

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

February 15, 0217

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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
CHARTER AUTHORIZING PANEL

FEBRUARY 15, 2017
8:30 A.M.

A P P E A R A N C E S

PANEL MEMBERS:

MS. DEBORAH COFFMAN	Chairman/Chief of Staff
DR. MARK GOTCHER	Vice Chairman/Deputy Commissioner
MS. IVY PFEFFER	Asst. Commissioner - HR/Educator Effectiveness & Licensure
DR. ERIC SAUNDERS	Asst. Commissioner - Fiscal & Administrative Services
MR. GREG ROGERS	Asst. Commissioner - Fiscal & Admin. Services
MS. STACY SMITH	Asst. Commissioner - Learning Services
MR. BOBBY LESTER	Director of Federal Programs
MS. ANNETTE BARNES*	Asst. Commissioner - Public School Accountability

ALSO APPEARING:

MS. KELLY McLAUGHLIN	Public School Program Advisor
MS. VIRGINIA PERRY	Public School Program Advisor
MR. FREDDIE SCOTT	Learning Services Operations Mgr.
MS. MARY PERRY	ADE Assistant to Director

ADE LEGAL COUNSEL:

MS. JENNIFER DAVIS	ADE Staff Attorney
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*Ms. Barnes was present for the afternoon session only.

ARKANSAS DEPARTMENT OF EDUCATION
#4 CAPITOL MALL
LITTLE ROCK, AR 72201

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P R O C E E D I N G S

CHAIRPERSON COFFMAN: Ladies and Gentlemen,
thank you for your patience. We'd like to begin the
February 15, 2017 meeting of the Charter Authorizing
Panel. I'd like to welcome everyone to the
Department and ask you to silence all electronic
devices.

As we look at our agenda today, I have no
Chair's Report. Does any other member of the Panel
have a report?

Seeing none, I'll ask you to consider the
Consent Agenda items.

CONSENT AGENDA

CHAIRPERSON COFFMAN: Any questions, concerns,
anything that needs to be pulled from the agenda?

DR. GOTCHER: Other than just an appreciation to
the Charter team for making those adjustments we had
discussed last month. So I appreciate you guys.
Thank you.

CHAIRPERSON COFFMAN: Then I'll accept a motion.

DR. SAUNDERS: So moved.

DR. GOTCHER: Second.

CHAIRPERSON COFFMAN: Dr. Saunders, motion; Dr.
Gotcher, seconded -- I'm assuming to approve the
Consent Agenda?

1 DR. SAUNDERS: Yes, ma'am.

2 CHAIRPERSON COFFMAN: All those in favor?

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRPERSON COFFMAN: Any opposed?

5 Motion carries.

6 A-1: REQUEST FOR DISTRICT CONVERSION PUBLIC CHARTER SCHOOL

7 AMENDMENT: WARREN MIDDLE SCHOOL

8 CHAIRPERSON COFFMAN: Action Agenda Item 1,
9 Request for District Conversion Public Charter School
10 Amendment for Warren Middle School. Ms. McLaughlin.

11 We may want to start with Ms. Davis --

12 MS. McLAUGHLIN: Yes.

13 CHAIRPERSON COFFMAN: -- with some quick
14 guidelines, and then we'll go right to you.

15 MS. McLAUGHLIN: Okay.

16 MS. DAVIS: Good morning. Jennifer Davis, Staff
17 Attorney for the Department. The procedures you're
18 going to follow today are going to be that the
19 applicant will have 20 minutes to present its
20 application or its request to you, and then followed
21 by 20 minutes collectively for any opposition. At
22 that point the applicant will then have an additional
23 5 minutes to make any closing statements or any
24 rebuttal that they'd like. You can ask any questions
25 at that time of the applicant, the Department -- we

1 can provide any information -- and then you can make
2 your decision. I do believe that you have a Google
3 doc that you can go ahead and state your reasons for
4 your decision in that for the applicant.

5 CHAIRPERSON COFFMAN: And will you check to see
6 if there's anyone here to speak, public comment?

7 MS. DAVIS: I will.

8 CHAIRPERSON COFFMAN: Thank you.

9 Ms. McLaughlin, you're recognized.

10 MS. McLAUGHLIN: Good morning, Madam Chair.
11 Today, we have Warren Middle School here to request
12 -- to make their amendment request. We have Justin
13 Beth Woodard, the Gifted and Talented Coordinator,
14 and Kathy Cornish, the middle school Principal.

15 CHAIRPERSON COFFMAN: If all persons speaking on
16 behalf of Warren Middle School will please stand and
17 raise your right hand -- find my notes -- and anyone
18 speaking in opposition. Do you swear or affirm that
19 the testimony you're about to give shall be the
20 truth, the whole truth and nothing but the truth?

21 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

22 CHAIRPERSON COFFMAN: All right. If you'll
23 state your name please and remember to stay right on
24 the microphone.

25 MS. CORNISH: Okay. Kathy Cornish, principal at

1 Warren Middle School. Today, we are requesting to
2 change how we have been servicing Gifted and
3 Talented. Last year, if you recall, we came, a
4 little over a year ago, to request changing from our
5 original charter to changing it to where we
6 incorporated it into our science curriculum. And now
7 we, due to staff changes, we now want to request to
8 go back. And I have our Gifted and Talented
9 Coordinator, who was also the teacher at the science
10 building last year that incorporated it into the
11 science curriculum, to come and discuss the change
12 that we are requesting.

13 MS. WOODARD: I'm Justin Beth Woodard. I'm the
14 Gifted and Talented Coordinator for our school
15 district. In the original charter, the students were
16 being serviced through their pre-AP classes in all
17 content areas, with the exception of 6th grade who
18 were also getting an additional 45-minute pullout
19 with the Gifted teacher weekly. They felt like that
20 the students needed this extra pullout time due to
21 their age, even though they were housed with the 6th
22 and 7th grade at the middle school. Then there was a
23 change to the charter due to staff. The teacher was
24 a 7th grade teacher who also had GT certification,
25 and they decided to service students through the GT

1 science class. And science in grades -- students in
2 grades 6 through 8 had a GT science class in addition
3 to pre-AP content area classes in all their other
4 content areas. The current change that we are
5 requesting is due to the staff changes there are --
6 there's no longer a certified GT teacher at the
7 middle school. We are asking that the waiver be
8 changed to the original waiver with the exception of
9 adding 7th and 8th grade for a 45-minute pullout as
10 well with the 6th grade. This is still above and
11 beyond what is required in the GT rules and
12 regulations.

13 CHAIRPERSON COFFMAN: Ms. Cornish, do you need
14 additional --

15 MS. CORNISH: No.

16 CHAIRPERSON COFFMAN: Ms. McLaughlin, is there
17 anyone here to speak in opposition?

18 MS. McLAUGHLIN: No, ma'am.

19 CHAIRPERSON COFFMAN: Okay. Any final words
20 from either?

21 All right. Questions?

22 Dr. Saunders.

23 DR. SAUNDERS: I'd just like to make a motion at
24 the time.

25 CHAIRPERSON COFFMAN: Any questions from anyone

1 else?

2 Dr. Saunders.

3 DR. SAUNDERS: I make a motion to approve.

4 MR. ROGERS: I second.

5 CHAIRPERSON COFFMAN: We have a motion from Dr.
6 Saunders and a second by Mr. Rogers to approve the
7 amendment as requested. Any discussion?

8 All those in favor?

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRPERSON COFFMAN: Any opposed?

11 Motion passes.

12 If you'll give us just a moment, we need to
13 write our reasons and then they'll read those reasons
14 to you out loud.

15 (A FEW MOMENTS OF SILENCE)

16 CHAIRPERSON COFFMAN: Dr. Gotcher.

17 DR. GOTCHER: I voted for the amendment to
18 renew. Is it -- it wasn't to renew; it's an
19 amendment, wasn't it? I'm just looking at the actual
20 motions, so I'm wondering if that needs to be
21 changed. Am I in the right place? Yeah, I am.

22 I voted for the amendment, so no concerns with
23 this request. I support their rationale.

24 CHAIRPERSON COFFMAN: Ms. Haley.

25 MS. HALEY: I voted for it. No concerns.

1 CHAIRPERSON COFFMAN: Mr. Lester.

2 MR. LESTER: I voted for the amendment and I
3 have no concerns.

4 CHAIRPERSON COFFMAN: Ms. Pfeffer.

5 MS. PFEFFER: I voted for the amendment. I
6 appreciate the district for responding to the
7 changing workforce and making decisions that are best
8 for students.

9 CHAIRPERSON COFFMAN: Mr. Rogers.

10 MR. ROGERS: I voted for. No concerns with it.

11 CHAIRPERSON COFFMAN: Dr. Saunders.

12 DR. SAUNDERS: I voted for it. I didn't have
13 any concerns. And I did want to commend the
14 district; I think that, in my opinion, you were one
15 of the first ones that I was aware of that really
16 went trying to move away from an age-based system and
17 kind of without a safety-net and trying to do it in
18 the best interest of kids. And that's difficult to
19 do sometimes when you don't know what the end-result
20 will look like and you don't know some of the
21 problems that you're going to encounter in doing so.
22 And so I do commend you and your staff for doing
23 that.

24 CHAIRPERSON COFFMAN: Ms. Smith.

25 MS. SMITH: I voted for the amendment. No

1 concerns.

2 CHAIRPERSON COFFMAN: Congratulations. And just
3 to echo Dr. Saunders, we appreciate your quick
4 responsiveness to the needs, to continue in the
5 vision that your school has set. So, thank you very
6 much.

7 Without objection, we'll adjourn until 1:00.
8 Meeting adjourned until 1:00.

9 (OFF THE RECORD - 8:44 A.M.)

10 (BACK ON THE RECORD - 1:24 P.M.)

11 CHAIRPERSON COFFMAN: I'd like to thank everyone
12 for their patience. It's always a challenge when
13 people have multiple jobs to do in a single day, so
14 we appreciate everyone for waiting so patiently.
15 We'll resume our meeting. We are on the Action
16 Agenda at Action Item Number 2.

17 A-2: REQUEST FOR OPEN-ENROLLMENT CHARTER SCHOOL AMENDMENTS:
18 KIPP DELTA PUBLIC SCHOOLS

19 CHAIRPERSON COFFMAN: Ms. Perry, you're
20 recognized.

21 MS. VIRGINIA PERRY: Good afternoon. Agenda
22 Item Number 2 comes from KIPP Delta Public Schools
23 and Dr. Scott Shirey, the executive director, is here
24 to speak.

25 CHAIRPERSON COFFMAN: If all representatives

1 from the charter and anyone speaking in opposition
2 would please stand to receive the oath; raise your
3 right hand. Do you swear or affirm that the
4 testimony you're about to give shall be the truth,
5 the whole truth, and nothing but the truth?

6 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

7 CHAIRPERSON COFFMAN: Thank you. If you'll
8 speak clearly into the microphone for the live-
9 streaming audience and state your name and title.

10 MR. SHIREY: Sure. Scott Shirey, executive
11 director. And thank you for the kindness, but I am
12 no Doctor. That's okay; just a Mister, but I'll take
13 that.

14 Good afternoon, Board Members and Chair. Thank
15 you. This is really a continuation of the approval
16 we were granted a few months, in accordance with
17 Beech Crest facility, which is under construction and
18 underway, thanks to your approval. So we have three
19 what I would describe as trickle-down requests from
20 that.

21 The first is, actually, we're looking at the
22 capacity of that facility. We would like to
23 reconfigure our elementary literacy program, which
24 right now goes through 4th grade, and shift -- and
25 add 5th grade to that. That, of course, would mean

1 our middle school would go from being a 5-8 to a 6-8
2 school. And then because our elementary school is
3 moving out into Beech Crest we would like to move our
4 high school campus out of its modular trailers into
5 the permanent facility on Cherry Street.

6 So just to explain the -- sort of the rationale
7 behind all of these, obviously we want to make the
8 best strategic use of the Beech Crest facility with
9 the 63,000 square feet. We think we'll pick up some
10 operational efficiencies by adding more grades to one
11 campus; over time consolidate our leadership; and
12 then also as we build a model out align with our
13 school system in Blytheville. And we've run this
14 through our board of directors and have their
15 approval.

16 So what this would look like, again, shifting
17 the model currently in Helena, you see the top line,
18 we are a K-4; 5-8 is our middle school; 9-12. Next
19 year, we'd like -- and this is why we're specifically
20 asking for it to go to K-5, 6-8, 9-12 -- and then if
21 that works well we'll probably be back next year
22 asking to say, "Look, we want to be a K-6/7-12
23 model." Again, that's where the operational
24 efficiencies kick in, we make best use of our
25 facilities. Small example, right, just you don't

1 need three front receptionists; you need two front
2 receptionists. The same advantage is by
3 consolidating schools and leadership.

4 And so you can see just in terms of the move
5 we're requesting, this is our current high school
6 campus with the trailers, which is good fun on a
7 rainy day. So this -- the request to move the high
8 school campus to Cherry Street would allow them to go
9 from this facility to this one. Well, that's the
10 outside, but here's the inside space. We'll convert
11 -- this is the new wing; this is an empty
12 kindergarten wing, which we'd like to convert over to
13 a science lab, so obviously much more suitable for
14 high school students than our existing trailer
15 campus.

16 So those are the three requests, again, to move
17 our high school into our -- what will be our vacated
18 elementary school and then to reorganize the grades
19 so our elementary school serves K-5 and our middle
20 school in Helena serves grades 6-8.

21 Any questions?

22 CHAIRPERSON COFFMAN: Ms. Davis, are there
23 anyone here to speak in opposition?

24 MS. DAVIS: No, but I'll double-check.

25 CHAIRPERSON COFFMAN: Okay.

1 (COURT REPORTER'S NOTE: Ms. Davis exited the
2 room, then returned a few moments later.)

3 MS. DAVIS: (Shaking head from side to side.)

4 CHAIRPERSON COFFMAN: Okay. Thank you.

5 Any last words before we begin questions?

6 MR. SHIREY: No, ma'am, that's it.

7 CHAIRPERSON COFFMAN: All right.

8 Ms. Pfeffer.

9 MS. PFEFFER: Yes, just one question. You will
10 still have the three different buildings; correct?
11 You're just changing the grade configurations?

12 MR. SHIREY: Yes.

13 MS. PFEFFER: Okay. Do you have any concerns
14 over staffing of those buildings, and particularly
15 with special education teachers being able to have
16 the teachers for each of your -- to meet all those
17 needs?

18 MR. SHIREY: Yeah. Right now, our elementary
19 school is looking at over 80% teacher retention going
20 into next year, so we're excited about that.
21 Staffing is always a challenge, so I'm always worried
22 about it. But I think it's a good opportunity to try
23 this and, again, for all the reasons. I think having
24 more grades on one campus allows us to be a little
25 stronger and share services.

1 MS. PFEFFER: Okay. Thank you.

2 CHAIRPERSON COFFMAN: Other questions?

3 Give us a little more information about your
4 plan for next year, why you just didn't go ahead and
5 make that -- go ahead and make that K-6/7-12 step
6 this year?

7 MR. SHIREY: Sure. One, obviously, our
8 kindergarten through -- our 4th graders are currently
9 at our elementary school; our 5th graders are
10 currently at the middle school. So going K-6 in one
11 step would mean that the middle school kids would
12 come back to our elementary school for a year and
13 then go back up to middle school, so from a natural
14 transition. And then we want to make sure we're
15 scaling with the right capacity, so asking our school
16 leader to take on an additional grade. Most
17 importantly, we want to make sure it works, and so
18 just being strategic and thoughtful about that.

19 CHAIRPERSON COFFMAN: And what happens to your
20 portables?

21 MR. SHIREY: Well, hopefully, the worst ones
22 will get moved away. The better ones, we may be able
23 to use for our Forrest City campus which is growing
24 from 5-6 to 5-7 next year.

25 CHAIRPERSON COFFMAN: Any other questions?

1 Ms. Davis, any issues?

2 MS. DAVIS: No.

3 CHAIRPERSON COFFMAN: All right. I'll accept a
4 motion.

5 MS. SMITH: I make a motion to approve the
6 amendments as submitted.

7 DR. SAUNDERS: Second.

8 CHAIRPERSON COFFMAN: Motion has been made by
9 Ms. Smith, seconded by Dr. Gotcher to approve the --

10 MS. SMITH: Saunders.

11 CHAIRPERSON COFFMAN: I even wrote down Dr.
12 Gotcher. Dr. Saunders -- to approve the amendment.
13 Any discussion?

14 All those in favor?

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRPERSON COFFMAN: Any opposed?

17 Motion carries unanimously.

18 MR. SHIREY: Thank you all. Have a great
19 afternoon. Good to see you.

20 CHAIRPERSON COFFMAN: If you'll give us just a
21 moment, we have to make written comment and we'll
22 read that comment to you.

23 MR. SHIREY: Okay.

24 (A FEW MOMENTS OF SILENCE)

25 CHAIRPERSON COFFMAN: Dr. Gotcher.

1 DR. GOTCHER: Yes, Madam Chair. I voted for the
2 amendment request. No concerns with this amendment
3 request, and commend them for seeking a more
4 efficient model.

5 CHAIRPERSON COFFMAN: Ms. Haley.

6 MS. HALEY: I have no concerns.

7 CHAIRPERSON COFFMAN: Mr. Lester.

8 MR. LESTER: I voted for the amendment. I have
9 no concerns with this request for amendment.

10 CHAIRPERSON COFFMAN: Ms. Pfeffer.

11 MS. PFEFFER: I voted for the amendment. I
12 don't have any concerns and I'm optimistic about the
13 improvement in facilities for the kids.

