

In The Matter Of:

*ARKANSAS DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
STATE BOARD OF EDUCATION*

January 9, 2020

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ARKANSAS DIVISION OF
ELEMENTARY AND SECONDARY EDUCATION
STATE BOARD OF EDUCATION

JANUARY 9, 2020
10:00 A.M.

A P P E A R A N C E S

BOARD MEMBERS:

MS. DIANE ZOOK, Chairman
MS. CHARISSE DEAN, Vice Chairman
MS. SUSAN CHAMBERS
MR. BRETT WILLIAMSON
MS. OUIDA NEWTON
DR. FITZGERALD HILL
DR. SARAH MOORE
MS. KATHY McFETRIDGE
MR. CHAD PEKRON

NON-VOTING MEMBERS:

MR. JOHNNY KEY, Secretary of Education
MS. STACEY McADOO, Arkansas Teacher of the Year

DESE LEGAL COUNSEL:

| | |
|-----------------------|-----------------|
| MS. LORI FRENO | General Counsel |
| MS. MARY CLAIRE HYATT | Attorney |
| MR. TAYLOR DUGAN | Attorney |

LOCATION:

ARKANSAS DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
- Auditorium
#4 Capitol Mall
Little Rock, AR 72201

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P R O C E E D I N G S

A-1: STATE BOARD REVIEW OF PLSB 18-091 EVIDENTIARY HEARING
RECOMMENDATION - TAMMIE CLOYES

CHAIRMAN ZOOK: The first item on the Action Agenda, if you will come, Ms. Freno, and then Mr. Dugan will come after that.

MS. FRENO: Thank you, Ms. Zook. Lori Freno, Division of Elementary and Secondary Education.

This first item concerning Ms. Tammie Cloyes was pulled from the Consent Agenda for possible further review by the State Board last month. Ms. Cloyes' attorney is here, Clayton Blackstock, and he has filed a motion in this case. And what he has asked is that review of the State Board be bifurcated, and what that means is he's asking first that the Board allow him to answer any questions that the Board might have, and he's going to ask then that the Board affirm the PLSB's decision. But if the Board is not really -- if they want to hear more, they feel there's more needed, he asks that he will be given the opportunity to brief this matter and come back before this Board next month to do that --

CHAIRMAN ZOOK: Okay.

MS. FRENO: -- to actually have an appeal hearing.

1 CHAIRMAN ZOOK: Okay. All right. Do we need to
2 make a motion on doing that that way or is it okay to
3 proceed?

4 MS. FRENO: Yes, I mean you should make a motion
5 at the end. I mean we have -- and PLSB has no
6 objection, but Mr. Dugan is here on behalf of PLSB
7 and also again Ms. Cloyes' attorney is here, Clayton
8 Blackstock, as well.

9 CHAIRMAN ZOOK: Okay. Do any of you have any
10 specific questions of the attorneys -- either of the
11 attorneys or anything you want to do as far as a
12 further hearing? Or did you feel comfortable after
13 you got more detailed information with the
14 recommendation?

15 Ms. Newton.

16 MS. NEWTON: I am not comfortable with the
17 recommendation. I don't feel like the recommendation
18 goes to the level of the severity of the offense.

19 CHAIRMAN ZOOK: Okay. So does that mean you're
20 wanting a hearing or that you could -- want to ask
21 the attorney, either of them, more questions, or are
22 you wanting a full hearing next month?

23 MS. NEWTON: I didn't really have any more
24 questions, but I think we do need to go to a full
25 hearing.

1 CHAIRMAN ZOOK: Okay. Is that your motion?

2 MS. NEWTON: Yes. So, yes.

3 CHAIRMAN ZOOK: Okay. Ms. Newton moved to go to
4 a full hearing in February.

5 Do I have a second?

6 MS. FRENO: Ms. Zook, before you start, I
7 noticed that Ms. Cloyes' attorney stood up. I mean
8 if the Board chooses to it can hear comments from Mr.
9 Blackstock, if it wishes, before it votes on this
10 matter.

11 CHAIRMAN ZOOK: Okay.

12 MS. FRENO: Yeah, it's up to you.

13 CHAIRMAN ZOOK: That's fine.

14 MR. BLACKSTOCK: The motion was to allow us to
15 make this -- the rules talk about having a --

16 CHAIRMAN ZOOK: If you'll get closer to the
17 microphone --

18 MR. BLACKSTOCK: I'm sorry. The rules --

19 CHAIRMAN ZOOK: -- and state your full name.

20 MR. BLACKSTOCK: The PLSB rules talk about
21 having a 10-minute discussion or having a full
22 hearing. And anyway, so my motion was to allow us to
23 answer some of the questions here and have that
24 discussion, and then if those questions still leave
25 the Board with lots of other questions then to go

1 ahead and the Board could move to have a full
2 hearing. But I'm asking for the opportunity to at
3 least make a preliminary presentation at this time,
4 and that was my motion and I thought that was the
5 motion that was on the floor at the present time.

6 CHAIRMAN ZOOK: The motion has to come from the
7 board members.

8 MR. BLACKSTOCK: Okay.

9 CHAIRMAN ZOOK: Okay. Do -- after hearing what
10 he's said, do I have a motion for us to allow him to
11 do this presentation or do you want to go forward,
12 Ms. Newton, with your motion as stated?

13 MS. NEWTON: I'm fine with it.

14 CHAIRMAN ZOOK: Mr. Pekron.

15 MR. PEKRON: I was just going to say I have no
16 problem with hearing from the attorney right now.
17 But I do think that I'm going to have more questions
18 than can't be answered in a 10-minute --

19 CHAIRMAN ZOOK: Okay.

20 MR. PEKRON: -- presentation. So if --

21 CHAIRMAN ZOOK: So I tell you what we'll do, we
22 will table the motion that's on the table -- I mean
23 that's been stated; we will listen to the attorney,
24 and then we can either withdraw the motion or vote on
25 the motion.

1 MS. NEWTON: Okay.

2 CHAIRMAN ZOOK: Does that work?

3 Okay.

4 MR. BLACKSTOCK: Thank you so much for the
5 opportunity.

6 CHAIRMAN ZOOK: Sure.

7 MR. BLACKSTOCK: So we're here to -- in support
8 of the PLSB recommendation. As you noted in my
9 motion, one of the people that -- who were on our
10 panel -- the people on our panel included the
11 superintendent from the Conway School District, who
12 was previously an assistant superintendent of finance
13 and he also taught finance at the college level. He
14 was questioning everything that happened in detail.
15 And so in terms of the panel that you had looking at
16 this, you had a panel of four people including the
17 chairperson who was well-versed in finance and
18 understood what was happening.

19 Number two, the way these things are drafted,
20 when they come to you the language that's in these
21 recommendations actually starts way back; we're stuck
22 with it. It starts way back at the beginning of this
23 and in these hearings when I get to this point the
24 language really doesn't reflect what the facts were
25 -- and I know we're working on a process to try and

1 correct that. So when you read these and you see
2 "unallowable" all over the place, if you hear the
3 facts you'd look at it and say that really doesn't
4 sound like an "unallowable" expense. So the language
5 in this is not really accurate, but it's -- that's
6 the way the process works.

7 I also wanted to point out that over -- this
8 dealt with four years of transactions, thousands of
9 transactions over four years, and what we're dealing
10 with here is seven questionable transactions and four
11 questionable entries out of thousands of them. And,
12 you know, Tammie is here today. She was over the
13 21st Century program. And what happened in this case
14 is it was her hometown and she agreed to go and help
15 her hometown enter data, help the grantees enter
16 data, which is not normally something you would do in
17 that position. And that's where she got in trouble,
18 because she went there and she started entering this
19 data that was being given to her by the grantee. All
20 of the purchases had already been made. She is not
21 like pre-approving things that are unallowable; these
22 are things -- every grant program worked this way.
23 They spent the money first and then they submitted
24 documents for it. And so she's there entering the
25 data and that's where the problem came up is in

1 entering the data.

2 And so with the seven transactions and the four
3 items, I'll just give you a couple of examples here:

4 Permitted unallowable gift card purchases --
5 this is one of the seven transactions. The grantee
6 had already purchased like \$50 of gift cards when
7 you're not supposed to purchase gift cards. And then
8 Tammie would come in and she was entering it and she
9 would enter "gift cards" for that. And what she
10 didn't do then -- because all this then went over to
11 the next person, the finance person at the Department
12 -- what she didn't do then, and what she was accused
13 of here, is going back and saying, "Look, you've got
14 to pay this \$40 back." She entered the data. And so
15 those are the transactions that we're dealing with
16 here and there's only seven of them. And the four
17 that are mislabeled, there was no intent to deceive
18 anybody. For example, mislabeled batteries when the
19 item was karaoke machine -- both of those are
20 allowable purchases for the program; a karaoke
21 machine and batteries are both allowable. It was
22 just when she was entering the data it was mislabeled
23 somehow, and I don't know if it was somebody was
24 reading to her what it was that was purchased and she
25 just typed it in or if there was a document that

1 showed that. But these things are all allowable
2 purchases, so it's not like somebody was hiding
3 something to cover it up. They were all allowable.

4 So we have seven transactions, four labeling
5 items out of thousands of transactions over four
6 years. And, most importantly, you'll notice there's
7 no violation of Standard -- what was it -- 5; there's
8 no self-dealing; there was no benefit to her; she
9 didn't get any money from it; she didn't benefit from
10 it in any way, and that's what they found. There was
11 nothing here where she had any personal gain, and
12 that's what Standard 5 is about. There was nothing.
13 She was stepping into an area where she got over her
14 head, because she really shouldn't have been helping
15 that grantee; she should have let them do it them-
16 self, and that's where all of these things happened.

17 Anyway, that's what I wanted to say ahead of
18 time. Thank you very much for giving me the
19 opportunity.

20 CHAIRMAN ZOOK: Okay. Okay. We have a motion.
21 Can someone -- oh --

22 MR. DUGAN: Can PLSB respond?

23 CHAIRMAN ZOOK: Sure.

24 MR. DUGAN: Taylor Dugan on behalf of the PLSB.
25 And thank you, Ladies and Gentlemen of the Board, for

1 letting me speak on behalf of the PLSB and my client
2 that PLSB is in full support of this recommendation.

3 Kind of how Mr. Blackstock had set out here,
4 when you look at this case you might look at this as
5 so much information, but we have to go off of what
6 the notice was. And so like Mr. Blackstock stated
7 that when the panel members had this hearing and
8 going off of the notice as far as these unallowable
9 expenditures, Mr. Blackstock was able to do more
10 research to provide evidence to the Board to where
11 "oh, well, what we put in our notice as unallowable
12 is actually allowable." So although it might look
13 like the sanction should have been more severe, Mr.
14 Blackstock did such a fantastic job of looking at
15 what was in the notice and then just going off of
16 that and not going off of other factors that might've
17 been in the media or might've been in other
18 documents. Because when we go to these hearings
19 that's what I hammer on; I hammer on what did we
20 notice the Educator on and that's what I go in and
21 try to prove.

22 So just on behalf of the PLSB and my client,
23 this was a hearing that lasted over two days, that
24 the four panel members that heard the case -- even
25 one of them had to leave at 5:30 one night because he

1 had to go pick up his child, but they came back the
2 next week to hear some more evidence for another day
3 and deliberate on it.

4 So on behalf of my client we're just here to say
5 that since -- this was the recommendation of the PLSB
6 and we are in full support of it.

7 CHAIRMAN ZOOK: Okay. We have a motion on the
8 table. Do I have a motion to take it off the table?

9 MS. NEWTON: To move it off the table?

10 CHAIRMAN ZOOK: Uh-huh.

11 MS. NEWTON: Yes. I move to take it off the
12 table.

13 CHAIRMAN ZOOK: Okay. Ms. Newton moved to take
14 the motion off the table.

15 Do I have a second?

16 MS. DEAN: Second.

17 CHAIRMAN ZOOK: Second by Ms. Dean.

18 All in favor?

19 (UNANIMOUS CHORUS OF AYES)

20 CHAIRMAN ZOOK: Opposed?

21 Motion passes.

22 Now then, the motion before us at this point is
23 to have a full hearing in February. We had a motion
24 and a second; so we will take a roll-call.

25 SECRETARY KEY: Madam Chair, who seconded the

1 motion?

2 CHAIRMAN ZOOK: Mr. Pekron. Who took it off the
3 table? Mr. Pekron.

4 DR. HILL: Can you explain on that? Because I'm
5 --

6 CHAIRMAN ZOOK: Okay. Would you restate your
7 motion, Ms. Newton?

8 DR. HILL: I'm a little cloudy about everything
9 that happened.

10 MS. NEWTON: My motion is to have a full hearing
11 on this case next month.

12 CHAIRMAN ZOOK: Okay. So we're voting on
13 whether or not we --

14 DR. HILL: And that goes against what he was
15 saying?

16 CHAIRMAN ZOOK: That goes against what both of
17 them were saying. Okay.

18 SECRETARY KEY: It might be helpful, Madam
19 Chair, if someone -- I don't know if it would be Mr.
20 Dugan to do this or someone from Legal, but to
21 describe what this hearing -- so that we're clear
22 that it's not -- you know, Mr. Dugan just talked
23 about a two-day hearing on this matter and I want to
24 make sure we're clear on what you all will be hearing
25 in that before we vote.

1 MR. DUGAN: So what I was discussing about was
2 the evidentiary hearing is what lasted over two days.
3 What would be at the next month's, it would be that
4 Mr. Blackstock would be able to look at that
5 transcript, go through it, and file objections in a
6 brief to state why either (a) this may be something
7 in the process that we messed up or something like
8 that, or also arguing why to accept the
9 recommendation of that sanction. And so at the next
10 meeting we each would be given 10 minutes to present
11 our cases, and then after that -- after the Board has
12 read the briefs, reviewed the record, we'd be able to
13 make a motion on whether or not they accept that
14 recommendation, whether or not they want to change
15 that sanction. And so, did that make sense?

16 CHAIRMAN ZOOK: Yes. And he wants to speak.

17 MR. BLACKSTOCK: Okay. I'm not sure -- and
18 maybe Taylor can -- I thought that the rules also
19 provided for that the Board could hear from Ms.
20 Cloyes --

21 MR. DUGAN: That's correct.

22 MR. BLACKSTOCK: -- or from the investigator of
23 the PLSB. I think that's in there too.

24 MR. DUGAN: That's correct. So then y'all could
25 hear testimony from --

1 CHAIRMAN ZOOK: Okay.

2 MR. DUGAN: -- from the Educator or the chief
3 investigator or the investigator on the case.

4 CHAIRMAN ZOOK: Okay. Thanks for the
5 clarification.

6 SECRETARY KEY: All right. Are you ready for me
7 to call the roll, Madam Chair?

8 CHAIRMAN ZOOK: Please do.

9 SECRETARY KEY: Dr. Moore.

10 DR. MOORE: Can we get -- so we're voting to
11 have a hearing?

12 SECRETARY KEY: Yes.

13 DR. MOORE: Okay. Yes.

14 SECRETARY KEY: Mr. Williamson.

15 MR. WILLIAMSON: Yes.

16 SECRETARY KEY: Ms. McFetridge.

17 MS. McFETRIDGE: Yes.

18 SECRETARY KEY: Ms. Dean.

19 MS. DEAN: Yes.

20 SECRETARY KEY: Ms. Chambers.

21 MS. CHAMBERS: No.

22 SECRETARY KEY: Dr. Hill.

23 DR. HILL: No.

24 SECRETARY KEY: Ms. Newton.

25 MS. NEWTON: Yes.

1 SECRETARY KEY: Mr. Pekron.

2 MR. PEKRON: Yes.

3 SECRETARY KEY: All right. Six yeas, two nays.

4 CHAIRMAN ZOOK: Okay. The majority votes to
5 have a hearing in February. You'll be put on the
6 agenda and you will be notified on -- it's the second
7 Thursday of February.

8 MR. BLACKSTOCK: Thank you.

9 CHAIRMAN ZOOK: If you need to leave, that's
10 fine. Otherwise, you're welcome to stay.

11 MR. BLACKSTOCK: Thank you very much.

12 A-2: STATE BOARD REVIEW OF PLSB 19-090 EVIDENTIARY HEARING
13 RECOMMENDATION - DAVISSA BRIMER

14 CHAIRMAN ZOOK: The next one, Ms. Freno.

15 MS. FRENO: Again, Lori Freno.

16 This is the matter of Davissa Brimer. And Ms.
17 Brimer's lawyer has filed a motion for a continuance
18 for the reason being that he is in federal court
19 today. And that is just something we had to come and
20 bring to the Board; the PLSB has no objection to this
21 continuance.

22 CHAIRMAN ZOOK: Do I have a motion to continue
23 this?

24 MR. PEKRON: So moved.

25 CHAIRMAN ZOOK: Moved by Mr. Pekron.

1 Second?

2 MS. NEWTON: Second.

3 CHAIRMAN ZOOK: Second by Ms. Newton.

4 All in favor?

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRMAN ZOOK: Opposed?

7 Motion passes.

8 You will notify him?

9 MS. FRENO: Yes.

10 A-3: STATE BOARD REVIEW OF PLSB 19-009 EVIDENTIARY HEARING

11 RECOMMENDATION - KIRA GEER

12 CHAIRMAN ZOOK: And Number Three.

13 MS. FRENO: This is the case of Kira Geer -- the
14 matter of Kira Geer, and she filed a motion to
15 dismiss, her attorney did, based upon timing. The
16 argument was that the investigation in her case was
17 not completed within 150 days of its authorization.
18 And Attorney Jennifer Flinn is here today to argue
19 this motion on behalf of Ms. Geer, and Taylor Dugan
20 will be arguing on behalf of the PLSB.

21 CHAIRMAN ZOOK: Okay. Thank you. So this is a
22 full hearing?

23 MS. FRENO: This is a motion to dismiss. I mean
24 there was not -- when -- there was not a request --
25 one of the requests for relief was not to actually

1 have a full -- a hearing, not to reconsider the
2 PLSB's decision; it was just to dismiss the matter
3 all together.

4 CHAIRMAN ZOOK: Okay. Thank you for the
5 clarification.

6 Okay. Good morning. And will you state your
7 full name and try to speak as close to the microphone
8 as you can?

9 MS. FLINN: Yes, I will. My name is Jennifer
10 Flinn and I'm an attorney here on behalf of Ms. Kira
11 Geer. And Ms. Geer is here as well, should -- I
12 guess should there be any questions of her.

13 We are here on a motion to dismiss based on the
14 failure of the PLSB to meet the timelines established
15 in statute in this case. And I know that you all
16 heard a case similar to this in November and you did
17 dismiss that case. Ms. Geer's case was actually
18 still pending -- or we were still going through this
19 process at that time. I had brought this motion to
20 dismiss before the Ethics Subcommittee early last
21 fall and again before the Hearing Panel in her case
22 on October -- in October, when her hearing was, and
23 both rejected that there; and so my next step is to
24 bring it to you all.

25 Now, again, I know that you recently heard

1 argument on this issue back in November. But in
2 order to preserve the rights to appeal, should we end
3 up in court, for my client, I have to make that
4 argument again here today. But I'm going to be as
5 brief as I can and allow you all to ask questions if
6 you have that.

7 Ms. Geer is a bit of a different situation, I
8 feel like, than what maybe you had in November. For
9 one thing, she was a pre-service teacher, a student
10 teacher at the time the allegations took place back
11 in the spring of 2018. So she was a pre-service
12 teacher, and I think that's relevant for a few
13 things. The statute in this case, Statute 6-17-428,
14 provides a timeline for the investigation and for
15 action to be taken in ethics complaints that are
16 filed against educators. That statute says that the
17 PLSB shall complete its investigation and take action
18 within 150 days of authorizing the complaint or
19 within 180 days if that hearing -- if a hearing is to
20 be conducted.

21 Now the timeline in this case: the complaint
22 against Ms. Geer was received by the PLSB in June, on
23 June 5, 2018; the authorization by the Ethics
24 Subcommittee occurred on July 9, 2018. So it is from
25 that day, July 9th, that the timeline in this case

1 would begin to run. Interviews didn't begin in this
2 case, from what we have, from the documentation we
3 have, until December 13, 2018, and that is already
4 after the 150-day deadline would have ran. So, 150
5 days from July 9th would have been December 6th;
6 interviews did not even begin to take place in this
7 case until after then, so we have no record that
8 there was any investigation going on even within that
9 deadline. The final report from the investigator was
10 turned over to the Ethics Subcommittee on January 4,
11 2019, and they issued an Initial Determination and
12 Recommendation on March 1st.

13 So it's our position that there was no
14 investigation -- the investigation did not occur
15 within that 150-day deadline, and it didn't occur
16 within the 180-day deadline either, as there was a
17 hearing in this case. There was very little
18 communication between Ms. Geer and the investigators
19 between July and December of that year. And I did
20 not represent Ms. Geer during that time, but she did
21 have -- she had another attorney during that time.
22 There was never any continuances by Ms. Geer; there
23 were never any delays; she was never asked for more
24 time; and she certainly didn't sign any kind of
25 waiver. And so we believe that the PLSB clearly

1 missed the deadline in this case.

2 Now why that's relevant -- again, the PLSB, like
3 all state boards, like this board and all agencies,
4 is a creature of the Legislature; they're created by
5 the Legislature and they only have the authority to
6 act. And so by using the term "shall" we believe
7 that that is a mandatory deadline the PLSB has to act
8 on these complaints, and the point of this is a
9 speedy resolution for the teacher. Now in Ms. Geer's
10 case, again, she was a student intern; she was an
11 intern when this complaint came in. It's been almost
12 two years since that complaint came in and Ms. Geer
13 has not been able to complete her education. She's
14 kind of just been on hold this whole time. She's not
15 -- she hasn't gotten a -- she hasn't been able to get
16 a license because of this, and so she's kind of just
17 been in limbo, and this spring will be two years from
18 that.

19 It's our position that failure to follow this is
20 a due process violation, as well as that the PLSB
21 doesn't have subject matter jurisdiction over this
22 case because that deadline is past.

23 Now I want to spend just a few more minutes
24 responding to Mr. Dugan's response, because I believe
25 he filed a response with you all as well. He argues

1 that this timeline is directory and not mandatory;
2 this is the same argument he made back in November.
3 We don't believe that this is supported by the case
4 law from our appellate courts. Our appellate courts
5 have been clear that "shall" is mandatory. But when
6 the Legislature uses the term "may" that would
7 indicate something that is permissible or
8 discretionary or perhaps directory, though that term
9 really isn't used. Mr. Dugan bases his argument on a
10 -- the case *Slusser v. Farm Service*. Again, I think
11 you heard arguments about this back in November. In
12 that case the -- an individual tried to file a
13 complaint against a seed dealer based on defective
14 soybean seeds. The statute allowing this gave a 10-
15 day deadline; it was a mandatory deadline because the
16 Legislature had used the term "shall." And the
17 individual missed the deadline, tried to argue that
18 that was directory, and our Supreme Court disagreed
19 and said, "No, it was mandatory." Now Mr. Dugan
20 argues that this case -- that the PLSB statute is
21 different because it does not specifically give a
22 consequence for the failure to act within the
23 deadline, as the statute in the *Slusser* case does.
24 But I don't -- first of all, I don't believe that
25 that's a fair representation of the actual holding in

1 that case. But, second, in Slusser, the Supreme
2 Court actually says that compliance with a mandatory
3 provision of a statute is a condition precedent to
4 the privilege conferred. And I think that reaffirms
5 our position because our argument is the PLSB, a
6 creature of the Legislature, they can only act under
7 authority of the Legislature and that is a privilege
8 to do so. The PLSB didn't even exist 10 years ago or
9 about 10 years ago; so prior to that there were no
10 ethics complaints, there was no investigation. And
11 so the ability to do this is a privilege conferred
12 upon the PLSB by the Legislature, and if they do not
13 meet the deadlines in the statute then it's our
14 argument that they no longer have that privilege.

15 One more thing I want you to -- or I want to
16 draw attention to is that Mr. Dugan has attached an
17 Exhibit "A" to his response, which is an order
18 entered by the State Board of Education in 2015. And
19 in that case it looks like, from the order at least,
20 that there was a timeline issue and that the State
21 Board allowed the case to go forward anyway and
22 agreed that it was only a directory timeline. We
23 don't have the facts of that case -- or I don't have
24 the facts of that case, so I don't know exactly what
25 timeline issues were going on. I would argue it's

1 probably an incorrect ruling. I don't -- again, I
2 don't -- I don't have those facts, so I can't really
3 speculate to that. And from what I can find, the
4 Educator did not appeal to circuit court. But I
5 argue that that is not binding on this particular
6 board. I would think the vast majority of you, if
7 not all of you, were not on this board in 2015, so
8 you weren't yet members of this -- or most of you
9 were not yet members of the State Board at this time.
10 And then I also ask -- if you look at the actual
11 facts of the order, we don't know why the State Board
12 did what they did at that particular time. But in
13 that particular case the Educator was found to have
14 had sexual contact with a student. The Ethics
15 Subcommittee recommended revocation and the State
16 Board, for some reason that's not spelled out in the
17 order, actually reduced that to a probation. And so
18 -- and I only make that -- it's completely irrelevant
19 to the timeline issue, but I only make that argument
20 to show that that's not -- I don't know that that is
21 something that any member of this board would agree
22 to either. So it's not -- we don't know the facts of
23 that; but I would argue that whatever that order
24 stands for, it's just not binding.

25 Finally, Mr. Dugan argues that the word "shall"

1 should not be mandatory because it would lead to an
2 absurdity. And from what I understand in his
3 argument that absurdity would be that the Ethics
4 Subcommittee just doesn't have enough time because it
5 only meets once a month. And I certainly appreciate
6 that fact that they are volunteers and they have jobs
7 and they are overworked and they are not paid for
8 what they do and that they don't have the staff that
9 they need. But I would argue that that's not an
10 absurdity because under the law how often the
11 Subcommittee meets and how they manage their staff is
12 within their own discretion.

13 Again, in November, this board granted the
14 Educator's motion to dismiss based on a failure to
15 meet this deadline. We would argue that you do so
16 again here today. In that case there had been
17 continuances by the Educator, there had been a
18 settlement conference, and Mr. Dugan argued that at
19 that point the actions there made that delay
20 reasonable. He actually told this board in November
21 that if the case had sat stagnant with no action then
22 that would've been unacceptable. Well, that's
23 exactly what happened in this case. There was no
24 action taken on this case whatsoever by the
25 investigators during -- until after that 150-day

1 deadline had past.

2 And so we ask that you dismiss this case, just
3 like you did in November, and we would argue that to
4 not do so would be an arbitrary decision by this
5 board. And so we -- I thank you for your time and I
6 can answer any questions you have, but we would ask
7 that you dismiss this case.

8 CHAIRMAN ZOOK: Okay. Thank you.

9 Mr. Dugan --

10 MR. PEKRON: I have a question.

11 CHAIRMAN ZOOK: Of her before -- okay.

12 MR. PEKRON: Just a real quick one.

13 CHAIRMAN ZOOK: Sure.

14 MR. PEKRON: Just to be clear, you did raise the
15 timeliness issue before the Evidentiary hearing --

16 MS. FLINN: Yes, I raised it before the Ethics
17 Subcommittee, which is a private meeting; so we were
18 not able to argue that, but I did submit that. And
19 then -- and they rejected it. And then we raised it
20 and actually argued that to the Evidentiary Panel and
21 they -- before -- prior to her hearing, at the day of
22 her hearing, and they rejected it as well. So this
23 is our next step.

24 MR. PEKRON: Thank you.

25 CHAIRMAN ZOOK: Mr. Dugan.

1 MR. DUGAN: Taylor Dugan, attorney for the
2 Professional Licensure Standards Board.

3 And just to respond a little bit to what Ms.
4 Flinn said, just like when we were here in November,
5 the PLSB is renewing a similar argument, the fact
6 that this timeline is mandatory -- is directory and
7 not mandatory. And it's our interpretation of the
8 law that that's what is allowed.

9 Now Ms. Flinn has pointed to appellate cases
10 that said the courts have been very clear on "shall"
11 means shall and therefore, that requires mandatory
12 compliance. But as the case that I cited to in my
13 brief, Fulmer v. State -- which, Mr. Pekron, it's 337
14 Ark. 177 -- which talks about where the word "shall"
15 usually is mandatory, however, in certain
16 circumstances it can be directory. And so what
17 happened in that case was the law said when someone
18 wanted to file a petition to seal they shall use the
19 uniform order that ACIC requires. And so the Supreme
20 Court in that case states that "we thus reject the
21 State's argument" -- let me see, get to the right
22 spot -- "The State contends that using by the word
23 'shall' in Section 16-90-905, the legislature
24 intended that the filing of a uniform petition by
25 every petitioner is mandatory, not discretionary.

1 The State argues that Appellant's failure to file a
2 uniform petition for expungement is thus fatal to his
3 cause. Appellant admits that he did not file a
4 uniform petition; however, he asserts that his
5 petition substantially complied with the requirements
6 of" the section. "He asserts further that the word
7 'shall' as used in this section is directory, rather
8 than mandatory." And the Supreme Court determined
9 that to be correct, that even though this court used
10 the word "shall" in this situation it was directory.

11 So the court goes on to say --

12 CHAIRMAN ZOOK: Excuse me. Did you say the
13 court or the legislature that used --

14 MR. DUGAN: The Supreme Court of Arkansas.

15 CHAIRMAN ZOOK: Okay.

16 MR. DUGAN: The Supreme Court of Arkansas goes
17 on to say, "Though ordinarily the word 'shall' is
18 mandatory, and the word 'may' is directory, they are
19 often used interchangeably in legislation," and they
20 cite to the Mabry case. "In Mabry, this court
21 recognized that to carry out the legislature's
22 intent, the word 'shall' may, in certain
23 circumstances, be construed as the equivalent of the
24 word 'may.' This court concluded that if the
25 language of the statute, considered as a whole and

1 with due regard of its nature and object, reveals
2 that the legislature intended the word 'shall' to be
3 directory, it should be given that meaning. Since
4 Mabry, this court has consistently held that the use
5 of the word 'shall' in a statute means that the
6 legislature intended mandatory compliance with the
7 statute unless such an interpretation would lead to
8 an absurdity." "This court has also consistently
9 held that in determining whether a statute's
10 provisions are mandatory or merely directory, we
11 adhere to the principle that those things which are
12 of the essence of the thing to be done are mandatory,
13 while those not of the essence of the thing to be
14 done are directory only."

15 So I'm arguing here today what is the essence of
16 the PLSB. The essence of the PLSB is to investigate,
17 act as a fact-finder for the State Board of
18 Education, to go out, investigate these complaints,
19 go and get some facts, have hearings, and then make
20 recommendations to the State Board. That's the
21 essence of what the PLSB does, not that it is held to
22 a strict 150-day timeline. I would argue that it
23 could violate their due process to be able to be held
24 to that strict 150-day timeline because it might not
25 give the Ethics Subcommittee time to review -- just

1 like the case y'all saw with, earlier today, Ms.
2 Cloyes -- a case like that, over 1,000 pages worth of
3 documents that were provided to the Board, including
4 the transcript, that might not give the Ethics
5 Subcommittee time to actually review it and discuss
6 it and come up with a recommendation for that case.
7 So I would argue having to make the PLSB follow just
8 a strict 150-day deadline would violate that
9 Educator's due process.

