKE HERNANDEZ	Assistant Chairperson
	ADE State Superintendent
MR. GREG ROGERS	ADE Asst. Commissioner -
	Fiscal and Admin. Services
DR. ANGELA KREMERS	Deputy Director -
	Career & Technical Education/ Ark. Dept. of Career Ed.
MR. MIKE WILSON	Attorney & Education Advocate
DR. NACCAMAN WILLIAMS	Past State Board of Ed. Member

ADE LEGAL COUNSEL:

MS. COURTNEY SALAS-FORD	ADE Deputy General Counsel
MS. MARY CLAIRE HYATT	ADE Specialist

ALSO IN ATTENDANCE:

DR. ALEXANDRA BOYD	Asst. to Director -
	Public School Accountability
MR. REGINALD BALLARD	Public School Program Coordinator
MS. KELLY McLAUGHLIN	Public School Program Advisor
MS. VIRGINIA PERRY	Public School Program Advisor

LOCATION:

Arkansas Department of Education
- PLSB Conference Room #105-C
#4 Capitol Mall
Little Rock, Arkansas

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P R O C E E D I N G S

CHAIRPERSON PFEFFER: So we will go ahead and call this meeting to order for our afternoon action agenda session, and we welcome everybody here. And we do have Dr. Williams with us through Zoom.

CONSENT AGENDA

CHAIRPERSON PFEFFER: So we will start with our consent agenda this afternoon. And if you'll take a moment to review that, I will accept a motion to approve the consent agenda from the last meeting.

DR. KREMERS: I move to approve the consent agenda.

MR. WILSON: Second.

CHAIRPERSON PFEFFER: Okay. I have a motion and a second to approve the consent agenda.

All those in favor say "aye."

(UNANIMOUS CHORUS OF AYES)

CHAIRPERSON PFEFFER: Okay. Any opposed?

All right. So that is approved.

We'll go ahead and move into the action items.

A-1: REQUEST FOR CHARTER SCHOOL AMENDMENTS: STANDARDS FOR ACCREDITATION

DR. BOYD: Thank you, Dr. Pfeffer.

Alexandra Boyd, Public School Accountability.

The action -- the first action item on your

1 agenda is a continuation of the Standards for
2 Accreditation. The ones that you see on this list,
3 either we made some mistakes with them -- I think
4 with Gentry we made a mistake and we had to correct
5 it. And then I think with the others we
6 inadvertently left some of the waivers that they
7 needed off of the list due to a problem with the
8 sorting on the spreadsheet. So this is really just a
9 clean-up of what you've seen previously. But if you
10 have any questions, myself or Mary Claire will be
11 happy to answer them.

12 CHAIRPERSON PFEFFER: Okay. And are we going to
13 approve item (a) as one item and then item (b) as
14 another item?

15 DR. BOYD: That's fine.

16 CHAIRPERSON PFEFFER: I think that's what we did
17 last time. So let's do that first.

18 a) DISTRICT CONVERSION CHARTERS

19 CHAIRPERSON PFEFFER: So the District Conversion
20 Charters, you have all of those where they've been
21 updated to reflect current standards for
22 Accreditation. So, first of all, are there any
23 questions for Ms. Hyatt or Dr. Boyd?

24 All right. Seeing no questions, I would accept
25 a motion.

1 MR. WILSON: I move the approval of item (a) as
2 a group.

3 CHAIRPERSON PFEFFER: Okay.

4 DR. WILLIAMS: Second.

5 CHAIRPERSON PFEFFER: Okay. I have a motion and
6 a second to approve item (a).

7 All those in favor say "aye."

8 (UNANIMOUS CHORUS OF AYES)

9 CHAIRPERSON PFEFFER: Any opposed?

10 Okay. We have a unanimous approval for item
11 (a).

12 b) OPEN-ENROLLMENT CHARTERS

13 CHAIRPERSON PFEFFER: And moving on to item
14 1(b), these would be the amendment requests for Open-
15 Enrollment Charters.