14 CHAIRPERSON COFFMAN: Mr. Rogers.

15 MR. ROGERS: I voted for. I don't have any
16 concerns with the relocation.

17 CHAIRPERSON COFFMAN: Dr. Saunders.

18 DR. SAUNDERS: Voted in favor. I have no
19 concerns.

20 CHAIRPERSON COFFMAN: Ms. Smith.

21 MS. SMITH: I voted in favor. No concerns.

22 CHAIRPERSON COFFMAN: Ms. Barnes.

23 MS. BARNES: I voted in favor. I have no
24 concerns at this time. The amendment request
25 reflects logical long-range planning and appears to

1 allow time to make adjustments for effectiveness and
2 efficiency.

3 CHAIRPERSON COFFMAN: Best of luck to you.

4 MR. SHIREY: Thank y'all and good afternoon.

5 CHAIRPERSON COFFMAN: Thank you.

6 A-3: REQUEST FOR OPEN-ENROLLMENT CHARTER SCHOOL AMENDMENT:
7 ARKANSAS CONNECTIONS ACADEMY

8 CHAIRPERSON COFFMAN: Action Item 3, Ms. Perry,
9 you're recognized.

10 MS. VIRGINIA PERRY: Action Item 3 comes from
11 Arkansas Connections Academy, and we have Ms. Darla
12 Gardner, the ARCA school leader, and Bryce Adams, the
13 Connections Education VP of State Relations, to
14 present.

15 CHAIRPERSON COFFMAN: If all representatives
16 from the charter and anyone speaking in opposition
17 would please state to receive the oath; raise your
18 right hand. Do you swear or affirm that the
19 testimony you're about to give shall be the truth,
20 the whole truth, and nothing but the truth?

21 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

22 CHAIRPERSON COFFMAN: Please state your name for
23 the record and you may begin.

24 MS. GARDNER: Good afternoon. My name is Darla
25 Gardner and I'm the school leader at Arkansas

1 Connections Academy. Thank you for the opportunity
2 to be here today to present this waiver request. I
3 also want to personally thank you for your approval
4 and support of Arkansas Connections Academy.

5 This slide doesn't relate to our request today;
6 however, I wanted to show you our progress thus far.
7 The map -- the blue dots indicate our students that
8 are currently enrolled with us, and we literally have
9 students all over the state. At the end of first
10 semester we had 350 students enrolled, and as of this
11 morning we have 468 students enrolled. We've seen
12 high attendance at all of our field trips across the
13 state. For February, we celebrate Heart Healthy
14 Month and we hosted field trips in Jonesboro, Little
15 Rock, and Rogers. Many, many families were able to
16 attend.

17 Here's a list of waivers that we are requesting
18 today, and you should have these in your packet. So
19 Arkansas Connections Academy was approved by the
20 Charter Authorizing Panel in November of 2015. At
21 that time there was some concern raised by the Panel
22 regarding the area of teachers licensed in other
23 states, the use of those teachers. As a result of
24 that concern, we rescinded the request for the
25 teacher licensure waivers. We agreed that ARCA

1 teachers would be Arkansas licensed, temporarily
2 teaching with an ALP or license via the reciprocity
3 process. We also agreed that ARCA teachers would
4 meet requirements for professional development,
5 background and ethics checks, and the Arkansas Code
6 of Ethics.

7 Today's request is very different from the
8 initial request. This request is for ARCA teachers
9 to be able to teach courses outside of their
10 licensure code but within their subject area. This
11 year we serve students in grades K through 9th.
12 We've been faced with a few different situations that
13 we anticipate facing again as we continue to add
14 grade levels. This semester we had three students
15 enroll second semester. At their previous school,
16 first semester they completed biology; our 9th grade
17 students complete physical science. So therefore our
18 science teacher, she's only licensed in 7th through
19 12th physics, which includes the physical science
20 licensure code but not the biology code. However,
21 our teacher taught biology out of state; she's
22 licensed in another state. She has a bachelor's
23 degree in physics education, a master's degree in
24 curriculum; she's currently working on her doctorate.
25 But we were required to go through the additional

1 licensure plan process. With adding 10th grade next
2 year, we're also -- we'll be adding staff and at that
3 time we'll hire a biology teacher. We'll be able to
4 add that licensure, so she's on an ALP currently but
5 in the future we plan to hire. And we also will
6 continue to face that with different areas,
7 especially -- we'll see it again next year as we're
8 adding another chemistry course. The staff that we
9 have on hand may be licensed for our current grades,
10 but this would help us fill the needs of any students
11 that enroll with us.

12 Another situation we face this year involves our
13 career exploration course. The teacher for that
14 course had a career in human resources prior to
15 teaching, to her teaching career. She has a
16 bachelor's degree in Business Administration. She
17 has an Arkansas teaching license for family consumer
18 science 7th through 12th grades, business technology
19 4th through 12th grades, and PE and health
20 kindergarten through 12th. However, she didn't have
21 the career development licensure code on her Arkansas
22 license. Since the beginning of the school year we
23 start the ALP process; she completed the steps
24 necessary, took the courses to get the career
25 development code placed on her license but she had

1 the knowledge and the background, in my professional
2 opinion, to teach the course.

3 We'll also be adding various electives in the
4 future where we may have somebody on staff that has
5 knowledge in subject areas, such as web design, game
6 design, that may not have that specific licensure
7 code. And we anticipate once we are serving students
8 through 12th grade that that may not be a need at
9 that time because we'll be fully staffed to provide
10 students with all of the courses they need when they
11 enroll with us.

12 So with this waiver request we heard and
13 understand your previous concerns and we assure that
14 all ARCA teachers will continue to be Arkansas
15 licensed but may be allowed to teach outside of their
16 licensure code. We assure that all Arkansas [sic]
17 teachers will continue to undergo the required
18 background checks and will remain subject to the
19 Arkansas Code of Ethics. We also assure you that
20 waivers granted for teacher licensure will not apply
21 to special education.

22 So thank you for your consideration of this
23 request and I'm happy to answer any questions that
24 you may have.

25 CHAIRPERSON COFFMAN: Ms. Davis, is there anyone

1 here to speak in opposition?

2 MS. DAVIS: No.

3 CHAIRPERSON COFFMAN: Okay. Thank you.

4 Ms. Gardner, any last words?

5 MS. GARDNER: I do not have any. Thanks.

6 CHAIRPERSON COFFMAN: Last words --

7 MS. GARDNER: Made me a little nervous.

8 DR. GOTCHER: That's a tough request.

9 CHAIRPERSON COFFMAN: All right. I'll open the
10 floor up to conversation.

11 Ms. Pfeffer.

12 MS. PFEFFER: Good afternoon. So when I looked
13 through your information, I think my initial question
14 was just going to be: what is your plan to insure
15 that you have quality teachers in place. But I think
16 with the presentation I've heard the process. And so
17 I guess what I just want to make sure, what you're
18 describing -- and I may need to go back and look --
19 but even if you have -- if you have a waiver from
20 licensure -- if you are hiring a teacher that meets
21 Arkansas Qualified Teacher requirements, AQT, the
22 people you described would meet that without having a
23 license in that area, so I didn't see that anywhere
24 in your packet. And so I guess my question would be:
25 would you insure that for the core academic areas

1 that your teachers, if they were not licensed, would
2 meet AQT?

3 MS. GARDNER: Yes.

4 MS. PFEFFER: Okay. And I think that would
5 address my concerns.

6 CHAIRPERSON COFFMAN: Dr. Gotcher.

7 DR. GOTCHER: Thank you, Madam Chair. Ms.
8 Pfeffer, being the expert here, is there another
9 pathway that they could travel down that satisfies
10 their situation without a waiver request? So let me
11 start with that question first.

12 MS. PFEFFER: It's all -- it's going to depend
13 on each individual situation. So for the different
14 scenarios that were described, I mean, there are
15 possibilities for licensure by reciprocity, there are
16 licensure options for ALPs -- and maybe I need to go
17 back and look at exactly what the waiver requests
18 were. But I think our -- I think the overall intent
19 is to make sure that the teachers teaching the
20 students have the content knowledge to insure that
21 they are. And then all of those options then would
22 lead into a pathway to become licensed if the teacher
23 so chose.

24 DR. GOTCHER: Correct. And my follow-up would
25 be if there is a pathway to allow these teachers to

1 be licensed I would prefer that be done, just like we
2 would hope that for any school, but as flexible as
3 we've -- we try to be in terms of fulfilling teacher
4 shortages and unique situations. So I don't know; I
5 guess the thing that I'm going to have to consider is
6 6-17-309, the waiver for licensure. Would that be
7 too broad -- I guess, Ms. Davis, I may be asking and
8 we may have to dig into this a little deeper through
9 questions -- but is that waiver request for that
10 particular code too broad that it might only satisfy
11 a few specific unique needs to this district or to
12 the school? I'm not opposed to the waiver request,
13 but I think I would prefer to make sure that we're
14 traveling down a pathway that maybe we could satisfy
15 the need, to fulfill the need without a waiver
16 request. That may be too expansive and I may be
17 putting Ms. Davis a little on the spot. Go ahead.

18 MS. DAVIS: So 6-17-309 is part of the commonly
19 granted waivers dealing with licensure. So this one
20 is not something that -- any time that you've given
21 them out this has been part of it in order for them
22 to have non-licensed educators but still follow AQT.
23 So if they want to do something different, like Ms.
24 Pfeiffer said, it would depend on specific situations.

25 DR. GOTCHER: And I may have picked the wrong

1 piece of code there when I'm looking at them in
2 whole.

3 DR. SAUNDERS: I had questions over that exact
4 piece of code as well. I think what you were going
5 --

6 CHAIRPERSON COFFMAN: Go ahead, Dr. Saunders.

7 DR. SAUNDERS: I was just trying to understand.
8 I think it might've been a question for Legal. And
9 it was as I'm looking at that code, it's talking
10 about receiving waivers and so it's negating the
11 ability for a waiver possibly, if you seek a waiver
12 from the ability to get a waiver.

13 MS. DAVIS: Are you referring to the subsection
14 (b), like 3 and 4? Is that what you're looking at?

15 DR. SAUNDERS: Yes, ma'am.

16 MS. DAVIS: Okay. Three I don't think is an
17 issue because that's where it incorporated the
18 previous rules that we had, that if you had non-
19 licensed educators teaching kids for more than 30
20 days that we had rules. And so those rules were
21 repealed because it's in here. So I think that part
22 is okay.

23 In regards to four -- give me a second, let me
24 look at it -- and like I say, Ms. Haley may be able
25 to speak a little bit more towards that because that

1 one is specifically dealing with just special
2 education.

3 DR. SAUNDERS: And the ability to receive a
4 waiver; right?

5 MS. DAVIS: Right. But that is just for special
6 education, and that is -- like I say, that's I know a
7 very specific pathway for those teachers.

8 DR. SAUNDERS: Okay.

9 MS. DAVIS: Or in that area. For other core
10 subjects you must have -- still be AQT.

11 DR. SAUNDERS: Okay.

12 CHAIRPERSON COFFMAN: Ms. Smith.

13 MS. SMITH: Okay. Just for clarification -- I
14 want to make sure I understand too. So all your
15 teachers are currently licensed. You're not asking
16 to waive that they're not going to be -- they're
17 going to all still have an Arkansas license. You're
18 asking to waive the area in which they teach, so
19 their --

20 DR. GOTCHER: Endorsement.

21 MS. SMITH: -- their endorsement pieces, those
22 other sections?

23 MS. GARDNER: Yes. Everyone is Arkansas
24 licensed.

25 MS. SMITH: Right. So, Ms. Davis, so even

1 though we have the codes for waivers and all these
2 things listed, they're bound by what they testify to?

3 MS. DAVIS: That is correct.

4 MS. SMITH: If she's not asking -- so if we
5 grant it today, she can't walk out of here tomorrow
6 and they'll start hiring non-licensed Arkansas -- you
7 know -- because her testimony is they still have an
8 Arkansas license?

9 MS. DAVIS: Right. That is correct. And
10 anything that they agree to here, whether it is
11 different than in their written materials, are not --
12 does become part of their contract. So if they say
13 "we're only going to use it in 8th grade science,"
14 then they're only eligible to use it in 8th grade
15 science. If they say that they're only going to use
16 it for those outside of their content area, then
17 that's how they can use it.

18 MS. SMITH: Okay. Thank you.

19 CHAIRPERSON COFFMAN: Ms. Barnes.

20 MS. BARNES: Okay. So, yeah, I was thinking
21 through some of everybody's, I think, thoughts. And
22 I know in particular you spoke with respect to the
23 sciences and the physical science courses that you
24 teach and then the biology background that you have.
25 So I'm thinking about the waiver piece and wondering

1 -- because, you know, we have also discussed several
2 avenues, and then Ms. Smith just made mention of
3 whatever is in the record with respect to testimony
4 then that's what the school is bound to. Where my
5 pause comes in is knowing that whatever is done today
6 then it becomes an avenue for additional schools to
7 make the same request, if students are being enrolled
8 from their areas. And I think that's where I'm a
9 little concerned about the waiver part as opposed to
10 the avenues that are available to do this and what
11 impact would it have on -- I'm trying to walk it
12 through in my mind. But do you kind of follow what
13 I'm thinking here? And, you know, is this specific
14 to every subject area that you may have a teacher
15 that does not have the appropriate endorsement? Is
16 this specific to the science that you've discussed
17 with us? And if so, then what impact does that have
18 with respect to any district that has students
19 enrolled in the school and whether -- how they would
20 be able to use those? Am I communicating what I'm
21 thinking here and trying to process?

22 MS. GARDNER: Yes.

23 MS. BARNES: I might need a little help.

24 MS. GARDNER: Yeah, I completely understand your
25 concern. And the teacher waiver -- my understanding

1 -- and I did some research, reviewing other open-
2 enrollment charter schools, and this is a waiver that
3 -- and I may be incorrect in this, but I believe that
4 every other open-enrollment charter school in the
5 state has this waiver. I think Arkansas Connections
6 Academy is the only school that does not that's an
7 open-enrollment charter school.

8 MS. BARNES: Do you know?

9 CHAIRPERSON COFFMAN: Ms. Pfeffer.

10 MS. PFEFFER: And I'm not able to answer your
11 question, but I think -- I think what's different
12 about your amendment request -- and I want to make
13 sure that I'm not putting words in your mouth --

14 MS. GARDNER: Okay.

15 MS. PFEFFER: -- but you are still planning to
16 have licensed -- Arkansas licensed educators
17 teaching?

18 MS. GARDNER: Yes.

19 MS. PFEFFER: What you are facing though is that
20 those Arkansas licensed educators may be assigned to
21 a class that is outside of their licensure area. For
22 example, they may be licensed for grades K-6 but you
23 need them to teach 7th grade math. Is that accurate?
24 Am I speaking --

25 MS. GARDNER: Possibly, I mean, depending on the

1 situation that would arise.

2 MS. PFEFFER: Yes.

3 MS. GARDNER: But it would be within their
4 subject area.

5 MS. PFEFFER: Okay. So you are not requesting a
6 waiver from AQT rules. And AQT insures that the
7 teacher in a core area would have that content
8 knowledge as demonstrated by either successfully
9 passing a test, having successful work experience.
10 You know, so your teachers, you would have that as
11 the security, I guess, to address Ms. Barnes'
12 concerns. We also with our proposed legislation have
13 included in there the ability for teachers to teach
14 outside of their grade level if it's in the same or
15 similar subject area for an effective teacher waiver.
16 So as I'm reading this, this is what I see you're
17 asking for. Am I close? Am I correct there?

18 MS. GARDNER: Yes, that's correct.

19 MS. PFEFFER: Okay. And then my only other
20 follow-up, you did mention special education and you
21 do realize that the licensure cannot be waived for
22 that, so --

23 MS. GARDNER: Absolutely.

24 MS. PFEFFER: Okay. So, Ms. Barnes, I don't
25 know if that helps you at all, but --

1 MS. BARNES: It helps. And I'm going to defer
2 to you, Ms. Pfeffer, as Educator Effectiveness. I
3 recognize though that --

4 MS. PFEFFER: Sure.

5 MS. BARNES: -- there are so many needs and we
6 need -- you may have the subject matter but when you
7 cross from elementary over to high school or drop
8 from high school to elementary, those kinds of things
9 are where my concerns lie, along with some others.
10 But as I said, I will -- you know -- I'll defer to
11 your understanding of it --

12 MS. PFEFFER: Yeah.

13 MS. BARNES: -- because it lies on that side.

14 MS. PFEFFER: And my response would be that
15 there are other cases where the teacher has no
16 license at all and these are teachers who have an
17 Arkansas license. So to me, that makes a big
18 difference as well, too, and being able for a teacher
19 to move from, you know, one area to the other. And
20 then I think it's also the responsibility of the
21 school district to know that if they put a teacher,
22 for example, in a science class for which they don't
23 have that content background, the students are going
24 to be the ones who suffer and ultimately the student
25 outcomes will show that there isn't the level of

1 effectiveness needed. So --

2 CHAIRPERSON COFFMAN: Dr. Saunders.

3 DR. SAUNDERS: Do you have -- are you planning
4 to have a process in place on notification to parents
5 or anything on teachers not qualified or certified in
6 the specific course they're teaching?

7 MS. GARDNER: We would follow the same
8 notification that we do for the ALP and we notify
9 families in writing within 30 days.

10 CHAIRPERSON COFFMAN: If the waiver is granted,
11 will the teachers that have ALPs continue to move
12 forward with seeking that license?

13 MS. GARDNER: After the school year maybe not,
14 because we have positions posted for next year. So
15 depending on the staff that we hire they may take
16 those courses over, so there may not be a need at
17 that time. However, I think there's a passion there
18 with a lot of our staff members currently on ALPs, so
19 they very well may. I would have to speak with them
20 individually to determine that.