10 But again, going back to where it says "the
11 essence" -- what is the essence of the PLSB? It's to
12 investigate and make recommendations to the State
13 Board. So they said, "The question then is whether
14 legislature intended" this statute to mandate that
15 all petitioners to use the uniform petition for
16 expungement before the circuit court may grant the
17 request for relief. "We conclude that the
18 legislature did not intend such mandatory or strict
19 compliance."

20 So I'm arguing that the legislature did not
21 intend for the egregious, unethical conduct of
22 Educators to just be dismissed just because of a
23 failure to follow a 150-day deadline. So that's my
24 argument here today.

25 I would also like to turn to the Slusser case.

1 Now the Slusser case also says that "thus" -- when --
2 the court here -- they go to different states; they
3 look at a Texas case, they look at a Florida case,
4 they look at an Illinois case, and so they
5 distinguish between these statutes on whether or not
6 a timeline is mandatory or directory. And they said,
7 "Thus, the consequences" -- so a consequence --
8 "Thus, the consequences for failure to act are
9 spelled out in the statute in that case, while they
10 are not in the Illinois statute." So there's a
11 consequence. So what I'm saying here is when you
12 look at 6-17-428 it says "shall complete its
13 investigation and take action within 150 days;" it
14 doesn't say anywhere else in the statute a
15 consequence for that. The only thing out of 6-17-428
16 -- which is a two -- like two full page statute --
17 says is that the Ethics -- the only time the Ethics
18 Subcommittee can dismiss a complaint is if they find
19 no ethics violation, and in this case they found an
20 ethics violation. So I would argue there that the
21 legislature's intent is more directory than
22 mandatory, because if you look at -- all throughout
23 the statute there's no other place that has a
24 consequence for following this timeline.

25 And so also going back though to -- and also in

1 the Slusser case, when they're distinguishing between
2 these statutes they even refer to a statutory time
3 limit is mandatory only if it contains both an
4 express requirement that an action be undertaken
5 within a particular amount of time and a specified
6 consequence for failure to take action. And also
7 doing research as far as whether or not the timeline
8 is directory or mandatory, I also point -- it says
9 cases from other states and in the Supreme Court of
10 Texas has stated, "In determining whether the
11 administrative agency intended the provision to be
12 mandatory or directory, consideration should be given
13 to the entire rule" -- so I'm saying the entire
14 statute -- "its nature, objects, and the consequences
15 which would result from construing it each way.
16 Provisions which do not go to the essence of the act
17 to be performed" -- which again I argue is for them
18 to be fact-finders and make recommendations to the
19 State Board, not that that be done within a strict
20 timeline -- "but which are for the purpose of
21 promoting the proper, porterly and conduct of a
22 business are not ordinarily regarded as mandatory.
23 If the provision directed doing of a thing in a
24 certain time without any negative words restraining
25 it afterwards, the provision is usually directory."

1 Again, there's nothing after this statute that
2 says "hey, you've got to dismiss this; you didn't
3 follow this timeline." And I think the Slusser case
4 goes to that, which is an Arkansas Supreme Court
5 case. Also, Pennsylvania, "Moreover, a legislature
6 directs that adjudicatory body have hearings within a
7 set period. Such time constraints are directory
8 rather than mandatory, even when phrased in mandatory
9 language."

10 So I don't think it's just as clear-cut as was
11 just presented earlier. I think that "shall" doesn't
12 always mean shall, that you can look at from the
13 Fulmer case. I think that when you look at cases
14 from other states, even the Slusser case, that you
15 can make an interpretation that the timeline is
16 directory and not mandatory.

17 But I'd also like to respond to Ms. Flinn's
18 comment about the case that was before the Board in
19 2015. The case -- that case, the State Board
20 specifically says -- which was an exhibit to my brief
21 here, the very end -- Arkansas Code Annotated 6-17-
22 428(k) does not specify a consequence for the failure
23 to comply with the express timeline, nor do any other
24 sections of the statute. As such, the State Board
25 concludes that Arkansas Code Annotated 6-17-428(k) is

1 directory language and does not require an
2 evidentiary hearing to be held within 180 days of
3 authorizing the investigation. I don't know all the
4 facts of that case either, but I know what the order
5 says. I know that that right there says the State
6 Board determined in 2015 for this timeline to be
7 directory, that it was not mandatory.

8 And so I'd argue today that the PLSB has through
9 its brief and has presented today that this case
10 should not be dismissed for failure to follow the
11 strict timeline. And if the Board has any questions,
12 I would love to entertain any of them.

13 MR. PEKRON: I have some questions.

14 CHAIRMAN ZOOK: Sure.

15 MR. PEKRON: Mr. Dugan, you've referred to
16 Slusser a lot and -- but Slusser also says, and I'm
17 reading from it, "When the General Assembly uses the
18 word 'shall,' we have said this clearly shows that it
19 intended mandatory compliance." And in Slusser the
20 court held because they used the word "shall" that
21 there was to be mandatory compliance with the
22 timeline in that case. Correct?

23 MR. DUGAN: Yes. And so, the distinction then
24 again is that they say that there was this
25 prerequisite. Because also if you look at the

1 Slusser case, where they say, "Thus, the consequences
2 for failure to act are spelled out" in that statute
3 -- in our statute the consequences, they're not
4 spelled out. I know Ms. Flinn would probably argue
5 that it doesn't have to be spelled out there because
6 of this timeline. But in that particular statement,
7 as a prerequisite to be able to do this you have to
8 do this. In our statute it just says you have to
9 complete this and take action; it doesn't say if you
10 don't then it has to be dismissed. So that's my
11 argument as far as distinguishing that. But I would
12 use the Fulmer case to distinguish that, because the
13 argument is "shall" means shall and the Arkansas
14 Supreme Court in the Fulmer case says not always.

15 MR. PEKRON: But that -- the other case is a
16 case where you could substantially comply. Here,
17 there's a firm 150 days means 150 days; it doesn't
18 mean 151 days. Whereas in the other case you cited
19 or use a form --

20 MR. DUGAN: Well, I'm not saying there's not an
21 argument there. I'm thinking that -- I'm saying the
22 PLSB's argument is stronger. And the reason I'm
23 saying that is because the whole 150-day timeline,
24 just like in -- again, that case we heard today -- I
25 mean just look at the facts of that case. Or, even

1 look today as far as, you know, the case after that;
2 the Educator is asking for a continuance. You know,
3 I can't help that he's in federal court -- and that
4 happens down at the lower level too when we're trying
5 to have the evidentiary hearings. I just had one
6 last month where we got witnesses subpoenaed, I got a
7 panel set, I got a hearing officer ready to go, and
8 the next thing you know they hired an attorney two
9 weeks before the hearing. I mean, you know, we're
10 going to let them be represented by counsel at the
11 hearing. So I would argue that having it just be 151
12 days, yeah, it could go over 151 days, not having a
13 mandatory strict compliance with that.

14 MR. PEKRON: But there -- but if there are
15 reasons why it was over 150 days, like you just
16 cited, then that's a different case. Here, in this
17 case the Educator wasn't even contacted until after
18 the 150 days, and that's what you said in November
19 would be the even more egregious case. Correct?

20 MR. DUGAN: Correct. You know, and I'll agree;
21 the investigation should've been done within a more
22 timely fashion. I concede that fact. However, I
23 still argue that this timeline is directory; it's not
24 mandatory. So even though it did go over, that's
25 fine. And so the "take action" was at 233 days, so

1 83 days after that 150 days. What due process
2 violation here -- that 83 days -- that's the big
3 difference there with that 83 days as far as a due
4 process violation; right?

5 MR. PEKRON: But that's what the General
6 Assembly has decided. The General Assembly is the
7 ones that set the 150 days and decided 150 days is
8 the time period, and after that --

9 MR. DUGAN: But also in that same statute it
10 does say that they can waive these requirements; that
11 the Subcommittee can do it or the Educator can
12 themselves.

13 MR. PEKRON: Sure.

14 MR. DUGAN: And so there should just be the
15 argument there that, you know, the Ethics
16 Subcommittee determines that it is directory, not
17 mandatory, and that's been their interpretation of
18 this law for -- since it's been around.

19 CHAIRMAN ZOOK: Okay.

20 MR. PEKRON: I just think this is the same case
21 as November.

22 CHAIRMAN ZOOK: Okay. Ms. Newton. Microphone.

23 MS. NEWTON: I've been listening to Mr. Dugan
24 and I can see where -- that we have to take the whole
25 issue in mind, rather than just the one word. And so

1 I'm leaning more toward denying the appeal.

2 CHAIRMAN ZOOK: Okay. Dr. Hill? Ms. Chambers?

3 MS. CHAMBERS: I think the argument is
4 interesting. I'm not sure I understand in this
5 particular case what would justify this being an
6 absurd adherence if we'd been on schedule, when we
7 didn't start until after it began -- or after we
8 missed the deadline. But I'm also curious -- I don't
9 know if it's a question you can answer today, but
10 since this is the second case in a two-month period
11 of time it makes me wonder if we have the capacity at
12 the PLSB level for the caseload that's coming to it.
13 Can you commend on that? Or are we -- will we see
14 more of these?

15 MR. DUGAN: You know, maybe. Again, the
16 interpretation that the PLSB has been -- in going
17 back to that 2015 order is that it's directory, not
18 mandatory; so that's been the interpretation of the
19 PLSB. Another thing is, is that, as I pointed out in
20 my brief, what we're -- what we have -- not to put
21 anyone down here; they're fantastic -- we have
22 volunteer panels. The Ethics Subcommittee meets once
23 a month to do their business of authorizing all the
24 investigations and reviewing all the reports that are
25 given to them and then to set hearings. At capacity,

1 I've been able to do about four a month, because I
2 have to, you know, get a quorum and it takes -- as
3 y'all saw like the Cloyes case, it takes -- that one
4 took two days. That one was an exceptional case.
5 But most of them on average take about four or five
6 hours each, and so --

7 SECRETARY KEY: And, Madam Chair -- sorry to
8 interrupt, Mr. Dugan.

9 MR. DUGAN: Yes, sir.

10 SECRETARY KEY: Can we -- that's a question that
11 is not directly with this case. Can we answer that
12 question after we -- after you all take action on
13 whatever you're going to do? Because that's a
14 broader issue that I think we can help answer -- and
15 it's a very good question.

16 MS. CHAMBERS: Absolutely.

17 SECRETARY KEY: And we've got some updates on
18 that that we think will help.

19 MR. PEKRON: May I make a comment on that?

20 A further reason I asked Ms. Flinn whether she
21 had raised the issue below is I don't want Educators
22 now to be coming in and raising this argument if they
23 hadn't raised it before, whereas this Educator did
24 raise it before the November hearing where we brought
25 this issue up. I do think an inappropriate case is

1 somebody who is arguing for the first time here that
2 they didn't move quickly enough before; I think that
3 would be a different situation.

4 MS. CHAMBERS: Well, I just wanted to make sure
5 that we were understanding this in its fullness, not
6 putting you in a position or the Department in a
7 situation where you don't have the capacity for the
8 caseload and the timeline, depending on the
9 interpretation of "shall" and "may."

10 CHAIRMAN ZOOK: Ms. Dean.

11 MR. PEKRON: Can I just say one other thing?
12 I'm sorry. I don't want any of this to reflect on
13 Mr. Dugan; he's not the one that was responsible for
14 any of this.

15 CHAIRMAN ZOOK: He's the messenger.

16 MR. PEKRON: And I made that clear to him.

17 MR. DUGAN: I'm an attorney, guys; I can take
18 it. To be honest with y'all -- and I will throw
19 myself on my client. What's the old saying, "If you
20 don't have the law, you argue the facts; if you don't
21 have the facts, you argue the law." And so, you
22 know, that's what I'm doing right here. I don't have
23 the facts; I'm arguing the law -- and I think we're
24 right on the law. I mean I concede the fact that the
25 investigation started after --

1 CHAIRMAN ZOOK: Okay. Ms. Dean, do you have any
2 questions?

3 MS. DEAN: I don't have a question, but I do
4 have a comment.

5 CHAIRMAN ZOOK: Okay, a comment.

6 MS. DEAN: That was -- part of what Ms. Chambers
7 asked was my issue. I think that's the bigger
8 problem, the bigger issue that can be addressed. But
9 at the same time, I feel like the Educators should
10 not -- whoever is -- has the case, their lives should
11 not be held in limbo because there is a lack of staff
12 or time or whatever. But at the same time, we don't
13 want to set a precedent to where if the case has gone
14 on longer than it should then that's just an excuse
15 for behavior to go without being dealt with. But I
16 just have an issue with someone's life just being --
17 someone's life just being held in limbo for such a
18 long period of time.

19 CHAIRMAN ZOOK: Thank you. Ms. McAdoo?

20 MS. McADOO: I do not.

21 CHAIRMAN ZOOK: Dr. Moore?

22 DR. MOORE: Yes. So I think I want to get a
23 better understanding.

24 CHAIRMAN ZOOK: Pull it closer, please.

25 DR. MOORE: If we vote to dismiss, that means

1 this case is totally over?

2 MR. DUGAN: That's correct.

3 DR. MOORE: Okay. I have grave concerns about
4 the incidents that happened here. Therefore, if we
5 dismiss it nothing will have happened; it will be
6 that Ms. Geer will be able to get her teacher
7 license. Is that correct?

8 MR. DUGAN: That's correct.

9 DR. MOORE: Okay.

10 MR. DUGAN: Well, for five years. So the
11 sanction that was recommended by the Panel was a
12 five-year non-issuance of license and a \$500 fine.

13 CHAIRMAN ZOOK: Was that from the date of the
14 incident or from the date of now?

15 MR. DUGAN: It would be the date of the State
16 Board order.

17 DR. MOORE: Okay. And there will be no
18 additional ramifications if we dismiss it?

19 MR. DUGAN: Correct.

20 DR. MOORE: Is that correct? Despite the fact
21 that the PLSB did find findings and made a
22 recommendation --

23 MR. DUGAN: Correct.

24 DR. MOORE: -- to do such? Okay. If we don't
25 dismiss it, then do we have a hearing on this or does

1 it proceed as a --

2 MR. DUGAN: So if y'all deny the motion, then
3 the recommendation from the State Board -- from the
4 Evidentiary Hearing -- I believe when I spoke with
5 Ms. Flinn she was -- if it was denied would like to
6 ask the Board for leniency, if I'm correct. Is that
7 correct, Jennifer Flinn?

8 MS. FLINN: We're not prepared to do that today.

9 MR. DUGAN: And so they're not prepared to do
10 that today, but --

11 DR. MOORE: Okay. So we would have a future
12 hearing potentially at that point?

13 CHAIRMAN ZOOK: So basically what we're saying
14 is do we -- if we do -- is there middle ground
15 between dismissal and not dismissal, like in two
16 years, three years, that kind of thing?

17 MR. DUGAN: Huh-uh.

18 CHAIRMAN ZOOK: Okay. Is that what you were
19 asking, Sarah?

20 DR. MOORE: Well, I mean if we did not deny it
21 today then we would have a future hearing in which we
22 could adjust the PLSB, if we felt necessary?

23 MR. DUGAN: Can I speak with Ms. Flinn real
24 quick?

25 CHAIRMAN ZOOK: Sure.

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(A FEW MOMENTS OF SILENCE)

MR. DUGAN: Yeah, just ruling on this motion today. And so if this motion was denied, then it would be the sanction from the PLSB, which would be that five-year non-issuance of license and \$500 fine.

DR. MOORE: Okay.

CHAIRMAN ZOOK: Mr. Williamson? Ms. McPetridge? Commissioner -- Secretary Key.

SECRETARY KEY: Mr. Dugan, in your brief you refer to the Supreme Court stating that the word "shall" indicates mandatory compliance unless such an interpretation would lead to an absurdity. Is that an absurdity with respect to the process or an absurdity with respect to the outcome?

MR. DUGAN: What I'm arguing there is that legislative intent -- it would be absurd that the legislature would require this to be such a strict mandatory compliance of 150 days, because what it would do then is allow educators' unethical, egregious conduct to just go. I don't think that would -- that would be absurd of the interpretation.

SECRETARY KEY: So an absurdity that links the process and outcome?

MR. DUGAN: Correct.

SECRETARY KEY: Okay. Thank you.

1 MR. PEKRON: Under your interpretation though
2 there would be no deadline whatsoever?

3 MR. DUGAN: Correct.

4 MS. CHAMBERS: Which would be absurd.

5 MR. DUGAN: That's -- we as attorneys, we just
6 --

7 CHAIRMAN ZOOK: Okay. All right. Back to the
8 thing.

9 I think the hesitation that you may be feeling
10 from the Board is that when the legislature passed
11 these laws and they come to us, and they use the word
12 "shall" -- like you shall in five years, you shall --
13 we have not -- and I remember when Mr. Ledbetter was
14 the Chair there was a discussion between him and an
15 attorney about you can't argue legislative intent;
16 you can only argue what was done. And I'm not an
17 attorney; the two of you are. I'm not even going to
18 get in there. But you're dealing with a board that
19 is used to "shall" means shall, not may.

20 So, Ms. Newton.

21 MS. NEWTON: Can I ask one more question?

22 CHAIRMAN ZOOK: Sure.

23 MS. NEWTON: Mr. Dugan, if we were to deny the
24 motion this wouldn't end it for the Educator; they
25 could appeal?

1 MR. DUGAN: That's correct. So they would be
2 able to appeal this decision to circuit court.

3 MS. NEWTON: And if it did get appealed, then we
4 might get some clarity on if "shall" means shall or
5 if it's directive?

6 MR. DUGAN: Correct.

7 MS. NEWTON: Okay.

8 MR. DUGAN: And that order -- so the non-
9 issuance of license starts from that State Board
10 order. So unless there was a stay during that time,
11 she would not be able to get that license during that
12 appeals process.

13 CHAIRMAN ZOOK: Part of the concern we may have
14 is that it's been two years; we're here now hearing
15 it. So then it would make it seven years.

16 MR. DUGAN: Right.

17 CHAIRMAN ZOOK: So, you know, that is something.
18 Plus, as Ms. Dean was pointing out, the -- putting --
19 you know, that's a long time to not be able to
20 continue your occupation or pursue your occupation.
21 And that's perhaps -- I have no idea what their
22 intent was; they put a limit on -- you know, if y'all
23 can't get this started in this length of time, how
24 serious can it be? So, you know, I don't know.

25 MR. DUGAN: That's a valid point.

1 CHAIRMAN ZOOK: I will take a motion at this
2 time, if everybody is finished with discussion, and
3 we'll see if we get a second, and then what the vote
4 is.

5 MR. PEKRON: I move to dismiss the procedure --
6 proceeding.

7 CHAIRMAN ZOOK: I have a motion to dismiss.
8 Do I have a second?

9 MS. CHAMBERS: Second.

10 CHAIRMAN ZOOK: Second by Ms. Chambers.
11 Roll-call.

12 SECRETARY KEY: Dr. Moore.

13 (NO RESPONSE BY DR. MOORE)

14 SECRETARY KEY: Mr. Williamson.

15 MR. WILLIAMSON: Yes.

16 SECRETARY KEY: Ms. McFetridge.

17 MS. MCFETRIDGE: No.

18 SECRETARY KEY: Ms. Dean.

19 (NO RESPONSE BY MS. DEAN)

20 SECRETARY KEY: Ms. Chambers.

21 MS. CHAMBERS: Yes.

22 SECRETARY KEY: Dr. Hill.

23 DR. HILL: No.

24 SECRETARY KEY: Ms. Newton.

25 MS. NEWTON: No.

1 SECRETARY KEY: Mr. Pekron.

2 MR. PEKRON: Yes.

3 SECRETARY KEY: Does anyone who has not voted
4 wish to vote or declare an abstention?

5 Dr. Moore?

6 DR. MOORE: Abstain.

7 SECRETARY KEY: Ms. Dean?

8 MS. DEAN: Abstain.

9 SECRETARY KEY: The vote is 3-3, Madam Chair.
10 Would you like to vote?

11 CHAIRMAN ZOOK: No. I'm not -- I mean no, I
12 would not like to vote. Motion fails.

13 SECRETARY KEY: Okay. Motion fails, 3 for, 3
14 against, 2 abstentions.

15 CHAIRMAN ZOOK: Do we have another motion? That
16 motion failed.

17 When you make a motion and it's a tie vote, then
18 the motion fails because it didn't get a majority, in
19 case anyone was wondering what happened.

20 MS. CHAMBERS: Can I ask a question?

21 CHAIRMAN ZOOK: Sure.

22 MS. CHAMBERS: So we didn't have the opportunity
23 to argue the merits; we argued the tech -- or we
24 listened to the technicalities of the current
25 circumstance. You -- if I understood a question and

1 an answer earlier, we can't -- given that two years
2 have already passed, and if we heard this -- what
3 would it take for us to have an opportunity, given
4 the failure of the last motion, to hear this and to
5 weigh-in on what -- however we were to decide what
6 might be a shorter timeframe than five years from
7 now?

8 MR. DUGAN: Would it be all right if I visited
9 with Ms. Flinn and Ms. Freno?

10 CHAIRMAN ZOOK: Please.

11 MR. DUGAN: Would that be all right?

12 CHAIRMAN ZOOK: Please. Yeah, we've got a
13 person's profession in front of us. Take whatever
14 you need.

15 MS. FRENO: In filing this motion, normally what
16 would've happened in this situation is a motion
17 would've been filed and they would've requested the
18 appeal before the State Board, and that would've
19 given you all the opportunity, if the motion was
20 denied, to hear every -- to hear the argument. And
21 after you heard the argument you would have the
22 opportunity to either accept them or -- you know,
23 accept or reject. In this case, that was not asked
24 for as the part of any relief. And Ms. Flinn earlier
25 had said -- I mean if Ms. Flinn says at this point --

1 I mean it's not perfectly clear in the rules, I'll
2 say that. So if Ms. Flinn at this point says "we
3 want to proceed if the motion" -- you know, "we want
4 to proceed next month to a hearing, to the appeal
5 hearing," and the Board decides it wants to do that,
6 that's something the Board would be allowed to do.
7 But I heard her say earlier -- it wasn't in the
8 filing as a form of relief, and I heard her say
9 earlier that's not something she'd be interested in.
10 But that certainly is something that, you know, if
11 the Board would want to do that and the Educator
12 wanted to do that --

13 CHAIRMAN ZOOK: So she could change her request
14 in the midst of this hearing?

15 MS. FRENO: I think she can make an oral motion
16 right now to ask for a continuance, just like Mr.
17 Blackstock did, kind of breaking it up so that next
18 month she can come back and she can submit argument
19 -- or she can submit an appeal.

20 CHAIRMAN ZOOK: Okay. Do the three of you still
21 need to speak?

22 MS. FLINN: If I may?

23 CHAIRMAN ZOOK: Yes. Come to the microphone and
24 identify yourself.

25 MS. FLINN: I am Jennifer Flinn, attorney for

1 Ms. Geer. We weren't prepared to argue the merits of
2 the case today. If the Board would like, we maybe --
3 I mean we could do that next month. I mean I guess
4 what I'm saying is we -- I guess we would ask for a
5 continuance to be able to come back, I guess much
6 like we did in the -- or y'all did in the first case
7 today, to be able to argue those -- I guess the
8 merits of the case next month. So we would ask -- I
9 guess I'm making a motion for a continuance.

10 CHAIRMAN ZOOK: So you're -- rather than taking
11 what this board might decide, and if it went against
12 your client, and instead of going to circuit court,
13 you are saying I will -- "I would like another
14 opportunity in front of this board to plead my case
15 -- or plead her case?"

16 MS. FLINN: Yes, ma'am. That's what we're
17 asking.

18 CHAIRMAN ZOOK: Okay. All right.

19 Do I have a motion?

20 MS. NEWTON: Do we need to divide the motion for
21 -- to dismiss first?

22 CHAIRMAN ZOOK: I would think --

23 MR. PEKRON: I think we just did.

24 CHAIRMAN ZOOK: Yeah.

25 MS. NEWTON: Did we do that? Okay. So that's

1 taken care of. Okay.

2 CHAIRMAN ZOOK: Yeah.

3 So do I have a motion to accept her request to
4 have a continuance?

5 MS. CHAMBERS: So moved.

6 MS. McFETRIDGE: Second.

7 CHAIRMAN ZOOK: Moved by Ms. Chambers, second by
8 Ms. McFetridge.

9 All in favor?

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRMAN ZOOK: Opposed?

12 Okay. Motion carries. It will be on the
13 February agenda, and then the meeting is the second
14 Thursday of February.

15 MR. DUGAN: Thank you.

16 MS. FLINN: Thank you so much.

17 CHAIRMAN ZOOK: Thank you, Board.

18 SECRETARY KEY: Now, Madam Chair, if we could go
19 back to the question -- Ms. Chambers' question
20 earlier?

21 CHAIRMAN ZOOK: Sure.

22 SECRETARY KEY: I don't think we need Taylor for
23 this. Dr. Pfeffer -- I know she was on her way up at
24 one point and maybe wants to help, but I'll try.

25 So what -- so you asked if we could expect more

1 of these. So you know the timing of these two cases,
2 we have to go back to where we had an attorney who
3 had been called up for active duty and during that
4 time we were short-handed. So the interaction -- I
5 think we might've been short-handed on investigators
6 too at the time. So the interaction between
7 investigators and the PLSB attorney was very
8 difficult just because of the length of time. And
9 the active duty situation was very extended, and then
10 it extended again, so we were unable to hire a
11 permanent replacement; so the attorneys -- and Mr.
12 Dugan especially -- were filling in. And so, we have
13 now hired an attorney to be in that role. It even
14 goes back to when we had an attorney who took a
15 position at a school district who was kind of a
16 managing attorney over that area. So after about two
17 years or so of just being at various stages of being
18 short-handed, we now are fully staffed. The new
19 attorney is coming onboard I think Monday or sometime
20 soon.

21 DR. PFEFFER: Two weeks.

22 SECRETARY KEY: Two weeks. All right. So
23 anyway, we don't expect -- I mean there's still
24 cleaning up of docket and backlog docket, but we
25 don't expect that you will be seeing -- I hope not --

1 anymore of these types of cases. There may be a few
2 that are still working through the system. But I
3 think going forward you're going to see a much more
4 expeditious work product coming from the PLSB.

5 CHAIRMAN ZOOK: So would us not having the
6 attorney so they can have the hearing have affected
7 the beginning of the investigation, or is that what
8 you're saying -- because y'all were short of
9 investigators also?

10 SECRETARY KEY: I think it's all of the above.
11 At different times, it's been all of the above.

12 CHAIRMAN ZOOK: Okay. Through no fault of the
13 Educator?

14 SECRETARY KEY: Well, I wouldn't say that,
15 because each case is different. So that would go to
16 delays or requests for delays or anything like that
17 that might've come from the Educator in any of these
18 cases. So I wouldn't want to generalize that.

19 CHAIRMAN ZOOK: Okay. Thank you.

20 DR. MOORE: May I ask a further question on
21 that?

22 CHAIRMAN ZOOK: Yes, Dr. Moore.

23 DR. MOORE: And this is maybe something I should
24 flesh out outside of right now. But I know that PLSB
25 is also limited in that it's a voluntary board with a

1 certain number of people. Has there ever been any
2 conversations -- and I know that's in legislation --
3 but about talking with legislatures about the makeup
4 and comprise of that -- maybe larger, in a different
5 form, so that that body would not be so overburdened?

6 SECRETARY KEY: We have made adjustments to the
7 membership of the PLSB as we've seen, you know, the
8 need for it over time. I think you just have a
9 situation now where -- there are a lot of things that
10 are in place now that weren't in place 10 years ago
11 with respect to social media, different things like
12 that, where cases that may not have come before us in
13 the past are now coming --

14 DR. MOORE: Right.

15 SECRETARY KEY: -- and PLSB has to work through
16 it, so --

17 DR. MOORE: And I greatly appreciate that work.
18 But I -- and I would like to have a superintendent
19 there, you know, at every hearing case, but also
20 knowing that that superintendent is taking time off
21 from their district to come be there.

22 SECRETARY KEY: Right.

23 DR. MOORE: I know it's a hard place to be.

24 CHAIRMAN ZOOK: Dr. Pfeffer.

25 DR. PFEFFER: Yes. And Ivy Pfeffer with the

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Division.

One thing that I want us to look at is -- I think it was 2015 when there was a change made in the process where you not only have the Subcommittee hearing, then you have an Evidentiary hearing if an Educator chooses to do so. Prior to that, there weren't a lot of evidentiary hearings that were done. And I don't think we lengthened the timeline; I think that just got to be an added component. And now it's become very, very common practice for an Educator to go ahead and have an attorney and they go beyond the original recommendation to that Evidentiary Hearing Panel, so -- and every time there's a report done or something sent to the Educator there's always a 30-day period where they can respond. And if a change is made, then you have to go back and there's this constant length of timeline that I think we want to look at and determine are these legislative changes that need to be made or are they changes we can make within our processes and rules. And another component could even be -- and now Karli Saracini is here; she has experience, not only as a PLSB member but experience here at the Department of Ed., and now leading the Division. I think it will -- her expertise will help; she's got extensive experience

1 with human resources. But there may even need to be
2 some thought about should cases be elevated based on
3 the type of case that it is and some flexibility to
4 be able to say, okay, when it's a case of this
5 serious nature, especially with children, should that
6 maybe be expedited or some kind of shifting versus
7 something that would be, you know, a different type
8 of event. And, again, those may need to be
9 legislative changes. But we're going to start really
10 working hard on that immediately and we'll, you know,
11 keep you all updated on what we find. Because I
12 appreciate the difficulty you had today, and I will
13 say too that we are really going to be watching that
14 so that you're not put in this position again.

15 CHAIRMAN ZOOK: Thank you.

16 And welcome, Ms. Saracini. We're glad to have
17 you.

18 A-4: MULERIDER LEARNING EDUCATORS ADVANCED PRACTICUM (LEAP)

19 CHAIRMAN ZOOK: Item Number 4, the Mulerider
20 Learning Educators Advanced Practicum (LEAP). We had
21 these people before us about some other districts,
22 and we will let them make their presentation or make
23 -- let Ms. -- you're not Mr. Rowland.

24 MS. JACKS: I'm not. I'm Melissa Jacks, as most
25 of you know, and I'm with Educator Licensure, on

1 behalf of Michael Rowland today.

2 And Ms. Zook just introduced about the LEAP
3 program which was before you in August. Dr. Dobbins
4 has come back today with some more districts that she
5 would like to add to that program. And at this time
6 I'll just ask Dr. Dobbins to come up.