16 Dr. Boyd, again, are these clean-up and updates?

17 DR. BOYD: That's correct.

18 CHAIRPERSON PFEFFER: Okay. Any questions about
19 any of these items?

20 Okay.

21 DR. HERNANDEZ: Move to approve item (b).

22 MR. WILSON: Second.

23 CHAIRPERSON PFEFFER: Okay. I have a motion to
24 approve and a second.

25 All those in favor say "aye."

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(CHORUS OF AYES)

CHAIRPERSON PFEFFER: Any opposed?

DR. WILLIAMS: Aye.

CHAIRPERSON PFEFFER: Sorry, Dr. Williams.

Okay. No opposed. It's unanimous approval for item (b) as well.

A-2: REQUEST FOR OPEN-ENROLLMENT CHARTER SCHOOL AMENDMENT: THE EXCEL CENTER

DR. BOYD: All right. And then item 2 was withdrawn by the charter, so you do not have to consider that today.

A-3: FOR CHARTER AUTHORIZING PANEL CONSIDERATION: REVIEW OF DISCUSSION CONCERNING CHARTER SCHOOL ACHIEVEMENT AND POSSIBLE REVIEW

DR. BOYD: And then the next item on the agenda is for you guys to decide if you would like to call any of the charter schools before you based on their previous academic performance, which we discussed during the work session.

CHAIRPERSON PFEFFER: Okay. So in our work session this morning everyone -- you got a lot of information. You've been able to look at some data and we did discuss that next month there are some of our charters coming in for renewals. So I think you have a list of those open-enrollment and district

1 conversion charters that will be coming in for
2 renewals. So there will be an opportunity then to
3 review some information. But at this time if there
4 are others that we feel like maybe need to be called
5 in for consideration we can go ahead and make that
6 motion to do that. And I believe if that were the
7 case we would be looking at trying for them to come
8 in in January. Is that right, Dr. Boyd?

9 DR. BOYD: Yes, that's correct. We would -- if
10 you would like to see someone, you would talk about
11 the information that you would like from the school
12 today. And we would draft a letter to send to the
13 school to put them on notice, and they have to have
14 at least 35 days. So we'd be more comfortable with
15 having them come in January, because that would give
16 them more time to prepare in response to the
17 questions that you have.

18 And I just sent you a link to voting sheets in
19 the case that you would need them for this action
20 item. But we did not have them for the previous
21 items.

22 DR. WILLIAMS: I have a question.

23 DR. BOYD: Uh-huh.

24 DR. WILLIAMS: Dr. Boyd, for the schools with an
25 F, were you all going to -- I don't see necessarily

1 that we need to bring all of them in in January. So
2 do you all have a plan to reach out to the schools
3 and see what's going on and then bring something back
4 to us, the ones you-all think we need to visit with?

5 DR. BOYD: So the schools that have -- the
6 schools that do have an F letter grade have also been
7 identified for some other type of support. So they
8 are getting support from the Department for one
9 reason or another.

10 DR. WILLIAMS: Okay.

11 DR. BOYD: If you would like, we could prepare a
12 report for you about what that support -- what the
13 plan for that support is. I don't know that we would
14 have any results for you, you know, within the month
15 or two. But we could possibly do that.

16 DR. WILLIAMS: I think that would just be
17 helpful for us, especially if we request -- and I'm
18 not requesting any at this moment. But if we request
19 any to come in, it would be good to know what's
20 already being done, what work is already -- or what
21 the plan is to work with them already.

22 CHAIRPERSON PFEFFER: So, Dr. Boyd, can I -- and
23 just going back and looking at the data you all gave
24 us, it appears that there were -- is it correct --
25 four --

1 DR. BOYD: Uh-huh.

2 CHAIRPERSON PFEFFER: -- four either open-
3 enrollment or district conversion charter schools
4 that had a letter grade of an F? Is that correct?

5 DR. BOYD: That's correct. And I believe two of
6 them --

7 DR. WILLIAMS: I believe they've got five.

8 DR. BOYD: Yeah. I believe two of them are
9 closed, so there's -- so that leaves three that are
10 operating right now that have F's.