21 DR. GOTCHER: Ms. Davis, if I could require your
22 assistance one more time -- I just briefly read the
23 Standards for Accreditation Section 15.03.

24 MS. DAVIS: Let me get those.

25 DR. GOTCHER: Okay. So would a waiver from that

1 particular section satisfy their particular need
2 instead of the blanket of waivers requested? Again,
3 I don't have -- I want to accommodate but I'm also
4 cautious about granting waivers that may not be
5 necessary, especially with the high level of
6 excellence that this academy is demonstrating hiring
7 teachers with license. Certainly, we would grant
8 waivers -- I guess, Ms. Pfeffer, in your -- if a
9 similar request came outside of this process that we
10 need to employ a teacher that's licensed but we need
11 them to teach physics and they have a biology
12 license, there is a process for approving that for
13 one year, right, or however long your department --
14 is that --

15 MS. PFEFFER: It's an ALP.

16 DR. GOTCHER: It's an ALP. So it still has that
17 -- okay, that's correct.

18 MS. DAVIS: And, you know, it's going to
19 probably take me a minute to look through -- I mean,
20 because I'm going to have to look through all of them
21 to insure that -- because there's going to be
22 probably some issues in the rules that may also
23 prevent this. And so I don't want to just give you a
24 spur-of-the-moment answer --

25 DR. GOTCHER: Sure.

1 MS. DAVIS: -- to say they only need this and
2 then they proceed and then they end up getting in
3 trouble with Ms. Barnes' unit. So I'm going to --

4 DR. GOTCHER: And that's where the last word
5 comes in when they go to her unit; right?

6 MS. DAVIS: Pretty much. Yes.

7 DR. GOTCHER: I'm kidding.

8 MS. DAVIS: So if you'll give me a minute I'll
9 look through these --

10 DR. GOTCHER: Okay.

11 MS. DAVIS: -- and look through the rules. And
12 I guess if y'all can continue with questions and give
13 me a minute?

14 DR. GOTCHER: Okay.

15 DR. SAUNDERS: I'm good with these but I had
16 questions on something else.

17 CHAIRPERSON COFFMAN: All right. Go ahead.

18 DR. SAUNDERS: I just wanted to clarify
19 something. In preparation on this, I was looking at
20 the existing waivers and some of the things and I
21 wanted a clarification on the audit. Could you
22 describe to me the audit procedures?

23 MS. GARDNER: Do you mind if I bring up Bryce
24 Adams?

25 DR. SAUNDERS: Please do. Yeah, absolutely.

1 MR. ADAMS: Hey, good afternoon. Bryce Adams.
2 I'm actually going to have to look into that and
3 refresh my memory, if I could have a few minutes --

4 DR. SAUNDERS: Okay. That's fine.

5 MR. ADAMS: -- to look at that audit procedure.

6 DR. SAUNDERS: Yeah.

7 MR. ADAMS: I think it goes all through the
8 board and I think that they've got somebody picked
9 out that they contract with, so I'll need to call
10 Board Relations on that.

11 DR. SAUNDERS: Well, okay. Just hold off
12 because that might answer my question. Are you
13 receiving an annual audit and turning it in to Leg-
14 Audit?

15 MR. ADAMS: Yeah, yeah. Uh-huh.

16 DR. SAUNDERS: Okay. That answers my question.
17 Thank you.

18 MR. ADAMS: Okay. Good.

19 DR. SAUNDERS: All right.

20 MS. DAVIS: And let me just make the
21 clarification, the reason why that issue has come up.
22 On the waiver sheet there is a waiver listed as 6-17-
23 913, which is an audit of the accounts. And I went
24 back through and reviewed both of the transcripts and
25 the legal comments and both of the information that

1 had been submitted. And so this waiver had initially
2 been listed as a request in your initial application,
3 but it looks like it was rescinded but it's still on
4 the waiver sheet. So we just wanted to make sure
5 that they are doing it, because we are going to
6 remove it from the waiver sheet. And if you weren't
7 doing it, then that was another discussion -- but,
8 thankfully, we don't have to have that one. So, just
9 when that comes off I don't want you guys to be
10 surprised and that's why it was coming up.

11 DR. SAUNDERS: So you do not need that waiver
12 from audit; correct?

13 MS. GARDNER: Correct.

14 DR. SAUNDERS: Okay.

15 CHAIRPERSON COFFMAN: Any additional questions
16 for Ms. Gardner?

17 MR. ROGERS: I have a question but it's not on
18 what we've got here. I was also looking over the
19 list of waivers and previously there was a waiver
20 given for 6-17-1117, which is over insurance, and I
21 have concerns about it. And I know I can't bring it
22 up today because they aren't prepared for it. So I'm
23 kind of asking what's the procedure on that, because
24 I have concerns about that waiver continuing. So I
25 guess it's kind of procedure. I know I can't ask for

1 them to waiver that today -- or can I? Because I
2 don't know --

3 MR. ADAMS: On that one as well I would have to
4 go back and -- I can find the rationale; I've got the
5 original application packet up. But as for process
6 to revisit that, I'm not sure.

7 CHAIRPERSON COFFMAN: We'll let Ms. Davis
8 respond to that as soon as she finishes looking at
9 the first question.

10 MS. DAVIS: Sorry.

11 CHAIRPERSON COFFMAN: Any other questions?

12 All right. We'll wait patiently.

13 MS. DAVIS: When I need y'all to ask questions
14 y'all won't.

15 Okay. Just in the few seconds that I've glanced
16 through the 40 pages of licensure rules --

17 DR. GOTCHER: I'm sorry.

18 MS. DAVIS: -- I don't believe that there would
19 be anything in here that would prevent -- since they
20 are licensed, Arkansas licensed educators -- that
21 would prevent them from teaching outside of their
22 content area. So the standards would definitely need
23 to be waived in order for them to teach outside their
24 content area. And I don't believe that if that's how
25 they're going to use them that they would necessarily

1 need anything, the other waivers that were listed.
2 Again, I'm still looking through them -- and right
3 now I'm only on page 40 of the rules, and so I'm
4 still searching, so --

5 DR. GOTCHER: And this was just -- may I?

6 CHAIRPERSON COFFMAN: (Nodding head up and
7 down.)

8 DR. GOTCHER: I think this particular section
9 was just 15.03. Is that --

10 MS. DAVIS: That's the standards, but there's --
11 also they had asked for the educator rules --

12 DR. GOTCHER: On the rules. Forgive me.

13 MS. DAVIS: -- governing licensure. And so
14 that's why --

15 DR. GOTCHER: That's the 40-page document that I
16 have not looked at.

17 MS. DAVIS: Well, yeah, we're on 42 now, so --
18 but like I say, I'm trying to --

19 DR. GOTCHER: Understood. Thank you, Ms. Davis.

20 MS. DAVIS: But I don't think that there is
21 anything in here so far in the 40-something pages
22 that would prevent them from teaching outside, so
23 they would need a waiver of that -- that they would
24 definitely need a waiver on the standards.

25 DR. GOTCHER: Okay.

1 MS. SMITH: I guess I'm a little perplexed
2 because, to me, they're asking for the minimum. I
3 mean, they're saying our teachers are licensed.

4 DR. GOTCHER: Right.

5 MS. SMITH: Right. Where we've heard many
6 people come here before and say "our teachers are not
7 licensed" --

8 DR. GOTCHER: Exactly.

9 MS. SMITH: -- and we've given them -- so,
10 again, it's based on what her testimony is. Her
11 testimony is "we're hiring Arkansas licensed teachers
12 and the only thing we're going to do with them is
13 allow them the flexibility to teach within their
14 content area, although maybe in a different grade
15 band" -- so within their content. So, if they're a
16 math person, they're going to teach in math -- but
17 they may have the flexibility to move out of their
18 grade level area. So that's based on testimony. So
19 I guess I'm a little perplexed as to why we're --

20 MS. PFEFFER: I think, if I'm understanding --
21 I'm trying to process what Dr. Gotcher is asking, and
22 I think with what Ms. Barnes also brought up, that
23 the -- whether or not they needed waivers from all of
24 the law since they are going to have licensed
25 teachers or is it more from the rules or Standards of

1 Accreditation. And I'm trying to go through my head
2 on the licensure rules. So I think that's really
3 what you're asking. For them to do what they're
4 wanting to do, how much do they need to have waived,
5 is your question; correct?

6 DR. GOTCHER: Yes, ma'am.

7 MS. PFEFFER: Okay. And Ms. Davis may be able
8 to --

9 CHAIRPERSON COFFMAN: I think she's searching
10 through it.

11 MS. PFEFFER: Yeah.

12 DR. GOTCHER: I don't want to hold this up
13 because I appreciate Ms. Smith's testimony and her
14 comments regarding their testimony. But I guess I'm
15 just trying to get to the necessity for additional
16 waiver requests when the standards and the rules may
17 completely satisfy, so --

18 MS. DAVIS: And, again, in the brief review of
19 the rules it does not look like there's anything that
20 would prohibit them from doing what they want to do
21 without a waiver of the rules. The standards,
22 definitely. And so far there are a few of the code
23 sections that so far I'm not seeing anything
24 prohibitive. And I'm reviewing the other four just
25 to make sure.

1 DR. GOTCHER: Okay.

2 MS. DAVIS: No pressure.

3 MS. PFEFFER: But I do -- I mean, within the
4 rules and regs there are requirements that a teacher
5 teaching out of their area would have to have State
6 Board approval, so that's why all ALPs come through
7 in a process and have to get State Board approval.
8 All long-term subs for more than 30 days have to come
9 through and get State Board approval. So I don't
10 think they could do this under our current rules
11 without having either to get State Board approval for
12 every single time -- so I do think that waiver from
13 the rules would be necessary.

14 MS. DAVIS: Right.

15 MS. PFEFFER: I just don't know that it would
16 necessarily have to be waiver from anything in the
17 law.

18 MS. SMITH: So are the rules -- aren't they
19 connected though to the law? I mean, don't we write
20 rules based on legislation?

21 MS. PFEFFER: We do. We do. But within the
22 rules there's a process from getting a waiver, is
23 what --

24 MS. SMITH: More detail?

25 MS. PFEFFER: Yeah. Yeah.

1 MS. DAVIS: Okay. So, again, just the quick
2 review, it does look like the laws that they've
3 requested would not necessarily be needed because all
4 of their people are Arkansas licensed; so that's not
5 the issue. There would be a bunch of things in the
6 licensure rules that we might want to consider
7 because, you know, they would have to --you know --
8 whether or not they want to come or you want to make
9 them come to the State Board for all of those waivers
10 and they can still follow that process or not, you
11 know, there might be some issues -- and, again, I'd
12 have to really read them. But because they are
13 Arkansas licensed and you're waiving the licensure
14 rules, is that going to cause an issue for them in
15 their own license? That would be an issue by waiving
16 those rules that I would -- I might want to consider.
17 But they definitely need the standards; we've got
18 that part.

19 DR. GOTCHER: Yes.

20 MS. DAVIS: So that's where we're at. So I
21 think maybe the better question would be do you want
22 -- whether them waiving the entire set of rules,
23 would the applicant want to request and would you
24 want to consider waiving those specific sections of
25 the licensure rules that deal with having to come to

1 the State Board and that process for waivers outside
2 of the grade level or something of that nature, or
3 not, and they would still have to follow that
4 process.

5 DR. SAUNDERS: I want to --

6 CHAIRPERSON COFFMAN: Dr. Saunders.

7 DR. SAUNDERS: When I'm looking at the laws --
8 and I can't address 6-15-1004; I'd have to go through
9 that one closer. But I do believe they would still
10 need the waiver on 6-17-309 by the very first
11 sentence in there about referencing teaching outside
12 of your grade level, and --

13 MS. DAVIS: Right. We also have people that do
14 teach outside of the grade level under the rules
15 because they get approval from the State Board
16 without a waiver of this.

17 DR. SAUNDERS: Going through that process,
18 right. And so -- and I guess I'm assuming that
19 bypassing the ALP process or the out-of -- I'm
20 assuming that, making that statement. But I do think
21 on 6-17-401, 902 and 919, looking at how those are
22 tied together -- and from my understanding, the
23 reason that they are requesting those -- basically,
24 it's a coding issue in APSCN that allows them to pay
25 a traditional teacher position for someone that's not

1 qualified within that area. In other words, if
2 they're serving as a classroom teacher they can pay
3 out of the teacher salary fund for that position,
4 where if they did have that license and did meet that
5 requirement that payment would come from that fund
6 also. And so I think that just those bottom three
7 are for I think good bookkeeping and clerical
8 purposes, unless I'm misunderstanding them.

9 MS. DAVIS: No. And I would agree with that. I
10 mean, I think that you probably know APSCN more --
11 better than I do. But one of the things that I just
12 want to point out -- and, again, I'm -- you know -- I
13 am all for not giving out waivers that aren't needed,
14 so let me just put that out there. But there are 84
15 districts, district conversions, schools of
16 innovation, and open-enrollment charter schools right
17 now, as of December 27th, that have this set of
18 waivers, so -- and I'm not saying that we might not
19 want to consider looking at those and see what is
20 needed and what's not needed, especially with other
21 changes that may come up. But I just want you to
22 know that this is not something that you haven't seen
23 on many occasions, nor the State Board, because the
24 State Board has granted it 27 times under Act 1240,
25 seven times under school of innovation, 26 district

1 conversions, and a hundred -- all of the open-
2 enrollments, with the exception -- and so I just want
3 y'all to be aware that it's not out of the norm to
4 see this set of waivers. And I do think that it all
5 kind of goes together because of the way that it was
6 worded.

7 CHAIRPERSON COFFMAN: Ms. Pfeffer.

8 MS. PFEFFER: And kind of going back to answer
9 Dr. Gotcher's question about concerns, I think what I
10 would have concerns about is if we advised them that
11 they don't need a waiver for something and it's going
12 to create a problem for them in the future. And I
13 think we have to look at the main thing here, and the
14 main thing is they are going to have licensed
15 teachers teaching students and it's for when they
16 have someone who's a quality educator who may need to
17 be shifted around a little bit to meet a specific
18 need. They're going to still follow AQT, so that
19 person will have the background in order to do that.
20 And I would hope that they would also encourage that
21 person to seek licensure at some point, and I'm
22 optimistic that our proposed legislation will do
23 that. And I think that the charters that we've
24 talked to would agree that when teachers are licensed
25 they do tend to stay longer and that retention rate

1 just helps students. So I just -- anything that
2 they would change today I would want us to be sure we
3 weren't going to create an unintended consequence for
4 them.

5 CHAIRPERSON COFFMAN: Dr. Gotcher.

6 DR. GOTCHER: And I appreciate that, Ms.
7 Pfeffer. And, Ms. Davis, your information you
8 provided that gives a great context for what our
9 State Board has done and what this Panel has done in
10 the past. And so -- and this particular academy has
11 -- they're performing beyond what other charters are
12 doing in terms of their expectations of licensure.
13 So, forgive me, the Panel, for taking us down this
14 area, but I withdraw my concerns and I think I'm
15 satisfied now that I recognize the pattern of
16 behavior with our Board and with this particular
17 panel. So, thank you.

18 CHAIRPERSON COFFMAN: Ms. Davis, while you were
19 searching, Mr. Rogers had another concern that's
20 outside of our request today.

21 MS. DAVIS: Yes.

22 CHAIRPERSON COFFMAN: And so the question was,
23 how is that concern addressed?

24 MS. DAVIS: There can be two ways. If they can
25 address to a certain extent here today and Mr. Rogers

1 is satisfied, then -- and the board is satisfied,
2 then it is good. Otherwise, I would encourage the
3 applicant to contact Mr. Rogers and work out any
4 concerns that they may have, address those -- and if
5 not, then we will have to notify the charter to come
6 in for a full hearing in front of you guys to talk
7 about that. But that way, they will have the
8 opportunity to really fully be prepared for that.
9 Because at this point if you were to say, "I want to
10 revoke that waiver," they're not prepared to say why
11 they still need it, so they would need time to come
12 back.

13 CHAIRPERSON COFFMAN: Ms. Gardner, what's your
14 --

15 MS. GARDNER: I was going to see if we had time
16 to review that today.

17 MR. ROGERS: I would just rather y'all get with
18 me and go over it because I'm pretty sure -- I don't
19 want -- it's going to take a little bit longer than
20 we've already been beating to death on your other
21 one. So just for the sake of time, let's just get
22 together with me because I do have concerns about it
23 and I don't want to take up any more of everybody
24 else's time. Let's just work it out, and then if it
25 is something that is real I'll bring it back here.

1 MS. GARDNER: Okay.

2 CHAIRPERSON COFFMAN: Any other discussion
3 around this waiver request?

4 Then I'll accept a motion.

5 DR. SAUNDERS: I'll make a motion to approve.

6 MS. SMITH: Second.

7 CHAIRPERSON COFFMAN: Motion has been made by
8 Dr. Saunders, seconded by Ms. Smith to approve the
9 request. Any discussion?

10 MS. BARNES: Not so much discussion, but I
11 wanted to make sure that you understand that my
12 questions do not necessarily convey a concern with
13 respect to your school, given your testimony, but
14 they are still a concern for me for long-range. And
15 my esteemed colleagues, I do defer to them for a
16 balance, but at the same time I'm also an advocate of
17 "when I know better, I do better." And so I needed
18 you to understand that this is nothing -- my concern
19 has nothing to do specifically with your request
20 today, given your testimony. But I do have a concern
21 regarding the whole process that we have in place and
22 you should not be held accountable for that from me.
23 Thank you.