7 CHAIRMAN ZOOK: Okay. Thank you.

8 When you come to the microphone if you will get
9 your mouth as close as you can to it and identify
10 yourself.

11 DR. DOBBINS: Hi. I'm Neelie Dobbins from SAU.
12 I'm Chair of the Department of Teacher Ed.

13 And I am here with five other districts this --
14 today to add to our program. We added one in August
15 as our pilot and then we added four more in November,
16 and now we have five more that have come onboard --
17 not to mean that we're going to have people in 10
18 districts doing LEAP this semester, but that have
19 just talked about the opportunity and would like to
20 have this opportunity going forward. So we thought
21 we would come again as a group and share it with you
22 guys.

23 Do y'all have any questions for me? I think
24 since you guys know about it --

25 CHAIRMAN ZOOK: Yeah. Let me start on this

1 side. Ms. McAdoo, do you have any questions?

2 MS. McADOO: I do not.

3 CHAIRMAN ZOOK: Dr. Moore?

4 DR. MOORE: Yes. Thank y'all for coming up here
5 today. We know -- I guess we've seen this a couple
6 of times with y'all's program, and others, this year.
7 And I know that y'all are really working to give your
8 pre-service teachers opportunities, as well as your
9 districts. But I do have some concern that you are
10 growing too quickly and that those approved today
11 will be placed this semester, which is a challenge.
12 Is that true? Or what will that look like?

13 DR. DOBBINS: No. Okay. So we actually have
14 two people that are being considered, but not
15 actually from any of these districts.

16 DR. MOORE: Okay.

17 DR. DOBBINS: So we have one Spanish Education
18 student teacher that is being placed in a teacher's
19 classroom this semester that is pregnant; and so when
20 she goes on maternity leave she -- he will take over
21 her classroom for the weeks that she's out. We have
22 another situation -- and that's in Magnolia. We have
23 another situation in El Dorado where a teacher has
24 broken her back and thinks that she is going to be
25 able to make it through May. But we have a student

1 teacher in that classroom that is eligible, and if
2 the teacher ends up having to have surgery she will
3 then take over as the long-term sub in that
4 classroom.

5 So those are the only two that we have in place
6 for the spring at this second. So these districts
7 are really just so that we can be prepared when we
8 are starting the student teachers in -- you know,
9 once we get them all placed in May. And then we send
10 a list out to them so they can kind of hire over the
11 summer, if nothing else --

12 DR. MOORE: Okay.

13 DR. DOBBINS: -- comes open.

14 DR. MOORE: Okay. And I guess -- and I know
15 that -- I don't want to ask this in an unfair way --

16 DR. DOBBINS: No, you're good.

17 DR. MOORE: The program is not so that districts
18 can fill vacancies, but it's so that your students
19 are -- I mean you are preparing your students the
20 best way possible. Is that correct?

21 DR. DOBBINS: Yes. And so I mean obviously our
22 hope is that our districts all find qualified
23 teachers in classrooms. But if they can't -- and
24 that often happens in south Arkansas -- either our
25 MAT candidates or our student teachers, as a last

1 resort -- I mean, well, our MAT can, so I wouldn't
2 say it would be a last resort, because they're in the
3 program for that. But then our student teachers
4 would then be able to help fill those voids at any
5 time for whatever the situation -- long-term sub for
6 the pregnancy issue or, you know, a sickness. Or if
7 there's truly by the end of July no one that has
8 applied for a position and we have a student teacher
9 who can do it, then that would be better than putting
10 someone in a classroom that does not have experience.

11 DR. MOORE: Okay. And then, from that remind me
12 -- if you are those student teachers, how much
13 classroom time do they have before?

14 DR. DOBBINS: Before, they have a significant
15 amount and, truly, off the top of my head -- I don't
16 want to misspeak about hours; it's dependent on the
17 program. But they have around 100 hours-ish between
18 Intro to Ed. field experience, one field experience
19 to -- prior to going out and student teaching. They
20 teach multiple lessons throughout. We also have
21 experiences in all programs, like family nights, STEM
22 days, all those kinds of things. So they get a
23 pretty significant amount of experience prior to
24 student teaching.

25 DR. MOORE: Okay. I think, last, I mean I don't

1 have to have every district come up, but I want a
2 commitment that they're working to have strong
3 mentors --

4 DR. DOBBINS: Yes.

5 DR. MOORE: -- for those teachers.

6 DR. DOBBINS: Definitely. Yes, definitely. And
7 actually that's the one thing I told them all is
8 we're going to make sure that you guys -- that we --
9 that they all have promised and talked with me in
10 regards to the types of mentors they're going to have
11 and the support they have. It looks a little bit
12 different in most -- you know, in the districts, but
13 full support in all of them.

14 DR. MOORE: Okay. Thank you.

15 DR. DOBBINS: Uh-huh.

16 CHAIRMAN ZOOK: Mr. Williamson.

17 MR. WILLIAMSON: No.

18 CHAIRMAN ZOOK: Ms. McFetridge.

19 MS. MCFETRIDGE: How much training have they got
20 in the Science of Reading before they're in the
21 classroom?

22 DR. DOBBINS: The Science of Reading -- so we
23 have been approved through ED PREP for our Science of
24 Reading courses. We have revamped our reading
25 courses. We have teaching -- one teacher went to an

1 advanced literacy. And so for all elementary ed.
2 candidates, they've taken those courses and they are
3 Science of Reading ready and are taking the
4 Foundations test and passing it. Our middle school
5 students take six hours of literacy coursework that
6 is around Science of Reading, and that has been
7 approved as well. So they are well-versed; they know
8 it. And for middle school, all -- math, science,
9 English, social studies -- take those courses. So we
10 didn't just limit it to our English candidates.

11 MS. McFETRIDGE: And then what about the high
12 school level?

13 DR. DOBBINS: Our high school students take
14 three hours of it now, of the courses that are
15 required in Science of Reading, is the way it works
16 now.

17 MS. McFETRIDGE: Okay. Thank you.

18 DR. DOBBINS: Uh-huh.

19 CHAIRMAN ZOOK: Ms. Dean? Ms. Chambers?

20 MS. CHAMBERS: No. Thank you.

21 CHAIRMAN ZOOK: Dr. Hill? Ms. Newton?

22 MS. NEWTON: Did you help students place this
23 last fall?

24 DR. DOBBINS: Yes, ma'am. We had two in the
25 fall that were in Magnolia School District, when we

1 came and we piloted it with them, and both were hired
2 as the full-time teacher this spring.

3 MS. NEWTON: How did that process go in
4 Magnolia?

5 DR. DOBBINS: Yeah, it went really good.
6 Actually, the teachers that were in the building in
7 that same -- those same grade levels rallied around
8 them and were huge supports. The district was a huge
9 support and had people in those classrooms often, and
10 obviously we were there a lot insuring and checking
11 in with the students, and it went really well from
12 the beginning to the end. And our candidates -- I
13 mean we're kind of like a family. SAU's motto is It
14 Feels Like Home, and it really is. And our students
15 were -- and their supervisors were really close,
16 constant contact, to insure that those students were
17 capable of doing what they were doing and doing it
18 well.

19 MS. NEWTON: So if you had to describe the
20 support system for those two students, could you do
21 that for me?

22 DR. DOBBINS: Yeah. I mean it's constant. It
23 is -- between us going into the classrooms -- we have
24 three to four required observations, but then they
25 have weekly to biweekly contact always with the

1 supervisor. And any time there was a concern then
2 the supervisor would go. The supervisors also were
3 in weekly contact with their direct-whatever-person
4 that was the -- you know, kind of their mentor at the
5 school to insure that there was no problems or
6 concerns. And then just any time we -- we knew
7 partnering teachers around those teachers, and so
8 they would, you know, contact us. The districts had
9 -- the district had district support in those
10 classrooms. I mean those candidates had people
11 supporting them in their classrooms multiple times a
12 week.

13 MS. NEWTON: Okay. All right. Those were my
14 two questions. Thank you.

15 CHAIRMAN ZOOK: Okay. Mr. Pekron?

16 MR. PEKRON: No.

17 CHAIRMAN ZOOK: Okay.

18 MS. McFETRIDGE: I have one other. I'm sorry.

19 CHAIRMAN ZOOK: Okay. Ms. McFetridge.

20 DR. DOBBINS: You're fine.

21 MS. McFETRIDGE: I noticed that the Strong --
22 help me with this pronunciation --

23 DR. DOBBINS: Strong-Huttig.

24 MS. McFETRIDGE: -- has not signed the
25 agreement; they've just typed a name in. Is that

1 superintendent supportive of the program?

2 SUPT. THOMAS: I'm here. I did sign it, but I
3 think --

4 CHAIRMAN ZOOK: You'll need to come to the
5 microphone; sorry. We're being live-streamed and
6 they'll want to hear your voice and see your pretty
7 face.

8 MS. McFETRIDGE: Your name was just typed in; so
9 I was wondering if you --

10 SUPT. THOMAS: Good morning.

11 MS. McFETRIDGE: -- supported this program?

12 SUPT. THOMAS: Kimberly Thomas, Strong-Huttig
13 School District. I did sign I think what was
14 submitted, and --

15 DR. DOBBINS: That's probably my fault.

16 SUPT. THOMAS: -- it's just -- but I have signed
17 the agreement and our district is very excited to
18 have an opportunity to participate with this program.

19 MS. McFETRIDGE: Well, I thought that was
20 probably the case, but I thought it was unusual not
21 to get the signature. But thank you, and thank you
22 for being here today. We're excited about this
23 program.

24 CHAIRMAN ZOOK: And have y'all taken these
25 before your school boards?

1 (COURT REPORTER'S NOTE: A few people nod yes, a
2 few people shake head no.)

3 CHAIRMAN ZOOK: Yes, no.

4 SUPT. THOMAS: We've had a conversation with our
5 board members.

6 CHAIRMAN ZOOK: Right.

7 SUPT. THOMAS: But we've not actually had like I
8 guess a resolution from the board until we know that
9 it's an actual partnership.

10 CHAIRMAN ZOOK: Okay.

11 SUPT. THOMAS: You know, it's kind of in limbo
12 right now.

13 CHAIRMAN ZOOK: Thank you. I think the concern
14 --

15 Oh, did you have another question?

16 DR. MOORE: You can go ahead.

17 CHAIRMAN ZOOK: Okay. I think the concern I
18 have -- I went through the My School Info, which, you
19 know, now we're data rich. And thinking in terms --
20 Ms. Coffman, I may need you to help me with this --
21 on new teachers, and effective and ineffective, I'm
22 wondering -- because as I look at their lack of
23 growth, as I look at the number of students in need
24 of support, as I look at -- even at Strong-Huttig
25 where you're so small we can't even look up to see

1 what your achievement and growth are -- I'm not sure
2 that the teachers that are currently there are as
3 well prepared to be -- to mentor someone else. And I
4 don't know those teachers; they may be --

5 DR. DOBBINS: Right.

6 CHAIRMAN ZOOK: -- the best teachers in the
7 state. I am certainly not pointing fingers at them.

8 DR. DOBBINS: Right.

9 CHAIRMAN ZOOK: I just know that based on the
10 data that there -- I have concern about whether these
11 student teachers are going to be able to become
12 effective teachers with the mentoring that they may
13 be getting here.

14 DR. DOBBINS: Okay. So let me also say this:
15 SAU has kind of -- well, so we have MAT candidates
16 all over the state.

17 CHAIRMAN ZOOK: Right.

18 DR. DOBBINS: So we had to -- and I can't be
19 everywhere and I'm the only -- I'm the director of
20 the program. So we had to revamp internship, and
21 that is also what we have now decided we're going to
22 do with student teaching. Because we really do at
23 SAU believe in PLCs and that is at the heart of what
24 we're doing; our department is a PLC one-hundred
25 percent for our candidates. We look at their

1 specific data and figure out how to do it and how to
2 make them grow.

3 And so what we've done with student teaching and
4 with MAT internship is in Blackboard they are -- they
5 have modules that are biweekly; so, you know, they're
6 kind of in two-week modules. And they are doing many
7 lessons, observing each other, talking about "this is
8 what I did in it," "this is what I need help with,"
9 and they're talking to each other about it. We're
10 observing them.

11 CHAIRMAN ZOOK: Okay.

12 DR. DOBBINS: And so I think with that added
13 piece they're not only helping each other, but we're
14 able to help them and see -- and they're learning
15 about really that reflected improvement. And so we
16 piloted that this fall and we are moving to do that
17 this spring with our student teachers. So I couldn't
18 quite say, like when Ms. Newton asked what it was
19 like in the fall, all of our student teachers are
20 going to be in a situation like that. So not only
21 are our supervisors going to be going out with them,
22 but they are going to be doing very directive things
23 that is very reflective on their practices, watching
24 themselves, watching each other, giving each other
25 feedback. So I think that that support also is going

1 to help them and we're going to be able to catch
2 practices, and in a small video or a long video
3 you're able to go "here's the things that you've got
4 to work on before I see you in two weeks again." And
5 so that truly, I believe, is going to also help and
6 give them a lot more support.

7 CHAIRMAN ZOOK: And what is your current pass
8 rate of your different students? And how many
9 students do you have in your teacher prep programs?

10 DR. DOBBINS: So, okay. So our current teacher
11 prep program -- I can -- I would hate to give a
12 number that I don't know off the top of my head.

13 CHAIRMAN ZOOK: Well --

14 DR. DOBBINS: So, I'm sorry. But I know that we
15 have approximately 60 student teachers this spring.
16 For those that are in LEAP, meaning they've passed
17 all their tests and they are ready for licensure,
18 there are currently, I think, about 13 that have --
19 they're ready. Now two applied as student teaching,
20 and so there's a caveat when I say that; they have to
21 provide us with a ticket that they have signed up for
22 their test. Okay. Because we have a -- our issue is
23 that the semester before they're still in some of the
24 Science of Reading courses, and so we have a hard
25 time saying that you must have passed when you're

1 still learning content. And it's the same way with
2 some of our secondary. When they're still getting
3 that secondary content the semester before, then I
4 can't -- you know, it's hard, because student
5 teaching packets are due at the end of September and
6 so they might not have passed their tests yet. And
7 so when they submit those, they only have to submit a
8 ticket and they have to have taken it by March.
9 Okay. But I will say we just looked at licensure
10 data and we're able to -- anyone in our program that
11 wasn't licensed it's because they have chosen a
12 different career or -- we only had, out of those from
13 last year, a couple that truly just could not
14 license; and so I don't think that our candidates
15 aren't prepared to be out there. I mean I do believe
16 we have some that once they've student-taught have
17 just decided this isn't a career for me. But I don't
18 want to give you a number about specific people that
19 have passed tests right this second, in student
20 teaching, just because of the way we deal with it at
21 SAU.

22 CHAIRMAN ZOOK: Uh-huh. Because, you know, if
23 I'm in a program and I'm getting good grades --

24 DR. DOBBINS: Right.

25 CHAIRMAN ZOOK: -- and I take the test and I

1 don't pass it that makes --

2 DR. DOBBINS: That's a good sign.

3 CHAIRMAN ZOOK: -- me as a State Board member
4 think of --

5 DR. DOBBINS: Yes.

6 CHAIRMAN ZOOK: -- grade inflation, not --

7 DR. DOBBINS: Yes. So we -- I completely
8 understand that. Our pass rate on the PLT is
9 extremely high.

10 CHAIRMAN ZOOK: Okay.

11 DR. DOBBINS: And we're continuing the PLT at
12 SAU. We are not going to a different exam, pedagogy.
13 Our secondary contents have struggled in the past,
14 but we have revised them significantly, hoping to see
15 that trend change. Our middle school program was
16 taken over by a new director about three years ago
17 and it went from having maybe five people in the
18 program to it's currently got 40. She revamped the
19 program, and so we're also trying to watch that trend
20 happen. But one thing that I can say that we have
21 done is -- for example, elementary, we noticed that
22 they weren't passing the science exams; so we added a
23 second science course and figured out a different
24 course that we could remove. We did the same thing
25 for social studies in our elementary programs. So

1 we're constantly looking at what's happening --

2 CHAIRMAN ZOOK: Good.

3 DR. DOBBINS: -- looking at the content that's
4 in our programs, and insuring that the decisions we
5 make, one, are data-based, and, two, are to insure
6 that the candidates that leave our campus are truly
7 ready for classroom and the content that they have.

8 CHAIRMAN ZOOK: Okay. Dr. Moore, do you have
9 any more questions?

10 DR. MOORE: Yes. And I'm sure we talked about
11 this earlier --

12 DR. DOBBINS: You're fine.

13 DR. MOORE: -- in the fall. But what is the
14 timeline on this?

15 DR. DOBBINS: Oh.

16 DR. MOORE: Does it end up in an agreement or --

17 DR. DOBBINS: At this point that's -- you know,
18 I think -- well, our hope is -- I mean I can come
19 back in and provide you guys with updates at any
20 time. I know that we've said that we will provide
21 you guys with that. But we don't anticipate having
22 to come in front of you guys unless y'all really just
23 want to see me, you know, yearly to say, "Hey, can we
24 keep going with all these districts."

25 CHAIRMAN ZOOK: Well, perhaps if you'll keep Ms.

1 Jacks informed --

2 DR. DOBBINS: Definitely, yeah.

3 CHAIRMAN ZOOK: -- then if she has concerns she
4 can bring them to us.

5 DR. DOBBINS: Yes. That would be great.

6 CHAIRMAN ZOOK: Will that work for you? Okay.

7 DR. MOORE: Yes. I think I said this before
8 too, but I think I would like to hear from all the
9 universities doing this, and other programs like
10 Opportunity School Culture, that are doing, you know,
11 this similar thing of taking someone not yet licensed
12 and allowing them in a classroom. Because I think
13 they can all learn from each other and we can learn
14 from all the different models and shape our thinking
15 moving forward.

16 CHAIRMAN ZOOK: Okay. Ms. Jacks, you heard
17 this?

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

19 CHAIRMAN ZOOK: Okay. Do I have a motion on
20 this item?

21 MS. NEWTON: Move to approve.

22 DR. HILL: Second.

23 CHAIRMAN ZOOK: Moved by Ms. Newton, second by
24 Dr. Hill.

25 All in favor?

1 (UNANIMOUS CHORUS OF AYES)

2 CHAIRMAN ZOOK: Opposed?

3 Motion passes.

4 DR. DOBBINS: Thank y'all.

5 A-5: ARKANSAS TECH UNIVERSITY GUIDELINES FOR INTERNSHIP AND
6 LONG-TERM SUBSTITUTION

7 CHAIRMAN ZOOK: Item 5 is Arkansas Tech
8 Guidelines for Internship and Long-Term Subs.

9 MS. JACKS: Yes. Melissa Jacks.

10 And we also have today Dr. David Bell from
11 Arkansas Tech, and he is here to present a plan for
12 internship options with partnering districts. The
13 Hector School District is here with him today.

14 CHAIRMAN ZOOK: Did you say Hector?

15 MS. JACKS: Hector.

16 CHAIRMAN ZOOK: Okay.

17 MS. JACKS: And they are representing a district
18 in need of this.

19 CHAIRMAN ZOOK: Okay. When you come to the
20 microphone, if you will speak clearly and state your
21 name.

22 DR. BELL: Good morning. David Bell, Arkansas
23 Tech University. I'm the director of Licensure and
24 Support Services at Arkansas Tech. I'm a relative
25 short-timer there; I've been there 33 years, so maybe

1 they're going to keep me for a while.

2 But what you have in front of you is written in
3 response to needs in our area districts that are our
4 partner schools. We are very appreciative of the
5 support that they provide for us, and in return we
6 want to be supportive of their needs. From time to
7 time they have a need for long-term subs that they
8 can't fill with qualified candidates, and we have
9 decided that our interns might help with that, and so
10 that's what the policy that you have in front of you
11 is in reference to. It has some teeth in the policy.
12 First of all, these requests would have to be
13 initiated by the district; they'd have to make a
14 request to us that they had a really acute need to
15 put someone in their classroom. And then we would
16 take a look at whether we had interns that might help
17 them with that. The intern would have to have passed
18 all the appropriate Praxis tests for their field;
19 they would have to have a 3-point cumulative or above
20 to be considered for this program; and they would
21 have to have the approval of their advisor. At Tech,
22 most of the time their advisors would wind up being a
23 division or a department chair. But in reality,
24 anybody that we would suggest for this I would look
25 at it as Licensure Officer; our placement person --

1 we've just hired a new one -- she would look at it;
2 the Dean, the Associate Dean would look at it. We're
3 talking about quality candidates that we feel
4 comfortable could go out there and do a good job with
5 that. And -- yes, ma'am.

6 CHAIRMAN ZOOK: And what about the supervision
7 on-site?

8 DR. BELL: Okay. We would provide any -- well,
9 they'll get the basic supervision that all interns
10 would get, but then above and beyond that, we will
11 work closely with any districts. As an example,
12 Hector is 20 miles away from us, so anything they
13 needed to be successful beyond a regular internship
14 they would get.

15 And then if you would allow Mr. Taylor to come,
16 he can talk specifically about what the district
17 would be prepared to do and he could even talk about
18 the one candidate that we have in mind, if you
19 approve this policy. Okay?

20 CHAIRMAN ZOOK: Wait. If you'll wait just a
21 second.

22 DR. BELL: Sure.

23 CHAIRMAN ZOOK: Do any of you have questions of
24 him before we bring the superintendent up?

25 Ms. Newton.

1 MS. NEWTON: Good morning. I'm just going to be
2 honest, I have some concerns. Okay? And my concern
3 is the support system for these teachers that -- or
4 interns that are going to be placed. Because the
5 statement that I'm reading on your plan says the
6 student -- the school district will provide the
7 novice teacher support for these candidates, as
8 required by the Department, just as it would for any
9 beginning teacher. But these are not the same as any
10 beginning teachers because they are not going to have
11 had that intern experience to rely on. And --

12 DR. BELL: Well, you're correct; they wouldn't
13 have the intern experience. But the programs in
14 Arkansas, because of our NK, now K accreditation have
15 very, very significant field experiences before they
16 get to internship. For example, in our program
17 everybody has done 50 or 60 clinical experience hours
18 and then they would have done an Internship 1
19 experience, which would be another 80 or 90 hours.
20 These are candidates that would be an Internship 2
21 experience, so they would already have lots of work
22 on the side. But you're absolutely correct, they
23 would not have the -- what we call Internship 2 to
24 support them; so that's why we would be prepared to
25 provide any extra support that they might need. And

1 we're going to work closely with the district,
2 because they're going to see them on a daily basis;
3 they're going to be right there in the district.

4 MS. NEWTON: And my -- one of my other concerns
5 is, it seems like you're saying that you're going to
6 provide support, but you don't have a detailed plan
7 of what that support is going to look like.

8 DR. BELL: Well, as a minimum, all of our
9 interns receive a minimum of four visits from a
10 supervisor from Arkansas Tech University. People
11 that are hired under this plan, of course, would not
12 have what's called a supervising teacher or
13 cooperating teacher in the public schools. But what
14 we envision is their curriculum supervisor would
15 serve in that purpose, the principal in the district
16 would serve in that purpose -- and in the case of
17 smaller districts the superintendent would actually
18 be involved in monitoring and making sure that they
19 have the support that we need. And we share your
20 concern. Those are very legitimate concerns.

21 MS. NEWTON: I would encourage you, if this goes
22 forward, to sit down and develop a specific idea of
23 what plan of support that you're going to give these
24 teachers once they get out into these different
25 situations.

1 My other question is you talk about that the
2 districts had to initiate and ask for the interns, as
3 for a situation. Are you envisioning just specific
4 districts or are you envisioning any district in the
5 state?

6 DR. BELL: Well, if this is approved, initially
7 there will be one district; it'll be Hector. And
8 then if we have needs beyond that we would come back
9 to this board with those specific districts.

10 MS. NEWTON: So this plan right now is only
11 going to approve for this one intern at Hector; is
12 that what you're saying?

13 DR. BELL: Correct.

14 MS. NEWTON: Okay.

15 DR. BELL: We would assume though that if it --
16 and we're going to monitor and assess carefully how
17 this works -- and, of course, that'll be all a part
18 of our K accreditation report that we share and we'll
19 make any adjustments that we need based on how this
20 works. We don't envision we would have lots of
21 requests for this, but we envision this as a way to
22 help our partner schools when they have a really
23 acute need and they can't, you know, place a fully
24 licensed teacher back in the district. And I think
25 you'll better understand this when Mr. Taylor gets to

1 describe his situation.

2 MS. NEWTON: Could you tell me what grade level
3 and subject area that you're looking at?

4 DR. BELL: Yeah. This particular case, the
5 young man is a middle level educator; his field is
6 science and social studies. He's a 3.72 cumulative
7 average GPA. He has the support of the College of
8 Education people at Tech, and he would be teaching
9 primarily science at Hector. But Mr. Taylor can tell
10 you specifically what his schedule would be.

11 CHAIRMAN ZOOK: Okay. Mr. Pekron?

12 MR. PEKRON: Nothing.

13 CHAIRMAN ZOOK: Ms. McAdoo? Dr. Moore?

14 DR. MOORE: Yes. So have you looked at the
15 program at UAFS or SAU or --

16 DR. BELL: Yes, I've looked at both of them.

17 DR. MOORE: How -- why did y'all choose to do
18 this approach as a long-term sub as opposed to --

19 DR. BELL: Well, as I understand it, theirs is
20 more aligned toward providing employment
21 opportunities for them as they finish the program.
22 The one I looked at at -- I believe it was UALR, I
23 think, they had to even have an offer of employment
24 before they could be in the program. And we wanted
25 to do ours -- not that we don't want our candidates

1 to be employed, because certainly, you know, we do;
2 but we view this more as a service to our partner
3 schools when they have an acute need to put a really
4 qualified person in their classroom. I mean would we
5 rather have someone as a sub that has little or no
6 college training and no teacher preparation, or
7 someone who is an intern and they've had three-and-a-
8 half years of college and a built-in support system?

9 DR. MOORE: And I guess I'm trying to wrap my
10 mind around -- but you also want this to be a great
11 experience for that person.

12 DR. BELL: Absolutely.

13 DR. MOORE: I mean it's not just to fill a hole
14 or --

15 DR. BELL: Absolutely.

16 DR. MOORE: I think echoing Ms. Newton, I want
17 to see more of how are you all and how is that local
18 district supporting that teacher. And if we were to
19 approve this, you know, and you could do it with
20 anyone what's stopping you from having 20 next year?
21 And do y'all have the capacity to do that and all
22 that?

23 DR. BELL: Well, there's a couple of things that
24 would be stopping us from having 20. One, we
25 certainly don't have the support system to --

1 DR. MOORE: Okay.

2 DR. BELL: -- to support 20, I can tell you
3 honestly. And I don't remember the name -- last year
4 we had the Dover School District with one applicant
5 and we didn't appear before the State Board because
6 Joan Luneau handled all the paperwork for that and it
7 was very successful. The applicant was very, very
8 pleased with what had happened; the district was
9 extremely pleased with what happened. If you would
10 like that name, I'd be happy to look that up and get
11 that to Melissa. But that's actually what started
12 our thoughts about doing this.

13 DR. MOORE: I think some of the other programs
14 -- and maybe Melissa can correct me if I'm wrong --
15 are doing this where that teacher becomes Teacher of
16 Record.

17 DR. BELL: This teacher -- this would be a
18 Teacher of Record --

19 DR. MOORE: But they'll be --

20 DR. BELL: -- because they're long-term subs.

21 DR. MOORE: -- paid as a long-term sub, not as a
22 teacher in that case?

23 DR. BELL: Correct. Yes. And that part would
24 be different.

25 DR. MOORE: Okay. Why did y'all decide to go

1 that route, or is that a district choice?

2 DR. BELL: Well, I mean we would be happy to
3 consider other choices. We just thought that would
4 be an appropriate way to start this.

5 DR. MOORE: Okay. Okay.

6 CHAIRMAN ZOOK: Mr. Williamson?

7 MR. WILLIAMSON: I don't think I have anything.

8 CHAIRMAN ZOOK: Okay. Ms. McFetridge?

9 MS. McFETRIDGE: I have a question I think for
10 Ms. Jacks.

11 CHAIRMAN ZOOK: Would you straighten your
12 microphone?

13 MS. McFETRIDGE: Doesn't the Department have to
14 approve all long-term subs? Have I got that wrong?

15 MS. JACKS: Yes, ma'am, we do. We have to
16 approve all long-term subs. And when they don't have
17 a bachelor's degree -- that's why these programs are
18 coming before you asking for these types of different
19 waivers or programs and pilots that they're working
20 through.

21 MS. McFETRIDGE: So tell me the process then.
22 If Hector decides they need a long-term sub, don't
23 they first come to the Department --

24 MS. JACKS: Yes.

25 MS. McFETRIDGE: -- to get that approval?

1 MS. JACKS: They will apply for a long-term sub.
2 Yes, ma'am. And if that person doesn't have a degree
3 we would deny that long-term sub application. And
4 that long-term sub is over 30 days. So in these
5 cases, if it was someone that was in one of these
6 partnerships through the University and through the
7 school district then we would approve it.

8 MS. McFETRIDGE: Okay.

9 MS. JACKS: Thank you.

10 MS. McFETRIDGE: That clears my mind. Thank
11 you.

12 DR. BELL: And I can tell you that this
13 individual's application is already on file with
14 David Baca at DESE and we're awaiting what this board
15 does in terms of how to move forward with that.

16 CHAIRMAN ZOOK: Okay. This is a concern that --
17 it's not unique to Tech, but we ask the same question
18 of all the universities. Where are you all with
19 regard to having professors that are trained to use
20 the Science of Reading as far as teaching these
21 teachers --

22 DR. BELL: Yes. We're very active in the
23 Science of Reading. All our reading -- our
24 professors are active in the statewide group that
25 meets routinely talking about the Science of Reading.

1 You know, we have our courses aligned on campus with
2 the Science of Reading. We're working closely with
3 DESE and all of their requirements for that.

4 CHAIRMAN ZOOK: Okay.

5 DR. BELL: We have some outstanding reading
6 professors. We've been very fortunate to be able to
7 hire and keep them.

8 CHAIRMAN ZOOK: Okay. And are the ones who will
9 be overseeing this gentleman, as well as others -- I
10 know it's science, but you have to read in science.
11 Are they trained as observers -- or there's probably
12 --

13 DR. BELL: Yes, they're all --

14 CHAIRMAN ZOOK: -- different terms.

15 DR. BELL: All of our professors are very
16 familiar with the TESS system.

17 CHAIRMAN ZOOK: Okay.

18 DR. BELL: They're trained observers. We
19 routinely do calibrations to see that our professors
20 are accurate and reliable and see things basically
21 the same way when they look at it.