11 CHAIRPERSON PFEFFER: Well, I think --

12 DR. HERNANDEZ: Blytheville --

13 CHAIRPERSON PFEFFER: -- Blytheville --

14 DR. HERNANDEZ: -- and the two Lighthouses.

15 CHAIRPERSON PFEFFER: Yeah. So if you include
16 the Blytheville New Tech that would make four. Is
17 that correct?

18 DR. BOYD: I believe it's Blytheville, Capital
19 City, and Pine Bluff Lighthouse.

20 CHAIRPERSON PFEFFER: Oh, okay. I'm sorry.

21 DR. BOYD: Am I missing one?

22 CHAIRPERSON PFEFFER: Yeah. No, I was looking
23 at Quest.

24 DR. BOYD: Yeah. And they're closed.

25 CHAIRPERSON PFEFFER: Yes. Okay. And then Pine

1 Bluff Lighthouse will be coming in next month?

2 DR. BOYD: For renewal. Yes.

3 CHAIRPERSON PFEFFER: For renewal.

4 DR. BOYD: They're for renewal.

5 CHAIRPERSON PFEFFER: So we will already be
6 looking at the Pine Bluff Lighthouse. So really
7 there would only be two other schools with a letter
8 grade of an F, should the Panel decide to go ahead
9 and bring them in. Is that correct?

10 DR. BOYD: That's correct.

11 DR. HERNANDEZ: So do we just make a motion to
12 that effect?

13 CHAIRPERSON PFEFFER: Uh-huh.

14 DR. HERNANDEZ: I make a motion that we bring
15 in, in January, for review -- I lost it -- Capital
16 City Lighthouse and Blytheville New Tech Charter.

17 CHAIRPERSON PFEFFER: We have a motion.

18 MR. ROGERS: Second.

19 CHAIRPERSON PFEFFER: Okay. I have a motion and
20 a second to bring in Capital City Lighthouse and
21 Blytheville New Tech Charter.

22 Okay. Any discussion?

23 All those in favor say "aye."

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRPERSON PFEFFER: Any opposed?

1 Okay. The motion passes. So those two charters
2 will be asked to come in.

3 DR. BOYD: I'm sorry. I missed who the second
4 was.

5 DR. KREMERS: Blytheville.

6 DR. BOYD: Okay. Got it.

7 DR. HERNANDEZ: So do we need to give them any
8 specifics other than we just want to talk about their
9 ESSA School Index?

10 DR. BOYD: Yes. In the past when you've asked
11 for a review you -- panel members explained what it
12 was that they wanted to talk about kind of
13 specifically so that the applicant could prepare
14 written material and also their presentation based on
15 what you wanted to know.

16 CHAIRPERSON PFEFFER: And we talked about -- I
17 know that Blytheville had come in a year ago as part
18 of their renewal. But how long has it been since
19 Capital City --

20 DR. BOYD: They haven't been in; so they're
21 still on their initial five-year charter. They're up
22 for renewal next year. So to my knowledge, they have
23 not been before the Panel for review.

24 CHAIRPERSON PFEFFER: Since we have new members
25 on this panel -- and I know that, you know, maybe

1 were here for the Blytheville part, but we actually
2 -- well, no, wouldn't have been here for the
3 Blytheville part. It may be helpful for both of
4 those to kind of revisit what the mission and goals
5 are, but then get I think -- well, I'm going to let
6 the panel members go first and then I'll go through
7 and kind of specify what I would want to see.

8 So we'll start with Mr. Rogers. What are you --
9 what are some of your specific questions?

10 MR. ROGERS: I don't even -- what their plan is
11 -- I mean, how are they looking at correcting this.
12 They went from a D to an F this year. And so what
13 support have they received from ADE, how are they
14 using that support, and how do they intend to improve
15 going forward. And I hadn't looked at these on the
16 financial side either, but I would like to before
17 they come in. But I haven't looked at it, so I don't
18 know if that's fair.

