

Minutes
State Board of Education
Friday, January 24, 2020

The Arkansas State Board of Education (State Board) met Friday, January 24, 2020, in the Division of Elementary and Secondary Education (Division) Auditorium. Chair Ms. Diane Zook called the meeting to order at 10:00 a.m. Ms. Zook led the Pledge of Allegiance.

Present: Ms. Diane Zook, Chair; Ms. Charisse Dean, Vice-Chair; Dr. Sarah Moore; Mr. Brett Williamson (on phone); Ms. Kathy McFetridge (on phone); Dr. Fitz Hill (on phone); Ms. Ouida Newton; Mr. Chad Pekron (on phone); Ms. Stacey McAdoo, 2019 Arkansas Teacher of the Year; and Mr. Johnny Key, Secretary

Absent: Ms. Susan Chambers

Changes to the Agenda

There were no changes to the agenda.

A-1 Open-Enrollment Charter School Renewal Application: Capital City Lighthouse

Coordinator of Monitoring and Systems Support Ms. Tracy Webb introduced the item. Staff Attorney Ms. Mary Claire Hyatt reviewed the hearing procedures.

Superintendent Ms. Lenisha Roberts said she agreed with Ms. Newton's comments from the January 9, 2020, meeting regarding their request. The school submitted an amendment request to the State Board requesting to rescind the waiver request of Ark. Code Ann. § 6-18-2004 and to add a waiver request for Ark. Code Ann. § 6-18-2002 (2) (a).

Ms. Newton moved, seconded by Ms. Dean, to approve the amendment request as stated. The motion passed unanimously.

Mr. Pekron asked for confirmation that the school was still willing to report annually to the State Board. Ms. Roberts said that they would be willing to report annually.

A-2 Open-Enrollment Charter School Review: Southeast Arkansas Preparatory High School

Coordinator of Monitoring and Systems Support Ms. Tracy Webb introduced the item.

Superintendent Jeremy Cegers introduced the presentation for Southeast Arkansas Preparatory High School. He talked about the services provided to students such as the use of the ACT Aspire interim assessment for academic intervention, weekly sessions with REFORM, Inc. for preventative measures, and emotional therapy through the P.A.T. Center. Mr. Cegers also discussed the internship partnerships the school has made with the surrounding businesses and organizations, as well as mentorship provided to their student body through the University of Arkansas Pine Bluff ladies basketball team and the Kappa League.

LEA Coordinator Ms. Kincyl Branch discussed the compensatory services which the school provides to special education students who do not receive services during the 2018-2019 or the beginning of the 2019-2020 school years. She said the services are provided after school by a certified special education teacher in 2 hour blocks chosen by the family. Ms. Branch said they have allotted \$3,000 per month into the budget for these compensatory services. She said they have also contracted progressive therapy for speech, language, occupational, and physical therapies and they directly bill Medicaid.

Mr. Cegers discussed the various improvements to corrected financial barriers which the school has dealt with in the past, but have since been corrected in the budget. These items include the lack of the budget for professional development and worker's compensation, as well as their food services program. Mr. Cegers noted that they switched their financial company to the Arkansas Public School Resource Center (APSRC) in December 2019. He noted that following the switch to APSRC, the school received approximately \$40,000 from various reimbursements. Mr. Cegers said the short-term financial operations included adjusted lunch spending, maximized child nutrition, and a new financial team. He said the long-term financial operations included finding a more cost-effective lunch program for their school's size; completing child nutrition forms to maximize reimbursements; continue working with APSRC to create a financial system; and to begin applying for grants. In the short-term, Mr. Cegers said the school plans to continue working on the deficit areas of the students; to grow their students academically, emotionally, socially, and culturally; and to provide a safe learning environment. In the long-term, he said their goal is not to be smaller version of the area districts, but a different alternative for the students of Jefferson County. Mr. Cegers said they are laying the groundwork for a partnership with Southeast Arkansas College to begin during the 2020-2021 school year. He also discussed the possibility of future partnership with the University of Arkansas at Pine Bluff. Mr. Cegers said they began the school year with approximately \$69,000 in the bank. He also noted that they experienced an increase in their student population, moving from 83 students to 107 students. He said they received no facilities funding due to their 2018-2019 ESSA score, no reimbursements from July to mid-December, and were also overstaffed in comparison to the number of students.

Mr. Pekron said that he would like to hear from APSRC regarding the school's financial future. APSRC Director of Finance Services Mr. Ken Rich said based on projections he is confident that the school can finish the school year with a positive balance. He said there may need to be some adjustment to the budget based the compensatory service needs.

Ms. Newton asked if paying back the unallowable Title I and Title VI expenditures had been included in the budget. Mr. Rich said that some of this was paid back in the fall; however, APSRC plans to work with the Division to ensure that everything is paid back.

Staff Attorney Ms. Mary Claire Hyatt introduced the Division's presentation. Academically, Ms. Hyatt said the school had earned a letter grade of an "F" and their overall ESSA School Index score is 48.95. She noted the state average for the ESSA School Index is 66.48. She said 65.91 percent of students are in Need of Support status in reading. Ms. Hyatt said the district support plan has not yet been received by the Division.

Ms. Zook asked how the growth score is calculated and Assistant Commissioner Ms. Deborah Coffman provided a brief explanation, stating the growth score is calculated by student.

Ms. Hyatt said in November 2019, that the school had ten Standards exceptions for missing required course offerings, class size, teaching load, and the student handbook. In December 2019, they had two Standard exceptions for background checks and as of January 23, 2020, they have 2 new Standards exceptions for a failure to submit accurate and timely reports, and a failure to submit a district support plan. Ms. Hyatt said that according the Triand that only one senior is on track to graduate on time. She reviewed the reasons that the other seniors were not on track to graduate on time. Ms. Hyatt said there are 20 special education student to whom the school will need to provide compensatory services.