22 CHAIRMAN ZOOK: Okay. Thank you.

23 The superintendent -- if you'd like to come up
24 and sell us on this program, and then we'll take a
25 vote.

1 SUPT. TAYLOR: Yes. Mark Taylor, superintendent
2 of Hector School District.

3 CHAIRMAN ZOOK: Welcome.

4 SUPT. TAYLOR: Our situation was kind of unique,
5 and it's not ideal. We just had a science teacher
6 resign before the very first day of school and we
7 could not find a certified person to take that role;
8 so we used Virtual Arkansas for the first semester.
9 However, some of our stakeholders were concerned, as
10 well as I am. Science is hands-on; 20% of that
11 subject area is labs, so we were concerned about not
12 getting that hands-on experience from science. So I
13 reached out to Arkansas Tech. We actually had a
14 candidate. This young man is a homegrown student of
15 ours who graduated in 2014, top of his class, excited
16 that he was a biology science major. So I started
17 working with Dr. Bell, with the possibility of
18 working with him as an internship -- doing his
19 internship in these classrooms. So we have a lot of
20 support for this young man, we feel like, with our
21 curriculum coordinator. We also have two teachers
22 that will be side-by-side with him, both science
23 teachers -- a secondary science 9-12; we also have a
24 middle level science that will be working with him.
25 Both of these are experienced teachers and have

1 tremendous experience over the years -- one 43 years,
2 one 27. So I feel like we have a great support
3 system in place for this young man. Obviously, he's
4 one of ours; we want him to succeed. If -- and my
5 plan is to hire him full-time as a certified teacher
6 if this semester goes well and he completes his
7 internship. We want to make sure that we can, you
8 know, hire him full-time into this position.

9 CHAIRMAN ZOOK: Okay. Does anyone have
10 questions of the superintendent?

11 DR. MOORE: I appreciate you speaking. I think
12 it alleviates a lot of my concerns about a support
13 network and what that looks like. I want to make
14 sure from the Department -- I think I only want to
15 approve this for this case and if more districts want
16 to be added I feel like, as we've done with ASU, they
17 would need to come back. Is that --

18 Okay.

19 CHAIRMAN ZOOK: Okay. Ms. Saracini has
20 something to say, if you'll give her a chance.

21 MS. SARACINI: Karli Saracini, the new Assistant
22 Commissioner of Educator Effectiveness and Licensure.

23 And, yes, we are wanting to make sure that we
24 have procedures in place and that we have that
25 support system. And with -- we will work with the

1 recruitment and retention process and make sure that
2 the mentoring is there as well, and work with the
3 districts and with the universities. And so make
4 sure that we have a plan for everyone that wants to
5 go through this process, because we know that if
6 they're not successful they leave the profession
7 within five years. So it's vital that we make this
8 experience not only for the district and the
9 students, but also for a potential teacher lifer. We
10 want to retain those.

11 DR. MOORE: Okay. So we ask that if -- you
12 know, if next semester --

13 MS. SARACINI: Yes.

14 DR. MOORE: -- this would be -- the district
15 would have to come before us to approve that?

16 MS. SARACINI: Yes. Because I really think it
17 probably needs to be district, then the partnership
18 with the university -- or maybe it may be an
19 alternate plan.

20 DR. MOORE: Okay.

21 MS. SARACINI: Okay?

22 DR. MOORE: Thank you.

23 CHAIRMAN ZOOK: Thank you.

24 Secretary.

25 SECRETARY KEY: Yeah. Just to remind the Board

1 that I think we're in our second year of how we do
2 teacher mentoring now through the co-ops.

3 DR. BELL: Yes. Correct.

4 SECRETARY KEY: So, you know, that's -- before
5 it was school based or district based; now it's co-op
6 based. I'm not saying that one is going to create a
7 strain on the co-op; I wouldn't say that at all. But
8 if this is something that grows, that is something we
9 need to work with our co-ops too on and -- just to
10 add to what Karli mentioned to y'all.

11 MS. CHAMBERS: Mr. Secretary, could I ask -- go
12 ahead.

13 SUPT. TAYLOR: Well, this is -- like for our
14 district, this would not be -- this is not something
15 that we -- a long-term solution; this is not
16 something we're going to look for every time.
17 However, at times math and science are very hard for
18 small rural districts to come by. So in my four
19 years, this is the first time that we've had a
20 situation where we just could not fill a position --
21 a certified position, so --

22 CHAIRMAN ZOOK: Ms. Chambers.

23 MS. CHAMBERS: I so appreciate the creativity
24 that individual school districts are bringing to bear
25 on what continues to be an opportunity that -- and I

1 would say past a licensure. So my question for the
2 Secretary is -- Mr. Secretary is I think we've heard
3 multiple variations on a theme in terms of creating
4 capacity where we need it. And I just wonder if
5 there's an opportunity at some point to hear --
6 because you've heard several questions -- we've heard
7 versions of this, but it's not quite the same, in
8 different districts which is great. But at some
9 point do we look for commonality? Do we look for
10 best practices? Do we look at how to create scale?

11 And also I think it would be helpful to know how
12 many teachers as a percent of the total for the state
13 we have in some -- on an alternative path to
14 licensure, just to get a sense. We're making
15 discrete decisions that I think are very good. It
16 just helps to have context periodically on where that
17 decision stands.

18 SECRETARY KEY: Yeah, well, she can come and
19 talk about that too -- Dr. Pfeffer can. But I would
20 say that what you're seeing here is an example of
21 what we have encouraged. We have encouraged school
22 districts and our higher ed. institutions to be
23 creative in a positive way. So, you know, as far as
24 commonality I think you -- from a macro scale, the
25 commonality is, look, there are situations where we

1 need to accelerate the path depending on the need in
2 the partner districts or in the districts served by
3 the institution. You know, this is not
4 nontraditional. I mean this is an MAT candidate --
5 or is it a traditional candidate?

6 DR. BELL: No, this is an undergraduate.

7 SECRETARY KEY: Undergrad. Okay.

8 DR. BELL: Undergraduate candidate.

9 SECRETARY KEY: So in this case this is a
10 variation of how do we get somebody in a classroom
11 even faster. So that's maybe not the same as what
12 we've seen, but it's something that if we do it well
13 then we meet the need of the district, meet the need
14 of students, and we -- like I said, we accelerate
15 that time to get the experience and the mentorship,
16 which is vital. And that's where we can bring you
17 data -- well, we have data on the percentages of
18 those coming from traditional and nontraditional
19 programs; that's pretty standard. You know, where we
20 are seeing the creativity is still in small scale.
21 If you remember, the southeast Arkansas -- with UA
22 Monticello and that work that's going on there, it's
23 still a relatively small scale; right, Melissa?

24 MS. JACKS: Yes, sir.

25 SECRETARY KEY: I mean the numbers aren't big,

1 but they are big to a small district that needs a
2 science teacher, you know. So that's what I would
3 say. I mean this is just a continuation of what we
4 have asked and encouraged our partners to do, to be
5 creative -- you know, "informed risk-taking," pulling
6 that term out of our values. That's what we're
7 seeing here.

8 DR. BELL: Well --

9 SECRETARY KEY: I just want to make sure it's on
10 -- that we have the processes in place to make sure
11 --

12 DR. BELL: And up until a few years ago, you
13 know, we have had requests similar to this at Tech
14 and our answer has been no; I mean, "We'd like to
15 help you, but we don't have a way or we don't have a
16 mechanism to help you." So, you know, for the first
17 time there's actually a procedure in place that will
18 let us help some of these districts, and we're very
19 appreciative of that.

20 MS. CHAMBERS: And my comments were just -- I
21 applaud the creativity; I think it's essential. It's
22 just hearing then, as we see things that are working
23 particularly well, how could we share that and
24 accelerate it so that we are able to enjoy it across
25 the state.

1 CHAIRMAN ZOOK: And I'm sure Ms. Jacks at the
2 end of the year can give us the percent by district
3 and the percent by state that you have on long-term
4 subs, ALPs, those different kind of things. It would
5 be a lot of work for nothing if she did it each
6 month, because, you know --

7 MS. JACKS: Something tomorrow.

8 CHAIRMAN ZOOK: Yeah, yeah. But at the end of
9 the year it gives you a perspective from year-to-year
10 on those kind of things.

11 Dr. Pfeffer.

12 DR. PFEFFER: Yes. And I think something that's
13 unique about this is -- this really isn't where
14 you're talking about a long-term sub, when you all
15 were talking; I mean this person will become the
16 Teacher of Record. That raises it to a little bit
17 different level than a long-term sub that is usually,
18 you know, six weeks, eight weeks, but you still have
19 a teacher that is staying connected. So I think
20 that's a difference.

21 So I'm just going to say a couple of different
22 things that really speak to what we're working on,
23 and I think you're going to see things happening
24 pretty quickly over the next few months in the
25 Educator Effectiveness and Licensure Division.

1 One component could be the Opportunity Culture
2 work. And what that changes is that could actually
3 create a system where in a school district a student
4 intern is regularly paired with a highly effective
5 teacher, and the constant theme of their work is
6 there, in there. They're responsible for students,
7 but they constantly got that touch from a highly
8 effective teacher. That's the work they started at
9 North Little Rock and that Karli is going to be able
10 to talk to you all more about.

11 So I don't know -- I think over the last few
12 months or, you know, last couple of years we -- like
13 somebody mentioned a minute ago, if this is coming
14 from the district working with higher ed. I think
15 that's a much better approach than just having
16 several higher ed. institutions have different ways
17 that they're doing it. And I think that's where your
18 concerns are coming from. So we want to help the
19 districts have a model, so whether it's Opportunity
20 Culture -- or what we're really going to try to
21 create is a pathway for students from high school
22 participating in a teacher cadet program or a career
23 ed. teacher completer, all the way through back to
24 the district. And so, therefore, we can really close
25 the gap between preparation and practice if we've got

1 students who really work from the time they're in
2 high school all the way through their career until
3 they come back. And so they're constantly getting
4 that exposure to students, exposure to experience,
5 and they're being -- seeing teachers modeling really
6 good instruction all along the way.

7 So I think in this case approving it for this
8 situation, because you can see there's a really
9 strong partnership, is something good, but also
10 looking at each one uniquely. And hopefully within
11 the next few months we're going to be bringing some
12 solutions that districts can tap into that'll help
13 them out.

14 CHAIRMAN ZOOK: Okay.

15 DR. PFEFFER: So, thank you.

16 CHAIRMAN ZOOK: Thank you.

17 And also I wanted to thank Tech and SAU earlier
18 that you're getting involved and getting onboard with
19 the teachers with the Science of Reading. As a
20 teacher, I can tell you it would've been really
21 helpful to me had I been taught that at college
22 instead of having to learn it after the fact.

23 So, do I have a motion?

24 MS. NEWTON: Move to approve.

25 CHAIRMAN ZOOK: Moved by Ms. Newton to approve.

1 MS. McFETRIDGE: Second.

2 CHAIRMAN ZOOK: Second by Ms. McFetridge.

3 All in favor?

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIRMAN ZOOK: Okay. Thank you very much.

6 DR. BELL: Thank you.

7 A-6: HIGH SCHOOL COURSE REQUIREMENTS

8 CHAIRMAN ZOOK: Ms. Smith.

9 The Joint Ed. was meeting the other day and they
10 just wondered do we ever look at these and how often
11 do we look at these, and do we ever look at these and
12 do we care. And, you know, it got batted around, and
13 all they'd had to do is ask Ms. Smith; "Yes, they
14 look at them every year. They study them carefully.
15 We answer questions." So, everybody can relax.

16 MS. SMITH: Stacy Smith, Learning Services.

17 Ditto.

18 Based on the meeting that happened Tuesday, I
19 actually came back yesterday and pulled numbers and
20 I'm providing you a document right now that actually
21 has some numbers on it. They asked some really good
22 questions and provided information about changes
23 we've made and the number of students who are
24 actually taking courses on changes we've made. And,
25 you know, you see declines when we remove courses

1 from the 38; so the question becomes where are those
2 students going and what courses are they taking in
3 its place. So I want to kind of walk you through
4 some changes we've made in the past and how that has
5 impacted, and then the recommendations for this year.

6 First, on the first sheet that looks like this
7 that you did have as an attachment, there is one
8 revision on here that I want to bring you -- make you
9 apprised of. ELA Drama, half-credit, that got left
10 off of the one that's on your attachment. And then
11 also under Mathematics, before the course on here we
12 just had it labeled as Statistics; but then on the
13 data sheet the official name for that course is
14 Linear Systems and Statistics. So I wanted to make
15 sure that we had the correct name on there and that
16 was aligned. Okay.

17 CHAIRMAN ZOOK: To that point, a lot of our
18 business leaders/stakeholders are -- have given a lot
19 of feedback that they're thrilled that we have the
20 statistics in there because they --

21 MS. SMITH: Right.

22 CHAIRMAN ZOOK: -- say in so many professions
23 it's very helpful.

24 MS. SMITH: Yeah. Our math team is really doing
25 a lot of work and research around the statistics

1 course and what -- where that course should have its
2 emphasis area moving forward in pathways. And so
3 we've got a working group working on that right now.

4 Okay. So, first, I want to draw your attention
5 to what's new, and then I want to take you through
6 some datapoints, and then if you have some questions
7 to be able to answer those.

8 So one thing that's new on the English Language
9 Arts/6 credits is we added all of the semester
10 English 11/12 courses that you guys recently
11 approved. So next year -- and I'll tell you, I don't
12 really look to see a lot of schools next year do
13 this. Okay. It takes time for them to make a big
14 decision like this, to switch over from yearlong
15 courses to semester courses. But they are on this
16 list and schools could offer four of the 11/12
17 semester courses in place of the full-year English
18 11, full-year English 12 course. Okay. But at this
19 time school districts are already getting their
20 schedules ready for next year. We have had a couple
21 that have called and they're asking questions around
22 it, but there's still capacity-building to happen
23 there. So I actually look for maybe some school
24 districts to maybe start but not fully jump to that
25 for their 38.

1 MS. NEWTON: So could -- since it's a big jump
2 to offer four could they jump in maybe and offer two
3 in place of one, or do they have to go ahead and go
4 to the full four?

5 MS. SMITH: That's a great question. We had
6 basically kind of said you would be going to the
7 four. What we would probably see there is we would
8 see districts still offering the 11 and 12, and then
9 if they were going to offer two of these it would be
10 in addition to the 38.

11 MS. NEWTON: Okay.

12 MS. SMITH: Most schools don't just offer 38
13 courses.

14 MS. NEWTON: Right.

15 MS. SMITH: They're offering many more than
16 that. Okay. Those school districts that are at the
17 38 are very, very, very small high schools. All
18 right. But we're -- this document is saying this is
19 what you have to offer, and this is where we've
20 provided some flexibility that's caused some
21 conversation.

22 Okay. So we've added those four English 11 --
23 not four -- that whole list of English 11/12 on
24 there.

25 Under Oral Communication -- okay, last year we

1 brought to you two new Oral Communications classes.
2 This was the transition year; they could still work
3 on the same old Oral Communication standards they had
4 but -- or they could start transitioning to the
5 Personal Oral Communications and Professional
6 Communications. So next year it will go to those two
7 Oral Communication courses; they're both semester
8 courses. All right. One of the reasons we did that
9 was originally in the 38 schools had to offer a full
10 year Oral Communication course. Okay. Now for
11 graduation a student only has to take half-a-credit,
12 but schools had to offer a full year and they had to
13 have a student sitting in the class. Okay. So
14 that's where you saw schools submitting letters
15 saying "we offered it but no one took it" -- okay --
16 where you saw schools offering courses and making
17 sure kids were in the class, whether or not they
18 wanted to be in there all year. We heard stories,
19 especially in some of the -- we did the same thing
20 with P.E.; we had a full year of P.E. that school
21 districts had to offer, although the credit only had
22 to be half-a-semester. So in this we actually have
23 designed Oral Communications so that they still can
24 offer it a full year and have two distinct, unique
25 Oral Communication classes that students could take.

1 Okay. As far as the 38 goes, they have to offer at
2 least a half of Oral Communications; it is required.
3 And then you see the optional courses below.

4 So I'm going to stop right there with English
5 Language Arts and I want to take you to your data
6 sheet because I want to talk about changes we've made
7 and the impact it has had, because I think that's
8 important for you to know.

9 So what you see highlighted in yellow are the
10 courses that they have to offer. Okay. The first
11 group is the 2018-19; the second group is from this
12 current school year. Okay. So just looking at the
13 very first one, English 9 -- and I'm not going to
14 walk -- I'm just going to take you, as a sample, to
15 this first one. 253 districts, you had 36,000
16 students in English 9 in 18-19; you have -- go to the
17 next column -- 255 districts offering English 9, and
18 that's going to be your difference between you had an
19 open charter school, configurations of LEAs; that's
20 where you'll see those little number changes there.
21 35,871 -- again, you're looking at groups of
22 students. Our average class size is between 35,000
23 to 39,000, depending on that grade level. Okay. So
24 that's the swing you see there. The last two columns
25 tell you additional districts or additional students.

1 Okay. So we have 262 less students this year in that
2 course. So that's how this document is set-up.

3 So where I want to kind of draw your eyes to is
4 like English 11. If you go all the way across on
5 English 11 you'll see that there's a negative 478
6 students taking English 11; so the question becomes
7 what are those students taking. If you'll look on
8 there, you'll see a jump -- you'll see in concurrent
9 -- you've got 400 students in Concurrent English 12,
10 okay, but as an increase; there were 400 additional
11 students in English concurrent credit. Okay. So
12 those are some of the changes. When we get down and
13 we look at AP numbers at the very bottom in that gold
14 color, you know, you start seeing negatives kind of
15 in some of our AP classes. So I think that's where
16 you see a growing trend with concurrent. Okay. So
17 you can kind of see some of those trends in there.
18 But I think it's important when we see a drop
19 somewhere what are they taking instead, okay, so kind
20 of looking for those balances.

21 One of the big, big changes that -- oh, on
22 English 12 -- I want to draw your eyes to this. On
23 English 12, that Transitional English 12 class, you
24 had a growth of 950 students taking the Transitional
25 English 12. That was legislation that passed

1 probably, gosh, six years ago, okay, about having
2 that Transitional class. It takes time sometimes for
3 courses to get traction, and I think you're seeing it
4 here. This is a rigorous course. It is for students
5 who maybe have -- you know, they've made an 18, a 19,
6 a 20 on their ACT. Okay. They are going to college
7 but they need more support to be able to be
8 successful in that rigorous coursework their freshman
9 year, and this course is intended for that. It is
10 not a remedial course. Okay. So you see a jump in
11 that, which I think is a positive thing.

12 Okay. So Oral Communications -- that light blue
13 Oral Communications for one credit, this was a change
14 we made. We took off -- that full credit off of the
15 required 38 and you see the impact of that. There
16 are over 1,000 less students in that course. Okay.
17 So that's important. You need to know that we made a
18 change there and there was a decrease in that course.
19 Okay.

20 CHAIRMAN ZOOK: Let me interrupt here. Does
21 that -- do they count as -- in a decrease if they
22 were in an embedded class or is this --

23 MS. SMITH: So they would still be coded for
24 Oral Communications.

25 CHAIRMAN ZOOK: Okay. Okay.

1 MS. SMITH: So would that -- then that would
2 pull that number, wouldn't it, Tommy?

3 MR. COY: (Nodding head up and down.)

4 MS. SMITH: Yeah. So they would still be coded
5 as getting that credit.

6 CHAIRMAN ZOOK: Okay.

7 MS. SMITH: But that would be for the full year.
8 So when they're being coded for an embedded class
9 it's for the semester course.

10 So where did -- what other courses are those
11 kids going into? That's the question we want to
12 know. So let's look at that. Journalism -- the
13 chunk of Journalism, it's held steady. We removed
14 Journalism from the full year as being a requirement.
15 So, again, you had -- previous to our changes you had
16 the four English classes, you had a full year of Oral
17 Communication, and a full year of Journalism. Those
18 were the six classes that every high school in the
19 state had to offer. What we said was you have to
20 offer the four English classes, you now have to offer
21 a half-credit of Oral Communications, and now you
22 have some choice and flexibility. That's the change
23 that this board made. So here the flexibility was in
24 green. Look at Critical Reading 1; 1300 students
25 taking that course -- or, no, it's an increase of

1 1300 students taking that course. That's a big jump.
2 That's the course that we've been promoting. It's
3 aligned to the Science of Reading. It's actually a
4 credit-bearing course for high school students to
5 improve in the area of reading.

6 Academic Reading, that's lower down -- Academic
7 Reading, there's 400 -- there was an increase of 459.
8 That is a course that is a very small number designed
9 for high school students that have been identified as
10 needing intervention in the area of dyslexia --
11 credit-bearing class. Now Academic Reading, the ones
12 that are not highlighted there, those aren't required
13 38 courses. Okay. The green courses are those
14 flexibility courses. And so when you see some jumps
15 there in those numbers I just think that that tells
16 you that when schools have some flexibility they are
17 making choices based on their students' needs.

18 Right?

19 Any questions about ELA?

20 Yes, ma'am.

21 MS. CHAMBERS: I just had a question about the
22 decline in AP.

23 MS. SMITH: I think the decline in AP is
24 directly correlated to the jump in concurrent credit
25 that you see in English 11 and 12. Okay. What you

1 have to think about concurrent credit is when
2 students take an AP class they're not guaranteed that
3 college credit unless they make that qualifying
4 score. Concurrent credit -- you also have a growing
5 partnership with higher ed. and high schools on
6 concurrent credit, okay, and students doing that
7 college level work, and the partnerships and who has
8 the qualifications to teach those courses. So I
9 think that's what you see there. Okay. I think
10 those are important numbers for you to know.

11 Okay. Any other questions about ELA?

12 Yes, ma'am.

13 DR. MOORE: Yes. I think this is great. I
14 think this is great data for us to look at. And I
15 would, if okay, request maybe a couple additional
16 years prior to this to be able to compare at some
17 point. Because I think it would be interesting to
18 look at before that six cutoff and after.

19 MS. SMITH: So the 2018 -- so before 2018-19 it
20 would've been --

21 DR. MOORE: The six.

22 MS. SMITH: Yeah, it would've been the six. I
23 would say on 2018-19 schools still pretty much
24 operated within the six.

25 DR. MOORE: Okay.

1 MS. SMITH: Because we really didn't -- I didn't
2 come to the Board and make suggested changes until
3 late in the year.

4 DR. MOORE: Okay.

5 MS. SMITH: It was like -- more like March. And
6 so for schools to be able to really implement any of
7 the changes that we made for the 2018-19 school year
8 would've been extremely difficult.

9 DR. MOORE: Okay.

10 MS. SMITH: I do think, Dr. Moore, as we move on
11 with this for years, the changes we made in some of
12 those courses, we need to be careful and watch those
13 numbers, because I think you'll see more changes
14 happening next year and the following year because
15 schools now have realized, "Oh, there's a change
16 here" or "we have flexibility." It's hard for people
17 to move out of something that was a requirement for a
18 long time and they're scared to move over to a
19 change, thinking that maybe they've heard it wrong.

20 DR. MOORE: Yeah. I'm excited to look at that
21 in the future. I was at the Governor's Computer
22 Science Taskforce yesterday, and I think they need to
23 see the new half-credits because, you know, writing
24 for STEM, entrepreneurship, innovation, the potential
25 -- that's what business and industry is asking for,

1 as we talked about last month.

2 My question though to this is that, you know,
3 there's still a low number of districts offering
4 courses such as Debate or Forensics.

5 MS. SMITH: Uh-huh.

6 DR. MOORE: If I was a student in a district not
7 offering these, but I knew it was offered virtually,
8 are there policies where districts at times would --
9 will offer courses like this virtually to students?

10 MS. SMITH: Yeah. You'll see districts having a
11 whole suite of courses to be able to offer virtually
12 that increases their over 38. But what I think is
13 interesting about Debate and Forensics -- and this is
14 something that we have not done a very good job to
15 promote that I think is something that we need to
16 think about doing, especially since we've made the
17 change with Oral Communication -- Debate 1 and
18 Forensics 1 can actually count as the student's
19 required graduation credit for Oral Communications.
20 And as we've made changes, when you think about
21 teacher licensure the folks that are teaching Oral
22 Communications are also the same teachers teaching
23 debate and forensics. It's an opportunity for the
24 Department and for school districts to start maybe
25 Forensics programs or Debate programs that they

1 haven't had in the past. Because once you get past
2 that first course, then the second, third and fourth
3 courses can be stackable. And so you can have a
4 really small school district and maybe can develop a
5 Forensics class or a Debate class and be able to
6 stack those and not have to have -- you know, and be
7 able to utilize the teachers that they have on staff.
8 So those are some things that -- I think that we
9 should think about as we move forward with that.

10 DR. MOORE: That's great. Thank you.

11 MS. SMITH: Uh-huh.

12 So any other questions on ELA --

13 CHAIRMAN ZOOK: Anyone else?

14 MS. SMITH: -- before I move you through
15 changes?

16 CHAIRMAN ZOOK: Ms. Newton.

17 MS. NEWTON: Just one other question and this
18 goes back to the concurrent credit. One of the
19 questions that I get sometimes is the different --
20 some districts are not weighting concurrent credit
21 where they're weighting AP. And how is that playing
22 into the numbers as far as GPA?

23 MS. SMITH: Okay. So to have a weighted high
24 school course you have to submit to the Department of
25 Ed. for us to approve that for a weighted credit.

1 Okay. AP classes are weighted credit and that is
2 legislative and there are requirements for that.
3 Okay. Those teachers have to attend a certain
4 training. So if their -- most of your concurrent
5 courses will not be weighted; they're those semester
6 classes that are linked to a high school course that
7 is generally not weighted. For example, college
8 algebra and Algebra III -- Algebra III is not a high
9 school weighted course, and so students are not
10 getting weighted credit for college -- for Algebra
11 III. Does that help? Did I answer your question?

12 MS. NEWTON: But there is a process if they
13 wanted to apply they could?

14 MS. SMITH: Yes, there is a process. And what
15 they have to show is that they are substantially
16 higher rigor and that it's equal to the AP class to
17 get the weighted credit. And there's legislation
18 that was passed two years ago for that.

19 MS. NEWTON: Okay.

20 MS. SMITH: And we actually have a committee
21 that meets internally, in-house, that reviews those.

22 Okay. Yes.

23 CHAIRMAN ZOOK: I don't want you to worry with
24 it today, but I had read an article where pre-AP --
25 there was going to be some issues and changes around

1 that. So --

2 MS. SMITH: Oh, it's already on our radar.

3 CHAIRMAN ZOOK: Okay.

4 MS. SMITH: Yes, it's on our radar. And there's
5 not some -- yeah, I'll get into that in a minute --

6 CHAIRMAN ZOOK: Yeah.

7 MS. ZOOK: -- if we continue on with this.

8 CHAIRMAN ZOOK: Yeah. You can do it some other
9 time or offline, it doesn't matter.

10 MS. SMITH: Okay. Now I kind of want to jump
11 you to the math column and talk to you about what's
12 changing in math. So previously on math we had the
13 course Math Applications and Algorithms. For this
14 year on the 38 that has been removed, okay, and I'll
15 walk you through the data on that and the reasons for
16 that in just a second. What was added in math was
17 the new Technical Math for College and Careers; that
18 was added. Now when we presented that course before
19 the State Board, I don't know that we emphasized the
20 title "for College and Careers." A lot of times when
21 you have a title, such as Technical Math, it's viewed
22 as a remedial course, and that is not what this
23 course is. Okay. And then, again, as I noted
24 earlier, I added the full name for the statistics
25 class, Linear Systems and Statistics.

1 So let me walk you through the data that's your
2 second page. So there wasn't -- with math, within
3 the 38 there's always been some choice. Okay.
4 Before what was required was Algebra I, Geometry,
5 Algebra II, and Pre-Calculus, and then districts got
6 to choose the other two courses that they had as
7 their six offerings. Okay. And so we still kind of
8 -- we're still allowing that. What you see in yellow
9 on there are the required; all schools have to offer
10 those courses. And you're seeing the numbers hitting
11 in the 34,000s; that's about the number of students
12 that are in those grade levels. All right. So not
13 any really big changes there. You do see a decrease
14 in students taking Algebra Part-A and Part-B. Okay.
15 Those are courses that we would like to see schools
16 kind of moving away from those. A lot of times it's
17 students with disabilities or your resource classes
18 that are pulling those through. But they are still
19 options, but not as the 38. They have to offer
20 Algebra I.

21 You can see the green courses then are the
22 optional courses and you can see the courses that are
23 -- you know, the numbers there and what people are
24 taking. Bridge to Algebra II is on the decline. I
25 can tell you that our math team -- the discussion of

1 that would probably be one of the next courses that
2 would actually come off the list. Okay. But for
3 right now it is still on the -- it is on the list of
4 required courses, but it's not a 38 course.

5 So Mathematical Applications and Algorithms is
6 on the list and you saw there were only two school
7 districts who offered that course and there were only
8 28 students in that class. That course has been
9 removed from the 38. That original course was
10 written when I was still director of Curriculum
11 Instruction; Anthony Owen was my math specialist.
12 And we had heard there was going to be a computer
13 science initiative and we were proactive and we wrote
14 a math course that had lots of computer science in
15 it. Okay. So since then we've had computer science
16 standards, we have robust computer science options.
17 I've visited with Mr. Owen and he is in agreement
18 that this course needs to be removed, so it will
19 actually be removed as a course for districts next
20 year. And we'll be contacting the two districts that
21 offer that course and make sure and provide them
22 support for another computer science course. Okay.
23 So that's the change there.

24 One thing for us to think about with these as we
25 move forward next year, Dr. Moore, is we added

1 several CTE courses that could count for math credit.
2 Now they don't count in place of the 38; they can't
3 start offering the CTE courses and not offer these
4 math courses. But we might -- those courses might
5 impact our numbers; just like how you can have a
6 computer science course counted as a math credit, for
7 a third math credit, those could be impacting our
8 numbers. So those are things for us to think about
9 as we move forward.

10 Any questions on math?

11 MS. NEWTON: Yeah. Looking at the Algebra II
12 numbers, over 1,000 decrease. What are you
13 attributing that to?

14 MS. SMITH: So that jumped out at us too, and
15 when we looked at the total numbers -- so there's
16 over 30,000 students in that class; so that 1,000,
17 even though it is a decrease, it's not as
18 proportionate as the large number taking it. And
19 when you look at the number of students in a grade
20 level it ranges in that 30,000 mark. When we look at
21 Algebra II we do not see a decrease right now for
22 students who are Smart Core or Core, and Algebra II
23 is still required on the Smart Core path; so I'm not
24 a hundred-percent sure what we're seeing there. It
25 could be the options, that we've provided more math

1 courses. You'll see that there is an increase in
2 quantitative literacy, but quantitative -- you have
3 to have Algebra II to go into quantitative literacy.
4 So I'm not a hundred-percent sure, because those are
5 all fourth math courses there.

6 MS. NEWTON: Yeah. I'm just -- I'm -- you know,
7 we were saying on the English that an increase -- or
8 a decrease of 600 -- and 400 was significant. But
9 then we're not saying it's significant when it's over
10 1,000, so --

11 MS. SMITH: No, that's a good point. I think we
12 probably need to look at our -- for this year we
13 probably need to look at the number of kids who are
14 on a Smart Core path and see if there's been a
15 decrease there.