19 CHAIRPERSON PFEFFER: So would your office be
20 able to look to see if there are any financial --

21 MR. ROGERS: Yes.

22 CHAIRPERSON PFEFFER: -- concerns and to
23 communicate that in advance to them --

24 MR. ROGERS: Yes.

25 CHAIRPERSON PFEFFER: -- and --

1 MR. ROGERS: Yes.

2 CHAIRPERSON PFEFFER: Okay. Dr. Hernandez, do
3 you have --

4 DR. HERNANDEZ: Just kind of to frame out Greg's
5 a little more on the academic side, I just want to
6 see -- have some discussion around their school level
7 plans and how those plans are addressing their letter
8 score, their ESSA School Index basically.

9 CHAIRPERSON PFEFFER: Dr. Kremers?

10 DR. KREMERS: Kind of similar response.

11 MR. WILSON: Mine too.

12 CHAIRPERSON PFEFFER: Dr. Williams, do you have
13 some specifics that you would like?

14 DR. WILLIAMS: The only thing I would like to
15 add is I would like to know from their perspective
16 what has contributed to the decline, you know, and
17 I'm back to factual circumstances. You know, it may
18 have been that they had a class of students that came
19 in that were already behind that kind of pulled them
20 down some. But just really same thing that Mr.
21 Rogers and Dr. Hernandez said, along with their
22 thoughts on how did they get where they are.

23 CHAIRPERSON PFEFFER: Okay. And I think we all
24 kind of are thinking alike. Just a clear
25 communication that they fully understand their

1 performance in its entirety with the ESSA School
2 Index and letter grades, that they're able to go
3 through and articulate specifically what it is that
4 they are doing. And I think we will have to look at
5 the program in its entirety --

6 DR. BOYD: Okay.

7 CHAIRPERSON PFEFFER: -- as we make decisions.
8 So, okay.

9 So do we need to go into the Google Doc and
10 record our voting with this or --

11 DR. BOYD: For this one, so the voting sheets
12 are usually for -- so that the State Board can know
13 why you decided to do something. But I don't think
14 this is -- this one, this vote doesn't go before the
15 State Board.

16 CHAIRPERSON PFEFFER: For review. Okay.

17 DR. BOYD: So I don't think it's necessary.

18 CHAIRPERSON PFEFFER: Okay. Okay. So, Panel,
19 we've made that decision.

20 In looking at -- well, thinking about what we
21 discussed earlier, one of the things that we had
22 talked about today was working with or deciding if
23 there were some priority things we might want the
24 Charter Office to consider. Do you have any thoughts
25 as far as any maybe directions that we would give to

1 the Charter Office that might help in them bringing
2 us information back over the next few months?

3 MR. WILSON: In general?

4 CHAIRPERSON PFEFFER: About -- yes, about
5 overall performance. So --

6 DR. WILLIAMS: I would like to maybe get some
7 additional information on the breakdown and the
8 criteria that's used for the ESSA scores.

9 DR. BOYD: You mean like what we discussed
10 during the work session?

11 DR. WILLIAMS: Yes.

12 DR. BOYD: All right. I got it.

13 CHAIRPERSON PFEFFER: So, Dr. Boyd, would that
14 be kind of maybe a report that we might put together
15 --

16 DR. BOYD: Uh-huh.

17 CHAIRPERSON PFEFFER: -- do you think?

18 Okay.

19 DR. BOYD: Uh-huh. Yeah, I could put a report
20 together for that. And I can put that along with
21 your January agenda. Is that the expectation? Do
22 you want it in January or do you want it in December?

23 DR. WILLIAMS: Oh, I'm open to the pleasure of
24 the board.

25 DR. BOYD: I think I can get you a better

1 quality report in January.