24 CHAIRPERSON COFFMAN: All those -- let me
25 restate. We have a motion by Dr. Saunders, second by

1 Ms. Smith to approve the waiver request. All those
2 in favor?

3 (MAJORITY CHORUS OF AYES)

4 CHAIRPERSON COFFMAN: Any opposed?

5 MS. BARNES: Abstain.

6 CHAIRPERSON COFFMAN: Motion carries.

7 If you'll give us a moment, we'll provide the
8 comments.

9 {A FEW MOMENTS OF SILENCE}

10 CHAIRPERSON COFFMAN: Ms. Haley.

11 MS. HALEY: I voted to approve the request and I
12 have no concerns.

13 CHAIRPERSON COFFMAN: Mr. Lester.

14 MR. LESTER: I voted for the amendment. I have
15 no concerns with the waiver request.

16 CHAIRPERSON COFFMAN: Ms. Pfeffer.

17 MS. PFEFFER: I'm confident that the testimony
18 today insures that the licensed teachers who are
19 assigned to an area outside of their licensure area
20 will have the necessary content knowledge as
21 demonstrated by meeting the AQT requirements.

22 CHAIRPERSON COFFMAN: Mr. Rogers.

23 MR. ROGERS: I voted to approve. I don't have
24 any concerns with these waivers at this time.

25 CHAIRPERSON COFFMAN: Dr. Saunders.

1 DR. SAUNDERS: I voted to approve. I had no
2 concerns. I did want to compliment you on I think
3 using Arkansas licensed teachers and the recognition
4 of the skills and knowledge that those people have to
5 demonstrate to receive the license. Teaching is not
6 just about content knowledge; there's an art and
7 science of teaching that's separate. And I did want
8 to compliment you on that, so --

9 CHAIRPERSON COFFMAN: Ms. Smith.

10 MS. SMITH: I voted for. The school is
11 committed to hiring licensed Arkansas teachers for
12 all areas. The amendment allows for the school to
13 allow those teachers to teach in their content area,
14 although maybe at a different grade. No concerns.
15 And just a side note too, kind of on what Dr.
16 Saunders said, but you came and asked for a waiver
17 but you explained in a limited way in which you would
18 use the waiver and that is appreciated. It wasn't
19 just open "we want this waiver for this reason, but
20 also for the contingency that we might have this,
21 this and this and this down the road." You didn't do
22 that. You kept it limited but still asking for a
23 waiver, so --

24 CHAIRPERSON COFFMAN: Dr. Gotcher.

25 DR. GOTCHER: And I too echo the compliment of

1 Dr. Saunders and Ms. Smith, and I appreciate the
2 Panel discussion. But I voted for the amendment. I
3 have no concerns. And the panel discussion and our
4 Department counsel assisted in the clarity that I
5 needed to support this. And, again, it wasn't an
6 issue of what was being asked. As Ms. Pfeffer has
7 pointed out, or maybe it was Ms. Smith, many times
8 requests are made and they have no reason to need
9 them, and so I just wanted to make sure that waiver
10 requests are used in the spirit of which they're
11 needed. So anyway, I apologize that you -- that we
12 elongated the discussion and we thank you.

13 CHAIRPERSON COFFMAN: Thank you, Ms. Gardner.
14 Congratulations.

15 We'll take a very brief break and come back for
16 Action Item 4.

17 (BREAK: 2:17 - 2:25 P.M.)

18 CHAIRPERSON COFFMAN: Ms. Perry, you're
19 recognized for Action Item 4.

20 MR. ROGERS: Before we start, can I --

21 CHAIRPERSON COFFMAN: Yes.

22 MR. ROGERS: Before we start on that one, I just
23 got through talking to Connections Academy concerning
24 my request -- my concerns about that waiver of 6-17-
25 1117. And I'd like to ask that they come back next

1 month for consideration of that waiver being
2 rescinded. I talked to them and they said that would
3 give them plenty of time to look over it and see if
4 they needed it too.

5 CHAIRPERSON COFFMAN: Ms. Davis.

6 MS. DAVIS: Right now, you don't have a meeting
7 scheduled next month, but we can schedule one
8 providing that --

9 MR. ROGERS: Well, I don't want it to just be
10 for that, so whenever the next available meeting we
11 have is then. Maybe that's what I should say.

12 MS. DAVIS: That would be April -- April 19th.

13 MR. ROGERS: No, maybe I do want it next month.
14 Okay, I want it next month.

15 MS. DAVIS: Okay. Then we will get one
16 scheduled.

17 MR. ROGERS: Yeah. I want it next month.

18 MS. DAVIS: So we will schedule one, coordinate
19 your schedules and schedule one.

20 MR. ROGERS: Okay.

21 CHAIRPERSON COFFMAN: Thank you, Ms. Davis.

22 Okay. Ms. Perry.

23 MS. DAVIS: Is there anything specific that --
24 you know -- we'll need to notify the applicant of
25 their request to come back in. So is there anything

1 that's specific, other than how they're using that
2 waiver that you would like for them to be prepared?

3 MR. ROGERS: Just that, the 6-17-1117 is the
4 only one that I'm concerned with right now.

5 MS. DAVIS: Right.

6 MR. ROGERS: That's the one that I would like --

7 MS. DAVIS: But is there anything specific
8 regarding that or just how they're using it and what
9 is the affect if they don't have it?

10 MR. ROGERS: How they're using it while they
11 have it and just everything around that waiver.

12 MS. DAVIS: Okay.

13 MR. ROGERS: I don't even know how I'm saying
14 it. But, yeah --

15 MS. DAVIS: Gotcha.

16 MR. ROGERS: Okay.

17 CHAIRPERSON COFFMAN: Ms. Davis, do we need to
18 take a vote on that or --

19 MS. DAVIS: Yes.

20 MR. ROGERS: So say it again in a motion?

21 CHAIRPERSON COFFMAN: Do you want to make a
22 motion?

23 MR. ROGERS: I'd like to make a motion that we
24 bring Arkansas Connections Academy back next month
25 for review of the waiver of 6-17-1117.

1 MS. BARNES: Second.

2 CHAIRPERSON COFFMAN: Any discussion?

3 MS. SMITH: I just -- just before I vote on
4 something that I'm not even sure I'm knowing what
5 we're talking about -- so what is that waiver and --
6 I mean, so that has to do with what?

7 MR. ROGERS: Life insurance. I mean, health
8 insurance. Excuse me.

9 MS. SMITH: Health insurance.

10 MR. ROGERS: It's the \$150 that a school
11 district is required to pay to EBD for eligible
12 people, like teachers, to participate in the health
13 insurance program.

14 MS. SMITH: Okay. So right now they currently
15 have a waiver where they don't have to participate in
16 that?

17 MS. DAVIS: Yeah.

18 MR. ROGERS: Right. Where they wouldn't have to
19 pay the \$150 into EBD for anyone eligible to
20 participate. That whole code is --

21 MS. SMITH: Are there any other charters that
22 have that same waiver?

23 MS. DAVIS: No.

24 MR. ROGERS: No.

25 MS. SMITH: So this is the only one?

1 MS. DAVIS: Yes.

2 MR. ROGERS: Yes.

3 MS. SMITH: See, now I'm clarified.

4 DR. GOTCHER: It's \$154 now, isn't it?

5 MR. ROGERS: Yeah. It's \$154 now, but it's
6 increased on it.

7 CHAIRPERSON COFFMAN: Okay. We have a motion by
8 Mr. Rogers, seconded by Ms. Barnes. All those in
9 favor?

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRPERSON COFFMAN: Any opposed?

12 MS. DAVIS: Okay. We'll notify them.

13 CHAIRPERSON COFFMAN: We'll leave it up to you
14 and the Charter Office to coordinate a date.

15 MS. DAVIS: Okay.

16 CHAIRPERSON COFFMAN: Thank you.

17 A-4: REQUEST FOR OPEN-ENROLLMENT PUBLIC SCHOOL CHARTER

18 AMENDMENT: ARKANSAS VIRTUAL ACADEMY

19 CHAIRPERSON COFFMAN: All right. Ms. Perry,
20 we're going to try Action Item 4 again.

21 MS. VIRGINIA PERRY: Action Item 4 is Arkansas
22 Virtual Academy and Dr. Scott Sides, the
23 superintendent, is here to present.

24 CHAIRPERSON COFFMAN: If all representatives
25 from the charter and anyone speaking in opposition

1 would please stand to take the oath; raise your right
2 hand please. Do you swear or affirm that the
3 testimony you're about to give shall be the truth,
4 the whole truth, and nothing but the truth?

5 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

6 CHAIRPERSON COFFMAN: Thank you. And if you'll
7 be sure to state your name and title and speak
8 directly into the microphone. Thank you.

9 DR. SIDES: Thank you. Good afternoon. My name
10 is Scott Sides; I'm Head of School at Arkansas
11 Virtual Academy. We appreciate all of your time
12 today, and we'll get right to it because we have
13 quite a few slides. There are 32 in total, so I'll
14 be moving rather expediently through the slides,
15 understanding that questions will be following for
16 clarification. As I prepare to move into the slides,
17 there will be things that I will show you that will
18 demonstrate growth across years for our students.
19 There will be -- really, there's a range of
20 information included. There are static proficiency
21 pieces in this related to math and writing that have
22 our full attention. But as we're moving through
23 this, really our purpose behind this is our long-
24 range planning and how we can continue to build the
25 school, that's existed as an open-enrollment charter

1 now for 10 years, to optimize its function for our
2 students throughout the state of Arkansas.

3 So the family that you see here on the cover,
4 this is actually a family that is enrolled in the
5 school and I wanted to include that on the cover for
6 you all. So this is an important choice for families
7 within the school. This is our tenth year as an
8 open-enrollment public charter school. It was first
9 established in 2002-2003 under a federal grant,
10 branded as Arkansas Virtual School. And as that
11 grant was waning, the board at that time decided that
12 they wanted to pursue an open-enrollment charter
13 because of the provision that it was making for
14 families within the state. So they pursued an open-
15 enrollment charter with the State Board of Education,
16 which was granted 2007-2008 -- just providing a bit
17 of background.

18 This is a school that helps families where
19 students may have health risks, where students may
20 have immune weaknesses, where life-changing illness
21 may be present; this is a school that helps families
22 where parents seek greater involvement, to also
23 include a strong curriculum and the support of our
24 teachers; this can be a safe haven for -- as it
25 relates to safety and bullying, even if it might be a

1 temporary solution for families, even one year, where
2 they are finding solutions to bullying. It can be
3 very efficient supporting unique talents and
4 accommodating a wide range of student learning.

5 We focus on being innovative and student-
6 centered. We know that research indicates that
7 students achieve when parents are involved, and
8 parents are involved in learning here at the school.
9 It's supported by certified teachers and assisted
10 then by technology. And students in ARVA are -- have
11 specific learning paths that speak to their specific
12 academic needs within the school, as we work to
13 individualize and personalize.

14 As we look at our current demographics, I would
15 draw the board's attention to the percentage of black
16 or African American students at 11% and white or
17 Caucasian students at 84%, noting the higher -- the
18 highest two demographics within our school there as
19 it relates to race. 68% of our families who come
20 into the school, based on their income and the number
21 of students -- or, excuse me -- rather, the number of
22 individuals who are in the household, 68% yield, the
23 total for economically disadvantaged -- excuse me --
24 and then 15% of our students receive services through
25 special education and have IEPs; an additional 7% of

1 students have a 504. So 22% of our entire population
2 has a documented learning difference that is
3 legitimate and documented.

4 So as we look at our enrollment at January 1, we
5 see that -- I would draw the board's attention to the
6 8th grade and the 9th grade at higher enrollment
7 levels, because this does bear on why we come forward
8 to you with this amendment request today as we work
9 on our long-range planning.

10 The benefits of this amendment: create a
11 scenario where students -- where there's seat
12 capacity for students moving from one grade to the
13 next; it establishes a more complete and standing
14 middle school model, providing additional opportunity
15 for course expansion within the high school -- and
16 this is especially important for the Arkansas Virtual
17 Academy board of directors, from their viewpoint,
18 that we would have the opportunity to expand our high
19 school course offerings; and then stabilize these
20 numbers across grades, supporting points one, two,
21 and three.

22 Also, I had meant to provide this short
23 background. You all may -- I'm sure that you know
24 this already, but a few years back law had said that
25 a virtual school would be allowed to serve 3,000

1 students and serve grades K through 12. And the
2 Arkansas Virtual Academy board of directors followed
3 a slower growth method where the first year they
4 expanded only K-8; the following year they expanded
5 grades 9-10, then grade 11, and then this year into
6 our first graduating class. So really this is sort
7 of an addendum, if you will, that we're presenting
8 for this continued slower growth method but meeting
9 the needs that I'd expressed on the prior page.

10 So when you look at the current column you see
11 for grade 8 239 students as of January 1; 235, grade
12 9. When you advance that to the following year,
13 we're proposing 240 in grade 9 next year. I'm really
14 -- I'm making the basis for the seat capacity here --
15 239 moving -- asking then to have 240 grade 9 --
16 excuse me -- yes, that's right -- grade 9 for next
17 year. Then if you look at grade 9 for current year,
18 235. We would target then to have 240 in grade 10
19 next year and you see that logic as you look through
20 this page. If you look at grade 11, 122 students;
21 then making the seat capacity for 125 moving forward.
22 Not a full 100% of students will choose to move to
23 the next grade level with us, so there would be some
24 seat capacity that would be offered through this, but
25 we should be able to provide that opportunity should

1 they wish to continue to advance with Arkansas
2 Virtual Academy. Further, when you're looking at
3 2017-2018, you see an established 240 within the
4 middle school grades 6, 7 and 8, thereby maximizing
5 efficiencies in our middle school, and then creating
6 numbers leading up to that K-5 whereby this would be
7 sustainable in these later grades. So, 2017-2018 a
8 maximum enrollment of 2,440.

9 Then following similar logic the following year,
10 looking at especially grade 10 in 17-18 to then 18-
11 19, making space for 240 moving forward, 155 moving
12 into their senior year, with the middle school model
13 established at 240 across grades 6, 7 and 8, and then
14 number-sustaining that in the K-5 grades.

15 Similar logic, finally, in 2019-20, at a maximum
16 enrollment of 3,000, looking at grade 11 in 18-19,
17 following it to 19-20, seeing seat capacity there;
18 sustaining the middle school; and then having numbers
19 below that grades K to -- into lower grades to
20 sustain this in the longer term. I do believe that
21 this is a long-range enrollment ask. I believe that
22 this really does situate our longer range future.

23 So, importantly, the course expansion that you
24 see here, these would be additional core courses.
25 And we currently teach the 38, so our core course

1 provision is certainly meeting that already but the
2 courses that you see here would be added to our core
3 course list. And then the career tech ed. and
4 elective offerings would be expanded significantly,
5 including courses that you see here for career tech
6 ed. and for elective offerings. Career tech ed.
7 clusters and pathways that we would be pursuing are
8 as you see listed on this slide.

9 Advancing quickly, recognizing that questions
10 would come at the end -- so as we get into state
11 assessments for grades 3-8 and also high school, Dr.
12 Margaret Jorgensen, K-12's chief academic officer,
13 and her team of analysts did this comparative
14 analysis, which I certainly appreciate it because
15 they -- you know -- they have a resource to do this
16 and now this analysis is greater than what I would
17 have. She would've been here with us today, but
18 she's very sick and could not fly or she would be
19 here to speak to this data. It's a very ethical
20 group and, you know, I feel very confident in the
21 information that she sets forward here. So the
22 source here: ACT Aspire Technical Bulletin led her
23 team to compare PARCC 2014-15 scores against the
24 reading component of ACT Aspire 2015-2016, because
25 the two assessments are not the same assessment; so

1 just trying to make the best comparison that could be
2 done via the manuals and their review of the manuals.

3 So I'm going to need to take just a minute to
4 explain what we're looking at here. These are
5 comparisons of Arkansas Virtual Academy's performance
6 and the state's performance for all students, and it
7 ultimately asks the question in the far right-hand
8 column, "How is any difference between the school and
9 the state growing greater or being narrowed from
10 2014-15 PARCC to 2015-16 ACT Aspire reading?" So
11 when you look in the 2014-15 school year column for
12 ELA and you see the column that says Gap Between
13 School and State, here are the percentage differences
14 by grade in 2014-15 on ELA for PARCC. Then when you
15 go to the next set of information, for 2015-16,
16 reading via ACT Aspire, that same gap information is
17 provided. Positive numbers would be Arkansas Virtual
18 Academy increased percentage, negative being it's
19 inverse; basically, increased percentage with state
20 outcomes. So let's take 5th grade, for example.
21 When you look at Gap Between School and State and
22 percentage points, a difference of 5 percentage
23 points there. Then looking at 15-16 ACT Aspire, you
24 see that Arkansas Virtual Academy outperformed by 3%
25 for this grade level. And the difference between the

1 two years, basically the net, is a difference of 8
2 percentage points across the two years. So, I
3 appreciate their hard work in trying to bring to this
4 board comparative outcomes between PARCC and ACT
5 Aspire to tell you the best story that we can tell
6 related to our current achievement.

7 Advancing to the next slide -- this is the same
8 comparison done for full academic year students,
9 students who were within the school the entire --
10 that entire academic year, and then testing in April,
11 observing any gap between the school and the state by
12 grade, 14-15. Then looking at that same column, 15-
13 16, reading ACT Aspire, and then noting the two
14 years' of information net total on the far right-hand
15 column, this is for students who were full academic
16 year students. So when we look at this -- and I'm
17 sure this is making good sense at this point -- but
18 for 4th grade the two-year collective total was an
19 11% negative difference for Arkansas Virtual Academy
20 compared to the state, and then the positive
21 differences grades 5-9 are what you see there in the
22 right-hand column.