16 MS. NEWTON: That's what I'm wondering, if --

17 MS. SMITH: Yeah.

18 MS. NEWTON: -- kids are choosing not to go the
19 Smart Core path and then are choosing some of these
20 other optional courses that we're putting in place.
21 And I'm not saying that's a bad thing. I don't know.
22 But that's what I think we need to look into.

23 CHAIRMAN ZOOK: Or it could be there's just
24 1,000 fewer children.

25 MS. NEWTON: Well, it would've shown up on the

1 English.

2 MS. SMITH: No, but I think you're right there,
3 Ms. Newton, that we did -- since we are seeing an
4 increase in some of those other courses you may have
5 kids who are picking to take these other courses and
6 not taking Algebra II.

7 MS. NEWTON: Okay.

8 MS. SMITH: And there is a huge conversation
9 going on out there right now about --

10 MS. NEWTON: Right.

11 MS. SMITH: -- you know, is Algebra II really --
12 should it be that third course that's required or
13 should it -- should we be talking about statistics --

14 MS. NEWTON: Right.

15 MS. SMITH: -- or other courses there. But
16 we're not ready to go there yet, and right now
17 Algebra II is still part of Smart Core.

18 MS. NEWTON: Okay. So, yeah, I think that's
19 something that we want to kind of look at and see
20 what are students choosing, what are districts
21 choosing, and then why are they making those choices.
22 And if they're choosing some of these other
23 alternative courses are they prepared to go into
24 college algebra; because probably if they're choosing
25 an alternative course they're not going to be a math

1 major and go Calculus and that route. So, you know,
2 I'm just wanting to make sure our kids are prepared
3 for what comes ahead of them.

4 MS. SMITH: Let me ask one question. So, Mr.
5 Coy, I don't know if you know this or not --
6 quantitative literacy, is Algebra II required for
7 that? That may be the difference then.

8 MR. COY: Not if it's Core and Smart Core.

9 MS. SMITH: Is that the difference? Is there
10 any of these other math courses that -- so the
11 quantitative literacy -- so that would account for --
12 that 467 would account for a big chunk of that. And
13 so I told you wrong a minute ago.

14 MS. NEWTON: Okay.

15 DR. HILL: Can I -- I just -- I think I said
16 something about this when -- about this last year.
17 And it says down here on this sheet ADE approved
18 elective Mathematics?

19 MS. SMITH: So that means that that district has
20 written their own course and they have submitted it
21 to us for review. And so we review the content of
22 the course, crossing it to other state standards, and
23 we'll give that course approval.

24 DR. HILL: Could that possibly be like a
25 Business Math Concepts or --

1 MS. SMITH: Yes, sir.

2 DR. HILL: -- something like that?

3 MS. SMITH: Yes.

4 DR. HILL: Which that's my deal, because when I
5 look on here and I see all this math and, you know, a
6 person who may struggle, the Business Math Concepts
7 to teach them to cash checks, pay mortgages, and
8 those type of things, I think that's a vital element
9 that we need to support just on --

10 MS. SMITH: I would agree with that.

11 DR. HILL: -- the daily function and life
12 skills.

13 MS. SMITH: Uh-huh.

14 CHAIRMAN ZOOK: And that might be over in CTE
15 too.

16 DR. HILL: And I probably --

17 MS. SMITH: Yeah. So the accounting --

18 DR. HILL: I didn't know; that's why I asked --

19 MS. SMITH: Yeah.

20 DR. HILL: -- what that was.

21 MS. SMITH: The Accounting II class in CTE does
22 now count for a math credit, but it does not replace
23 a math course on there.

24 MS. NEWTON: We also have -- they have to have
25 Financial Literacy now.

1 DR. HILL: Is that in that curriculum now?

2 MS. SMITH: It is still within our Economics and
3 Personal Finance because we were able to combine that
4 in there.

5 DR. HILL: But that wouldn't count for a math
6 class?

7 MS. SMITH: No.

8 DR. HILL: Which, you know, and the only reason
9 I say -- sometimes when you're dealing with kids with
10 learning challenges and dyslexia and stuff like that,
11 and which I've seen come into college, and they have
12 --

13 CHAIRMAN ZOOK: Right. When I was in college
14 that's the way I earned extra income.

15 MS. SMITH: Yeah. So I think some of the --

16 CHAIRMAN ZOOK: I was working as a bookkeeper
17 for somebody.

18 DR. HILL: Yeah. Right.

19 MS. SMITH: Yeah. Quantitative Literacy, some
20 of your technical math courses are kind of getting
21 into some of those areas.

22 DR. HILL: Okay. I just hope we're sensitive to
23 that and working -- because sometimes a person going
24 directly into the workforce -- and, you know, and I'm
25 all about the advanced math, but, you know, I've

1 never had to go into a bank and do Calculus.

2 MS. SMITH: I agree.

3 CHAIRMAN ZOOK: But your time is coming.

4 DR. HILL: It may be, and I'm still waiting; I
5 upgrade to 55 this year. So, I mean --

6 CHAIRMAN ZOOK: There you go.

7 MS. SMITH: All right. I'm going to move you to
8 science. And, again, I picked these three areas to
9 kind of walk you through because these were the areas
10 that we had changes with and conversations going
11 around. And this one really -- in science the big
12 change that was made was Physics, and so I definitely
13 wanted to share numbers with you.

14 So Biology, Physical Science, and Chemistry are
15 required courses that all schools have to offer. In
16 Chemistry, we did have a change from Chemistry on
17 Smart Core; it's not required for Smart Core
18 graduation, but a third science credit is. And you
19 can look at the classes in green there to see
20 increases and decreases there. Previously what we
21 saw with schools -- before the changes we saw
22 Biology, Physical Science, Chemistry, Physics -- okay
23 -- and then you saw Environmental Science. There's
24 five that they have to require. And so what you saw
25 was you saw Environmental Science being the course

1 that students who were doing Core -- and it was kind
2 of thought of as a less rigorous course and that was
3 kind of the track. Okay. If you weren't Smart Core
4 you were going to go into Environmental Science and
5 you weren't going to take Chemistry. We have opened
6 it up now and we have Physics, Astronomy, Anatomy,
7 Chemistry II, Earth Science, and Environmental
8 Sciences on there for those optional classes to offer
9 for that fifth course. What I thought was
10 interesting was this class that had been kind of this
11 course of less rigor we've seen a huge decrease --
12 over 1200 less students in that class this year. But
13 you saw an increase in students taking Anatomy, and I
14 think that probably goes to a lot of our schools who
15 have done the career paths -- pathways with Nursing,
16 us working closely with CTE. We took their Anatomy
17 and Physiology class and, guess what, we said it's
18 the same course; we aligned our standards, very
19 rigorous science course, and so students -- it's on
20 their path and they're getting a science credit for
21 it. So I think that attributes to some of the
22 increases that you see there. There is a decrease --
23 we had 790 students decrease in Physics. Not all
24 schools have to offer Physics. I will say the
25 majority of school districts still offer Physics.

1 Okay. And you see a lot of schools -- we have
2 several AP Physics options on the bottom there. You
3 can still look at the AP 1 Physics; there's 41
4 districts this last year. Physics II we had 11
5 districts. So you can kind of look at the numbers
6 there. There is still Physics being offered within
7 our school districts. But I thought it was important
8 that you saw since we removed Physics that there was
9 a decline there, but I wanted you to see what other
10 options were and where kids were going.

11 CHAIRMAN ZOOK: Mr. Secretary.

12 SECRETARY KEY: Ms. Smith, when we adopted the
13 integrated approach on Biology, Physical Science, and
14 Chemistry, Board Members may remember there was some
15 opposition to that philosophically.

16 MS. SMITH: Uh-huh.

17 SECRETARY KEY: What's been the feedback from
18 our teachers, from our schools, from students? You
19 know, any impact on test results that we can
20 determine, anything like that in the time that we've
21 gone that direction?

22 MS. SMITH: So for the high school courses they
23 didn't start having to transition over until about
24 three years ago. We -- because there was such a
25 change in our science standards they did it in kind

1 of an implementation wave. Okay. The feedback has
2 been positive. You know, our -- we didn't just say
3 we're going integrated; we had teachers who were a
4 part of this process who identified foundational
5 standards in Physical Science, Life Science, Earth
6 and Science, that said, "These are foundational
7 standards that need to be built into all of our
8 science courses." In fact, when the science team
9 actually came to me with recommendations they didn't
10 have the courses named Biology, Physical Science, and
11 Chemistry, and I said, "You're going to cause the
12 biggest battle ever and it's all going to be about a
13 name." You know, the core content in that is still
14 that Chemistry, but the idea is science is -- it's
15 interwoven; they're not standalones. It's just like
16 Geometry and Algebra, it's not a standalone. And
17 when we isolate our standards we actually do our
18 students a disservice. So this is a natural fit for
19 our teachers in the state. We are seeing increases
20 as far as teacher capacity. We've had a whole full
21 science unit who has developed really robust science
22 professional development on hands-on science and
23 critical thinking and deep thinking. And so I think
24 we're moving in the right direction. We still have a
25 long ways to go.

1 Okay. So those -- I've kind of tried to hit the
2 big changes from what we've had in the past to
3 changes now and how it has actually impacted us. I
4 had not originally planned to bring you a data sheet,
5 but Tuesday, the questions on that -- I thought, you
6 know, I think that you deserve to see the numbers in
7 the decisions you made and how they impacted so
8 that'll help you make a decision today.

9 MS. CHAMBERS: It is very helpful.

10 MS. SMITH: Yes.

11 CHAIRMAN ZOOK: Do I have a motion?

12 MS. CHAMBERS: Move to approve.

13 MS. DEAN: Second.

14 CHAIRMAN ZOOK: Moved by Ms. Chambers, second by
15 Mr. -- by Ms. Dean.

16 All in favor?

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIRMAN ZOOK: Opposed?

19 Motion carries. Okay.

20 MS. SMITH: Thank you.

21 CHAIRMAN ZOOK: Since LaFayette County is
22 phoning in, and they can phone back, is -- there
23 isn't anyone in the audience from LaFayette County;
24 right?

25 Okay.

1 A-7: CONSIDERATION OF SIXTH ROUND FOR ARKANSAS BETTER CHANCE
2 (ABC) 2019-2020 GRANTS

3 CHAIRMAN ZOOK: And, Ms. Underwood, may I impose
4 on you to come back, or do you have other
5 appointments that you need to go ahead and have us
6 deal with you now? Because it'll probably not take
7 long.

8 MS. UNDERWOOD: If I do it right at 1:00 that
9 would be great.

10 CHAIRMAN ZOOK: Okay. Why don't we do it now
11 because --

12 MS. UNDERWOOD: Okay.

13 CHAIRMAN ZOOK: -- you never know "right at," if
14 we can do that; so we'll -- Number 7. And then we
15 will take up, if someone is in communication with
16 LaFayette County, we will take care of. And
17 depending on how long this is I may not set the time
18 right at 1:00; I may set it differently.

19 MS. UNDERWOOD: I apologize, but we had a --

20 CHAIRMAN ZOOK: No, that's not a problem.

21 MS. UNDERWOOD: In the event that --

22 CHAIRMAN ZOOK: That is why we asked.

23 MS. UNDERWOOD: Okay. Thank you. Susan
24 Underwood, DESE, with the Arkansas Better Chance
25 Program.

1 I did have the update revised, the form that you
2 had electronically, because of a couple of things,
3 and you'll understand this. The revised chart that
4 you have reflects the Helping Hand Child Care of
5 Batesville that relinquished their awarded 30 slots.
6 After visiting with the owner, the ABC team contacted
7 ABC programs in the community where these families
8 reside, which is Batesville and Southside Batesville,
9 to insure that these children could continue to
10 receive quality preschool services. Families had
11 already begun to make their choices of preschool
12 services.

13 So Southside Bates- -- or Southside School
14 District ABC program currently had already filled all
15 88 ABC slots, including two children from Helping
16 Hand. They do have space to serve three additional
17 children from their waiting list if funding is
18 available to support those services.

19 The Batesville School District currently has
20 filled all 150 ABC slots, including serving two of
21 the Helping Hand children out of compassion, without
22 any funding. Within the current space that they
23 have, and a new early childhood classroom they just
24 built, which opened up the 6th of January, Batesville
25 can serve 27 additional children, including those

1 from Helping Hand and those on waiting lists if
2 funding were able to support those services.

3 So we are respectfully asking -- requesting for
4 you to approve the following: the reallocation of
5 three slots to Southside School District, for a total
6 of 91 slots, and the grant amount of \$441,477.40; and
7 the reallocation of 27 slots to Batesville School
8 District, for a total of 177 slots, plus \$10,000 to
9 assist in setting up the new classroom, and a retro
10 payment of \$993.20 for those two children that they
11 served in December -- for a total grant amount of
12 \$796,117.80.

13 CHAIRMAN ZOOK: Okay. Do I have any questions
14 or a motion?

15 DR. MOORE: May I ask a question?

16 CHAIRMAN ZOOK: Yes.

17 DR. MOORE: So the \$81,000 that went to Helping
18 Hand, they had students at that point and then they
19 closed. Is that correct?

20 MS. UNDERWOOD: Yes.

21 DR. MOORE: Okay. So we weren't paying for --

22 MS. UNDERWOOD: No, we did not pay for even a
23 December payment.

24 DR. MOORE: Okay. I just haven't -- I want to
25 go visit the Southside -- I want to go visit the

1 area, but Southside School District last month said
2 they started students at 18 months. Does ABC pay for
3 that, or is there an alternative structure in that?

4 MS. UNDERWOOD: I will have to go back and look.
5 But there are some -- yes, they do have old money, so
6 they do serve some infants and toddlers.

7 DR. MOORE: Okay. But is this money just for
8 three- and four-year olds?

9 MS. UNDERWOOD: Yes, ma'am.

10 DR. MOORE: Okay. And it can't be used for any
11 other age?

12 MS. UNDERWOOD: No, because it comes from
13 Helping Hand and it was just for the three- and four-
14 year olds.

15 DR. MOORE: Okay. Thank you.

16 CHAIRMAN ZOOK: Okay. Do I have a motion?

17 MS. McFETRIDGE: Move to approve.

18 CHAIRMAN ZOOK: Moved by Ms. McFetridge.

19 DR. HILL: Second.

20 DR. MOORE: Second.

21 CHAIRMAN ZOOK: Second by Dr. Hill.

22 All in favor?

23 (UNANIMOUS CHORUS OF AYES)

24 CHAIRMAN ZOOK: Opposed?

25 Okay. And I've also asked Ms. Underwood, and

1 she will have it for us at some point, the percent of
2 students -- of the four-year olds in the state, the
3 percent of students who are in the poverty area that
4 are being served, the percent of students that are
5 200% of the poverty that are being served, and those
6 that don't fit into either of the poverty lines.
7 Because we get information all the time and people
8 sort of loosely throw around numbers about what we're
9 doing or usually criticizing us for what may -- we
10 may not be doing. So I thought it would behoove us
11 to have some accurate numbers compiled from ABC
12 centers, as well as districts who are running their
13 own, so we will know what is right as opposed to
14 people who may be trying to lobby for something that
15 may or may not be needed. So thank you for taking --

16 MS. UNDERWOOD: Yes, we're working on that.

17 CHAIRMAN ZOOK: Yes, I appreciate it. There's
18 no hurry.

19 MS. UNDERWOOD: Thank you.

20 CHAIRMAN ZOOK: Okay. It is right at 12:30, so
21 let's come back at 1:10 and we will start with
22 LaFayette County.

23 And I apologize, LaFayette County, if you have
24 been on the phone for quite sometime, but we will
25 pick that up and then start on the rest of the

1 afternoon agenda.

2 (LUNCH BREAK: 12:26 - 1:11 p.m.)

3 CHAIRMAN ZOOK: The afternoon session of the
4 January 2020 board meeting will come back to order.

5 A-8: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT
6 CHARTERS

7 a) LaFAYETTE COUNTY SCHOOL DISTRICT

8 CHAIRMAN ZOOK: We had delayed dealing with
9 Lafayette County from the morning, not because of any
10 reason other than time. So we will take that up now.

11 Ms. McLaughlin.

12 LaFayette. I apologize. LaFayette, LaFayette,
13 LaFayette. I apologize to LaFayette County.

14 SECRETARY KEY: There you go.

15 SUPT. EDWARDS: No problem. Thank you.

16 MR. WILLIAMSON: Lafayette is in Louisiana.

17 CHAIRMAN ZOOK: Or discovering things.

18 MS. McLAUGHLIN: I don't know if everyone can
19 hear me because --

20 CHAIRMAN ZOOK: Here comes our man who can fix
21 all things audio and video.

22 MS. McLAUGHLIN: Kelly McLaughlin with the
23 Division.

24 Today we have LaFayette County here to ask for
25 waivers. And as a reminder, the school district will

1 have 20 minutes to make their presentation. Any
2 opposition will also have 20 minutes, and the
3 District will then have a remaining 5 to respond
4 before the Q-and-A begins.

5 As you know, Act 1240 of 2015 allows a school
6 district to petition the State Board of Education for
7 all or some of the waivers granted to any open-
8 enrollment public school -- public charter school.

9 Representatives of the LaFayette County School
10 District are on the phone to present the Board with a
11 petition for waivers for Flexible Schedule. Their 90
12 days does expire on January 23rd, and they are
13 requesting just for the remainder of this school
14 year, ending June 30, 2020.

15 We should have Robert Edwards, Superintendent
16 and Opal Anderson, Federal Programs on the line.

17 CHAIRMAN ZOOK: Okay. We'll allow you to start
18 your presentation. And you'll probably need to speak
19 louder than usual and closer than usual because our
20 sound system in here for the phones is not as loud as
21 we'd like but -- so if we interrupt you, it'll be
22 because we can't hear you. You may start.

23 SUPT. EDWARDS: Yes, ma'am. Can you hear me?

24 CHAIRMAN ZOOK: Yes.

25 SUPT. EDWARDS: Very good. For our 19-20 school

1 year, our 10-03 grant issued by DESE, we chose to
2 spend that money by hiring Solution Tree. And they
3 had assigned us a consultant and they've recommended
4 that we have extra time for our teachers to meet,
5 basically to establish a guaranteed and viable
6 curriculum for the implementation of professional
7 learning communities. As I go back, implementing or
8 establishing this guaranteed and viable curriculum
9 will have to be done with fidelity. This is -- we
10 don't have -- did not plan for this type of planning
11 to be built within our master schedule. We do not
12 have funds available to pay teachers for this type of
13 lengthy contract day after their workday.

14 Again, we're asking the Division to grant us an
15 Act 1240 grant for early dismissal or early-out days.
16 It's to be done one time a week, on Wednesday,
17 starting at 1:50, and this will allow for an hour and
18 16 minutes, or 86 minutes, a week. Currently, we
19 have 178 minutes a day built in for instruction time,
20 and as you all know the mandate is 360. This puts
21 our district with 90 minutes a week more of
22 instruction time than what the State currently
23 offers. This will give our staff a common planning
24 time for curriculum to be aligned vertically, as well
25 as horizontally. And, you know, we're a consolidated

1 school district, so this allows for our high school
2 and elementary staff to come together to do this.

3 If we are granted the waiver, this still gives
4 us four minutes over of instruction time per week.
5 School improvement is our top priority. The waiver
6 will allow for all staff to have a common planning
7 time, examine student work, analyze student data, and
8 develop a plan of action for addressing all students'
9 needs. It will also provide staff time to develop
10 common formative and summative assessments and,
11 again, develop a guaranteed and viable curriculum to
12 improve student achievement in K-12.

13 CHAIRMAN ZOOK: Okay. Do you have anything else
14 to add?

15 SUPT. EDWARDS: Right now, no, ma'am.

16 CHAIRMAN ZOOK: Okay. So are we open for
17 questions?

18 MS. McLAUGHLIN: Yes, ma'am.

19 CHAIRMAN ZOOK: Okay. Anybody have any
20 questions? Ms. McAdoo? Dr. Moore?

21 DR. MOORE: Yes, I do. Thank you for presenting
22 today. This early --

23 CHAIRMAN ZOOK: Can you hear her?

24 SUPT. EDWARDS: I hear someone. And the video
25 is different than the -- and I'm getting -- I'm

1 watching the video and getting -- and hearing the
2 phone conversation and kind of getting slowed down a
3 bit. But go ahead, Dr. Moore.

4 DR. MOORE: Oh, okay. We'll see.

5 I do have some concerns, first of all, as a
6 parent in the middle of the school year to know that
7 my child no longer has a place -- isn't in school on
8 Wednesday afternoons. Is there some sort of
9 aftercare situation at your school? Have you all
10 worked with your school board to inform families that
11 this is a potential that could happen?

12 SUPT. EDWARDS: We have. We have discussed it
13 with the school board. Yes, ma'am. And we have
14 discussed it with parents as well. Now as far as us
15 providing an avenue for afterschool care, no, ma'am,
16 we do not.

17 DR. MOORE: Do you have any sort of afterschool
18 care right now in the district?

19 SUPT. EDWARDS: No, ma'am. We do not --

20 DR. MOORE: Okay.

21 SUPT. EDWARDS: -- other than tutoring which is
22 done two days a week.

23 DR. MOORE: What sort of -- if this were to go
24 through, what sort of advance notice would you give
25 to families?

1 SUPT. EDWARDS: We would probably give at least
2 two weeks. Again, we would like to get this set up
3 and established as fast as possible. I mean, again,
4 as you know, we are a struggling school and we're
5 trying to do everything we can for the betterment of
6 our children. But I also do understand how important
7 it is for children to be placed after the school day.

8 DR. MOORE: Uh-huh. Would you -- so could you
9 tell me, going through the timeline, what time are
10 your teachers currently contracted for?

11 SUPT. EDWARDS: They are contracted from 8:00 to
12 3:30.

13 DR. MOORE: Okay. So you have no time after
14 students leave for your teachers to work together at
15 this point?

16 SUPT. EDWARDS: No, ma'am, we don't. And like I
17 say, right now we're -- again, we're 12 minutes apart
18 from our high school and elementary. And as you
19 know, in a 46-minute block it gets extremely
20 difficult to bring teachers together for any work
21 whatsoever.

22 DR. MOORE: Yes. And I know that is vitally
23 important, but also -- I also know that missing 86
24 minutes a week of instruction time is vitally
25 important. So I think I would like to hear a little

1 bit more as to how this work will immediately impact
2 your students -- because if it's something that would
3 impact next year's students, then potentially look at
4 summer options. But I want to know this, their work
5 they're doing now will immediately impact students in
6 this current school year.

7 SUPT. EDWARDS: Okay. Ms. Anderson is standing
8 right here. I'll let her chime in.

9 MS. ANDERSON: Well, currently, we are working
10 on formative and summative assessments based on our
11 curriculum that we have in place. We're kicking that
12 up, making sure that part is aligned so that we can
13 move forward. And we need that time for all the
14 teachers to get together so that they can go over
15 student work and so that we can put those formative
16 assessments in place -- some formative assessments in
17 place so that we can assess our kids and be able to
18 put in an intervention plan prior to us getting ready
19 to take the ACT Aspire as well. So that's what we
20 are doing right now. We're not going back to the
21 first of the year; we'll just pick up now with what
22 we're teaching now and building those formative
23 assessments and building that curriculum based on
24 what -- where we are now in the school year.

25 DR. MOORE: Okay. And so for future plans would

1 there be -- is there going to be additional work over
2 the summer for next year, or do y'all intend to do
3 the same waiver in the next school year?

4 MS. ANDERSON: Our plan is to bring our-self in
5 this summer and work on continuing to do our
6 guaranteed and viable curriculum. We would use
7 several of those days to work on curriculum during
8 the summertime.

9 DR. MOORE: Okay. I think --

10 MS. ANDERSON: And we're also planning on
11 putting in a common planning period in the master
12 schedule for next year, and at that time they will be
13 able to do the PLC work and the working on curriculum
14 or whatever during that time.

15 DR. MOORE: Okay. So you wouldn't seek this
16 waiver next school year?

17 MS. ANDERSON: Hopefully not.

18 DR. MOORE: Okay.

19 One more question I think for you, Kelly. I
20 know the district I live in does an early dismissal
21 one week a month. How common is it that districts
22 are doing this every week?

23 MS. McLAUGHLIN: I think we find that with the
24 PLC process -- some of the questions that have
25 happened with my review team is when they do meet how

1 effective is that, going to impact student
2 achievement. So meeting on a more regular basis
3 would probably address that in a better fashion, I
4 would imagine.

5 DR. MOORE: But how many districts are, you
6 know, letting kids go early one day a week?

7 MS. McLAUGHLIN: I'll have to research that to
8 know an exact number of how many are doing -- have
9 this flexible schedule. We have had several more.

10 DR. MOORE: Okay. Could it be that they could
11 add hours on other days to make up for it? And is
12 that --

13 I guess this is for Lafayette -- LaFayette. Is
14 this something that you all have thought about?

15 MS. McLAUGHLIN: Well, I know that we do have
16 several districts having conversations about adding
17 those days, maybe going to a four-day schedule. Some
18 districts are having discussions about not
19 necessarily going to a regular four-day schedule, but
20 extending their day. So, yes.

21 DR. MOORE: Okay. Thank you. Thank y'all for
22 answering my questions.

23 CHAIRMAN ZOOK: Okay. Mr. Williamson?

24 MR. WILLIAMSON: No, ma'am.

25 CHAIRMAN ZOOK: Ms. McFetridge? Ms. Dean? Ms.

1 Chambers?

2 MS. CHAMBERS: I just have a quick question. So
3 is the belief that the PLC time will be so valuable
4 in terms of quality of instructional time that it
5 offsets a lack of instructional time by 86 minutes a
6 week? Because that just seems like so much time to
7 not be learning.

8 MS. McLAUGHLIN: I think that would be a
9 District question.

10 CHAIRMAN ZOOK: Yeah.

11 MS. CHAMBERS: Okay.

12 CHAIRMAN ZOOK: As -- if you'll speak a little
13 louder --

14 MS. CHAMBERS: I'm sorry.

15 CHAIRMAN ZOOK: -- and ask the District.

16 MS. CHAMBERS: Lafayette -- did I say that
17 right?

18 CHAIRMAN ZOOK: LaFayette.

19 SUPT. EDWARDS: Yes, ma'am.

20 MS. CHAMBERS: LaFayette. Dad-gum-it. Sorry.

21 This is Susan Chambers. And I'm asking about
22 the trade-off and how you've thought about the trade-
23 off between the investment in the teachers through
24 PLC time and the cost, if you will, of instructional
25 time in the class of 86 minutes a week. Can you help

1 us understand how to -- how that trade-off works and
2 why this would be a good decision?

3 SUPT. EDWARDS: Well, to be quite honest with
4 you, Ms. Chambers, whenever it was brought to us by
5 the consultant that was our question as well. First
6 off, let me say I feel like that if we're using State
7 funds to hire Solution Tree to come in and abide by
8 the recommendations presented, I feel like I would be
9 doing our school, our students, our staff, our board
10 a disservice if I did not at least somewhat attempt
11 to do that. He assures us that in the long-run it
12 will be most beneficial because, again, your
13 curriculum is established, your instruction is
14 established. So whoever -- and we have a large
15 overturn of teachers here. So next year, the plan is
16 whoever comes into that classroom, whether it be a
17 first-year teacher or a seasoned veteran, they will
18 have all the tools at their disposal to instruct our
19 children effectively.

20 Does that -- did you hear me? Did you hear me?
21 Did that make any sense?

22 MS. CHAMBERS: Yes. Thank you.

23 And kind of a supplement to that -- so if you
24 were to wait until this summer to do the very thing
25 you're proposing right now, and you maintained the

1 current instructional time that you have with a very
2 structured plan this summer to do these good things,
3 what would we lose if we were to delay?

4 SUPT. EDWARDS: Number one, I'm not sure we can
5 financially uphold that as far as bringing our staff
6 back and paying them extra. Number two, I think
7 whenever we start in two weeks, or suggestions by you
8 all -- whenever we start that that allows our
9 teachers, vertically as well as horizontally, to know
10 what's going on in the next week, the next month, the
11 next grade level. So anything that's taught is
12 discussed the week prior to.

13 Does that make sense? And Ms. Anderson here has
14 a statement as well.

15 MS. ANDERSON: And so right now, as I was saying
16 earlier, on the formative assessment, once we assess
17 our kids -- we don't have a built-in time for
18 teachers to come together and discuss that formative
19 assessment so that we can put them in the right
20 intervention groups so that they'll be able to be
21 remediated and stuff like that. So the PLC model
22 right there would be a plus to us to try to help so
23 that we can get those interventions in place so that
24 we can get them where they need to be and be ready
25 for the ACT Aspire test. So that's one thing that

1 this would help us with -- you know, in working on
2 the curriculum part of that. We plan on continuing
3 doing that during the summer as well. But right now,
4 we want to kind of give teachers the opportunity to
5 collaborate about student achievement so that we can
6 find those weaknesses from those formative
7 assessments, put them in RTI groups so that they'll
8 be able to grasp the skills that they need to be
9 successful at their grade level on the ACT Aspire and
10 so-on.

11 MS. CHAMBERS: Thank you.

12 CHAIRMAN ZOOK: Dr. Hill? Ms. Newton?

13 MS. NEWTON: Dr. Moore asked most of my
14 questions, but I do have a few more questions. One
15 of them is how many K-6 students do you have?

16 MS. ANDERSON: In K-6 we have roughly 300.

17 MS. NEWTON: So how many classrooms at each
18 grade level?

19 MS. ANDERSON: We have three kindergarten and
20 the rest -- 1, 2 we have two teachers per grade; 3rd
21 grade we have two teachers; 4th grade we have three
22 teachers; and then 5th and 6th we have two teachers.

23 MS. NEWTON: Okay. I was just trying to get a
24 feel of how many students would be impacted on this
25 early-out day. When you start thinking about

1 secondary most of them could, you know, take care of
2 their-self if they had to. But when you start
3 thinking about a kindergartner after school and that
4 length of time, sometimes that might put a burden on
5 those parents to try to find someone to care for them
6 until they could get there.

7 And my other question is what are you using for
8 interim assessment right now?

9 MS. ANDERSON: We use the ACT. We've taken the
10 ACT interim assessment. As a matter of fact, we'll
11 be testing again next week. And that's another thing
12 -- once we do those tests this would also have a time
13 for those teachers to come together and discuss the
14 results of those assessments -- you know, look at
15 that data and group those students accordingly.

16 MS. NEWTON: I think my concern is that we're
17 giving up instruction time this year for these
18 students to work on a problem for next year. And I
19 realize that, you know, your teachers would have to
20 work on this in the summertime, but I know there's a
21 required number of days for professional development
22 for teachers in the summer. And, you know, if you're
23 worried about financially, you know, I'm thinking,
24 you know, if you could use some of those days and
25 work through that that might be a possibility. But,

1 you know, I don't know about the trade-off in the 150
2 every week. I'm still thinking through that.