2 CHAIRPERSON PFEFFER: Okay.

3 DR. WILLIAMS: I'm good with January.

4 CHAIRPERSON PFEFFER: Just trying to think
5 proactively going forward, there are a number of
6 schools on the list, both open-enrollment and
7 district conversion charters, that have had a letter
8 grade of D for two consecutive years. In just trying
9 to think proactively in trying to help the Charter
10 Office prioritize maybe some things, since we're
11 going to bring those schools with an F in and we're
12 going to be able to hear and do a review of those
13 schools, would it be -- do you have thoughts on maybe
14 putting that as a priority for the Charter Unit to
15 maybe start with those school districts that have had
16 two consecutive years of a D letter grade to touch
17 base with --

18 MR. WILSON: Sure.

19 CHAIRPERSON PFEFFER: -- and see how many --
20 there are quite a few. I haven't actually counted,
21 but --

22 MR. WILSON: I mean, it's entirely proper that
23 the Charter Office make contact with those that
24 perhaps are not already being assisted by ADE --

25 CHAIRPERSON PFEFFER: Yeah. It looks like

1 there's at least --

2 MR. WILSON: -- to find out what their plans
3 are.

4 CHAIRPERSON PFEFFER: -- at least eight that I
5 can just glance through. So, and that may be in the
6 form of reviewing their school level plans with them,
7 you know, just walking through, making sure they're
8 fully understanding all the components of the ESSA
9 School Index. So would we need to do a motion for
10 that if that was something we wanted the --

11 DR. BOYD: Huh-uh.

12 CHAIRPERSON PFEFFER: Okay.

13 DR. BOYD: You just want a -- so you want to
14 make sure that we're talking to the schools. Is
15 there anything that you want us to produce for you?

16 MR. ROGERS: Going back to what Dr. Williams --
17 I'd like to have the discrepancies between the
18 graduation rate and reading level. I just really --
19 I know I keep saying reading level, but I think
20 that's one of the most important things. And if you
21 have a high graduation rate but your reading level is
22 not very high, I think that's a problem.

23 CHAIRPERSON PFEFFER: Dr. Boyd, would it be
24 feasible for you all to have made contact with all of
25 those schools by January?

1 DR. BOYD: Uh-huh.

2 CHAIRPERSON PFEFFER: And I know maybe Mr.
3 Ballard may be the one who would need to answer some
4 of these questions. But if you're going to do a
5 report, what Mr. Rogers is asking about may be
6 appropriate for the report maybe a report in January
7 also on as you touch base with these schools and are
8 there further concerns that maybe the Panel might
9 need to investigate. Because the earlier we can be
10 having conversations that's better for students in
11 that school should any decision have to be made.

12 MR. BALLARD: Okay. We'll get started on that.
13 I've been jotting it down. I just need
14 clarification. Because I noted earlier that you're
15 interested in the reading scores, and definitely
16 doing a comparison between that and graduation rates,
17 as well as touching base with some of those schools
18 that need to be identified?

19 MR. ROGERS: (Nodding head up and down.)

20 DR. BOYD: And so just for clarification, so the
21 expectation is that the Charter Unit reach out to the
22 schools. And then is there anything -- are you
23 wanting just details about the responses, like if
24 there are trends, or do you just want to know that
25 we've been talking to them?

1 CHAIRPERSON PFEFFER: I think maybe just update
2 that, you know, you have been able to, and if there's
3 any follow-up or concerns that you have after that.
4 So maybe just kind of a summary at this time. I
5 think what that will do is, you know, provide us with
6 some of the baseline data going forward then --

7 DR. BOYD: Gotcha.

8 CHAIRPERSON PFEFFER: -- should there be future
9 concerns.

10 DR. BOYD: I gotcha.

11 CHAIRPERSON PFEFFER: But I'm open to any
12 thoughts or suggestions from you all as far as what
13 you would want to know.

14 MR. WILSON: That's fine.

15 DR. KREMERS: Do we normally consider, you know,
16 just like a point -- say if there's a change in the
17 ESSA index score that's greater than 10, do we want
18 to have a report on kind of what potentially could be
19 happening with that potential school, like expansion
20 or -- because we have a few that are, you know, like
21 the 12, 18, 10 -- and there's not a lot of them. And
22 it may be just those situations where it's a quick
23 thing and this is why. But it seems like if you're
24 over 10 that really stands out as an outlier; you're
25 on the other end of the Bell curve at that point.