23 Now we get into comparisons that really weren't
24 able to be made from 14-15 PARCC to ACT Aspire, and
25 these are just bottom-line outcomes. Arkansas

1 Virtual Academy performance versus the state,
2 differences that you see there between the school for
3 all students and the state and then full academic
4 year students between Arkansas Virtual Academy and
5 the state.

6 This is now the writing component, still the
7 same comparison. Writing is an area of continued
8 focus for us. It has our full attention. I realize
9 that -- you know, I think that we saw scores that may
10 have been surprising to us all there in writing, but
11 certainly we take this quite seriously and are
12 working to continue to improve this. And we'll get
13 into more specific things at the very end of our
14 presentation.

15 I'm making sure that we're looking at the same
16 slides here. Okay.

17 This is English Language Arts combined. From
18 ACT Aspire these again are percentage of students at
19 or above proficiency, so these are static
20 proficiencies, noting differences between our school
21 and the state there for all students and then for
22 full academic year students.

23 Then, math -- math is -- the ACT Aspire and math
24 was a performance area that was different than we'd
25 seen in prior years, and math is where we are

1 focusing a lot of effort at this time. As you see on
2 this slide here, you do note the difference; there
3 was a difference there in 14-15 PARCC, favorable in
4 8th grade but generally not otherwise, noting
5 especially 3rd, 4th and 10th. But 2015-16 ACT Aspire
6 was, I would say, exaggerated beyond what we had seen
7 in PARCC. The difference then, the net in the far
8 right-hand corner -- far right-hand side, that was
9 for all students. This is for full academic year
10 students.

11 For 14-15 PARCC math and then 15-16 ACT Aspire
12 math, and then the sum of those two years in the far
13 right-hand side for full academic year students.

14 For science it was harder to run the same
15 comparison with grades 5, 7, and 10, having been
16 tested in 14-15. But you do see the column for 15-16
17 ACT Aspire and you do see where the comparison could
18 be made for grades 5, 7, and 10. That was for all
19 students. This is full academic year students.

20 For 14-15 science, tested there 5th, 7th and
21 10th, and 15-16 science, noting differences in
22 performance there, and then ultimately taking the two
23 years for the total in the far right-hand column.

24 So now we get into persistence descriptions for
25 our students. And it's really important that we look

1 closely here because when we're asking ourselves for
2 students who are enrolled three or more years, how
3 are they faring compared to students who are enrolled
4 one year or less? And there is a positive difference
5 in the bottom right-hand corner for students who were
6 enrolled three years or more when being compared to
7 students who enrolled less than one year; also
8 noticing those trend lines for less than one year,
9 one year but less than two years, two years but less
10 than three years, and three years or more, with the
11 subject area noted by color. So this was for grades
12 3 to 8.

13 Then when we look at high school, using this
14 same analysis, appreciating especially the ACT Aspire
15 science and mathematics trend line there, but noting
16 in the bottom right-hand corner -- when we're looking
17 at these math static proficiencies, this is really
18 important for us to be able to review together as it
19 relates to students who are enrolled with us for a
20 longer period of time. ACT Aspire mathematics for
21 three years or more was 18 percentage points higher
22 than a student enrolled less than one year; and then
23 ACT Aspire science there as well; ACT writing,
24 however, not improved.

25 Next slide, Did ARVA students who tested in 2014

1 and 2015-16 in ELA improve year over year? And the
2 answer is yes. The static proficiencies alone, when
3 you consider that we have no control of how students
4 arrive with us, what we can control is an impact
5 while they are studying with us. So when we look at
6 this, English Language Arts 2014-15 to English
7 Language Arts 15-16, there is a positive difference
8 for that cohort of students, which did also surpass
9 the percentages that you see in the far most right-
10 hand column. This is for ELA improvement year over
11 year.

12 Then for math, doing the same -- the same
13 analysis, following the same students from 3rd to
14 4th, 4th to 5th, 5th to 6th, and et cetera, again
15 noting in many instances positive differences and
16 ones that, you know, are in the 20th percentage
17 points of difference for grades 3, 4, 5; noting also
18 though an improvement comparatively for the state in
19 the far right-hand column.

20 I've provided some additional information about
21 our school. I would want you to know the things that
22 we try really hard to do to help our families,
23 throughout the summer even where we call them. We
24 made 1,440 contacts, or at least an outreach of
25 1,440, across the summer, twice. We have outings

1 throughout the state during the summer. We have pre-
2 enrollment sessions for every family before they
3 enroll. We do our very, very best to help them
4 understand how this model operates --

5 Is that 20 minutes?

6 CHAIRPERSON COFFMAN: (Nodding head up and
7 down.)

8 DR. SIDES: Okay. How the model operates, roles
9 and responsibilities, shared -- the shared
10 responsibility that we have and so-on. So this is
11 just information -- and I'll wrap up -- for you about
12 a tiered support that we provide that -- you know --
13 for student engagement. We work really, really hard
14 to keep them engaged and to provide tiered support
15 for our families.

16 So I can continue with these slides or I can end
17 my presentation via the 20 minutes.

18 CHAIRPERSON COFFMAN: Ms. Davis, is there anyone
19 here to speak in opposition?

20 MS. DAVIS: No.

21 CHAIRPERSON COFFMAN: You have 5 additional
22 minutes.

23 DR. SIDES: Okay. Thank you. Thank you very
24 much. If we could just continue to have the
25 information on the screen -- thank you very much.

1 So sharing with the board the number of contact
2 attempts during the summer, and twice, in fact.
3 Also, modifying the support over summer for families
4 who have struggled in the prior year, so really
5 working to be proactive during the summer months to
6 help them set goals, to help them better organize and
7 be ready for a more successful following year.

8 We have face-to-face park outings throughout the
9 state. And then 14% of families are receiving tiered
10 support from our Family Academic Support team, and
11 this is a team that its sole purpose is providing
12 support for engagement with our families who are
13 working within our school. And then additional
14 statistics around tiered support, recognizing that
15 some of this tiered support has been referred to
16 truancy. We have a truancy coordinator who also
17 follows these students and works with districts in
18 the event that our students are maybe exhibiting
19 truancy.

20 And, finally, showing a number of outings
21 throughout the state where approximately 750 students
22 and families were in attendance, providing
23 information on booster outings that we do for our
24 families and really just trying to provide you some
25 data about how we are executing outreach for a school

1 where students are spread out throughout the state,
2 you know, where families are partners with us.

3 And this really concludes the formal part of my
4 presentation, and I know that the board will have
5 specific questions that you all will want answered.

6 CHAIRPERSON COFFMAN: Thank you, Dr. Sides.

7 DR. SIDES: Absolutely.

8 CHAIRPERSON COFFMAN: Okay. Who would like to
9 start with the first question?

10 DR. SAUNDERS: I do.

11 CHAIRPERSON COFFMAN: Dr. Saunders.

12 DR. SAUNDERS: Yeah. Could you address for me
13 -- I know that we have previously had applicants
14 before us I believe referencing you and saying that
15 the courses are not clearinghouse approved. Do you
16 -- can you address that? Are they?

17 DR. SIDES: The courses are not clearinghouse
18 approved.

19 DR. SAUNDERS: With NCAA?

20 DR. SIDES: With NCAA?

21 DR. SAUNDERS: Yeah.

22 DR. SIDES: It is true that for NCAA that -- you
23 know, there's a very specific procedure --

24 DR. SAUNDERS: Right.

25 DR. SIDES: -- that must be followed as it

1 relates to NCAA.

2 DR. SAUNDERS: Okay.

3 DR. SIDES: But they are not immediately
4 approved, as you indicated.

5 DR. SAUNDERS: Okay.

6 CHAIRPERSON COFFMAN: Other questions? Ms.
7 Pfeffer.

8 MS. PFEFFER: Good afternoon.

9 DR. SIDES: Hi.

10 MS. PFEFFER: My questions center around your
11 teacher workforce. And just looking at some
12 historical data, you have a lot of first-year
13 teachers on staff. It's from the data that you've
14 reported and your -- I believe this would've been for
15 last school year. The data that was reported, you
16 had in your elementary 78% of your teachers were
17 beginning teachers and in your high school 85% were
18 beginning teachers, and I'm not seeing the middle
19 school. But just in thinking about your teaching
20 workforce and all the courses you were talking about
21 expanding, I'm just wondering how you're thinking
22 about continued staffing. Because, and I don't know,
23 I would want you to talk to me a little bit about
24 your average rate of turnover and just what are your
25 thoughts, you know, for this kind of expansion and

1 for those -- all those courses. What would we be
2 looking at in terms of being able to staff all those
3 classrooms with teachers who would be there and be
4 consistent for students?

5 DR. SIDES: Yes, ma'am. So I would like to -- I
6 would like to begin by saying that we have worked
7 through bolstering our reporting and we have a team
8 that really -- a lot of the people that you see
9 involved here are now deeply involved in our
10 reporting, to insure that we are absolutely accurate
11 with what we provide. I'll start there. It does not
12 pass the sniff test in my view that the majority of
13 our teachers were first-year teachers. Immediately,
14 individuals come to mind who I know have been
15 teaching for a long time. In fact, even in our high
16 school most all of the teachers who are there now
17 were there in the prior year, so they would've at
18 least had two years right there. So, you know, I
19 believe that that is an appearance different than our
20 -- the teacher core that we have. We have a very,
21 very capable team of teachers. We do find in some
22 instances that a new teacher can be very successful
23 in this model and that they can adapt quickly and
24 come right along and be hard-working with all the
25 right attitudinal pieces.

1 So to be more specific in my answer, we, like
2 you, also value experience. We have not had teacher
3 shortage issues. There was a day when we had special
4 education teacher shortage issues; I can say that for
5 sure. However, that is not where we are now. I
6 believe that we have -- really, our teacher team, our
7 faculty, has settled down quite a lot to become more
8 and more able in the school, and, further, we do
9 everything associated with TESS. So they are
10 receiving -- I mean, we're doing all the teacher
11 things. We're doing everything that TESS requires
12 and we're supporting them. They have our full
13 attention and we are focused on their growth and
14 their capacity.

15 So as it relates to recruitment, we find a lot
16 of interest in teaching in this setting; however,
17 what we find less is a complete comprehension of what
18 it takes to -- the time commitment and how hard the
19 work is. The work is very hard. And so that's
20 really -- that's -- it's more about making sure that
21 after we find a talented person that we are laying
22 out a very, very fair expectation for them. That is
23 really more of challenge than having a group of
24 candidates who will want to teach for this school.
25 But we work hard to vet. We have a digital vetting

1 mechanism before we ever meet with them where they
2 create videos and we understand how well do they --
3 how well can they use technology in order to submit
4 video for us then to even get to the next step, a
5 conversation around the position itself and
6 potentially an interview. So there's a very thorough
7 vetting process that does -- it is inclusive of
8 technology. There has been some turnover for our
9 teachers. You know, as I mentioned, it is quite --
10 it's hard work and there's also a learning curve. We
11 did experience a different percentage of turnover
12 within our special education teacher team, but that
13 has settled down quite a lot since when we were
14 experiencing that, I would say more about two years
15 ago.

16 MS. PFEFFER: So to what do you attribute the
17 success there? And have you replicated some of that
18 throughout your school?

19 DR. SIDES: Let me just really think about that.
20 So I'm going to be very -- absolutely honest. I
21 believe that when we -- what we're asking here is not
22 the magnitude of growth that we originally
23 experienced.

24 MS. PFEFFER: Okay.

25 DR. SIDES: Going from 500 to 1400, while it was

1 a controlled method by which it was done -- K-8, then
2 high school -- there were a lot of new teachers at
3 that time --

4 MS. PFEFFER: Okay.

5 DR. SIDES: -- and a lot of work to be done
6 there. And some I think really enjoy teaching in
7 this environment and some less so. And so that was
8 part of what, you know, I think led to who we
9 continue to have with us and differences that you
10 discern in the data.

11 In terms of replication, you know, I think that
12 we have an excellent team of administrators who work
13 really, really hard for their teachers and just -- I
14 know that that's common; that's a common practice and
15 not something that I could really attest to in terms
16 of replication. But it's because our principals
17 absolutely work -- absolutely care for and work hard
18 for their teachers in supporting them, and then
19 ultimately our Assistant Head of school for Academics
20 supporting the principals. You know, I believe that
21 where we are having success instructionally, where
22 our teachers are standing with us in the long-term,
23 it's by virtue of support, administrative support,
24 just like, you know, research would bear out time and
25 time again.

1 MS. PFEFFER: Okay. Thank you.

2 DR. SIDES: Yes, ma'am.

3 CHAIRPERSON COFFMAN: Ms. Smith.

4 MS. SMITH: Okay. So just a question on your
5 total. Right now your cap is 2,000?

6 DR. SIDES: Yes, ma'am.

7 MS. SMITH: Okay. So the information you showed
8 on the screen earlier showed that you currently had
9 around 1800 kids; I think it was 1892?

10 DR. SIDES: Yes, ma'am.

11 MS. SMITH: Okay. So, on the sheet in BoardBook
12 which maybe the Charter Office put together on the
13 Arkansas Virtual Academy background sheet --

14 DR. SIDES: Uh-huh.

15 MS. SMITH: -- it shows that you guys currently
16 have an enrollment of -- 2,092 currently enrolled at
17 your school, over 2,000. So, which is correct? And
18 if the charter made this sheet where did they pull
19 those numbers from?

20 DR. SIDES: Yes, ma'am. What I showed you was
21 right, and what I showed you in the Current column
22 and also what I submitted to the Department of
23 Education's Charter School Office. And here is
24 something that I just need to take head-on right now:
25 when I say that my team is involved in our reporting,

1 they're absolutely involved in our reporting, really
2 coming as -- understanding from that 2,092 that you
3 cite, understanding that there was a mistaken piece
4 of information, especially related to our middle
5 school, that inflated those numbers, because our real
6 enrollment at that time was 1,874. So that's -- you
7 know -- ultimately, we have an entire group of people
8 that are eSchool knowledgeable at this point. It's
9 been -- have you got a couple of minutes?

10 MS. SMITH: So, Dr. Saunders and Greg, can one
11 of y'all access it to look at what their -- how many
12 students they have enrolled? Is that in My School
13 Info?

14 DR. SAUNDERS: I'd let him continue, I think.

15 DR. SIDES: Yeah.

16 MS. SMITH: Okay. Okay. Go ahead.

17 DR. SIDES: Okay. Sure.

18 MS. PERRY: Mary Perry, Division of Learning
19 Services. I have right here -- I'm looking in our
20 statewide information systems report for Arkansas
21 Virtual Academy, and it shows -- I'm looking at the
22 report by race by district, like we pull, and it does
23 indeed show 2,092 students going across there. So we
24 pulled that from our data systems.

25 MS. SMITH: Okay. So, go ahead.

1 DR. SIDES: So, that was Cycle 2.

2 MS. SMITH: Okay.

3 DR. SIDES: And not bearing on funding but
4 bearing on how we are improving the specificity of
5 what was submitted. And, you know, for example,
6 Cycle 5 that we've been working on right now, this
7 has been -- our internal control method of how we are
8 reviewing this data together, including even the
9 principals reviewing attendance at the school level
10 and so-on -- basically, we put an internal control
11 method on this in order that, you know, we can verify
12 additionally that information further. There is a
13 team at K-12 whose sole purpose is the review of
14 information submitted. So this is a team that we are
15 giving lead time for their review and so there's an
16 additional internal control on this information. But
17 that 2,092 was inaccurate; it was 1,874. By the 18th
18 of October that information had been fully set into
19 order within eSchool.

20 MS. SMITH: Okay.

21 DR. SIDES: The submission deadline was October
22 15th.

23 MR. ROGERS: And you just referenced -- I'm
24 sorry.

25 CHAIRPERSON COFFMAN: Mr. Rogers, go ahead.

1 MR. ROGERS: You just referenced internal
2 controls regarding your cycle data. When were those
3 internal controls input? And how many years has your
4 Cycle 2 data been incorrect?

5 DR. SIDES: K-12's internal review has been in
6 effect; however, the lead time that has been provided
7 has been a shorter lead time than we have determined
8 that we would be providing, especially concerning
9 that 2,092. I mean, it was at that point that we
10 understood how not only are we going to maximize the
11 support there in their review but further, the
12 eSchool work wouldn't be settled with a smaller group
13 holding the keys; rather, it would be me and our
14 Assistant Head of School for Academics. I mean, I'm
15 talking about involved in the system, pulling reports
16 and seeing -- not just reviewing the cycle, but I
17 mean actually in the system working; like you could
18 use my -- you could take my credentials and see. And
19 --

20 MR. ROGERS: How many years has the cycle data
21 been incorrect?

22 DR. SIDES: The cycle data has been --

23 MR. ROGERS: Cycle 2 data.

24 DR. SIDES: The cycle data --

25 MR. ROGERS: It's a trick question.

1 DR. SIDES: It is a trick question? I believe
2 that this is -- I believe this is the history: Cycle
3 2 data for this current year was -- showed 2,092. It
4 had an inflated number within middle school -- I'm
5 going to answer you very directly -- where the person
6 leading this reporting effort indicated that fields
7 had been re-set and there was a misunderstanding.
8 Now, ultimately, I review that and it's on me and I
9 own it. Now prior year we submitted, I believe -- I
10 believe that everything had been submitted on time in
11 prior year.