3 CHAIRMAN ZOOK: I think Ms. Coffman has maybe
4 something to add to this --

5 MS. NEWTON: Okay.

6 CHAIRMAN ZOOK: -- that will be helpful.

7 MS. COFFMAN: Deborah Coffman, Public School
8 Accountability.

9 As you recall, we have talked about high-
10 reliability schools quite a bit here, and that's
11 something that we are certainly talking with all of
12 our schools out in the field and that's part of our
13 support. And in this case LaFayette County has put
14 monies forward to Solution Tree to do this intensive
15 training with them, and if they're not beginning the
16 process of creating the collaborative conversations
17 that need to go on with this then the professional
18 development is just an idea and they're spending
19 quite a bit of money on a concept that they're not
20 implementing yet. And so I think that's what they're
21 trying to explain is they need to take this time this
22 year to implement what they're learning in training.
23 And then they'll do more work in the summer so that
24 not only will kids be affected by the intervention
25 this school year, but next school year they'll be

1 affected by those other levels of high-reliability
2 schools, have a curriculum, have more focused
3 instruction at Level 2. So what they're trying to
4 show you is that long-range plan of how they're
5 trying to improve their school over time. And if you
6 look at their letter grades you'll see that their
7 urgency is certainly there.

8 MS. NEWTON: Yeah. So who is going to be
9 working with them on those early ideas? Is that
10 going to be the teachers practicing what they've
11 learned or is there going to be someone from Solution
12 Tree there helping them through the process?

13 MS. COFFMAN: I don't know that Solution Tree --
14 you have to ask the Superintendent. I don't know if
15 Solution Tree is going to be there on the day of
16 their early release, but Solution Tree is certainly
17 setting up the work that they are then to do and
18 bring back to the next session.

19 MS. NEWTON: Okay. So I guess my question is,
20 you know, if we're going to give this time we want to
21 make sure it's used in the best way possible. Is
22 there some mechanism in place to make sure that it's
23 done correctly? I mean how -- what's the follow-up
24 with Solution Tree kind of --

25 MS. COFFMAN: So I would certainly direct that

1 question back to the District Superintendent. But I
2 would assume if they have paid good money --

3 MS. NEWTON: Right.

4 MS. COFFMAN: -- to have professional
5 development that they then want to see the outcomes.
6 Your accountability is our accountability system; it
7 tells all. So it will certainly show their progress
8 over time. And so that's what I think, they're
9 trying to put steps into place to bring about that
10 progress over time. But he may can give you more
11 specific documentation.

12 MS. NEWTON: Do you have anything to add to
13 that?

14 SUPT. EDWARDS: Ms. Newton, again, the video is
15 different. That is you, Ms. Newton, asking the
16 question; correct?

17 MS. NEWTON: Yes.

18 SUPT. EDWARDS: Okay. Solution Tree is here two
19 times a month, usually days back-to-back.

20 MS. NEWTON: Okay.

21 SUPT. EDWARDS: He does come -- it's either a
22 Tuesday or Wednesday, or Wednesday or Thursday.

23 MS. NEWTON: Okay.

24 SUPT. EDWARDS: And so what we will do -- and,
25 again, we did not have that in mind but that's a

1 great idea; we will have him conduct the Wednesday
2 meeting on the day that he's here.

3 MS. NEWTON: Okay.

4 SUPT. EDWARDS: Again, it's -- I mean we were
5 able to pay for two times a month for him to be here
6 and, again, those days are back-to-back.

7 MS. NEWTON: So that would give one day with
8 supervision and then one day for the teachers to try
9 to practice on their own. Okay.

10 SUPT. EDWARDS: Correct. Yes, ma'am.

11 MS. NEWTON: Okay.

12 MS. ANDERSON: And currently he gives us, I
13 guess you could say, a homework assignment --

14 SUPT. EDWARDS: Yes.

15 MS. ANDERSON: -- to do and I kind of oversee
16 those -- because right now I am trying to work with
17 the staff, when I can get them, on the guaranteed,
18 viable curriculum, using their tools and things.
19 [clearing throat] Excuse me. And then he -- we
20 always have minutes and sign-in sheets to know who
21 was there and what's going on for that and we keep
22 those on Google Doc and all, in our folders and
23 stuff. And then when he comes back he goes back over
24 the information with us to make sure we're following
25 the right path. If not, he'll have us -- may tweak

1 some things or something like that. But he is
2 working with us very close on getting this done.

3 MS. NEWTON: Okay. Thank you.

4 CHAIRMAN ZOOK: Mr. Pekron?

5 MR. PEKRON: Nothing.

6 CHAIRMAN ZOOK: Okay. The only recommendation I
7 could think of too is -- because I know PLC training
8 and implementation is going on across the state -- is
9 maybe get Ms. McLaughlin to tell you other districts
10 that are doing this who are finding a way to do it
11 without early dismissal. And that way, if that would
12 fit in well with your program then that would be
13 something to consider going forward -- but I also do
14 understand the urgency with which you're needing to
15 implement this. And I applaud the fact that you're
16 acknowledging that you all need to add some things or
17 do some things differently for the benefit of the
18 children and becoming more student focused, not only
19 in the decisions your board is making but those of
20 the administration.

21 Any other questions?

22 DR. MOORE: Yes.

23 CHAIRMAN ZOOK: Dr. Moore.

24 DR. MOORE: I wanted to maybe reiterate that my
25 concern was not about the work itself; this is great

1 work. It is about is there any other way to not have
2 to lose 90 minutes of instruction time, whether that
3 be add additional minutes on other days or look to be
4 creative or potentially have to make some difficult
5 budget decisions so that you do pay your teachers
6 additionally to stay above and beyond. And those are
7 all hard decisions to make. But taking 90 minutes
8 away is it really just because of a fiscal decision
9 or not was my concern.

10 I think, second to that, if I do vote for this I
11 want strong affirmation from the District that you're
12 going to work really well with parents to give them
13 ample time to prepare in moving forward.

14 CHAIRMAN ZOOK: Because I was wondering -- I
15 don't know -- in these smaller towns you don't always
16 have Boys Clubs or stuff like that. But there might
17 be places that the school could form some
18 partnerships with their stakeholders --

19 DR. MOORE: Yeah.

20 CHAIRMAN ZOOK: -- and come up, you know, with a
21 solution.

22 DR. MOORE: And this would be a different
23 conversation if this was for the next school year
24 versus in --

25 CHAIRMAN ZOOK: Right.

1 DR. MOORE: -- two weeks, so --

2 CHAIRMAN ZOOK: Right.

3 Okay. Do I have a motion?

4 MS. NEWTON: Move to approve.

5 CHAIRMAN ZOOK: Ms. Newton moved to approve.

6 Do I have a second?

7 MR. WILLIAMSON: Second.

8 CHAIRMAN ZOOK: Second by Mr. Williamson.

9 I guess we should do roll-call. Do you have a
10 sheet?

11 Oh, let's see how the vote goes, and then we may
12 need to do roll-call.

13 All in favor?

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRMAN ZOOK: Opposed?

16 No need for roll-call. Okay.

17 Good luck and please work carefully with Ms.
18 McLaughlin and her staff to let us know how it's
19 going and what you might advise other districts to do
20 the same or do differently.

21 Thank you. And I appreciate your patience with
22 us delaying you till this afternoon.

23 SUPT. EDWARDS: Absolutely. No problem. Thank
24 you very much.

25 B-1: CONSIDERATION OF CHARTER AUTHORIZING PANEL DECISIONS

1 CHAIRMAN ZOOK: Okay. Next we have the charter
2 school panel decisions for us to look at to see if we
3 want to review or not.

4 And I will once again read for you the
5 simplified version of the public comment:

6 As a public board the State Board welcomes input
7 from the public. If the State Board allows public
8 comment, each comment will be limited to three (3)
9 minutes unless the Board Chair allows otherwise.
10 Individuals must be recognized by the Board Chair
11 prior to speaking. If it becomes necessary to
12 maintain order and conduct the business of the Board,
13 individuals could be removed from the auditorium, in
14 which case they would -- could watch the meeting
15 livestream in the outer area. Comments on an agenda
16 item must be germane to that item. Other comments
17 may be heard at the end of the agenda. Repetitive
18 presentations may be limited by the Board Chair.

19 So this looks like a group that has a lot of
20 good ideas and a lot of good input, and I wanted to
21 be sure that we all were on the same page with regard
22 to public comment.

23 a) FOUNTAIN LAKE CHARTER HIGH SCHOOL

24 CHAIRMAN ZOOK: Okay. Our first item is
25 Fountain Lake, I think. Let me get up there to it.

1 Yes, Fountain Lake. And they're on the phone; is
2 that correct?

3 MS. McLAUGHLIN: That is correct.

4 We have Fountain Lake Charter High School. They
5 -- on December 17, 2019, we had representatives from
6 the high school that appeared before the Charter
7 Authorizing Panel requesting a renewal of their
8 charter. By a unanimous vote, the Panel approved the
9 request. There has been no request for the State
10 Board to review the Panel decision but you do -- you
11 may exercise a right to review and conduct a hearing
12 on the Panel's decision at the next State Board
13 meeting, if you so choose to.

14 We do have Todd Baxley, the high school
15 Principal, and Steven Campbell, the Curriculum
16 Director for Fountain Lake on the line.

17 CHAIRMAN ZOOK: Okay. Ms. McAdoo? Dr. Moore?

18 DR. MOORE: I just wanted to say I had the
19 opportunity to visit the school last year and went to
20 the production technology school. And the only bad
21 part of it was that there was not more students
22 enrolled, because it was a phenomenal teacher,
23 phenomenal program, and I want to see more things
24 like that across the state. That was it.

25 CHAIRMAN ZOOK: Okay. Mr. Williamson?

1 MR. WILLIAMSON: No, ma'am.

2 CHAIRMAN ZOOK: Ms. McFetridge?

3 MS. McFETRIDGE: Just looking over the materials
4 I was concerned about why so many staff changes and
5 maybe they could talk to us a little bit about that.

6 CHAIRMAN ZOOK: Okay. Mr. Baxley, do you want
7 to address that? Did you hear the question?

8 MR. BAXLEY: Yes, ma'am. I'm going to let Mr.
9 Campbell address that. This is my second year here
10 at the --

11 CHAIRMAN ZOOK: Okay. Ms. Campbell -- or Mr.
12 Campbell.

13 MR. CAMPBELL: Yes, ma'am. We had -- well, Mr.
14 Baxley is the fourth principal for this building
15 since we became a charter. One of them -- the first
16 one left us to go to the State Board -- or the State
17 Department of Education, and the next one retired. I
18 filled in briefly as an interim before we hired Mr.
19 Baxley. So that was a part of our change; you all
20 grabbed one of our principals and took him up there.

21 We had a -- we attempted to do a flex-mod
22 schedule and that didn't work well for us, and some
23 folks didn't adjust to that very well and decided to
24 go elsewhere. Our entire math department left last
25 year. We have seven school districts in our county

1 and so it's a very competitive county when it comes
2 to salary, and it's pretty easy to get to all of the
3 school districts in our county. And so we had folks
4 leave here for \$17,000 raises to go to other school
5 districts last year.

6 CHAIRMAN ZOOK: Okay. Does that answer your
7 question?

8 MS. McFETRIDGE: Yes, it did.

9 CHAIRMAN ZOOK: Do you have another question?

10 MS. McFETRIDGE: I do. I have another concern.

11 In looking at your ESSA scores there's a
12 considerable drop in your Hispanic/Latino scores.
13 Can you talk to us about that?

14 MR. CAMPBELL: We have a very small population
15 and we have a -- we pulled in our ESL Coordinator and
16 he is working very closely with each one of those
17 individual students. And so we're really using NWEA,
18 the Map assessment, and attempting to target their
19 specific needs and trying to address those. But,
20 yes, ma'am, we acknowledge that.

21 MS. McFETRIDGE: Okay. And how are you doing on
22 your RISE training?

23 MR. CAMPBELL: In this building we're primarily
24 awareness training. So our special ed. teachers will
25 -- are getting the full-force training, but the rest

1 of our staff are going through the awareness training
2 and we're using the IDEAS module. So our
3 administrators are going through the full-blown
4 training so that they can assess or evaluate their
5 special ed. teachers. But in this building, at 9-12,
6 we're primarily on the awareness track.

7 MS. McFETRIDGE: Okay. All right. Thank you.

8 CHAIRMAN ZOOK: Okay. I know during your
9 Charter Panel presentation they said that you're
10 using Study Sync, and that is a balanced literacy
11 program. And you said that that was -- you didn't
12 think that was an issue because it was a catch-up
13 program. But the publishers of Study Sync say that
14 it in fact is not for catching up and it is not for
15 directed instruction aligned with the Science of
16 Reading. Can you address that?

17 MR. CAMPBELL: I'm not real sure about that.
18 No, I don't have an answer for you.

19 CHAIRMAN ZOOK: Well, I just wanted to be sure
20 that you're not asking in your renewal for a waiver
21 to not have the Science of Reading curriculum, but
22 that you in fact realize that the curriculum you're
23 currently using is whole language and balanced
24 literacy. And I think I focused in on this because
25 your elementaries have -- and your middle have B's as

1 a letter grade of your overall and your high school a
2 C, which shows me that there are a lot of your
3 students who are struggling in reading. And perhaps
4 when they get to high school they're not able to
5 accomplish what they're capable of in the subjects
6 because of their inability to read. So I just want
7 to make you aware of that.

8 MR. CAMPBELL: Yes, ma'am. I do understand what
9 you're asking. We have not had any sort of material
10 since we have gone through Common Core. We've used
11 all of those anchor texts and the exemplar texts with
12 Common Core. And so we have some very new English
13 teachers at the high school level and we wanted to
14 get some sort of supporting documents, some sort of
15 supporting curriculum in their hands; and so that is
16 where we primarily or preliminarily rolled out the
17 Study Sync product to put some resources in their
18 hands.

19 CHAIRMAN ZOOK: Uh-huh. And I don't know if you
20 have been given some bad information or not, but this
21 Board would not be inclined to give a waiver for
22 using something that's not aligned to the Science of
23 Reading. So you might want to take that back to your
24 board and your superintendent.

25 MR. CAMPBELL: Yes, ma'am.

1 CHAIRMAN ZOOK: Also --

2 MR. CAMPBELL: We're not asking for a waiver.

3 CHAIRMAN ZOOK: -- I have a concern because you
4 only are serving 72 out of 1377 students, which is a
5 very small percentage relative to the needs in most
6 districts of the dyslexic. So I'd bring that to your
7 attention too.

8 MR. CAMPBELL: Yes, ma'am.

9 CHAIRMAN ZOOK: Ms. Dean?

10 MS. DEAN: I don't have anything. Thank you.

11 CHAIRMAN ZOOK: Ms. Chambers? Dr. Hill? Ms.
12 Newton? Mr. Pekron?

13 Okay. Do I have a motion? The motion would be
14 to either review or not review.

15 MS. NEWTON: Move not to review.

16 CHAIRMAN ZOOK: Ms. Newton moved not to review.
17 Do I have a second?

18 MS. CHAMBERS: Second.

19 CHAIRMAN ZOOK: Ms. Chambers seconds.

20 All in favor?

21 (UNANIMOUS CHORUS OF AYES)

22 CHAIRMAN ZOOK: Okay. Thank you. We will not
23 be reviewing Mountain -- Fountain Lake.

24 b) MOUNTAIN HOME HIGH SCHOOL CAREER ACADEMIES

25 CHAIRMAN ZOOK: Next is Mountain Home. Are they

1 -- they're on the phone. Okay.

2 MS. McLAUGHLIN: On December 17, 2019,
3 representatives of the Mountain Home High School
4 Career Academies appeared before the Charter
5 Authorizing Panel requesting the renewal of their
6 charter. By a unanimous vote, the Panel approved the
7 request. No request for the State Board to review
8 has been submitted, but you do have that right to
9 review and conduct a hearing at the next State Board
10 meeting, if you so choose.

11 We do have Dr. Jake Long, Superintendent on the
12 line for any questions.

13 CHAIRMAN ZOOK: Okay. Thank you.

14 Do you have any questions of Dr. Long on this
15 side? This side?

16 Do I have a motion?

17 MS. CHAMBERS: Move to not review.

18 CHAIRMAN ZOOK: Moved by Ms. Chambers.

19 MS. DEAN: Second.

20 CHAIRMAN ZOOK: Second by Ms. Dean to not
21 review.

22 All in favor?

23 (UNANIMOUS CHORUS OF AYES)

24 CHAIRMAN ZOOK: Mountain Home --

25 DR. LONG: Thank you guys very much.

1 CHAIRMAN ZOOK: -- you have been --

2 DR. LONG: Appreciate it.

3 CHAIRMAN ZOOK: -- approved to not review.

4 c) OSCEOLA STEM ACADEMY

5 CHAIRMAN ZOOK: Next we have Osceola STEM. And
6 on the line is --

7 MS. McLAUGHLIN: On the line is Dr. -- or Mr.
8 Alfred Hogan, Superintendent.

9 They also were here on December 17th at the
10 Charter Authorizing Panel and were approved
11 unanimately. And we do have Mr. Alfred Hogan on the
12 line if you should have any questions.

13 CHAIRMAN ZOOK: Okay. On this side? This side?
14 Dr. Moore.

15 DR. MOORE: Yes. I know there are some
16 challenges here that the Charter Authorizing Panel
17 went over, and so I was glad to see that they are
18 going to be back reporting with the Panel. I think
19 they don't need to come to us, but they will continue
20 to watch over that and offer support to the school.

21 CHAIRMAN ZOOK: Okay. I guess the question I
22 have, Mr. Hogan, is you can have a STEM without it
23 being a conversion charter. So what was the
24 reasoning of choosing to have it as a conversion
25 charter as opposed to just having a STEM high school?

1 SUPT. HOGAN: I have Ms. Raper, Federal
2 Coordinator and Curriculum and Technology, and Ms.
3 Christel Smith, the principal. And they were here
4 from the beginning of creating this charter and can
5 speak to that.

6 MS. RAPER: Hi. This is Shantele Raper; I'm the
7 director of Federal Programs. And we worked on the
8 original charter application. Our reasoning when we
9 went with the STEM focus -- first of all, that was in
10 response to local business and industry wanting that
11 STEM focus to start with. But the reason why we need
12 the charter waivers -- one thing that we did was to
13 add those STEM courses, like our pre-engineering
14 program. With that waiver we're able to allow all of
15 our middle school students -- our 5th, 6th, 7th and
16 8th grade students -- all four grades attend a pre-
17 engineering course. Without that waiver to allow
18 that flexibility in our schedule we would not have
19 that. We also have Discovery Zones which embed the
20 STEM, the art, and the music with the math and
21 science, but also fit into that schedule that we need
22 that flexibility with the waivers.

23 CHAIRMAN ZOOK: Okay. Thank you.

24 Also, I noticed that even though you have the
25 waivers and you are a conversion charter your letter

1 grade is still low and your number -- your percent of
2 student in need of support is still low. So why can
3 I feel comfortable that having this conversion
4 charter and the waivers that you have requested is in
5 fact not currently but that you have hope that it
6 will begin to better meet the needs of your students?

7 MS. SMITH: Hello. I'd like to answer that
8 question. My name is Christel Smith and I am the
9 principal of Osceola STEM Academy. And I have been
10 the principal throughout this three-year process,
11 when we first came for a three-year renewal.

12 CHAIRMAN ZOOK: Okay.

13 MS. SMITH: I would like to answer that
14 question.

15 CHAIRMAN ZOOK: Sure.

16 MS. SMITH: I do agree that in looking at our
17 School Report Card and just looking at that data --
18 at least the data right there on our student
19 achievement, it does show (inaudible) question, you
20 know, why are we not seeing the improvement. If you
21 look at our presentation, even after 2016-17, you
22 look at two years where we lost 46% of staff and then
23 the next year 50% of staff. We moved around some
24 people. That waiver allowed us to be able to take
25 teachers that were stronger in maybe elementary and

1 be able to move them over to 7th and 8th grade, which
2 is secondary. But what we did was we looked and we
3 finally felt like we got a-hold of what might be the
4 core issue of why our kids are scoring below their
5 proficiency. So we were last year -- within this
6 year, 19-20 school year we were able to retain 92% of
7 our staff. So we're getting an opportunity now to
8 not have to start over, but we can build on some of
9 the things like we're doing with having that reading
10 intervention where we're providing some phonemic
11 awareness (inaudible) for those that are very low.

12 We have a 16% SPED population -- and I'm not
13 saying SPED children can't learn or grow, but we do
14 -- we have some barriers here. And I feel like we
15 since last year -- that's why I'm looking forward to
16 the test scores this year -- we were able to retain
17 our teachers; we're able to be able to see some of
18 the things we have now been able to sustain and put
19 in place -- good teaching, good instruction. But I
20 do agree, if you look just straight at the report
21 card -- we have also made sure that all 7th and 8th
22 grade teachers here, as well as our exploratory
23 teachers, or electives or pull-outs, whatever the
24 terminology may be, that they're doing the Science of
25 Reading in modules. Myself, as the principal, I also

1 went and got RISE assessor certification. So we've
2 changed our curriculum. You know, so we do have some
3 things in place. I do want the State Board to know
4 that we are aware and we not only have a sense of
5 urgency, but we're trying to address those concerns
6 that you guys may have.

7 CHAIRMAN ZOOK: Okay. Thank you. That's very
8 helpful. And I think probably too, since it's a
9 relatively small district, if working with your
10 elementary -- because I suspect since they're only
11 serving 3% of the students with dyslexia services
12 that if they could shore that up at the elementary
13 level then some of the issues you may be dealing with
14 at the middle school level might improve.

15 MS. SMITH: Yes, ma'am, I do agree. And thank
16 you for that; we appreciate it as a district. And we
17 are looking at some things, more ways that we can not
18 only collaborate across the district elementary to
19 middle, but middle to high school. But I do agree
20 with you. And the elementaries also are doing some
21 things to try to make sure that those kids are
22 getting that foundation embedded before they get to
23 the mid-level.

24 CHAIRMAN ZOOK: Okay. Thank you.

25 Do I have a motion?

1 MS. McFETRIDGE: Motion to not review.

2 CHAIRMAN ZOOK: Moved by Ms. McFetridge to not
3 review.

4 MS. DEAN: Second.

5 CHAIRMAN ZOOK: Second by Ms. Dean.

6 All in favor?

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN ZOOK: Okay. Congratulations. Thanks
9 for being on the phone.

10 MS. SMITH: Thank you.

11 i) SOUTHEAST ARKANSAS PREPARATORY HIGH SCHOOL

12 CHAIRMAN ZOOK: Okay. We have some people here
13 who want to speak on behalf of Southeast Arkansas
14 Prep. and they are elected officials and they have
15 another meeting at 2:30. So if I can beg upon Siloam
16 Springs, and Southside, Academics Plus, and Virtual
17 Academy, and Capital City Lighthouse to allow us to
18 do so, I'm going to pull that up now.

19 Do I have any objection from a board member?

20 Not seeing none -- anyway, I had seen
21 Representative Flowers. And so what we will do to
22 begin with -- do you want -- okay, Ms. Webb. Is it
23 Ms. Webb or Dr.?

24 MS. WEBB: It's Ms. Webb right now.

25 CHAIRMAN ZOOK: Okay. Good.

1 MS. WEBB: Tracy Webb, Charter Office.

2 On December 18, 2019, representatives of the
3 Southeast Arkansas Preparatory High School appeared
4 before the Charter Authorizing Panel for review of
5 their charter. By a unanimous vote, the Panel voted
6 to revoke the charter. The State Board may exercise
7 a right of review and conduct a hearing on the
8 Charter Authorizing Panel's decision at the next
9 State Board meeting. There are representatives here
10 from the school.

11 CHAIRMAN ZOOK: Okay. Mr. Secretary.

12 SECRETARY KEY: Yes. Thank you, Madam Chair.

13 So maybe an unusual request from me, but I'll
14 just say I'm going to request that you all do have a
15 review -- a vote to review this. You all have seen a
16 number of emails over the last several days. I think
17 they are compelling emails. There's also information
18 that I know that -- you know, with the limited amount
19 of information and data that's in the packet you all
20 may not have a full picture of everything. So that's
21 where -- the reason that I'm asking that you all have
22 a review. Certainly, the folks who are here are
23 entitled to the time to speak; I certainly would want
24 to hear from them. But just so they know, by doing
25 -- if y'all vote to do this the broader hearing will

1 happen at a date that y'all decide. But that would
2 be my request. I've talked to my team about it, so
3 they all know that I'm asking you all to do this so
4 they can be prepared for the information that we
5 think you will need. And then the school can make
6 whatever preparations they need to make to bring and
7 make their case for you all.

8 CHAIRMAN ZOOK: Do I have any objections to the
9 recommendation, or would you all like to hear from
10 those who have signed up to speak at this point?

11 Ms. Hyatt.

12 MS. HYATT: I do just want to -- Mary Claire
13 Hyatt with the Division.

14 I do want to point out that the rules allow, if
15 the charter school asks for a review, three minutes
16 for them to speak. Since Southeast Arkansas Prep did
17 ask for a review I'd like to make sure that they at
18 least have the opportunity. They may, given how it's
19 going, not wish to utilize the three minutes, but
20 they might want to. So you could allow the elected
21 officials to speak, allow the three minutes from
22 Southeast Arkansas Prep, and then vote to hear public
23 comment, if you'd like to hear additional public
24 comment.

25 CHAIRMAN ZOOK: Is that the pleasure of the

1 Board?

2 Seeing no objection, let's do that.

3 Do you all want to speak in light of what the
4 Secretary has said? I'll start with the Head of
5 School, the superintendent.

6 I'm seeing he says -- oh, I looked -- I had two
7 heads going this way.

8 SUPT. CEGERS: No.

9 CHAIRMAN ZOOK: Okay. You want to give it --
10 and Representative Flowers?

11 REPRESENTATIVE FLOWERS: I'm good too.

12 CHAIRMAN ZOOK: She's good. Do I have others --
13 oh, Mr. -- Representative Ferguson. Sorry.

14 MR. FERGUSON: I'm good. Thank you.

15 CHAIRMAN ZOOK: I knew I recognized both of you
16 and I couldn't figure out which one was which.
17 Anyway, thank you.

18 So is everybody good? Does everybody understand
19 what just happened? The Secretary --

20 SECRETARY KEY: What's going to happen.

21 CHAIRMAN ZOOK: Or what's going to happen -- or
22 what just happened so far, as far as the Secretary's
23 recommendation, and then what may happen depending on
24 the vote.

25 Do I have a motion?

1 MS. CHAMBERS: Move to review.

2 MR. WILLIAMSON: Second.

3 CHAIRMAN ZOOK: Moved by Ms. Chambers to review
4 and seconded by Mr. Williamson.

5 All in favor?

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRMAN ZOOK: Opposed?

8 Okay. We will review.

9 Will it be February?

10 MS. HYATT: Sorry. The Secretary was looking at
11 me and I couldn't figure out why, but --

12 CHAIRMAN ZOOK: It's because you had your hair
13 cut.

14 MS. HYATT: So you can wait until February to
15 hear it. If you'd like, you can also schedule a
16 special board meeting to hear it. You could hear it
17 as early as tomorrow, if you'd like. So as long as
18 we give proper notice -- and since the school is in
19 the room, it's the pleasure of the Board.

20 CHAIRMAN ZOOK: Okay. Let me -- having a
21 special meeting in this instance -- because the
22 motion was -- if we vote to revoke it would be
23 immediate?

24 SECRETARY KEY: Uh-huh.

25 CHAIRMAN ZOOK: Okay. So because that would be

1 on the table, I as the Chair would ask you to
2 seriously consider a special meeting instead of
3 delaying until February, so that if it is to revoke
4 those parents would have time to get their name in
5 the lottery if they wanted to stay in a charter
6 school or they would have time to not miss too much
7 of their semester if they go back to a traditional
8 school.

9 So let's -- do I hear a motion to have a special
10 meeting? And if I don't get one, that's fine. But
11 do I have a motion to have a special meeting?

12 DR. MOORE: Can I --

13 CHAIRMAN ZOOK: Okay.

14 DR. MOORE: May I ask how -- I mean I would
15 expect that the Department needs time or has already
16 taken the time to work with the school. I know the
17 financial issues in that. I would like the
18 Department to come to us with, you know, you've done
19 everything you can before you -- and giving us all
20 that information. Does that make sense?

21 SECRETARY KEY: We'll make that -- yes, we'll
22 make that part of our presentation.

23 DR. MOORE: How much time do y'all need to, you
24 know --

25 SECRETARY KEY: Well, and I think we need to

1 give respect to the school so they can have time as
2 well. Certainly, not tomorrow. I would say --

3 CHAIRMAN ZOOK: Y'all get your calendars out.

4 SECRETARY KEY: -- either next week or the
5 following week -- maybe the following week. Sometime
6 towards the end of the month would be I think plenty
7 of time for both groups --

8 DR. MOORE: Okay.

9 SECRETARY KEY: -- to get together what they
10 need.

11 DR. MOORE: I would like to see the Department,
12 you all, present to us, in addition to the school, as
13 far as the fiscal concerns. That would be helpful.

14 CHAIRMAN ZOOK: Because usually at this point,
15 if we decide to review we do need to give the
16 Department direction about what questions we have
17 that you want clarified that's not in the original
18 documents.

19 Does the Department work on Martin Luther King
20 Junior Day?

21 SECRETARY KEY: No, ma'am.

22 CHAIRMAN ZOOK: No, okay. Then that Monday
23 would not work. If we -- okay, let's, first of all,
24 see if we have a vote to have a special meeting and
25 then we'll -- if we do, then we'll decide what date.

1 MR. WILLIAMSON: So moved.

2 MR. PEKRON: Second.

3 CHAIRMAN ZOOK: Moved by Mr. Williamson.

4 MR. PEKRON: Second.

5 CHAIRMAN ZOOK: Second by Mr. Mc -- Mr. Pekron.

6 Sorry.

7 All in favor?

8 (UNANIMOUS CHORUS OF AYES)

9 CHAIRMAN ZOOK: Opposed?

10 Okay. Let's look at the week of the 20th. Will
11 that give you all plenty of time?

12 SECRETARY KEY: That -- yes, that will give us
13 plenty of time. There are a few days that week Dr.
14 Pfeiffer and I will -- and Ms. Smith will be going to
15 Washington for -- Washington, D.C. for a literacy
16 summit with CCSSO.

17 CHAIRMAN ZOOK: What days are those?

18 SECRETARY KEY: That's -- it looks like
19 Wednesday and Thursday.

20 CHAIRMAN ZOOK: Okay.

21 SECRETARY KEY: Yeah.

22 CHAIRMAN ZOOK: So we could do Tuesday, the 21st
23 or Friday, the 24th.

24 MS. McFETRIDGE: Ms. Zook --

25 CHAIRMAN ZOOK: Oh, sorry. See, you were

1 behaving so well I didn't see your hand.