1 DR. BOYD: Yeah. What I'm thinking about that
2 is that I think with the report that we're going to
3 give you in January that that can -- we can talk
4 about that, and then we can see if we need to --

5 DR. KREMERS: Do anything further?

6 DR. BOYD: Yeah. And if 10 is the right number
7 or if there's another number.

8 DR. KREMERS: Okay. Okay.

9 CHAIRPERSON PFEFFER: Okay. Anything further
10 that panel members see the need for investigation, or
11 questions?

12 DR. BOYD: Just a quick -- I just scanned over
13 those that have higher than 10, and all of them are
14 schools that have significantly expanded.

15 DR. KREMERS: Okay.

16 DR. BOYD: But I will -- we'll still look at it
17 and give you a number that we think might be a cut-
18 off.

19 DR. KREMERS: Okay.

20 CHAIRPERSON PFEFFER: Because it would be
21 helpful to know if in those schools that are
22 expanding are there -- and this may be kind of what
23 Dr. Williams has alluded to -- are there certain
24 things that all of them have in common.

25 DR. BOYD: Right.

1 CHAIRPERSON PFEFFER: Is it that their
2 achievement significantly dropped or did they all
3 show lower growth? You know, what are some of those
4 things? Because, again, the more we know then the
5 more maybe we can be proactively working with schools
6 when they're expanding grades or looking at
7 components of the accountability system.

8 DR. BOYD: Uh-huh.

9 CHAIRPERSON PFEFFER: Okay. I think that will
10 be helpful.

11 CLOSING COMMENTS

12 CHAIRPERSON PFEFFER: Okay. Well, that was the
13 final item on our action agenda. So, Dr. Boyd, do we
14 have anything else that has come up?

15 DR. BOYD: No, ma'am. That's all we have.

16 CHAIRPERSON PFEFFER: Okay. All right. So if
17 we have nothing else, our next meeting is in
18 December, two days of renewals. Is that correct?

19 DR. BOYD: Uh-huh. Yes. On the 18th we'll do
20 the open-enrollment renewals, and then on the 19th
21 we'll do the district conversion renewals. And then
22 we have a couple of amendment requests that have come
23 up. And I think most of -- I think there's just one
24 -- you may have two -- but they are a result of the
25 Standards for Accreditation and schools realizing

1 that they need a few more waivers that they didn't
2 previously have that they're going to have to ask for
3 approval to have.

4 CHAIRPERSON PFEFFER: Okay. All right. So
5 December will be a busy month.

6 DR. BOYD: Uh-huh.

7 CHAIRPERSON PFEFFER: And then we will have the
8 other two schools that will be coming in January, so
9 --

10 DR. BOYD: And I also just want to thank
11 everyone for making time -- those of you who made
12 time to visit schools that are up for renewal. I
13 really appreciate it. And we have about a month to
14 get the rest in that haven't been done. So thank you
15 for taking the time out to do that. I know you guys
16 are already really busy.

17 CHAIRPERSON PFEFFER: And that's always good for
18 us to get to get out there and see that; so I know
19 some of you will have some good stuff to share next
20 month.

21 DR. WILLIAMS: A quick question -- Dr. Boyd,
22 there are no schools in northwest Arkansas, are
23 there?

24 DR. BOYD: None that are renewing. No, sir.

25 DR. WILLIAMS: I just wanted to be sure.

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CHAIRPERSON PFEFFER: Okay. Well, if there is nothing further I will accept a motion to adjourn.

MR. WILSON: Happy Turkey Day.

CHAIRPERSON PFEFFER: Is that a motion?

MR. WILSON: That's a motion.

DR. HERNANDEZ: Second.

CHAIRPERSON PFEFFER: All right. Second.

All right. We are adjourned and thank you very much. So, okay, take care.

(The meeting was concluded at 1:55 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 November 13, 2018, 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: November 19, 2018.

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

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