12 MR. ROGERS: So last year's Cycle 2 data was
13 correct?

14 DR. SIDES: October 15, 2016 is what had been
15 submitted with different --

16 MR. ROGERS: And 2015, was the Cycle 2 data
17 incorrect then too? So that's why -- when you said
18 you had internal controls --

19 DR. SIDES: Right.

20 MR. ROGERS: -- that were fixing it, I'm just
21 wondering when those internal controls are going to
22 take over. Because my group that does federal
23 allocation funding relies on that Cycle 2 data.

24 DR. SIDES: I understand.

25 MR. ROGERS: And as long as ARVA's Cycle 2 data

1 is overstated, other schools who rely on that
2 allocation to get Title 1 funding are getting
3 essentially shorted because you've over -- well, not
4 you; I'm sorry -- the school overstated their Cycle 2
5 data. Based off the information that we have we form
6 those allocations, so it's hurting other schools. So
7 that's why I'm asking when those internal controls
8 are going to -- because I really -- right now, I have
9 a hard time increasing your cap because I can't tell
10 that you're reporting the kids correctly that you do
11 have.

12 DR. SIDES: I understand. I understand. This
13 is a new understanding -- a newer understanding for
14 us, and that's the truth. This is something that --
15 you know -- recently, we've had a person who has
16 resigned and a look under the hood provided an
17 opportunity for a team commitment to insuring that
18 these things are very much in order. So to answer
19 you directly, that is a newer understanding.

20 CHAIRPERSON COFFMAN: Dr. Sides, did you reach
21 out for assistance from anyone when you discovered
22 these errors?

23 DR. SIDES: I believe that I have shared this
24 information in a way that would be appropriate and
25 transparent in allowing those who would judge me to

1 judge me, and basically just saying, "Look, here's
2 the truth you need to know and here's how we're going
3 to go about fixing this moving forward." And in the
4 role that I have at this moment -- or at that moment,
5 rather -- that was the best that I could do.

6 MR. LESTER: That was my concern as well from
7 the Title 1 office, the misappropriation of funds.

8 DR. SIDES: Well, we -- the Title 1 information
9 is audited and audited for --

10 MR. ROGERS: Yes, it is on your end. But what
11 I'm saying is when the Cycle 2 data is incorrect and
12 that overstates how many Title 1 kids that you have
13 -- I think last year you -- or this year you under-
14 reported by 600 kids on your free-and-reduced. It
15 was actually 1200, but you only reported 600. And
16 then last year it was overstated, so it's all over
17 the map on your reporting. And when you go off on
18 that, on the Cycle 2 data, it upsets the whole
19 allocations for all poverty kids for all over the
20 state. And so when I was reading your request, and
21 knowing that what my finance group is saying, the
22 noise I'm hearing, I am struggling with increasing a
23 cap for another 1,000 kids when I really don't know
24 until -- and you did -- and you did; when you saw the
25 error you came and you talked to the Research

1 Technology group and said that there was a mistake.
2 So I do want to acknowledge that you did, were
3 transparent as soon as you saw it and said that --
4 but it was too late and so we can't go back and open
5 that data up and re-do it again. And last year it
6 was the same thing. And so when I was reading on
7 that I'm just -- I'm struggling by giving the cap a
8 higher number when I really don't know what your
9 number is, until you called and said. If I look at
10 the Cycle -- right now, I can't have any confidence
11 in the Cycle 2 data until we hear from you that it
12 was actually only 1800 when it was reported to us
13 over 2,000. And so, that's kind of my -- where I'm
14 at right now. But I do want to acknowledge that you
15 did -- I don't think it's malicious, because you did
16 as soon as you found it came and reported it to us.
17 So I do want to say that.

18 DR. SIDES: I appreciate that. What I can tell
19 you is -- and whether this meets your satisfaction, I
20 don't know. But I can tell you that as a team this
21 has our full attention and it has -- and it's
22 something that really -- it really is making us
23 better. And I know that that's not okay, but at the
24 end of the day how this team is functioning between
25 two systems really -- we have K-12 systems where all

1 this information resides and then we have a transfer
2 into what is the most important of the two systems in
3 terms of our state reporting. And so the commitment
4 to the translation from one system to the next -- you
5 know -- just truly every single person that is
6 sitting here with me right now absolutely is aware of
7 everything that you're asking because -- together, we
8 are absolutely committed to reconciliation of this
9 matter whereby it would never, ever be an issue
10 again.

11 CHAIRPERSON COFFMAN: Ms. Smith.

12 MS. SMITH: Ms. Perry or someone from the
13 Charter Office, are you guys aware of any other
14 reporting issues or reports or any other issues like
15 this that have taken place in any other areas, or is
16 this just kind of an isolated, you know, one-time
17 thing? Or are you aware of in the past that there
18 had been frequent report -- I mean, are you aware? I
19 know Ms. Boyd is not here today, so --

20 MS. MARY PERRY: It's simply always been --
21 there have been issues that have been -- it has been
22 with reporting the students correctly, getting them
23 into resident districts, that kind of thing. But I
24 believe the resident district reports have
25 straightened themselves out a little bit. But if

1 they've got extra students reported in there, in
2 districts, and they don't really have those students,
3 keep in mind that we may be telling districts that
4 they're eligible for waivers under 1240, and ARVA
5 could not really -- perhaps doesn't really have
6 students in those districts. So that's another
7 concern. But it all relates back to the data, the
8 students.

9 DR. SIDES: If I could add, for resident
10 districts we have that information when families come
11 in. They enter for us who is their resident
12 district, so that information is all there; it's just
13 -- it just has to be, you know, to 100% agreement and
14 translated. And I do believe that the resident
15 district is not part of this issue; it was purely --
16 you know, it was purely a student number. Now it
17 would -- resident district would be applicable as it
18 relates to the difference in that number. But by
19 October 15th -- October 18th -- I am not making
20 excuses, okay, but I want you to know that by October
21 18th this was reconciled in full within the state
22 system. I have a printed accurate report for the
23 18th.

24 MS. SMITH: But we had issues last year too; is
25 that what you're saying, that there was issues in

1 last years' reporting? Were there issues last year
2 with reporting as well? So we had issues this year
3 and we had issues last year with reporting; do you
4 agree with that?

5 DR. SIDES: I'm less focused on two years ago.

6 MS. SMITH: I'm just asking.

7 DR. SIDES: I wouldn't --

8 MS. SMITH: There was reporting errors this year
9 but you --

10 DR. SIDES: That's correct.

11 MS. SMITH: -- corrected them?

12 DR. SIDES: That's correct, ma'am.

13 MS. SMITH: Are you aware of reporting issues
14 last year?

15 DR. SIDES: If a person who is looking two years
16 back right now is saying that there is, then I would
17 imagine that there were.

18 MS. SMITH: Okay. So you're not recalling that
19 there was issues?

20 DR. SIDES: Two years ago, again, this is a --

21 MS. SMITH: Well, for last year.

22 DR. SIDES: -- look-under-the-hood --

23 MS. SMITH: Yeah, last year.

24 DR. SIDES: -- where we came to understand.

25 Well, really -- really, it came forward -- it came

1 forward as part of the charter amendment because
2 that's when the 2,092 came up, and then it was -- and
3 that's when we got the full look-under-the-hood. So,
4 you know, it came as a result of this --

5 MS. SMITH: So there were three years of
6 reporting issues, if I'm hearing that correctly.
7 Greg?

8 MR. ROGERS: I know this year, this past
9 October, and then last October, a year ago, before
10 that -- so October of '16 and October of '15 that
11 there were reporting issues. I don't know about -- I
12 didn't go back three years. I just went back --

13 MS. SMITH: But you know there were two?

14 MR. ROGERS: Yeah, I know there were two. But I
15 don't want to -- they're not the only one. There are
16 others.

17 MS. SMITH: Right.

18 MR. ROGERS: But that's just --

19 MS. SMITH: But they responded and corrected it,
20 but it was too late at the one time?

21 MR. ROGERS: Right. Once cycle reporting is
22 closed you can't go back and fix it. Once Cycle 2
23 closed, you can't go back. So the biggest thing is
24 that that's where we pull that from, so that -- but,
25 yeah.

1 CHAIRPERSON COFFMAN: Ms. Barnes.

2 MS. BARNES: Well, the question may have already
3 been responded to and I do not want to belabor the
4 issue. I think, Dr. Sides, you said that as soon as
5 you became aware, which would've been three days post
6 official signage and submission of your Statement of
7 Assurances, that all was well. I think I was trying
8 to determine -- so while it has been corrected, it is
9 -- the correction was post any opportunity to do an
10 allocation readjustment or anything of that nature.
11 And, you know, I think that's just -- that is what it
12 is. I am concerned though with all of the training
13 that we have available, and while the individuals or
14 members may no longer be responsible for those
15 particular assignments, the ramifications that go
16 with it. You know, so I need to have some type of an
17 assurance with respect to how you plan to engage
18 personnel in the appropriate training, what checks
19 and balances you actually can -- you know -- I
20 wouldn't necessarily ask you to guarantee because,
21 you know, things are out of your control sometimes.
22 However, when we were talking about federal funds it
23 grows really, really deep.

24 And so I know I've said a lot of things. I
25 think for my team members though I was simply saying

1 that I can appreciate you coming forward and trying
2 to rectify it, but there's some parts that it doesn't
3 really matter how many times we ask about that it's
4 not -- it's too -- it can't be undone, that part, the
5 allocation part. Now if we go into a drill-down,
6 then you can go into a whole lot of other components
7 and that would need to be worked out through the
8 Title 1 office and finance.

9 CHAIRPERSON COFFMAN: Would you like to respond
10 to Ms. Barnes?

11 DR. SIDES: Sure. So you're asking how I will
12 assure that the training will be in place for
13 everyone who will be involved, and I'll just lay out
14 basically a step sequence. We currently search right
15 now for the position who will lead this in the longer
16 term for us. As I described, it was really a team
17 and collaborative effort that have -- that has been
18 doing the work for Cycle 5, insuring its quality, and
19 also finding a zero-percent variance through the
20 internal review process that I described. So we're
21 already, you know, I think settling in this way.
22 But, you know, we need a person on our team whose
23 expertise is this to lead these processes for us,
24 working closely with our operations manager, and
25 ultimately -- you know -- we have a commitment from

1 every single person working within the schools; our
2 principals themselves were reviewing attendance for
3 this current cycle to insure that it was exactly
4 right. So the training itself, you know, we all
5 basically have been, all collectively, in training
6 since this change and since this -- since
7 understanding -- since coming to understand the
8 difference in what -- in that data piece.

9 CHAIRPERSON COFFMAN: Where have you been
10 receiving training? Who have you been receiving
11 training from?

12 DR. SIDES: I went with our operations manager
13 to the APSCN office and I spent time there working;
14 you know, we spent an entire day there. And really
15 the majority of our days, myself included, right now
16 have been pouring through all the information,
17 especially for this cycle, to insure that in no way
18 -- because ultimately I own this -- to insure that,
19 you know, in no way can this be something that
20 happens again. So I went myself within the last
21 three weeks to the APSCN training office to make sure
22 that I was doing what I should with my team in this
23 effort.

24 CHAIRPERSON COFFMAN: And your internal control
25 process, do you have written procedures?

1 DR. SIDES: We have written procedures through
2 K-12's internal control process.

3 CHAIRPERSON COFFMAN: I'm sorry. Would you
4 repeat that?

5 DR. SIDES: So when we submit information to K-
6 12's internal review team, there are specific
7 procedural items there and so that is procedurally
8 spelled out. And when I say "internal control," what
9 I -- when I say "local internal control," you know,
10 we are going to need to -- we'll need to spell that
11 out more completely for the cycle reporting. But
12 right now it's -- the entire team is engaged. The
13 entire team is engaged and verifying and cross-
14 verifying for data accuracy.

15 CHAIRPERSON COFFMAN: Ms. Pfeffer.

16 MS. PFEFFER: And I'm looking at your enrollment
17 by grade and you've -- you're providing us with the
18 current enrollment and then enrollments going forward
19 if the enrollment caps were increased. In which
20 grade levels right now -- I don't know that I have
21 anything showing what your current grade level caps
22 are right now. In which grade levels are you at
23 capacity? Because you definitely in those middle
24 grades, in early junior high, early high school, you
25 have a large number, but then it drops dramatically

1 back off again at the 11th and 12th grade levels. So
2 I was just wondering at what grade levels you are
3 currently at capacity right now?

4 DR. SIDES: Yes, ma'am. So we have not
5 exercised in the same way as I set forward grade
6 level caps, except to make sure that teachers were
7 not -- did not have more students than they should.

8 MS. PFEFFER: Okay.

9 DR. SIDES: So really, we didn't say within a
10 specific grade. What we did say is that, for
11 example, for 8th grade, where we're near that 240, we
12 really did set that where -- you know, that right
13 there drives the most high-functioning middle school
14 model. And so those really were internal caps that
15 were set, not specifically board approved or not
16 specifically outlined within our charter.

17 MS. PFEFFER: Okay. And, again, I think then
18 that kind of feeds into the thought of staffing for
19 the high school, if those high school classes
20 dramatically increase. Going up with those
21 enrollment caps up to 240 is a big difference in
22 staffing for some of those high school classes at 150
23 than at 240. So I think that's where I go back
24 around to longer-range staffing needs when we're not
25 sure what our data is right now and how strong of a

1 workforce it actually is in terms of inexperienced
2 teachers teaching, teachers who are teaching under a
3 waiver from licensure, things like that. So -- and
4 I'm just -- I think for me it's just about trying --
5 just wondering, having -- you know -- kind of having
6 those lingering questions.

7 DR. SIDES: I would like to confirm, if I could,
8 that we are sure of our data. We do know how many
9 students are enrolled, at what grade level and so-on,
10 and how they're assigned to teachers. It was just in
11 looking back at this it was the translation of that
12 and to 100% where it really matters for your
13 information.

14 CHAIRPERSON COFFMAN: Kim, can you put that
15 slide back up that says Suggested Enrollment by
16 Grade, which is the one Ms. Pfeffer was addressing?

17 DR. GOTCHER: Slide number 7, Kim. Slide 7, I
18 believe that's right.

19 MS. FRIEDMAN: I can't see the page numbers back
20 here, so --

21 DR. GOTCHER: Okay. Right before Core Courses.
22 Next one.

23 CHAIRPERSON COFFMAN: Right there. Thank you.

24 Dr. Sides, I need you to -- Ms. Pfeffer was
25 addressing this slide, I believe, in her

1 conversation. So if I were looking at kindergarten,
2 you currently have 106 students in kindergarten.
3 Next year, would you cap -- I was trying to just
4 clarify in my mind -- would you cap kindergarten at
5 150 and then the next year 180? Is that your --

6 DR. SIDES: These would be basically optimal --
7 an optimal arrangement. If that were -- if that were
8 the requirement of the board, then, yes, we would
9 stop enrollment at those specific thresholds. If it
10 were the wish of the board to basically take time,
11 staff for additional seats beyond what is -- what
12 would be a projection, then we could take either
13 direction. But internally these would be the targets
14 that we would be focused on for optimal function.

15 CHAIRPERSON COFFMAN: Okay. Other questions?

16 MS. SMITH: I don't have a question; I have a
17 comment.

18 CHAIRPERSON COFFMAN: All right.

19 DR. GOTCHER: I have a question for Ms. Barnes.

20 CHAIRPERSON COFFMAN: Go right ahead.

21 DR. GOTCHER: Ms. Barnes, Mr. Lester, do we --
22 forgive me; I've never thought to even have this
23 question to be asked. But do we self-report to the
24 federal government if we know that there's been an
25 oversight and over-reporting in claimage of title --

1 MR. LESTER: The charter, yes.

2 DR. GOTCHER: Can you --

3 MR. LESTER: The charter, yes.

4 DR. GOTCHER: So we report that?

5 MR. LESTER: Yes.

6 DR. GOTCHER: Okay.

7 MR. LESTER: He received it in his office, the
8 charter.

9 DR. GOTCHER: Right.

10 MR. LESTER: The other one is, you know --

11 DR. GOTCHER: And we've done so for the past --

12 MR. LESTER: The charter goes in one time a
13 year, in August.

14 DR. GOTCHER: Okay. And we've done so, I guess?

15 MR. LESTER: That's why it was -- it was not
16 enough time; this year it was not enough time to get
17 that corrected --

18 DR. GOTCHER: Okay.

19 MR. LESTER: -- on that cycle report.

20 DR. GOTCHER: Thank you.

21 CHAIRPERSON COFFMAN: Ms. Smith, I think you had
22 a comment.

23 MS. SMITH: Yes, this is just a comment. So to
24 show my cards now, I won't vote for an increase of
25 1,000 students and it's -- I might vote for an

1 amendment of a much less number. In looking at it,
2 you had a senior class of 50-something students and
3 looking at your 9th and 10th graders having that 200
4 population. And calculating for the next year in
5 growth just within those, I could probably do a
6 growth of 200 students just -- and then insuring that
7 numbers get correct and consistency before. But I
8 will not say yes to 1,000 today -- but it is your
9 choice if you do an amendment; that is not ours. And
10 I don't know how the rest of this panel feels, but
11 that's just kind of the cards I'm holding right now.

12 DR. SIDES: So that I can clarify, are you
13 suggesting that this would be rewritten and that we
14 -- that I would be coming back to --

15 MS. SMITH: No. You have the ability -- Ms.
16 Davis, if I'm correct -- you have the ability to
17 amend what you are requesting to this Panel during
18 this hearing, that this is a negotiation today. But
19 -- so if we were to vote as the motion is, what
20 you've asked for, for 1,000, I don't know how anybody
21 else would vote; I know how I would vote.

22 DR. SIDES: I understand, ma'am.

23 MS. SMITH: But if you choose to amend it that's
24 your decision.

25 DR. SIDES: I understand. Would it be possible

1 -- because this is the board's decision, not mine,
2 would it be possible for me to revisit this with the
3 Arkansas Virtual Academy board of directors and come
4 to you with the amendment that you suggest?