2 SUPT. CEGERS: Jeremy Cegers, superintendent and
3 principal. If at all possible --

4 CHAIRMAN ZOOK: Bring the mic --

5 SUPT. CEGERS: If at all possible, can we have
6 the meeting towards the end of that week, in two
7 weeks?

8 CHAIRMAN ZOOK: The 24th?

9 SUPT. CEGERS: Yes, ma'am, so I can have time to
10 prepare as well.

11 CHAIRMAN ZOOK: Sure. That's Friday, the 24th.
12 Is everyone either available to be here or call in?

13 MS. CHAMBERS: I'm in meetings that day.

14 CHAIRMAN ZOOK: Okay.

15 DR. HILL: No, I'm not.

16 CHAIRMAN ZOOK: We have two that cannot be here
17 or phone in.

18 MS. CHAMBERS: So could we do Monday, the 27th,
19 the next week?

20 CHAIRMAN ZOOK: Let's look at the 27th. What
21 about the 27th, Monday?

22 MS. HYATT: So I'm going to be at the PLC
23 conference in Phoenix those first three days of that
24 week, although I'm sure I could have another attorney
25 be prepared. But I don't know if there are any other

1 people from the Department that would need to be here
2 that are also going.

3 CHAIRMAN ZOOK: Are there other people from the
4 Department that are also going is the question on the
5 -- there are?

6 SECRETARY KEY: Dr. Pfeffer.

7 CHAIRMAN ZOOK: Dr. Pfeffer. I think since a
8 lot of the issues are going to center around
9 compensatory ed. and special ed. and finances that if
10 we have --

11 DR. PFEFFER: Special Ed. is going to be out
12 that week.

13 CHAIRMAN ZOOK: Okay. The 23rd I think he said
14 they're still gone.

15 SECRETARY KEY: Yeah.

16 CHAIRMAN ZOOK: Okay. We're going to have to
17 draw straws of who is most important to be here,
18 because we -- everybody, obviously, has 24 hours, 7-
19 day jobs. And I think more of the staff that will
20 need to bring us information can be here on the 24th,
21 even though two of our board members can't be here on
22 the 24th -- but we would have a quorum. And if y'all
23 have specific questions that you want answered then
24 we would represent you. Does -- is that amenable to
25 everyone?

1 Okay. Let's say the 24th and --

2 SECRETARY KEY: Yeah. Mr. Rogers says 10:00.

3 CHAIRMAN ZOOK: Well, I was going to say later
4 in the morning for those of you who are coming from
5 out-of-town. Okay. So 10:00.

6 I hate it for those of you, the parents, who
7 have taken off work and/or checked your children out
8 of school today that it's not going to happen. But
9 it sounds encouraging to me as Chair, based on my
10 experience on this board, that you are in fact
11 getting another hearing. So maybe the inconvenience
12 balances out. I hope so.

13 Okay. Let's say 10:00 on the 24th. And that
14 will be the only item on the agenda that day.

15 MR. PEKRON: Ms. Zook, can I make a comment?

16 CHAIRMAN ZOOK: You certainly may.

17 MR. PEKRON: I would echo what the Commissioner
18 and everyone said. I was very impressed by the
19 emails and the support that was received from the
20 community. And I'd certainly ask the school to work
21 with some of these stakeholders, especially -- you
22 know, I saw members of the business community, et
23 cetera reaching out in support -- and work with them
24 hopefully in developing some sort of a financial plan
25 that would alleviate some of the concerns that the

1 Charter Panel raised. I think -- I hope everyone up
2 here agrees that closing a school midyear is absolute
3 worst-case scenario. And I think you all have a
4 great opportunity to stabilize yourselves going
5 forward, if you can reach out and build some of those
6 partnerships. I know it's not a lot of time to do
7 it, but I was very impressed by what you all have
8 already pulled together in this short order and I'd
9 encourage you to build upon it.

10 CHAIRMAN ZOOK: And I think the Charter Panel --
11 they would never have considered that as an option
12 except in view of the finance information they had at
13 that time. They did not want to dig -- for them to
14 dig a deeper hole and get back to situations we've
15 had in the past.

16 So do I have a motion to have a special meeting
17 starting at 10:00 on Friday, the 24th?

18 He says I don't need a motion.

19 MS. HYATT: Yeah, no need for a motion.

20 If you could though, if you'd like to go down
21 and just say the information that you'd like to have
22 that day?

23 CHAIRMAN ZOOK: Right. We'll do that next.

24 Okay. We need no motion to have the meeting,
25 but we do need to give information to those who will

1 be working with the District about what kinds of
2 things you would like addressed at that special
3 meeting. And start with Ms. McAdoo. Dr. Moore?

4 DR. MOORE: Yes, I have a question. Is
5 Southeast Arkansas Prep -- are you part of a larger
6 charter organization or are you completely
7 independent?

8 SUPT. CEGERS: We're a single-site charter.

9 DR. MOORE: Okay. Okay. I would like to hear
10 more -- digger -- dig deeper from what y'all
11 presented to the Charter Authorizing Panel as far as
12 the services the school is providing to students and
13 what y'all are doing there. And then from the
14 Department, like I said, I want to hear from the
15 financial side as far as what -- if it were to remain
16 open what the rest of the school would look like and
17 what a future might look like with the school.

18 CHAIRMAN ZOOK: Mr. Williamson, anything
19 additional?

20 MR. WILLIAMSON: No, that covers everything.

21 CHAIRMAN ZOOK: Ms. McFetridge?

22 MS. McFETRIDGE: Sounds good.

23 CHAIRMAN ZOOK: Ms. Dean?

24 MS. DEAN: I just want to echo what Mr. Pekron
25 said. I'd like to see what your community's support

1 is and your stakeholders' engagement, just give us
2 some more detail on that. Thank you.

3 CHAIRMAN ZOOK: Ms. Chambers? Dr. Hill?

4 DR. HILL: Definitely I think closing the school
5 is -- in particular in the community, is one of the
6 worst things that can happen. But I also know that,
7 you know, up here and making decisions having an
8 immediate short-term and long-term plan that we can
9 see that you have action items that you can
10 accomplish, you know, in a systemic way really helps
11 us support your efforts -- because nobody wants to
12 close a school. Displacing students at this time of
13 the year is one of the worst things that could ever
14 happen. So we support your efforts. And as
15 everybody said, get the community behind you and
16 bring, you know, a plan that will work and you've got
17 -- I know you'll have my support.

18 MS. NEWTON: My issues were the financial,
19 seeing that they have enough finances to make it to
20 the end of the year and what that would look like.
21 And also the special ed., what are the plans and
22 processes for that compensatory education for those
23 students who missed out at the beginning of the year.

24 CHAIRMAN ZOOK: Because that also is an added
25 expense.

1 MS. NEWTON: Yes.

2 CHAIRMAN ZOOK: Right. Is that it?

3 MR. PEKRON: Yes.

4 CHAIRMAN ZOOK: Mr. Pekron?

5 MR. PEKRON: I think I already said what I
6 needed.

7 CHAIRMAN ZOOK: Okay. That's it.

8 Did you ladies get that information?

9 Okay. So --

10 SECRETARY KEY: Madam Chair, and if I may just
11 add, it's not asking for information but it is --
12 just to express, you know, the Department does not
13 seek to close schools; the Department seeks to
14 support and help. And I would just encourage -- this
15 is encouragement to any school, any charter. As a
16 matter of fact, I was in a meeting early this morning
17 and I said the same thing -- we want to help. So we
18 would like the relationship to be one where when we
19 call we get a response, and when you call you get a
20 response. All right. So, same message that I preach
21 to every school out there. So, please, even in this
22 intervening time it is our goal to support and help
23 because you impact students' lives every day. So
24 when we reach out, please respond. When you reach
25 out to us you have that same -- you should have that

1 same expectation of us that we respond to you in an
2 appropriate way. So I'd just like to state that as
3 we move forward.

4 CHAIRMAN ZOOK: Okay. Are we good?

5 Okay. I had one person that I wasn't clear if
6 it was on this charter. Ms. Phillips Peters, did --
7 was this regarding this charter or --

8 MS. PETERS: Yes.

9 CHAIRMAN ZOOK: -- was it regarding something
10 else?

11 MS. PETERS: I was just one of the parents and
12 grandparents of three students.

13 CHAIRMAN ZOOK: Okay. Oh, I just didn't want to
14 skip you, just in case.

15 MS. PETERS: Thank you.

16 CHAIRMAN ZOOK: Okay. All right. A meeting is
17 set. We will review. We have the things we want to
18 hear more about. And if those of you who came for
19 this agenda item want to leave we will not be
20 offended.

21 And, Board, let's take a break until 20-after.
22 That's about 7 minutes.

23 (BREAK: 2:13 - 2:21 P.M.)

24 CHAIRMAN ZOOK: We have tried the patience of
25 those who are waiting long enough; so we're going to

1 go ahead and get started as we -- as the Secretary
2 collects the rest of our people.

3 d) SILOAM SPRINGS HIGH SCHOOL

4 CHAIRMAN ZOOK: Next is Siloam Springs.

5 MS. McLAUGHLIN: On December 17, 2019,
6 representatives of the Siloam Springs Charter High
7 School appeared before the Charter Authorizing Panel
8 requesting a renewal of their charter. By a
9 unanimous vote, the Panel approved the request. No
10 request to -- for the State Board to review has been
11 submitted to the Charter Office. However, you do
12 have the right to review and conduct a hearing over
13 the Charter Panel's decision at the next State Board
14 meeting, if you so choose to.

15 We have Jody Wiggins, superintendent, Jerrie
16 Price, assistant principal, and Rob Lindley, high
17 school principal on the line for you if you have any
18 questions.

19 CHAIRMAN ZOOK: Okay. Does anyone have any
20 questions of Siloam Springs?

21 Seeing none, I would commend you because you are
22 meeting your growth score. But I'm still concerned
23 about the low percentage of students that you're
24 identifying as serving in your dyslexia program. So
25 if you will pay attention to that and be sure that

1 your screening is the correct screening.

2 SUPT. WIGGINS: Yes, ma'am, we will do so.

3 CHAIRMAN ZOOK: Thank you.

4 SUPT. WIGGINS: Thank you.

5 CHAIRMAN ZOOK: Do I have a motion?

6 MS. McFETRIDGE: Move to not review.

7 CHAIRMAN ZOOK: We have a motion by Ms.

8 McFetridge to not review.

9 Do I have a second?

10 DR. HILL: Second.

11 CHAIRMAN ZOOK: Second by Dr. Hill.

12 All in favor?

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRMAN ZOOK: You're not going to be reviewed.

15 SUPT. WIGGINS: Thank you very much. We
16 appreciate your work.

17 CHAIRMAN ZOOK: Uh-huh. Thank you for being
18 patient while we took one out of order.

19 SUPT. WIGGINS: No problem. Thank you.

20 CHAIRMAN ZOOK: Uh-huh.

21 e) SOUTHSIDE CHARTER HIGH SCHOOL

22 CHAIRMAN ZOOK: Okay. Southside Charter. I see
23 they're here.

24 MS. WEBB: On December 17, 2019, representatives
25 of Southside High School -- Charter High School

1 appeared before the Charter Authorizing Panel
2 requesting a renewal of their charter. By a
3 unanimous vote, the Panel approved the request. No
4 request for the State Board of Education to review
5 the Panel decision has been submitted to the Charter
6 Office. The State Board may exercise a right to
7 review and conduct a hearing on the Charter
8 Authorizing Panel's decision at the next State Board
9 meeting.

10 And today, we have Superintendent Roger Rich and
11 Curriculum Director Novella Humphrey present should
12 you have any questions.

13 CHAIRMAN ZOOK: Okay. Do we have any questions
14 here?

15 We do appreciate y'all picking up those extra
16 pre-k students this morning. We talked about that.
17 And, Mr. Rich, you and I have already talked about
18 the dyslexia.

19 So, do we have a motion?

20 DR. MOORE: I thought they're doing great work.
21 Motion to approve.

22 CHAIRMAN ZOOK: Dr. Moore --

23 MR. WILLIAMSON: Not to review.

24 CHAIRMAN ZOOK: -- moves to not review.

25 DR. MOORE: Yes.

1 MR. WILLIAMSON: Second.

2 CHAIRMAN ZOOK: Mr. Williamson seconds.

3 All in favor?

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIRMAN ZOOK: All opposed?

6 Motion passes.

7 And we do appreciate your patience as we took
8 you out of order.

9 SUPT. RICH: No problem.

10 CHAIRMAN ZOOK: So, okay.

11 SUPT. RICH: Thank you.

12 CHAIRMAN ZOOK: Thank you. Be safe going home.
13 It may be raining.

14 f) ACADEMICS PLUS CHARTER SCHOOLS

15 CHAIRMAN ZOOK: Next.

16 MS. WEBB: On November -- on December 17, 2019,
17 representatives of Academics Plus Charter School
18 appeared before the Charter Authorizing Panel
19 requesting renewal of their charter. By a unanimous
20 vote, the Panel approved the request. No request for
21 the State Board of Education to review the Panel
22 decision has been submitted to the Charter Office.
23 The State Board may exercise a right of review and
24 conduct a hearing on the Charter Authorizing Panel's
25 decision at the next State Board meeting.

1 We do have Superintendent Rob McGill present
2 should you have any questions.

3 CHAIRMAN ZOOK: Does anyone have any questions?

4 Ms. Newton.

5 MS. NEWTON: Yes. My question had to do with
6 one of the waivers that you're asking for and I
7 really don't understand why the waiver is needed;
8 it's 6-18-2004, the waiver of the 90-percent/10-
9 percent duties for the counselor. And so I really
10 don't -- I can't follow a reasoning why you would
11 need that, because you say -- you state in your
12 application that you're going to actually do that.
13 So tell me why.

14 SUPT. MCGILL: Rob McGill, Academics Plus
15 Charter Schools.

16 The reason is, first of all, we don't use our
17 counselors for like testing like many school
18 districts may. We haven't done that and we don't
19 plan to do that. The reasoning is we have 10-percent
20 -- I don't know what I would use the 10-percent for,
21 but by law I can't, other than additional whole-room
22 -- whole-classroom instruction by the counselor. I'd
23 like to be able to do more than 10 whole-classroom
24 sessions per week with my counselors. I don't want
25 it for any other reason but for that, and right now I

1 can't do that because of the state law.

2 MS. NEWTON: Okay. So I guess I'm not seeing
3 that in there. Can you tell me where it says that
4 you can't do whole-group? Because maybe I missed
5 that.

6 SUPT. MCGILL: Well, there's some -- it's in the
7 law somewhere about the 10 sessions per week.

8 MS. HYATT: Here's the law, if you want to see
9 it; you can scroll.

10 SUPT. MCGILL: And correct me if I'm wrong. Is
11 that not right?

12 MS. SMITH: So, can I help?

13 SUPT. MCGILL: Am I off on something?

14 MS. SMITH: No, no.

15 CHAIRMAN ZOOK: All help is welcomed.

16 MS. SMITH: So there is a law that limits that
17 no more than 10 classes can be taught a week, not the
18 90-10 percent for the time that the counselor spends.
19 So what you're talking about is the counselor cannot
20 do more than 10 classes of direct instruction
21 basically to --

22 MS. NEWTON: So that's not even this law?

23 MS. SMITH: So the 90-10 law, yeah. I would
24 have concerns about waiving the 90 percent/10
25 percent. Waiving for them to be able to teach maybe

1 11 or 12 classes I think that's a negotiable waiver
2 and something to talk about, but we would need to get
3 the specific point there.

4 MS. NEWTON: Yeah. I didn't see --

5 MS. SMITH: Does that make sense?

6 MS. NEWTON: -- anywhere in here that --

7 MS. SMITH: I'll go back and do some digging to
8 find that exact number.

9 MS. NEWTON: Okay. So I still don't understand
10 why we need the 90-10.

11 CHAIRMAN ZOOK: Well, they're saying he wants to
12 teach more than 10 classes a week. He doesn't want a
13 90-10 waiver.

14 MS. NEWTON: So you don't need this waiver?

15 SUPT. MCGILL: Let me think about that.

16 CHAIRMAN ZOOK: Are you asking that your
17 counselors not spend 90 percent of their time with
18 direct --

19 SUPT. MCGILL: No.

20 CHAIRMAN ZOOK: Okay.

21 SUPT. MCGILL: My request is that they can be
22 able to teach more than 10 classes per week.

23 CHAIRMAN ZOOK: Okay.

24 SUPT. MCGILL: So if we need to change that law,
25 the waiver request, I can. I would be --

1 CHAIRMAN ZOOK: Yeah. We didn't catch it at the
2 Panel. But --

3 SUPT. MCGILL: Yeah.

4 CHAIRMAN ZOOK: -- Mary Claire, can you help us
5 with that?

6 MS. HYATT: So I think that if they voluntarily
7 give up the waiver on record you can avoid doing a
8 review hearing. But if they don't, then you would
9 have to vote to review and do a review hearing so you
10 can change it because the Charter Authorizing Panel
11 approved the renewal with the waiver in it. So if
12 you're going to approve it differently, you need to
13 do a review, I think, unless they would just say they
14 don't want it -- represent to the Charter Office they
15 don't want it, and then we can just make that note
16 and pull it.

17 Do you -- you think differently, Secretary Key?

18 SECRETARY KEY: It's getting kind of murky, so I
19 want to make sure we're sure. So if the best way to
20 be sure is review and give y'all time to get it
21 sorted out by February -- this isn't going to affect
22 your timeline, is it Rob -- or is it?

23 SUPT. MCGILL: The timeline I've got affected is
24 -- they did approve us to build a new school and our
25 cap increase. We're moving forward with building our

1 new school and hopefully break ground in June of this
2 year. So if I can -- you know, we're already doing
3 architecture plans.

4 SECRETARY KEY: I mean it would be February.

5 SUPT. MCGILL: Yeah, but we're doing
6 architecture plans now so we can get the plans
7 submitted for bid and to be able to close on the loan
8 by June 1st so we can break ground. So --

9 SECRETARY KEY: Ms. Hyatt, can they review --

10 MS. HYATT: You can add it to the special
11 meeting also that you just scheduled.

12 SECRETARY KEY: Okay. But my question is does
13 -- do the rules allow us -- allow the Board to review
14 -- does it have to be in whole or can it be a
15 component?

16 MS. HYATT: It's just review or not review; so
17 it can't be just review only for that waiver.

18 SECRETARY KEY: Right.

19 MS. HYATT: So if you choose to review the
20 decision -- either accept the decision in whole or
21 choose to review it, then during the review you can
22 modify only a piece of it; you don't have to modify
23 all of it. But --

24 CHAIRMAN ZOOK: But if we just had that one
25 question then we could address that and not -- there

1 doesn't appear to be anyone questioning anything
2 else; it's just that one waiver. So could we address
3 just the one waiver? Or if what he is saying he
4 wants is different than what got approved by the
5 Panel he could say right now, "No, I wasn't wanting
6 to eliminate 90 percent of a counselor's time with
7 kids; I just wanted them to spend more time in the
8 classroom instead of just the 10 class periods" -- am
9 I understanding it correct?

10 Tripp, you have a questioning look on your face.

11 MR. WALTER: Oh, I just -- I was just --

12 CHAIRMAN ZOOK: Will you identify yourself?

13 MR. WALTER: Tripp Walter, staff attorney,
14 Arkansas Public School Resource Center.

15 I mean obviously the thought is, as Mr. McGill
16 was saying, if we could give up, if he wishes to, the
17 90-10 and then substitute, if you will, the law or
18 rule that --

19 CHAIRMAN ZOOK: Addresses the 10.

20 MR. WALTER: -- puts the limitation, then
21 obviously we would advocate for that. If that's not
22 possible, we would advocate for it being, if
23 possible, on the same hearing as --

24 CHAIRMAN ZOOK: Right.

25 MR. WALTER: -- SAPHS due to the reasons Mr.

1 McGill stated. And my thought is I guess similar to
2 what you were saying, Ms. Zook, that I don't know why
3 -- if it would require a review to do this, why it
4 would have to be a full-blown review, but just this
5 one particular new waiver.

6 CHAIRMAN ZOOK: Right. Okay. Why don't you and
7 she and he go out in the auditorium -- out of the
8 auditorium, talk about it, and come back in and tell
9 us what it is that you want or don't want to do?

10 MS. NEWTON: Ms. Zook, as a time-saver I have
11 the exact same question on Capital City. So you may
12 want to get Capital City involved in that same
13 conversation.

14 MS. HYATT: No problem.

15 MS. NEWTON: Okay.

16 SUPT. MCGILL: Thank you.

17 CHAIRMAN ZOOK: Uh-huh. So we'll put that one

18 --

19 MR. WALTER: I'm sorry; may I address --

20 CHAIRMAN ZOOK: Sure.

21 MR. WALTER: -- Ms. Newton's question very
22 quickly? I think, Ms. Newton, that Capital City's is
23 different. It's the same waiver, but they weren't
24 under a misunderstanding of the 10 classes; they have
25 a plan and they provided a lengthy rationale to the

1 Charter Authorizing Panel on the 90-10.

2 MS. NEWTON: Okay.

3 MR. WALTER: And they're prepared to discuss
4 that.

5 MS. NEWTON: We'll talk about that when we get
6 there then.

7 MR. WALTER: Yes, ma'am.

8 MS. NEWTON: Okay.

9 CHAIRMAN ZOOK: Okay.

10 MR. WALTER: Thank you.

11 CHAIRMAN ZOOK: When you all are ready, if
12 you'll come back in the room then we will know that.

13 g) ARKANSAS VIRTUAL ACADEMY

14 CHAIRMAN ZOOK: Okay. Virtual Academy.

15 MS. WEBB: On December 18, 2019, representatives
16 of Arkansas Virtual Academy appeared before the
17 Charter Authorizing Panel requesting a renewal of
18 their charter. By a unanimous vote, the Panel
19 approved the request. No request for the State Board
20 of Education to review the Panel decision has been
21 submitted to the Charter Office. The State Board may
22 exercise a right of review and conduct a hearing on
23 the Charter Authorizing Panel's decision at the next
24 State Board meeting.

25 We do have Superintendent Amy Johnson present

1 should you have any questions.

2 CHAIRMAN ZOOK: Okay. Now one of the things
3 they asked for that they did not get from the Charter
4 Authorizing Panel was an enrollment cap increase; so
5 they did not get that, in part because right now at
6 all three levels they're performing less than what we
7 would hope they would for the benefit of the
8 children.

9 Does anyone have questions of Virtual Academy or
10 a motion to review or not review?

11 MR. PEKRON: I have a question --

12 CHAIRMAN ZOOK: Okay.

13 MR. PEKRON: -- for perhaps --

14 CHAIRMAN ZOOK: If you would come -- sure, come
15 forward and say your full name and speak carefully
16 into the microphone so we can hear and the viewing
17 audience.

18 SUPT. JOHNSON: Absolutely. Amy Johnson, Head
19 of School, Arkansas Virtual Academy.

20 MR. PEKRON: Ms. Johnson, I guess this is partly
21 a comment followed up by a question. Given the trend
22 lines over the last years, you know, I think there is
23 a very good plan going forward, but I'm concerned
24 about a five-year renewal with no sort of
25 accountability. And I was wondering if we do agree

1 to not review and allow this to go forward -- I don't
2 want to bring you back for a hearing on this, but I'm
3 wondering if you'd be willing to voluntarily come in
4 each year and report on the school's progress on
5 meeting these goals?

6 SUPT. JOHNSON: Absolutely, we would welcome
7 that transparency and accountability. This is an
8 academic sort of situation that we own. I've just
9 finished my first year in the Head of School role.
10 And it's something that we're moving forward with,
11 the team that is there, with urgency and passion to
12 insure that this is our top priority for our
13 students. We would also welcome any of you to visit.
14 We're just over at Union Station now, so come on
15 over; we'd love for you to see inside of our
16 classrooms. My goal for the academic improvement,
17 first and foremost, is the highest level of
18 accountability and action, but also transparency and
19 partnership with the Department. And to the
20 Commissioner's point, we have found the Department
21 very helpful and have been reaching out and working
22 for improvements in this area.

23 MR. PEKRON: Okay. Thank you. I appreciate
24 your --

25 HEAD OF SCHOOL JOHNSON: You're welcome.

1 MR. PEKRON: -- willingness to report back to
2 us. I think that's important.

3 CHAIRMAN ZOOK: Anyone else on this side or this
4 side?

5 Okay. My question is, I know your -- the
6 percent of students that you serve with dyslexia is
7 very, very low. But I also know this is a choice-in
8 school and that parents may not have choiced in
9 because of that. How do you screen your
10 kindergarten, 1st and 2nd grade students virtually?

11 SUPT. JOHNSON: Well, we actually do the
12 majority of those screenings in their first face-to-
13 face event and testing for the year; so we capture
14 most of them in a face-to-face. And then as they
15 come in one-on-one we do an initial virtual
16 screening, but then we also layer that in with face-
17 to-face; so we actually have a very extensive face-
18 to-face testing plan that follows along with our
19 summatives. But we also pull those screenings in,
20 especially those initials, to insure that we're
21 catching those students early so we can provide those
22 interventions.

23 CHAIRMAN ZOOK: And are your teachers trained in
24 using a curriculum with the Science of Reading?

25 SUPT. JOHNSON: Yes. So our students -- or "our

1 students" -- they're my students, that's how I think
2 of them; right?

3 CHAIRMAN ZOOK: That's right.

4 SUPT. JOHNSON: Our teachers K-12 are all
5 following a specific pathway with Science of Reading.
6 We actually have a staff member that's also currently
7 training to be a trainer, so we'll have someone on
8 staff to insure the integrity of how we move forward
9 with that. And then with our dyslexia coordinator --
10 she's new this year and has been very adamant in not
11 only providing a strong dyslexia curriculum, but also
12 in utilizing some of the surrounding resources with
13 Phonics First to provide those to our teachers all
14 throughout. And we're implementing reading
15 instruction in every grade level, every course.

16 CHAIRMAN ZOOK: And so Phonics First is the
17 curriculum you're using?

18 SUPT. JOHNSON: Yes. Uh-huh.

19 CHAIRMAN ZOOK: Okay. And no more than four in
20 a group; right?

21 SUPT. JOHNSON: Yes.

22 CHAIRMAN ZOOK: Okay. Good.

23 Okay. Do I have a motion?

24 MR. WILLIAMSON: Move to not review.

25 CHAIRMAN ZOOK: Moved to not review by Mr.

1 Williamson.

2 MS. DEAN: Second.

3 CHAIRMAN ZOOK: Second by Ms. Dean.

4 All in favor?

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRMAN ZOOK: Opposed?

7 Okay. Thank you.

8 SUPT. JOHNSON: Thank you.

9 h) CAPITAL CITY LIGHTHOUSE CHARTER SCHOOL

10 CHAIRMAN ZOOK: Now it's my understanding
11 Lighthouse, with regard to Ms. Newton's concern, was
12 not the same as Academics Plus. But I see that she
13 is out of the room; so would you go check and see?
14 Otherwise, we can do Lighthouse -- Capital City
15 Lighthouse next.

16 Oh, there she is, back again.

17 MS. WEBB: On December 18, 2019, representatives
18 of Capital City Lighthouse appeared before the
19 Charter Authorizing Panel requesting a renewal of
20 their charter. By a unanimous vote, the Panel
21 approved the request. No request for the State Board
22 of Education to review the Panel's decision has been
23 submitted to the Charter Office. The State Board may
24 exercise a right of review and conduct a hearing on
25 the Charter Authorizing Panel's decision at the next

1 State Board meeting.

2 And Lenisha Roberts is here if you have any
3 questions.

4 CHAIRMAN ZOOK: Okay. Ms. McAdoo? Dr. Moore?
5 Mr. Williamson?

6 MR. WILLIAMSON: No, ma'am.

7 CHAIRMAN ZOOK: Ms. McFetridge?

8 MS. McFETRIDGE: I'm good.

9 CHAIRMAN ZOOK: Ms. Dean? Ms. Chambers? Dr.
10 Hill? Ms. Newton? Okay.

11 MS. NEWTON: Okay. So in relation to the waiver
12 you're asking for, for 6-18-2004, tell me what task
13 that you're going to have a counselor do that is not
14 going to allow them to spend 90% of their time with
15 their students?

16 MS. ROBERTS: Lenisha Roberts, Executive
17 Director, Lighthouse Academies.

18 So our waiver request is not to take anything
19 away from the 90%; it's more on what's happening
20 during the 10% week. Some of the things -- like
21 testing coordinators, our Culture Coordinator he does
22 not do that; he has nothing to do with the master
23 schedule. We may need to spend like -- we wanted
24 flexibility within this like to spend more time with
25 parental involvement activities, because we do lots

1 of home visits, because our parents --

2 CHAIRMAN ZOOK: If you'll get closer -- thank
3 you.

4 MS. ROBERTS: We do lots of home visits because
5 our parents a lot of times can't make it up there.
6 So he spends a lot of time in the field, sometimes
7 doing those visits. So just the flexibility to use
8 that 10% in a different way because they don't focus
9 on testing assessments, all that -- what we know
10 traditional counselors used to do in the past. So we
11 just want that flexibility. So not asking for the
12 90% to take anything away from that; maybe just to
13 add more into the 90% in those direct services.

14 MS. NEWTON: So this says that in the 10% it's
15 parental involvement and family engagement?

16 MS. ROBERTS: Uh-huh. Yes, ma'am.

17 MS. NEWTON: So that's including the 10%. So
18 why do you need a waiver for that?

19 MS. ROBERTS: So more time, like the flexibility
20 -- sometimes that 90% -- like on -- we have a longer
21 year anyway, and a longer day, so our time really
22 exceeds what the state requirement is anyway on those
23 services. But like some days may require more time
24 in that 10% area, if that makes sense, like to
25 provide more of those home visits. Because we have a

1 huge need at that school to serve families that don't
2 have transportation, can't get their kids to get
3 medicine, where we're having to make sure all those
4 things are happening, if that makes sense.

5 MS. NEWTON: Well, the way I'm reading it -- and
6 I probably need help, because I am not a lawyer --
7 but it doesn't say that 10% of a day; it says 10% of
8 the days. So would that not mean overall? Help me
9 out there someone. So, I mean I still don't -- you
10 know, if it's listed as something that you can do and
11 you're making -- in your statement you said you're
12 going to provide that, I still don't understand why
13 you're asking for it.

14 CHAIRMAN ZOOK: Would you state your question
15 again while Ms. Hyatt is in the room?

16 MS. NEWTON: They're saying that they need it
17 per day, but this -- the way I'm reading it, it says
18 days. And so it would be the overall instead of an
19 individual -- you know, looking at today or looking
20 at tomorrow.

21 MS. HYATT: And you're talking about the ratio,
22 10%?

23 MS. NEWTON: Uh-huh.

24 MS. HYATT: Okay. Sorry. So what it says is
25 that they have to spend 90% of their working time

1 during student contract days -- so that would be
2 overall, not each individual day. So if you spent
3 one day out of the entire year just doing
4 administrative duties that entire day, that doesn't
5 mean that you're out of compliance. It's 90-10
6 percent of all of their working days.