Dr. Moore asked how it was not caught that the special education students were not receiving their services and if the school was receiving funding for those students. Special Education Division Manager Mr. Matt Sewell said the school was receiving Title VI-B funding and was being spent on the salary and benefits of the non-certified person who was the special education position at the time, as well as payments for a therapy company. Assistant Commissioner Ms. Stacy Smith said that the school did not turn in a long-term sub form and that is how the Division would have caught that the school was not providing services for the special education students.

Ms. Hyatt confirmed that the school has offered differentiated and individualized compensatory education services to the students as required by IDEA. She noted all federal special education funds have been exhausted for the year. Also, the school did not budget any state dollars for special education and the school estimates the cost of the compensatory education services around \$30,000. Ms. Hyatt said the school will receive student growth funding at the end of the month based on an enrollment of 117 students; however, there was duplicate enrollment and the last in-person student count was 97 students. She said the duplicate enrollment will impact the student growth funding by reducing future payment amounts.

Ms. Newton asked if the Division had an estimate on how much the decrease in funding would be to the school. Coordinator of Fiscal Distress Ms. Cindy Smith said it would depend on the final number of duplicated students to determine the amount of the decrease.

Ms. Hyatt said the school did not budget for incurred expenses for employee professional development, workers compensation, food services, or classroom supplies. She said that based on the information the Division has, the school has an outstanding invoice in the amount of \$16,642 due to the Pine Bluff School District for food services rendered in October and November. Additionally, Ms. Hyatt said the school will around \$15,000 for food services rendered in December and January. Based on Division information, the school still owes the Arkansas Teachers Retirement System \$6,783.97. She also discussed the unallowable expenditures for Title I and Title VI-B. Ms. Hyatt said the finance team for the Division will have a negative year-end balance of \$3,414; however, this projection does not include the compensatory education services or the reallocation of unallowable expenditures. She also discussed issues with school financial practices in their use of eFinance and the fact the Superintendent has not completed Tier 1 training. Ms. Hyatt noted that there have been many communication issues between the Division and the school. She also said that the Annual

Financial Report Maintenance of Effort Data was due to the Division Special Education unit on October 1, 2019, but has not been submitted. Nor has the state and local budget information was due October 1, 2019, but has not been submitted. Ms. Hyatt said the federally required certification regarding constitutionally protected prayer was due on September 15, 2019; however, the certification was not submitted until November 25, 2019. She said the school has not turned in the federally required recruitment and retention plan for minority teachers and administrators which was due October 15, 2019.

Following the presentations, State Board members asked clarifying questions on some of the information presented by the school, APSRC, and the Division.

Ms. Newton asked if there is anyone in the community willing to form a partnership to get assist the school financially. This conversations are still in progress and have not yet been finalized or otherwise confirmed. The school board is actively seeking grant and community partnership possibilities.

Mr. Williamson asked how the school went off the rails so quickly. Mr. Cegers said a lot of it can be attributed to a large number staff transitions over a short period of time.

Mr. Pekron expressed his concern about what is currently happening at the school; however, also expressed his equal concern as to what would happen if the school was closed. Ms. Hyatt discussed possible scenarios for students if there were to be an immediate closure versus a closure at the end of the year. Mr. Key also said that the State Board should also consider if the school closed due to having no remaining funds.

Ms. Dean moved, seconded by Ms. Newton, to hear public comment. The motion passed unanimously. Public comment was heard.

Dr. Moore asked if there was an option to place charter schools on fiscal distress. Ms. Hyatt said there is not a mechanism to place a charter school on fiscal distress; however, a charter school can be placed on probation with strict instructions from the State Board on what they want the probation to look like. Mr. Key said being a charter school is a contract and they are expected to hold levels of integrity. He further reminded the State Board that the charter school appeared before the Charter Authorizing Panel was for academic reasons. Mr. Key said the school made a good decision in bringing in the APSRC as a support for their finances.

Ms. Newton said that she would suggest that the school come back at the end of the school year to review the school's progress before a decision to close is made. Dr. Moore agreed that this could be a good option for the school.

Ms. Dean said the State Board members have to look at what is best for students and thanked community for their engagement. She thinks it would be a detriment to the students if the school was closed immediately. Ms. Dean encouraged the school to continue to pursue additional community supports. She said she is optimistic about the outlook.

Mr. Pekron moved, seconded by Ms. Dean, to allow the school to remain open until the end of the school year and to return before the State Board in March 2020. The motion passed unanimously.

Mr. Key noted that the Division could request a special meeting of the State Board if any major issues were to arise before the March 2020 meeting. He also note the difficulties which occurred with the Covenant Keepers charter school and said that Southeast Arkansas Preparatory High School cannot become another Covenant Keepers.

New Business

There was no new business.

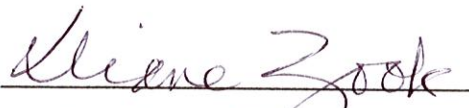
Public Comment

Public comment was heard.

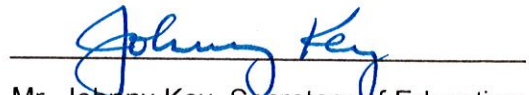
Adjournment

Ms. Dean moved, seconded by Mr. Williamson, to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 1:01 p.m.

Meeting minutes recorded by Tiffany Donovan



Ms. Diane Zook, SBE Chair



Mr. Johnny Key, Secretary of Education