5 MS. SMITH: Yeah, that's -- yeah, that's -- no,
6 it's not that I'm suggesting it; I'm just saying --

7 DR. GOTCHER: Yeah, I want it to be clear that's
8 not Ms. Smith's suggestion.

9 MS. SMITH: Yeah, I'm not saying -- and I'm not
10 -- I don't know how -- everybody else may say 1,000
11 is great and vote yea today. So I'm just saying if I
12 was to vote on this today for 1,000 students my
13 answer would be no. I would consider much less in
14 terms of students for the following year and looking
15 at your numbers and where your kids are and looking
16 at your classes that have 200 students moving up.
17 But those are my comments.

18 CHAIRPERSON COFFMAN: Ms. Pfeffer.

19 MS. PFEFFER: And also to clarify, the
20 enrollment by grade, we would not be voting on those
21 as a cap by enrollment by grade; I mean, it's
22 strictly 1,000 kids wherever they land. So we don't
23 really have any way of knowing how many are going to
24 be where; is that correct?

25 DR. GOTCHER: That's a board decision, I'm

1 hearing.

2 MS. PFEFFER: Is -- okay. I just wanted to make
3 sure I was understanding that correctly too.

4 CHAIRPERSON COFFMAN: Ms. Davis, I believe
5 that's correct. Do you?

6 MS. DAVIS: I do. Yes.

7 MS. PFEFFER: Okay.

8 CHAIRPERSON COFFMAN: Dr. Saunders.

9 DR. SAUNDERS: Yes. Regarding the comment by
10 Ms. Smith -- and, ironically, I was thinking roughly
11 the same idea. And I think it's more along the lines
12 of -- without going through a list of things, I think
13 there are a lot of data questions and with a lot of
14 reported data, and some in the past. And without
15 knowing exactly what it is that I'm looking at to be
16 voting on, I would not feel comfortable with the
17 expansion up to the 3,000. But looking -- I would be
18 more comfortable with an expansion of 200, with the
19 idea that you would possibly come back next year and
20 demonstrate quality data reporting for us to then
21 consider it from that point forward. So, that's just
22 my thoughts that I would share.

23 CHAIRPERSON COFFMAN: Ms. Barnes.

24 MS. BARNES: Well, actually, you know, I'm very
25 uncomfortable with asking Dr. Sides on the spot here

1 to make decisions that he's already explained to us
2 that he cannot make as an individual. And so given
3 the fact that we are all concerned about data
4 accuracy and how we can best support the charter and
5 the students that are being served, as well as the
6 state of Arkansas, I, when the time comes, would
7 rather ask for -- since we already have something
8 scheduled for March, I would rather that Dr. Sides
9 has an opportunity to go back and visit with his
10 board of directors and let them make a decision as to
11 how they want to move forward. Because this is
12 really a situation where in the midst of this
13 particular hearing we are recognizing that we have to
14 make sure that we're making -- we're being wise
15 stewards of and in good counsel.

16 So, Dr. Sides, what I'm prepared to do myself
17 is, as we move through this, ask if it's amenable to
18 the board, to this Panel, for him to have that
19 opportunity, since we're already going to be meeting
20 next month, and if that would be enough time for him
21 to have a conversation with his board about it.

22 CHAIRPERSON COFFMAN: Ms. Davis.

23 MS. DAVIS: Your options could be a few things.
24 If you do want to hear it in March, probably the best
25 option for that would be -- and I'm not sure what

1 their board meeting schedules are, so that would have
2 to be a consideration -- would be to table this vote
3 and then he can come back in March. And that would
4 -- he can supplement any of the information that had
5 been previously submitted, much like you've had other
6 applicants do in the past, and that would prevent --
7 so they wouldn't have to do like a whole new
8 amendment request. If he's not comfortable with
9 that, then -- or doesn't, you know, have the ability
10 to, you know, to agree, you can vote on it today; and
11 if it fails, then they can come back as a whole new
12 amendment request at any point in time like any of
13 our charters can, or, you know, there are some
14 options there. As far as if it fails today, and it's
15 not either withdrawn or tabled, then there may not be
16 a chance it could get on the March agenda; it would
17 be the April agenda, only because if it fails then it
18 would be a new amendment request and it still needs
19 time to process through our Charter Unit. So that
20 would be the only thing.

21 So those are a couple different options and I
22 think some of it, you know, may be what's going to be
23 kind of convenient for you guys, but also what, you
24 know, Dr. Sides can agree to at this point on behalf
25 of his entity.

1 CHAIRPERSON COFFMAN: Dr. Gotcher.

2 DR. GOTCHER: Yes. And just piggy-backing on
3 what Ms. Barnes said, I think for me I need to see a
4 demonstration of just ongoing consistent accurate
5 data, and I think both can happen in tandem. I'm not
6 prepared, with some that have been expressed so far,
7 about moving forward with an expansion without some
8 plan for consistent data reporting. I think that's
9 important. Because the other thing I'm grappling
10 with is just harming any growth. I always appreciate
11 and love the fact that our campuses grow, but I also
12 want to do it with the best accountability efforts as
13 well. So I just wanted to lay that out. As I
14 process through this, I'm thinking in my mind a way
15 that our data team can insure accurate data before I
16 can especially endorse a 1,000 student increase. I'm
17 not sure where I am on the other numbers at this
18 point.

19 CHAIRPERSON COFFMAN: Ms. Pfeffer.

20 MS. PFEFFER: And I think I would just say that
21 if our concerns are grave enough about the data that
22 an expansion will just add more uncertainty, then I
23 would not feel comfortable with any number of
24 increase, if that's the discussion and the thoughts
25 that we're having. Because, you know, it's also the

1 economically disadvantaged numbers that I've got
2 questions about, based on what's reported here in
3 today's presentation and what's reported in other
4 places; that's data that has been pulled. So, you
5 know, there just -- it seems like every piece of data
6 we've looked at has been in question, so I would --
7 that was -- those are just my thoughts in how we do
8 this.

9 CHAIRPERSON COFFMAN: Dr. Sides, I was buying
10 you a little time to consider all of your options.
11 And what would you recommend to the Panel?

12 DR. SIDES: Well, I appreciate the Panel's
13 position and concern. At this point I believe that
14 it would be appropriate for me to now visit with the
15 board of directors related to this exchange and --
16 but in terms of whether I'm saying March or whether
17 I'm saying April, if you could just let me know which
18 of those two things I'm going forward to them with,
19 that's what I need to know in approaching them.

20 CHAIRPERSON COFFMAN: Ms. Davis, does the Panel
21 have options to table to March or to table till
22 April?

23 MS. DAVIS: I'd have to look, but I think you
24 have to pick it back up at the next meeting. So it
25 would have to be -- because at some point then it

1 just naturally dies. If he is uncertain what his
2 board is going to do, then my suggestion would be --
3 because, you know, while our rules for charters do
4 say that amendments have to be heard in February and
5 I believe October, they can request an amendment from
6 the -- not request an amendment --

7 CHAIRPERSON COFFMAN: Request a waiver.

8 MS. DAVIS: Request a waiver -- it's been a long
9 day -- request a waiver from the Commissioner of
10 those dates. So my suggestion might be, especially
11 with just your discussion, you go ahead and handle
12 your vote today, as you feel is best. Go ahead and
13 vote on it, because then whatever the vote is -- if
14 the vote is not favorable for this increase, then
15 they still have an opportunity to work with their
16 board and they can come back with either an alternate
17 amendment or no amendment until later, or that's up
18 to them then at that point.

19 MS. BARNES: I just want to make sure I've got
20 it in my head. We don't have the option of moving to
21 table this?

22 MS. DAVIS: You can table it till the next
23 meeting and it would have to come back --

24 MS. BARNES: Only until March --

25 MS. DAVIS: Yes.

1 MS. BARNES: -- and not in April?

2 MS. DAVIS: So that would be the other concern.

3 So, I mean --

4 DR. GOTCHER: March or April?

5 MS. BARNES: March.

6 MS. DAVIS: It would be the next meeting.

7 MS. BARNES: It has to come up in our next
8 meeting, since our colleague wanted it in March.

9 MS. DAVIS: You have a next meeting in March, so
10 that would be the thing.

11 CHAIRPERSON COFFMAN: If at March he is not
12 prepared, can he ask us to table again till April?

13 MS. DAVIS: I mean, he could. If he's -- I
14 don't necessarily think that that's always a good
15 idea, tabling it, because then everybody is going to
16 say, "Well, I don't want to have to go through the
17 process, so I just want to get it on the agenda," and
18 we'll just keep coming back, keep coming back, keep
19 coming back, because that's always an option, and you
20 could. But if they're not prepared either at that
21 time or something of that nature then I would suggest
22 you go ahead. My recommendation would be just that
23 you go ahead and vote how you feel your best vote
24 would be and let them come back when they are
25 prepared to discuss it.

1 MS. BARNES: May I ask one --

2 MR. ROGERS: I just want -- because those are
3 just comments and suggestions. I mean, I'm kind of
4 going off of what Ivy said. There's no guarantee
5 that it would even be an increase of 200; that was
6 just what one person on the Panel thought. And I
7 feel like we're going down a track of tabling
8 something to get them to come back and take a chance
9 that was suggested, and there's no guarantee that's
10 going to happen either.

11 MS. DAVIS: Right.

12 MR. ROGERS: And so I feel like that, of course,
13 we have an expansion of 1,000 right now; if that's
14 not what they're comfortable doing right now and they
15 don't want to --

16 MS. DAVIS: Right.

17 MR. ROGERS: If we don't make the decision to
18 table it, then it -- I mean, we have to vote on what
19 we have. I mean, I think it's kind of our decision
20 to table it --

21 MS. DAVIS: Yes.

22 MR. ROGERS: -- to give time for them to get
23 more information, if we wanted to.

24 MS. DAVIS: Right. And, you know, keep in mind
25 that you do have a Google doc that you will put your

1 reasons for the vote in, so that way the applicant is
2 aware of what your concerns were. I know that it has
3 been addressed since some people -- the concern might
4 be any increase in cap at this time; some people
5 wanted a lower increase. So those reasons would be
6 in that Google doc that the applicant can then take
7 back and consider and then choose whether or not they
8 wanted to come back and ask for less or what number
9 that would be, or at all, in the event that your vote
10 was not favorable. So, yes.

11 CHAIRPERSON COFFMAN: I think my intent was to
12 give Dr. Sides the opportunity to withdraw or to
13 request to table, but we can certainly move forward
14 with a vote.

15 MS. DAVIS: Well, and it really is your decision
16 to request to table that. I mean, it's not the
17 applicant that is doing it; it's your decision.

18 CHAIRPERSON COFFMAN: Okay.

19 MR. ROGERS: It's our discussion. I thought to
20 table it to allow them to come back next month if
21 they want to have a discussion about changing it, but
22 I didn't want to -- because it's -- I just felt like
23 it was going down a path where we were suggesting
24 "y'all come back next month and ask for only 200,"
25 because I don't want that to be the case at all,

1 because that's not guaranteed. That was just a
2 suggestion that Stacy made, and that's -- in my
3 little mind, that's where I felt like we were going.
4 So I was just trying to really more clarify for
5 myself.

6 DR. SAUNDERS: I agree with what Mr. Rogers
7 said, but I would still like to know the preference
8 of the applicant, if they have one.

9 DR. SIDES: I would certainly need to meet with
10 my board, forward on this information, and understand
11 what their intent is, understanding your viewpoint
12 from having reviewed this. I believe that -- you
13 know -- I think it would be hard to get this fully
14 settled before your April meeting. So understanding
15 that, does that mean basically a withdrawal of this
16 amendment request? I would be withdrawing this
17 amendment request; is that what I understand?

18 CHAIRPERSON COFFMAN: Ms. Davis.

19 MR. ROGERS: I have another question.

20 MS. DAVIS: I'm sorry; I wasn't completely
21 listening.

22 CHAIRPERSON COFFMAN: Dr. Sides, if you'll ask
23 your question again for Ms. Davis.

24 DR. SIDES: Sure. So if I withdraw, and if the
25 board wants me to continue to pursue this, does that

1 mean that this would be an April hearing, if I
2 withdraw at this point?

3 MS. DAVIS: With the timing, yes, they would
4 have to submit a new amendment request and work with
5 the Charter Office. And they would also have to
6 request a waiver from the Commissioner for an
7 amendment to be heard in April. But, yes, at this
8 point there's plenty of time to get it on the April
9 agenda. Yes.

10 DR. SIDES: I believe that the board would need
11 more time than what we have until your next meeting.
12 So at this point I withdraw this amendment request.

13 CHAIRPERSON COFFMAN: Then no action is required
14 by the Panel at this time, Ms. Davis; is that
15 correct?

16 MS. DAVIS: Right.

17 CHAIRPERSON COFFMAN: All right.

18 MS. SMITH: Just a comment. Mr. Sides, I do
19 want to say that I appreciate the fact that you want
20 to consult with your board. So many times when
21 people are before us and we give suggestions, it's
22 instant, you know. So I do appreciate the fact that
23 you do have a working board that you're working with
24 to advise you, so --

25 DR. SIDES: Thank you. I appreciate the board's

1 counsel today, and I want you all to know how much we
2 are committed to, you know, the data -- the data
3 piece here. Thank you.

4 CHAIRPERSON COFFMAN: Just one other thing --

5 DR. SIDES: Yes, ma'am.

6 CHAIRPERSON COFFMAN: -- I always recommend to a
7 school district is written procedures.

8 DR. SIDES: Yes, ma'am.

9 CHAIRPERSON COFFMAN: Because then if you make a
10 mistake you have something to go back to to review,
11 to see where the error occurred so that it can be
12 corrected. So any time you're working with money
13 it's always great to have those written procedures.

14 DR. SIDES: Yes, ma'am. And for general
15 financial accounting and those sorts of things we
16 absolutely have all internal controls, et cetera.
17 It's the state reporting that now we'll put the
18 similar guidelines on. Thank you.

19 **FINAL MATTERS**

20 CHAIRPERSON COFFMAN: Okay. Are there any
21 additional issues before the Panel today?

22 MS. HALEY: I would like to bring up Rockbridge
23 Montessori for just a short discussion and maybe talk
24 about having them come in to visit at our next
25 meeting or at the April meeting. I don't want to go

1 into a lot of detail today, unless that's
2 appropriate, but we have some real concerns over
3 their special education program and their capacity to
4 implement that program to meet the needs of kids and
5 meet their obligations under IDEA.

6 CHAIRPERSON COFFMAN: Any questions or --

7 MS. BARNES: I don't have any questions, but the
8 seriousness of that lends me toward them coming in to
9 the next meeting, not waiting until April.

10 MR. ROGERS: That's where I was going; that's
11 what I was going to say. If it's that much then I
12 would rather do it at the next meeting, so if it's
13 something we need to look at it would be the first
14 available time.

15 CHAIRPERSON COFFMAN: Ms. Davis, do we have the
16 appropriate number of days to notify them?

17 MS. DAVIS: Yes, we can get them in. It would
18 be no different than how we handled the previous
19 applicant, even though they just happened to be here.
20 So, yes, you can. But we do need the information
21 that we need them to provide to us.

22 CHAIRPERSON COFFMAN: Okay. So we probably need
23 a motion to -- oh, Ms. Perry.

24 MS. MARY PERRY: I'd like to say we might want
25 them to discuss a few more things, other than just

1 special education. There's a concern with governance
2 and whether or not their governance structure
3 complies with what was approved in their charter
4 application.

5 CHAIRPERSON COFFMAN: Okay. We need a motion to
6 bring them before us in March; is that correct?

7 MS. DAVIS: Yes.

8 CHAIRPERSON COFFMAN: Go ahead.

9 MS. HALEY: I make the motion to bring
10 Rockbridge Montessori in before us in March to talk
11 about their special education services, as well as
12 the issues Ms. Perry discussed. We do have a list of
13 specific issues that they have received in a letter,
14 and so if we could reference that document in terms
15 of what we'd like them to discuss then I think that
16 would be appropriate.

17 MS. DAVIS: Yeah. And can you provide us with a
18 copy of that?

19 MS. HALEY: Yes.

20 MS. DAVIS: Okay.

21 CHAIRPERSON COFFMAN: I need a second.

22 MS. PFEFFER: And I second.

23 MS. MARY PERRY: And Mr. Scott, Freddie Scott
24 has been working very closely with the governance
25 issues. If you would allow us the permission to

1 place what we would like there, what he knows --
2 he'll be in a board meeting in just a couple of weeks
3 and cover it, and we can put down our issues and
4 concerns with the governance structure. We probably
5 need to do a little bit more research, but we know
6 there are issues.

7 CHAIRPERSON COFFMAN: Okay. I have a motion by
8 Ms. Haley and a second by Ms. Pfeffer to ask
9 Rockbridge Montessori to come before the Panel in
10 March. Any discussion?

11 MR. ROGERS: So it can be for everything?

12 CHAIRPERSON COFFMAN: Yeah. We'll make a list
13 in just a minute.

14 MR. ROGERS: Okay. That's why I wanted --

15 MS. PFEFFER: And I would like to add that we're
16 probably going to need some ADE personnel here that
17 are aware of those issues that have worked. So I
18 don't know if we need to list those specific people
19 or just the appropriate Assistant Commissioners can
20 let them know that we're going to need them.

21 MS. SMITH: Yeah, I would ask the Charter Unit
22 to be the facilitator of that. So, Ms. Perry, if you
23 guys can be the facilitator of reaching out to the
24 appropriate units to make sure the appropriate
25 personnel are here with any issues pertaining to

1 them.