7 MS. NEWTON: Yes. Okay.

8 MS. HYATT: Yes, ma'am. You're correct.

9 MS. NEWTON: And that's what you're saying
10 you're going to do, so I don't know why you need the
11 waiver.

12 MR. WALTER: Tripp Walter, APSRC.

13 I'm sorry, Ms. Newton, I missed the previous
14 discussion. I hope I'm not going over anything --

15 MS. NEWTON: Okay.

16 MR. WALTER: What I had talked about with Ms.
17 Roberts is the 10% may be exceeded because of the way
18 they handle parental engagement -- I mean family
19 engagement and parental involvement. That was the
20 concern, is they may have as part of their model --
21 and I think there's a pretty good description of that
22 and what went to the Panel and then hopefully is
23 carried over into your book or information today.
24 That is the heart of it, after we talked about it, is
25 they wanted to make sure -- because they have a

1 Culture Coordinator and the way they handle it it's
2 not trying to -- a diminution in services; they're
3 not going to have persons doing this involved with
4 scheduling or test administration or test training.

5 MS. NEWTON: But I think what she just said to
6 me -- and I may have misunderstood -- is that the
7 plan is still for them to spend 90% of their time
8 doing things that are student engagement services,
9 but it was more on a particular day. But that's not
10 what the law said, so I didn't understand why that
11 the waiver was needed. You understand what I'm
12 saying?

13 MR. WALTER: Yes, ma'am.

14 MS. NEWTON: I don't want to open this door up
15 if I don't have to. Okay?

16 MR. WALTER: Well, I understand. And I guess
17 Ms. Roberts can speak to it better than I. And I
18 understand and respect what you're saying. It seems
19 to me -- I mean that if they go over the 10%
20 counselor, that's going to kind of automatically make
21 the diminution the 90%.

22 MS. NEWTON: Right. But it's not per day; it's
23 overall.

24 MR. WALTER: Correct.

25 MS. NEWTON: And she's saying overall that they

1 were planning on giving 90% of their time to their
2 students.

3 MR. WALTER: Okay. Okay. And I guess then the
4 final thing I'll say is, I mean I -- the way I guess
5 I looked at it a little bit differently -- and
6 obviously Ms. Roberts is the person on the ground and
7 not me. But the way I looked at it is this was part
8 of an integrated whole for them in the way they had
9 been working, and that this would be more of an
10 occasional issue for them, if it was just -- and I
11 understand exactly what you're saying. If it was a
12 one-time thing or something I thought that was an
13 occasional work-around so-to-speak we wouldn't be
14 here. But that -- for what it's worth, that's --

15 MS. NEWTON: I think if I'm reading it right
16 it's a school year. Right?

17 MS. HYATT: It's their working days; so whatever
18 days --

19 MS. NEWTON: Right.

20 MS. HYATT: -- they're contracted for --

21 MS. NEWTON: Right.

22 MS. HYATT: -- it's that all together.

23 MS. NEWTON: Okay.

24 MS. ROBERTS: And Lenisha Roberts again,
25 Executive Director.

1 And Tripp is right as it relates to -- like it's
2 not just like one day. Like, because of our
3 population that we serve we do find ourselves
4 spending a lot of times trying to do some of those
5 10% things with the family engagement. So that's why
6 we wanted that flexibility, because it could be today
7 we've got three or four kids that don't have
8 medicine, and parents -- you know, and they
9 definitely need it in order for them to function. We
10 don't -- we try not to have those attendance issues.
11 So it's not that we can count the days and say these
12 days we're going to do that and on these days we're
13 not, because we don't know what the day may bring.

14 CHAIRMAN ZOOK: This probably gets a little bit
15 into some of the things we've been talking about,
16 about community school and what is it that's
17 happening outside of school that is preventing the
18 child from being able to achieve -- and if they use a
19 counselor for that, as opposed to using a counselor
20 in the building to deal directly with kids, if I'm
21 hearing what they're saying correctly.

22 MR. WALTER: Yes, ma'am. I believe you are.

23 Tripp Walter, APSRC.

24 May I add just one other note? This may --

25 CHAIRMAN ZOOK: Yes. And then Ms. Dean has

1 something.

2 MR. WALTER: Okay. To help -- I mean Ms.
3 Roberts has indicated, I think, the need. But -- and
4 respectful of what Ms. Newton has been saying, maybe
5 it would allay the Panel's concern -- the Board's
6 concern somewhat if you were to allow this but add in
7 a reporting requirement or something that you could
8 see where this -- how they're using it in practice
9 and that it's not going to be a diminution of
10 services.

11 CHAIRMAN ZOOK: I think lately what's giving us
12 pause is because if we allow a waiver regarding
13 counseling then every school in the state has the
14 opportunity to request that counseling waiver. So we
15 just want good clarity about exactly what it is so
16 that if somebody else comes in and says, "Well, they
17 have a waiver about whatever," then we can say,
18 "Yeah, but that's -- you're misinterpreting it;
19 that's not what they're doing." So am I correct, Ms.
20 Newton?

21 MS. NEWTON: Yeah. And some of the things that
22 you're describing that you're going to do -- I'm
23 looking at the list of the things that qualify, and a
24 lot of the things that you're describing to me are in
25 that list that would qualify as a directory -- a

1 direct service, because it says direct or indirect.
2 And so I think --

3 MS. HYATT: Yes, ma'am. I was about to say that
4 exact same point. But I do want to -- I think we're
5 getting into a review that's --

6 CHAIRMAN ZOOK: Right.

7 MS. HYATT: -- that's not a review. So I think
8 if there are more comments and questions the best
9 decision would be to do a review, even if you're just
10 going to look at that one piece, because we're asking
11 for a lot of information and questions that are
12 outside of the decision just to review or not review.
13 And if there are still a lot of remaining concerns
14 about that I think it would be best just to do a
15 review, rather than --

16 MS. NEWTON: Okay.

17 MS. HYATT: -- keep going.

18 CHAIRMAN ZOOK: Ms. Dean.

19 MS. DEAN: You touched on most of what I wanted
20 to say, which is it comes down to each school has to
21 be prescriptive about community and the students they
22 serve and whether or not this -- I understand that
23 your question is whether or not it's needed to
24 perform the services that you need to do; you still
25 need to be able to perform those services, whether

1 it's with a waiver or without a waiver. But whatever
2 we do we need to make sure that you have the autonomy
3 to be able to serve the students that you need to
4 serve. So -- and as far as opening the door to
5 waivers, we look at each school district
6 individually, and we've always done that to decide
7 whether or not this particular school needs this
8 particular waiver and it's prescriptive for them. So
9 in addition, the Charter Authorizing Panel has
10 already approved it; they voted unanimously, if I'm
11 not mistaken. So that's another reason why I don't
12 have an issue with the waiver.

13 But I would hate to belabor the issue, but I
14 think we need to just make sure that you have all
15 that you need to serve those students, because you do
16 have a particular community to serve. So thank you
17 for the work that you're doing. And hopefully we can
18 --

19 CHAIRMAN ZOOK: Fix it.

20 MS. DEAN: -- fix it.

21 CHAIRMAN ZOOK: Mr. Pekron?

22 MR. PEKRON: Ms. Roberts, were you in the room
23 when I was speaking to Ms. Johnson from the Virtual
24 Academy earlier, or were you out? I can't --

25 MS. ROBERTS: I was outside.

1 MR. PEKRON: Okay. Can you come up for just a
2 second? I know you have a difficult situation; I
3 feel like you do have a good three-year plan laid out
4 in here for what you're going to do over the three-
5 year term, if you're renewed for that long. That
6 said, I'm a little concerned about not having any
7 accountability back to the Board in the interim. And
8 what I asked the Virtual Academy -- what they agreed
9 to do was to provide voluntarily, without us having
10 to go through a hearing, to put this in as a term of
11 your renewal -- but to voluntarily come back each
12 year and provide a report to us on how you're doing
13 on meeting these goals. And perhaps, you know, if we
14 approve it with -- including this waiver to include
15 in that Ms. Newton's concerns about how your
16 counselors are spending their time. Would the school
17 be willing to do that?

18 MS. ROBERTS: Yes.

19 MR. PEKRON: Thank you.

20 MS. NEWTON: And just to comment --

21 CHAIRMAN ZOOK: Ms. Newton.

22 MS. NEWTON: -- to what Ms. Dean said, I
23 listened to the whole Charter Authorizing thing and I
24 don't think this issue was ever discussed. And so,
25 you know, if they need the waiver -- but I still want

1 to have more information.

2 MS. DEAN: Right.

3 CHAIRMAN ZOOK: Okay.

4 MS. NEWTON: Okay. So --

5 CHAIRMAN ZOOK: All right. Dr. Hill? Ms.

6 Chambers?

7 MS. CHAMBERS: No.

8 CHAIRMAN ZOOK: Ms. McFetridge? Mr. Secretary?

9 SECRETARY KEY: Given what I've heard, and
10 knowing that when the Governor's Legislation Package
11 for Education -- the counseling law was very much at
12 the top of his list, I would hope -- I would
13 encourage y'all to have a review on this because
14 we've got to get that right. And what I heard Mr.
15 Walter say was a little bit different than what Ms.
16 Roberts was saying as far as how it's going to be
17 used. It doesn't matter how they're going to use it;
18 the fact that you have a waiver out there opens the
19 door, as Madam Chair has said earlier, and that would
20 be a great concern for me. And it should be -- I
21 would think it would be for y'all too, because you
22 know you're going to have to hear every --

23 CHAIRMAN ZOOK: Request.

24 SECRETARY KEY: -- request and how it's going to
25 be used differently. And I think from my seat as

1 Secretary I would like to see this law give -- be
2 given some time.

3 MS. NEWTON: Yes.

4 SECRETARY KEY: Now if there's some other way to
5 get to where Lighthouse can take care of what they
6 need to take care of, then that could be something
7 that you all talk about in a review hearing.

8 MS. NEWTON: Okay.

9 CHAIRMAN ZOOK: Ms. McFetridge? Mr. Williamson?
10 Dr. Moore? Ms. McAdoo?

11 What is your reading curriculum?

12 MS. ROBERTS: I'm going to bring the principal
13 up. But we do use --

14 CHAIRMAN ZOOK: That question is so simple you
15 can answer it; right?

16 MS. ROBERTS: Yes. We do use CKLA for K-2 and
17 Expeditionary Learning for 3-5 -- well, 3rd and 4th;
18 5th grade we do personalized learning with Summit.
19 But we do have specific curriculum for the RISE that
20 we use. And I'll let her --

21 CHAIRMAN ZOOK: I started to say I'm not
22 familiar with those, so can you tell me --

23 MS. ROBERTS: Yes.

24 CHAIRMAN ZOOK: -- if they're balanced literacy
25 or structured?

1 MS. ROBERTS: She's coming up to talk to you --

2 CHAIRMAN ZOOK: All right.

3 MS. ROBERTS: -- about it.

4 CHAIRMAN ZOOK: If you'll say your name.

5 MS. MHLANGA: Good afternoon. My name is
6 Rosanna Mhlanga. I'm the principal at Capital City
7 Lighthouse.

8 No, it is not balanced literacy; it is a
9 structured curriculum. We have six teachers that are
10 currently going through BRAINSread and we have four
11 that will finish up with the RISE training.

12 CHAIRMAN ZOOK: Okay.

13 MS. MHLANGA: So that's how that works for us.

14 CHAIRMAN ZOOK: Okay. And on your website every
15 district is required to do state required reports,
16 and I could not find yours with regard to dyslexia.
17 Do you know if it's -- if I just overlooked it, which
18 is highly possible?

19 MS. ROBERTS: Lenisha Roberts, Executive
20 Director.

21 Yes, Ms. Zook, you overlooked it.

22 CHAIRMAN ZOOK: Okay.

23 MS. ROBERTS: Yes, it's there.

24 CHAIRMAN ZOOK: I couldn't imagine that it
25 wouldn't be there --

1 MS. ROBERTS: Yes, ma'am.

2 CHAIRMAN ZOOK: -- but I just couldn't find it.

3 MS. ROBERTS: Yes.

4 CHAIRMAN ZOOK: Okay. Any other questions?

5 Do I have a motion?

6 MR. WALTER: I'm sorry. May I --

7 CHAIRMAN ZOOK: Oh, Mr. Walters.

8 MR. WALTER: What I would like to propose on
9 behalf of Lighthouse, if I may, is it possible to
10 have this as part of the review on the 24th, limited
11 to this issue? And that will give the -- I mean Mary
12 Claire and the staff obviously have been good to work
13 with in the limited time we've had -- but an
14 opportunity to just focus on that?

15 CHAIRMAN ZOOK: Yes. Is that fine with
16 everyone? Yeah. And limiting it to the one issue
17 about counseling -- that's okay?

18 Do I have a motion to that --

19 Oops.

20 MS. HYATT: Let me reiterate if the decision is
21 to review or not review you can say that the only
22 things you want to look at are that, but you cannot
23 officially limit your review to that. The rules say
24 review or not review. So if you -- don't make a
25 motion to do a limited review.

1 CHAIRMAN ZOOK: Okay.

2 MS. HYATT: You can do a review at the special
3 meeting and when we go through it ask the stuff you
4 would like to know. It can be limited to this, but
5 there's no such thing as a limited review.

6 CHAIRMAN ZOOK: Okay. Do I have a motion for a
7 review or not review?

8 MS. NEWTON: I move to review on the 24th, I
9 believe it was.

10 CHAIRMAN ZOOK: Okay. Ms. Newton moved to
11 review on the 24th.

12 MS. McFETRIDGE: Second.

13 CHAIRMAN ZOOK: And second by Ms. McFetridge.

14 Now then, specific things that you would like
15 addressed on that day.

16 Am I good, Mary Claire?

17 MS. NEWTON: Do we need to vote? Do we need to
18 vote?

19 CHAIRMAN ZOOK: Oh, yes.

20 MS. HYATT: Yes, need a vote.

21 CHAIRMAN ZOOK: How about I take a break and
22 y'all take a vote?

23 All in favor?

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRMAN ZOOK: Opposed?

1 Okay. Motion passes to review.

2 Now, Mr. Pekron, Ms. Newton, Dr. Hill, Ms.
3 Chambers, Ms. Dean, do you have specific questions
4 you would like addressed that day?

5 MS. NEWTON: How are they going to use 90-10
6 percent.

7 MS. CHAMBERS: Yes. And if I could add, because
8 I won't get to be here --

9 CHAIRMAN ZOOK: Right.

10 MS. CHAMBERS: So I heard two different -- very
11 good things but they were different. One was all the
12 things that would be packed into the 10% that may be
13 alternative. And then so much would be packed into
14 it, it started to sound like it was more 80-20 or
15 something other than 90-10. So clarity on that would
16 be really helpful.

17 CHAIRMAN ZOOK: Okay. Are y'all writing these
18 things down?

19 Okay. Dr. Hill, Ms. Dean, Ms. McFetridge, Mr.
20 Williamson, Dr. Moore, Ms. McAdoo?

21 All right. That's what we're going to want to
22 know.

23 Okay, Capital City. You're always so pleasant
24 and positive, so I appreciate your patience with
25 this.

1 f) ACADEMICS PLUS CHARTER SCHOOLS

2 CHAIRMAN ZOOK: Okay. Back to Academics Plus.

3 MS. HYATT: We did have an opportunity to visit
4 out in the hall and decided -- and correct me if I'm
5 saying this wrong -- that there is not a need for a
6 waiver that they have; and instead, there is a waiver
7 of a different section of that law. So rather than
8 6-18-2004 they need 6-18-2002(a)(2), I think it is --
9 and I'll have to pull it back up. And it's just a
10 definition, and that definition includes that they
11 can only teach 10 classes. But without reviewing you
12 can't rescind and add an additional waiver, so we'll
13 need to do a review on this one.

14 CHAIRMAN ZOOK: Will it have to go back to the
15 Charter Panel to see if the Charter Panel recommends
16 to us that we do that?

17 MS. HYATT: No. Once you do a review, the State
18 Board can take any lawful action. So if you do a
19 review you would be able to accept the rescission of
20 a waiver and add any additional waivers as necessary.

21 CHAIRMAN ZOOK: Okay. Do I have a motion to
22 review this on the 24th?

23 MS. HYATT: Before there's a motion I would like
24 to say that Academics Plus has requested that you
25 have the hearing at the end of the agenda today --

1 CHAIRMAN ZOOK: Oh.

2 MS. HYATT: -- rather than at the special board
3 meeting. The rules I think would allow that, if
4 they're fine with that and you guys are fine with
5 that -- or it could be heard at the special meeting
6 with the others.

7 CHAIRMAN ZOOK: I hear what you're saying.

8 Do I have a motion to review or not review? And
9 then do I -- if we choose to review, do I have a
10 motion to do it at the end of the agenda today, which
11 we're close to?

12 MS. NEWTON: Ms. Zook, can I ask one more thing?
13 Could you tell me the citation that they're
14 asking for instead?

15 MS. HYATT: Yes, ma'am. 6-18-2002(2)(a), which
16 defines direct services, and it says that regular
17 classroom guidance is limited to 40-minute class
18 sessions, not to exceed three class sessions per day
19 and not to exceed 10 class sessions per week.

20 MS. NEWTON: Okay.

21 MS. HYATT: That's what they're wanting. And if
22 you do choose to add it onto the agenda today it will
23 require a two-thirds vote, just FYI.

24 CHAIRMAN ZOOK: Okay. First, we have to have a
25 motion whether or not we're going to review.

1 MS. CHAMBERS: Move to review.

2 MR. PEKRON: Second.

3 CHAIRMAN ZOOK: Ms. Chambers moved to review,
4 second by Mr. Pekron.

5 All in favor?

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRMAN ZOOK: Opposed?

8 Okay. And do I have a motion to do it at the
9 end of today?

10 MR. PEKRON: So moved.

11 MR. WILLIAMSON: Second.

12 CHAIRMAN ZOOK: Moved by Mr. Pekron, second by
13 Mr. Williamson.

14 All -- well, I have to do a roll-call because I
15 need to be sure it's two-thirds.

16 SECRETARY KEY: Dr. Moore.

17 DR. MOORE: Yes.

18 SECRETARY KEY: Mr. Williamson.

19 MR. WILLIAMSON: Yes.

20 SECRETARY KEY: Ms. McFetridge.

21 MS. McFETRIDGE: Yes.

22 SECRETARY KEY: Ms. Dean.

23 MS. DEAN: Yes.

24 SECRETARY KEY: Ms. Chambers.

25 MS. CHAMBERS: Yes.

1 SECRETARY KEY: Dr. Hill.

2 DR. HILL: Yes.

3 SECRETARY KEY: Ms. Newton.

4 MS. NEWTON: Yes.

5 SECRETARY KEY: Mr. Pekron.

6 MR. PEKRON: Yes.

7 SECRETARY KEY: It's two-thirds.

8 CHAIRMAN ZOOK: Okay. So if you will -- there
9 you are. If you'll stay around, it won't be much
10 longer.

11 So thank you, Board.

12 B-2: FINAL APPROVAL: DESE RULES GOVERNING THE RIGHT TO READ
13 ACT

14 CHAIRMAN ZOOK: Okay. Next on the agenda is --
15 let me get to where we are next on the agenda -- item
16 2, which is Mary Claire Hyatt, final approval for the
17 Division's rules governing the Right to Read Act.

18 {A FEW MOMENTS OF SILENCE}

19 MS. HYATT: Sorry, let me switch gears real
20 quickly.

21 Mary Claire Hyatt with the Division.

22 These are for final approval of the new rules
23 governing the Right to Read Act; so these are brand-
24 new rules. We did receive a couple of public
25 comments, but no substantive changes were made as a

1 result of those. So we ask for final approval.

2 CHAIRMAN ZOOK: Do I have discussion or a
3 motion?

4 MS. NEWTON: Move to approve.

5 CHAIRMAN ZOOK: Ms. Newton moved to approve.

6 MS. DEAN: Second.

7 CHAIRMAN ZOOK: Second by Ms. Dean.

8 All in favor?

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRMAN ZOOK: Opposed?

11 Okay.

12 B-3: FINAL APPROVAL: DESE RULES GOVERNING PUBLIC CHARTER
13 SCHOOLS

14 CHAIRMAN ZOOK: Number 3 is final approval for
15 Division rules governing public charter schools.

16 MS. HYATT: These are also for final approval.
17 Again, we did receive a couple of public comments,
18 and some non-substantive changes were made for
19 grammar, spelling, typos, but nothing substantive.
20 And we request final approval for these as well.

21 CHAIRMAN ZOOK: I do appreciate having the
22 public comment on our agenda so we can read that and
23 see what -- because they often pick up things that we
24 do not.

25 Do we have discussion on this item or a motion?

1 MR. PEKRON: Motion to approve.

2 CHAIRMAN ZOOK: Motion by Mr. Pekron to approve.

3 MS. McFETRIDGE: Second.

4 CHAIRMAN ZOOK: Second by Ms. McFetridge.

5 All in favor?

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRMAN ZOOK: Okay.

8 B-4: CONSIDERATION FOR RELEASE FOR PUBLIC COMMENT: DESE AND
9 ARKANSAS STATE BOARD OF NURSING RULES GOVERNING THE
10 ADMINISTRATION OF INSULIN AND GLUCAGON TO ARKANSAS PUBLIC
11 SCHOOL STUDENTS DIAGNOSED WITH DIABETES

12 CHAIRMAN ZOOK: Next we have Mr. Dugan. Welcome
13 back.

14 MR. DUGAN: Thank you for having me. Taylor
15 Dugan with the Division.

16 What the Board has in front of them is
17 consideration for release for public comment for the
18 rules governing DESE and Arkansas State Board of
19 Nursing rules governing the administration of insulin
20 and glucagon to Arkansas public school students
21 diagnosed with diabetes. The change in this rule is
22 necessary because of Section 37 of Act 757 of 2019.

23 I respectfully request that the Board approve these
24 to be released for public comment. In my summary, I
25 put that these are in front of the State Board of

1 Nursing yesterday, but Mr. Nye let me know it was
2 actually going to be today; so these are also being
3 ran in conjunction with the State Board of Nursing.

4 CHAIRMAN ZOOK: Okay. And when we have a motion
5 it will need to state "pending Governor's office
6 review."

7 MR. DUGAN: That's correct.

8 CHAIRMAN ZOOK: All those in -- oh. Do I have a
9 motion?

10 MS. CHAMBERS: Move to approve pending
11 Governor's office review.

12 MS. DEAN: Second.

13 CHAIRMAN ZOOK: Moved by Ms. Chambers, second by
14 Ms. Dean.

15 All those in favor?

16 (UNANIMOUS CHORUS OF AYES)

17 CHAIRMAN ZOOK: Opposed?

18 Thank you, Mr. Dugan.

19 B-5: FOR FINAL APPROVAL: ADE RULES GOVERNING EYE AND VISION
20 SCREENING REPORT IN ARKANSAS PUBLIC SCHOOLS

21 CHAIRMAN ZOOK: Ms. Freno.

22 MS. FRENO: Thank you. Lori Freno from the
23 Division.

24 These are before you for final approval. This
25 is an extremely limited revision of these rules, only

1 a few sections. The ADE rules governing eye and
2 vision screening -- they went out for public comment;
3 there were only a few non-substantive changes made,
4 basically typos and things like that. And we now ask
5 that you please release these for -- that you give
6 your final approval to these rules.

7 CHAIRMAN ZOOK: Do I have any questions or a
8 motion?

9 MR. PEKRON: Motion to approve.

10 CHAIRMAN ZOOK: Moved by Mr. Pekron.

11 DR. HILL: Second.

12 CHAIRMAN ZOOK: Second by Dr. Hill.

13 All those in favor?

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRMAN ZOOK: Opposed?

16 MS. FRENO: Thank you.

17 CHAIRMAN ZOOK: Thank you, Ms. Freno.

18 B-6: CONSIDERATION OF THE 2018-2019 ANNUAL STATISTICAL REPORT

19 CHAIRMAN ZOOK: Next is the Consideration of the
20 18-19 Annual Statistical Report. Mr. Rogers.

21 As you're coming, too, I will thank you for
22 putting them in alphabetical order. Not having
23 memorized in seven years the LEA numbers, it's very
24 helpful to me.

25 MR. ROGERS: So, yeah, this is just the annual

1 statistical report that's required by law to go to
2 the State Board, the Governor's office, and the House
3 and Senate Education Committees. It just -- it gives
4 all the information, including the assessment, their
5 millage, categorical revenues, categorical
6 expenditures, as well as their ADM, FTE's, and just
7 all the information about the school districts.

8 CHAIRMAN ZOOK: And I recommend, Board, that you
9 either make a note of which month this was done and
10 do it or print it out so you can have it for --

11 MR. ROGERS: Correct.

12 CHAIRMAN ZOOK: -- reference as you go
13 throughout the year, in case you need to have it.

14 Are there any questions?

15 No questions.

16 Do I have a motion?

17 MR. WILLIAMSON: Move to accept.

18 CHAIRMAN ZOOK: Mr. Williamson moves to accept.

19 MS. CHAMBERS: Second.

20 CHAIRMAN ZOOK: Second by Ms. Chambers.

21 All those in favor?

22 (UNANIMOUS CHORUS OF AYES)

23 CHAIRMAN ZOOK: Thank you, Mr. Rogers.

24 Is there any new business to come before the
25 Board?

1 Seeing none, we had mentioned earlier the public
2 comment. We narrowed it down to a more readable,
3 understandable -- so it basically says the same
4 thing; it just says it in fewer words.

5 All right. Do I have -- now then, the question
6 is do I adjourn and then take back up?

7 MS. HYATT: No.

8 CHAIRMAN ZOOK: Okay. She says no. All right.

9 f) ACADEMICS PLUS CHARTER SCHOOLS

10 CHAIRMAN ZOOK: So Academics Plus, we -- oh,
11 there you are. You keep running around.

12 MS. HYATT: I think we've mostly worked it out,
13 unless you guys have additional questions.

14 So it might just be best if you will verify the
15 waiver you'd like to add, say the waiver you'd like
16 to rescind -- yes, sir.

17 And then if that is all, you can vote to
18 approve.

19 CHAIRMAN ZOOK: Okay. State your name again.

20 SUPT. MCGILL: Rob McGill, Academics Plus
21 Charter School, CEO.

22 We'd like to rescind the waiver of 6-18-2004 and
23 then -- but we'd like to add 6-18-2002, paragraph
24 (2)(a).

25 MR. PEKRON: Just for the record, Ms. Hyatt, can

1 you say what that is?

2 MS. HYATT: Yes. And I was just getting it
3 pulled up because I think he inverted those two.

4 SUPT. MCGILL: I think I did too.

5 MR. PEKRON: Yeah.

6 MS. HYATT: (a)(2) -- no, (2)(a). That's
7 absolutely right.

8 So 6-18-2004, the one that they're wishing to
9 rescind, contains the 90%/10% ratio for guidance
10 counselor time. 6-18-2002 is also in that same
11 subchapter but is just a definition of direct
12 services, just the part that says that regular
13 classroom guidance is limited to 40-minute class
14 sessions not to exceed three class sessions per day
15 and not to exceed 10 class sessions per week.

16 CHAIRMAN ZOOK: Okay. Does everybody
17 understand?

18 Do I have a motion -- or questions, concerns?

19 None.

20 Do I have a motion?

21 I have a question. Should I ask it before we
22 have this motion? And it's got nothing to do with
23 this other; it's just the same question I'm asking
24 everybody when I see their dyslexia percentages or
25 disproportionately low to what we would assume they

1 would be. So just --

2 MS. HYATT: I say go ahead and ask. Go ahead
3 and ask your question.

4 CHAIRMAN ZOOK: Okay. Just would you be on top
5 of that? And I'm thinking particularly over at Scott
6 because of the letter grade that you have there, and
7 it could be a reading issue and not serving all those
8 kids. And do you know off-hand what your reading
9 curriculum is and if it's aligned with the Science of
10 Reading?

11 SUPT. MCGILL: Well, that's what we're doing.
12 At Scott we have all of our teachers RISE trained.

13 CHAIRMAN ZOOK: Uh-huh.

14 SUPT. MCGILL: They have done that. And then at
15 Maumelle, the elementary school did Letters two years
16 ago and now we're doing RISE. We have two RISE
17 trainers on staff, one at -- one assistant principal
18 at Scott is a RISE trainer going through that
19 program, with assistance from Arch Ford also. And
20 then also the -- at the central office we have a RISE
21 trainer also that's for the district as well.

22 CHAIRMAN ZOOK: Okay. And it's very effective
23 but sometimes difficult for a new -- for a teacher to
24 do the first time, but if she's using a curriculum
25 that is not built around this it's very difficult for

1 her to do that. So I don't know what curriculum you
2 had been using, but just if you're not -- if you're
3 using one that's balanced literacy, not structured
4 literacy --

5 SUPT. MCGILL: No, ma'am.

6 CHAIRMAN ZOOK: Okay -- then, you know, jump in
7 the middle of that when you do --

8 SUPT. MCGILL: Yes, ma'am.

9 CHAIRMAN ZOOK: -- a new adoption.
10 Okay. Do I have a motion?

11 MS. NEWTON: What would --

12 SECRETARY KEY: I think the motion would be to
13 approve as modified.

14 MS. NEWTON: Okay. That -- okay -- motion --

15 MR. PEKRON: So moved.

16 MS. NEWTON: Yeah, there you go.

17 CHAIRMAN ZOOK: Ms. Dean made the motion.

18 MS. DEAN: No.

19 CHAIRMAN ZOOK: She just opened her mouth and I
20 thought she made the motion. Okay.

21 MS. CHAMBERS: So does that include not to
22 review?

23 CHAIRMAN ZOOK: This is --

24 SECRETARY KEY: This is --

25 CHAIRMAN ZOOK: This is the review.

1 MS. CHAMBERS: This is the review. Gotcha.

2 MR. PEKRON: Motion to approve as modified.

3 MS. NEWTON: Second.

4 CHAIRMAN ZOOK: Mr. Pekron moved to -- as

5 modified -- approve as modified, second by Ms.

6 Newton.

7 All those in favor?

8 (UNANIMOUS CHORUS OF AYES)

9 CHAIRMAN ZOOK: Opposed?

10 SUPT. MCGILL: Thank you for working with me and

11 doing it today.

12 CHAIRMAN ZOOK: Absolutely.

13 SUPT. MCGILL: Thank you very much.

14 CHAIRMAN ZOOK: Thank you for being taken out of

15 turn twice.

16 ADJOURNMENT

17 CHAIRMAN ZOOK: Okay. Do I have a motion to

18 adjourn?

19 MR. WILLIAMSON: So moved.

20 MS. NEWTON: Second.

21 CHAIRMAN ZOOK: Okay.

22

23 (The meeting was concluded at 3:11 p.m.)

24

25

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