2 CHAIRPERSON COFFMAN: So I have a motion by Ms.
3 Haley, a second by Ms. Pfeffer to bring Rockbridge
4 Montessori before the Panel in March. All those in
5 favor?

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRPERSON COFFMAN: Any opposed? Motion
8 carries.

9 So we've already listed special ed.; I heard
10 governance.

11 MS. SMITH: Is there finance issues?

12 MR. ROGERS: Well, when we were in discussion, I
13 just asked if it was for everything because I felt
14 like with Ms. Haley was going down, and then when --
15 and Ms. Perry brought it up, that I felt like that --
16 it sounds like we're just having to open it all up.
17 And so I guess I wasn't sure at the time if it -- if
18 the motion should've been more clear about that it's
19 -- because I don't even -- I guess what I'm saying is
20 full renewal or full continuance or a full -- I don't
21 know the right words to say for it, but that's what I
22 felt like I was hearing. And I felt like since we
23 discussed it and got clarification that that's what
24 the motion meant, that we were good; that's why I
25 voted for it. Should it have been more broader?

1 MS. DAVIS: If you have other issues. But it
2 was brought up to review their special education
3 services because there are concerns, and also while
4 they're here, so they don't have to come back another
5 month, the governance issues. So the discussion --
6 because either one of those could lead to a
7 revocation of their charter, either one of those
8 could. So the discussion would be limited to those
9 things in that area, much like any other time you can
10 ask the charters anything when they're up here in
11 front of you. But if revocation is going to be an
12 issue they need to be prepared and notified that that
13 is an issue to come here and discuss. So while you
14 -- I mean, they can discuss other issues. If you're
15 going to revoke them or consider revocating them on
16 another issue, they need to be aware of it.

17 MR. ROGERS: So should the motion be for a full
18 review of Rockbridge?

19 MS. DAVIS: If a full review is requested by the
20 board, I mean, but if the issues are limited to the
21 other two, it just depends.

22 MS. VIRGINIA PERRY: Can I add just very quickly
23 that I've talked to Patti Martin in Finance and she
24 has no significant issues with Rockbridge at this
25 time. Their audit is not due yet; they have 18

1 months to submit it, so they still have six months
2 for that. They were a little late with their annual
3 review -- but other than that, everything else
4 appears to be in compliance with -- well, except for
5 special ed.

6 MR. ROGERS: I think -- I just feel like with
7 the seriousness of it that it does need to be a full
8 review. Because I don't -- I didn't know this, that
9 we were having governance or special ed. issues, and
10 so now I want to review their finance. I was
11 unprepared today to talk about Rockbridge, so that's
12 just kind of --

13 MS. DAVIS: We can request that they come in and
14 be prepared to discuss a full review; specifically at
15 issue are the special education and governance
16 issues, but that they need to be prepared and bring
17 the appropriate stuff to discuss finance and any
18 other issues that may or may not arise.

19 MR. ROGERS: So do we need to amend her motion
20 or was her motion --

21 CHAIRPERSON COFFMAN: Or can we make a second
22 motion to broaden that?

23 MS. DAVIS: I would make a second motion.

24 MR. ROGERS: I've got a question on that. Is 30
25 -- I guess 30-day notice enough time for a full

1 review for someone to prepare properly to come before
2 us?

3 MS. DAVIS: Right.

4 DR. GOTCHER: That's a great -- may I?

5 CHAIRPERSON COFFMAN: (Nodding head up and
6 down.)

7 DR. GOTCHER: That's a great question. I was
8 going to say a full review, specific to items -- in
9 other words, I'd hate to limit it just to the things
10 Ms. Haley brought up if other things -- so we could
11 make a motion for a full review, with specific items
12 identified by the Department.

13 DR. SAUNDERS: So is it possible we may address
14 the items listed, but not limited to?

15 MR. ROGERS: That's the way I took it, because I
16 don't know where this is --

17 DR. GOTCHER: We don't know where it's going.

18 MR. ROGERS: -- fixing to lead. And I would
19 hate that once we start talking about special ed. and
20 we see where that's going, then we ask another
21 question about just licensure and we can't go there
22 because we didn't put that in our motion -- but it is
23 something that during their testimony comes out that
24 could be of importance -- and so that's why I was
25 just saying I felt like it should be more broad

1 because -- I don't know; this is all new to me, so
2 that's --

3 DR. SAUNDERS: Yeah. And I do believe under APA
4 that -- Legal will have to define that, but I do
5 think that we should defer to what their thoughts are
6 on that.

7 MS. DAVIS: Okay. We're checking the rules real
8 quick because now with the March hearing set on March
9 15th and today being -- you know -- today is the
10 15th, we're checking to see if we need 30 or 35 days,
11 because 30 days would be from today and we would
12 still have time to have to prepare the notice. So it
13 may either have to be pushed to -- so please hold
14 that thought one second.

15 DR. SAUNDERS: Okay.

16 MS. DAVIS: And just to address it -- okay --
17 they can come in for -- you can say full review. But
18 keep in mind, when they come in for renewal they have
19 an application that they provide information -- yeah,
20 okay. We're okay; it's 20 days notice. But when
21 they come in for like a renewal, they have an
22 application and there's specific information that
23 you're looking at and reviewing them on. There's not
24 one just to say there's a review. We can -- you know
25 -- much like you did on other charters, you have

1 said, "I want to see X, Y and Z, so when you come in
2 here" -- and, again, you may ask them about other
3 things. But if you are going to have a revocation
4 issue on something outside of X, Y and Z that they
5 have prepared for, you need to give them the
6 opportunity to prepare for revocation on that issue.
7 Again, you can ask them other questions on how
8 they're meeting the needs of their charter and you
9 can ask them about their finances --

10 MR. ROGERS: Is that what the motion needs to
11 be, revocation? I mean, does that -- I mean, because
12 that way they know to come in here with their shoes
13 tied and their boxing gloves on. I don't know;
14 that's why I'm just asking.

15 MS. DAVIS: We can suggest that there may be
16 other issues that are asked and we ask them to insure
17 that they bring those persons that can respond to,
18 say, finance issues. But I would limit -- I mean,
19 unless there are just widespread issues that are
20 known at this time I would limit your review to those
21 things that are at issue, because those are the
22 things that are at issue. The other things that may
23 be discovered -- now if they're known at this time,
24 then please let's go ahead and put that out there and
25 deal with that. But if not -- we have two issues

1 that are known and in question, so it would be
2 limited to that so that way they can fully prepare
3 for that.

4 MS. BARNES: So I know we have a motion and a
5 second --

6 CHAIRPERSON COFFMAN: And a vote.

7 MS. BARNES: Okay. And so now we need to
8 address whether we need a second motion. I'm
9 uncomfortable with having this length and detail of a
10 conversation this long and not just saying either
11 we're going to have a full review and ask the Charter
12 Office to have them be prepared to respond. I mean,
13 I recognize that March is next month, but the
14 seriousness of what -- just special ed. alone and
15 governance for me means a full review, and I believe
16 that they should have ample time within a month to do
17 it. Us having this discussion though makes me a
18 little uncomfortable because they're not here to
19 respond in any shape, form or fashion.

20 So I'm prepared to make a second motion that we
21 call Rockbridge charter in for a full review in
22 March.

23 MS. DAVIS: Can I just make one comment? I
24 don't -- I know since -- in the time that I've been
25 here -- but I did ask Ms. Perry as well -- we're

1 uncertain that there has ever been a charter that has
2 come in for a full review; it's usually for specific
3 issues. So we're not saying that it can't be done;
4 we just -- you know, like we need to know how to best
5 prepare them. Like should they use the renewal
6 application as their basis for the questions and
7 information you're wanting to see in that or would we
8 prepare something else? That would be my only
9 question, so that way we can prepare you with the
10 information that you need in order to conduct a full
11 review.

12 MS. BARNES: Okay. So obviously I rescind that
13 particular motion, but here's what I want to say. I
14 simply want to say that I believe, based on our
15 discussion, that a motion should be made to have the
16 charter come in for a review and specificity will be
17 provided to the charter school -- the Charter Office
18 as to what the charter needs to be prepared to
19 respond to, but there's a review that's necessary.
20 So do we need to state to include but not limited to
21 special education, governance, and finance? I mean,
22 you understand?

23 MS. DAVIS: No, and I think that you can say
24 that there would be a full review. I think that
25 you're okay with that, a full review, and say, you

1 know, specifically special education, governance, and
2 finance, but be prepared to discuss any and all
3 issues. I just don't want to appear that it is
4 unfair to the charter if revocation is at issue, so I
5 just wanted to let you guys know that. But, I mean,
6 I think it's okay to say that.

7 MS. SMITH: Well, and I want to spend our time
8 really digging into what the issues are. I mean, I
9 know this has kind of been bubbling a little bit and,
10 I mean, to the point that I felt like -- you know,
11 Ms. Haley works in Learning Services; you know, I
12 stepped out of it, so -- but she can handle it. I
13 know Ms. Pfeffer stepped out of it and sent someone
14 else from her division when they did the visit, just
15 because we serve on this Panel and trying not to be
16 influenced by decisions. So I think the goal would
17 be to make sure that we are really addressing what
18 the issues and the concerns are that are being
19 brought up and that they saw. The Charter Unit, I
20 think this is their responsibility, which is also
21 within Learning Services. I think it's their
22 responsibility to from this point -- to the point
23 that the hearing comes, to work with the school, to
24 look at the records, and I think that's what Ms.
25 Virginia Perry did. They've already been digging

1 into it to see are there other issues that they
2 needed to bring to our attention. The Charter Office
3 was aware of the visit, and I think Ms. Haley had
4 been in contact with the Charter Office. So I do
5 think that we need to say specific to what the main
6 concerns are. And when they get here next month and
7 we dig into those concerns, if we find more, then I
8 guess they probably get to come back the next month.
9 I mean, I think when we say a full review and we look
10 at the -- I don't want to see slides of their scores
11 and their -- I want to look at what the issues are.

12 MS. DAVIS: Okay.

13 DR. GOTCHER: And we're in the middle of
14 session.

15 CHAIRPERSON COFFMAN: So, so far -- I'm just
16 recapping here -- I think we're going to focus on
17 special ed. and governance.

18 MS. DAVIS: Okay.

19 CHAIRPERSON COFFMAN: And then finance, in or
20 out? Do we need to have another motion to review
21 finance?

22 MR. ROGERS: I'm not aware of any issues right
23 now, but that's kind of what I -- yes, I want to
24 focus on the points, and that's why I was asking if
25 the motion should be a little bit to specifically

1 target those issues that we know of, but not limited
2 to those areas. And that's -- I guess that --
3 because I don't -- I'm not trying to discount what
4 they already know. But what I'm worried about is --
5 because if we start talking about the academic side,
6 and then we start seeing there is a finance side but
7 we can't talk about that because we didn't make the
8 motion to bring them for it, they're not prepared,
9 then we have to call them back again. Because if it
10 is something serious --

11 CHAIRPERSON COFFMAN: Ms. Haley.

12 MS. HALEY: I would just say that finance is
13 part of what we're reviewing, and special ed. too, in
14 terms of their special ed. finance. And I'm not
15 saying there's an issue or there's not an issue, but
16 we're looking at everything.

17 MS. DAVIS: So what we can do in the letter is
18 to say that they are up for -- that you've requested
19 a review and we can state that it's specifically
20 special education and related financing and the
21 governance issues. But we can also say, "However, be
22 prepared, and it is recommended that you bring other"
23 -- you know -- "the necessary personnel to discuss
24 other issues that may arise." And if there is an
25 issue -- I mean, because you can ask a question about

1 another issue, but if it gets to the point to where
2 it's too far down the issues then the focus
3 completely changes to that issue. Then, we may need
4 to give them -- but that way they can --

5 MR. ROGERS: So does the motion cover finance or
6 do we need to change it to address finance?

7 MS. DAVIS: I think if it covers special
8 education, which would include the necessary
9 financing, I think the current motion as voted on is
10 okay.

11 MR. ROGERS: Only special ed. finance or full
12 finance? I mean, because we get that specifically --
13 I mean --

14 MS. DAVIS: Right.

15 MR. ROGERS: Because one of the things when I
16 first --

17 MS. DAVIS: Related financing. If you want to
18 see non-special education and all their other
19 financing, then I think --

20 MR. ROGERS: Yes.

21 MS. DAVIS: -- that you would need to make
22 another motion to include that.

23 MR. ROGERS: I do. Yes, I want to.

24 CHAIRPERSON COFFMAN: Go ahead.

25 DR. GOTCHER: I would agree.

1 MR. ROGERS: I don't even know how to make the
2 amended -- do I make an amended motion? No, that one
3 was already voted, so I have to make a new motion.
4 For next month, when Rockbridge comes in, I'd like to
5 make a motion that we also include finance --

6 MS. DAVIS: Wait, wait, wait, wait.

7 MR. ROGERS: -- as part of their review.

8 MS. DAVIS: Okay. Yes. Okay. We still have
9 Ms. Barnes' motion.

10 CHAIRPERSON COFFMAN: She rescinded.

11 MS. DAVIS: Did you rescind it?

12 MS. BARNES: Actually, I rescinded the first one
13 and now I've rescinded the second one. So go ahead,
14 Mr. Rogers.

15 MS. DAVIS: Okay. Okay. Just making sure that
16 that's rescinded.

17 CHAIRPERSON COFFMAN: So I have a motion on the
18 table from Mr. Rogers to also include finance as a
19 list of topics for review.

20 MR. ROGERS: I would actually like -- I would
21 like to say "but not limited to." I would like to
22 include the things that we've just put in the
23 previous motion, and finance, but not limited to just
24 finance.

25 MS. DAVIS: Right. We will --

1 MR. ROGERS: But specifically I would like to
2 have finance included.

3 MS. DAVIS: Okay. We --

4 MR. ROGERS: That's a long motion.

5 MS. DAVIS: Well, we will state then -- okay --
6 just to make sure that this would be clear, the
7 letter to them would be that we would want to review,
8 should this motion pass, a full review but
9 specifically address special education, governance,
10 and financial matters; however, please be prepared to
11 discuss anything else that may arise.

12 MR. ROGERS: Yes.

13 MS. DAVIS: Is that sufficient?

14 MR. ROGERS: Yes.

15 MS. DAVIS: Okay.

16 MR. ROGERS: That's my motion.

17 MS. DAVIS: Okay.

18 MR. LESTER: I'll second.

19 CHAIRPERSON COFFMAN: I have a motion by Mr.
20 Rogers, second by Mr. Lester to also include finance
21 and the additional language that Ms. Davis said.

22 Any discussion?

23 All those in favor?

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRPERSON COFFMAN: Any opposed?

1 Motion carries.

2 Additional issues?

3 MS. PFEFFERS: Depending on the day, with the
4 legislative session still going on -- so I know we
5 have these two, and this is -- these are important
6 matters. We need -- when that is planned, we need to
7 be mindful of time because I have a feeling that, you
8 know, at that time we're very likely going to need to
9 be -- a lot of us are going to have to be in one --
10 in a legislative meeting, so -- and we may have to
11 push them later in the day because I don't want to
12 try to rush one early in the morning. So --

13 DR. GOTCHER: And we could have another
14 situation like today; we fully anticipated being back
15 at 1:00, and we all saw how long --

16 MS. PFEFFER: Yeah.

17 MS. DAVIS: Right.

18 DR. GOTCHER: So --

19 MS. PFEFFER: Yeah. Even if we're having to
20 split up over two days --

21 DR. GOTCHER: Monday or Friday would be
22 preferable just because --

23 MS. PFEFFER: For sure. Yeah.

24 CHAIRPERSON COFFMAN: Ms. Perry is coming behind
25 you.

1 MS. MARY PERRY: I'm sorry, but just remember
2 we're really in a crunch because we have to give like
3 10 days notice before -- or all these days' notice
4 before the next State Board meeting to let people --
5 if you make -- if you have an action item, which the
6 Rockbridge would be posted as potential action, then
7 the reason you have your board meeting -- your
8 meetings the week after the State Board is in order
9 so that we can give them a chance -- as the law
10 requires, give them a chance to request a review, and
11 we have to give them a few days to do that. But then
12 we still have to have all of that and notify the
13 State Board within a particular timeframe too. So
14 we're really, really close, so I don't recommend you
15 pushing it beyond Friday, the 17th, for that reason.

16 MS. PFEFFER: Well, and it may have to be late
17 in the evening. I mean, I'm just stating the fact
18 that -- I don't think we need to plan on it being in
19 a regular time period --

20 MS. MARY PERRY: Yes, ma'am.

21 MS. PFEFFER: -- especially the later we get in
22 session, the longer those committee meetings are
23 going to have to go.

24 MS. MARY PERRY: I think that would be better, to
25 keep it perhaps on the 15th, when we know we can meet

1 those days that are required -- I'm sorry -- and
2 begin, say, at 2:00 in the afternoon and take care of
3 -- you'll have the two items there now, but that
4 would be better than I think rushing it, as you said,
5 or pushing it back.

6 CHAIRPERSON COFFMAN: Any additional issues
7 before the Panel today? Any additional conversation,
8 discussion?

9 DR. GOTCHER: Motion to adjourn.

10 MS. BARNES: Second.

11 CHAIRPERSON COFFMAN: Motion by Dr. Gotcher,
12 seconded by Ms. Barnes to adjourn.

13 All those in favor?

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRPERSON COFFMAN: Any opposed?

16 Meeting is adjourned.

17 Thank you, everyone.

18

19

20 (The meeting was adjourned at 4:06 p.m.)

21

22

23

24

25

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 February 15, 2017, 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: February 26, 2017.

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

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