

Minutes
State Board of Education Meeting
Thursday, June 13, 2019

The Arkansas State Board of Education (State Board) met Thursday, June 13, 2019, in the Arkansas Department of Education (Department) Auditorium. Chair Dr. Jay Barth called the meeting to order at 10:09 a.m.

Present: Dr. Jay Barth, Chair; Charisse Dean, Vice-Chair; Diane Zook; Ouida Newton; Susan Chambers; Dr. Fitz Hill; Dr. Sarah Moore; Kathy McFetridge; Randi House, 2018 Arkansas Teacher of the Year; and Dr. Ivy Pfeffer, Deputy Commissioner.

Absent: Johnny Key, Commissioner

Recognitions

National Blue Ribbon for 2018

Public School Program Coordinator Ms. Otistene Smith said the U.S. Department of Education recognized 349 schools across the nation as National Blue Ribbon Schools for 2018 based on their overall academic excellence or their progress in closing achievement gaps among student subgroups.

Three Arkansas schools were recognized. The school recognized as an Exemplary Achievement Gap Closing School was Kingsland Elementary School in the Cleveland County School District. The two schools recognized as Exemplary High Performing Schools were Woodrow Cummings Elementary School in the Conway School District and Hunt Elementary School in the Springdale School District.

Changes to Agenda

Dr. Barth said that there were a few changes to the agenda being requested. He said the Fort Smith and Van Buren School Districts would like to come before the State Board with waiver requests. He suggested that these be the first two action items of the morning. Capital City Lighthouse was requesting to eliminate grades for the next year due to the flooding. He suggest this item be added to action item A2 since the school already was slotted to be a part of that action item. Lastly, Dr. Barth said that Staff Attorney Ms. Mary Claire Hyatt had an update on the Covenant Keepers situation. This item he suggested follow the Charter Authorizing Panel decisions.

Ms. Dean moved, seconded by Ms. Chambers, to add the requested items to the agenda as suggested. The motion passed unanimously.

Consent Agenda

Dr. Moore said she had comments on consent agenda items 11 and 14. Ms. Zook said she had a question on consent agenda item 2.

On item 2, Ms. Zook asked if the ratio variance between 13 and 26 should be of concern and if it was of concern to Agency Controller Ms. Anita Sacrey. Ms. Sacrey said the debt ratio was a

concern of the loans and bond committee when they met last month to review. She said the committee looked at the districts' ability to make their payments and found that they would be able to make the payments.

Dr. Moore asked if the district for item 11 had a different form than the others did. Public School Program Advisor Ms. Kelly McLaughlin said that sometimes districts access old forms. Dr. Moore she that she really appreciate the new form and she would like to know more about the outcomes for Clinton. Dr. Moore had additional questions for the district; however, the superintendent was not available. Dr. Barth suggested pulling item 11 until she is able to get that question answered.

Dr. Moore, on item 14, asked if there were any learning opportunities attached to the internship or paid job opportunities for students. East End Superintendent Ms. Lori Edgin said that the high school counselor meets with these students on a monthly or bi-weekly basis and the student also have access to JAG.

Ms. Dean moved, seconded by Dr. Moore, to approve the consent agenda minus item 11. The motion passed unanimously.

- Minutes
- Review of Loan and Bond applications
- Consideration of Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. § 6- 17-309
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 19-017 Kristi Bounds
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 19-021 Jon Alexander
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 19-022 Millicent Talley
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 19-039 Jeremy Wortham
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 19-045 Ricky Barker
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 19-080 Catherine Powell
- Clinton School District Act 1240 Annual Progress Report
- Deer Mt. Judea School District Act 1240 Annual Progress Report
- Des Arc School District Act 1240 Annual Progress Report
- East End School District Act 1240 Annual Progress Report
- East Poinsett School District Act 1240 Annual Progress Report
- Fordyce School District Act 1240 Annual Progress Report
- Gosnell School District Act 1240 Annual Progress Report

Dr. Moore, on item 11, asked if the flexible program available to students was entirely virtual. Clinton School District Dr. Joe Fisher said it is through the Arch Ford Education Service Cooperative. Dr. Moore asked if those students receive any face-to-face time. Dr. Fisher affirmed that they do, not only if they have questions, but during their assessment.

Dr. Moore moved, seconded by Ms. Dean, to approve item 11 of the consent agenda. The motion passed unanimously.

Action Agenda A

Added Item – Fort Smith School District Waiver Request

General Counsel Ms. Lori Freno said the Fort Smith School District was seeking a waiver of the minimum 178 hour student/student interaction time due to catastrophic flooding. She said they are asked for a three-day waiver.

Fort Smith School District Superintendent Dr. Doug Brubaker said that after consulting with their Crisis Response Team, the district made the decision to close school for the final three days due to the recent flooding in their area.

Ms. Zook asked if the finals had already been given to the students. Dr. Brubaker said they have scheduled make-up days for finals and those are taking place throughout the month of June.

Ms. Zook moved, seconded by Ms. Dean, to grant Fort Smith School District's waiver request. The motion passed unanimously.

Added Item – Van Buren School District Waiver Request

General Counsel Ms. Lori Freno said the Van Buren School District was seeking a waiver of the minimum 178 hour student/student interaction time due to catastrophic flooding. She said they are asked for a one-day waiver.

Van Buren School District Superintendent Dr. Harold Jeffcoat said that he and Dr. Brubaker were in close contact throughout the decision-making process. He said Van Buren was able to hold school that Tuesday, but closed Wednesday due to the threat of more heavy rain incoming. He said that their semester tests were planned for and taken care of. He said they are requesting a waiver for the last day of school.

Ms. Newton moved, seconded by Ms. McFetridge, to grant Van Buren School Districts' waiver request. The motion passed unanimously.

A-1 Consideration of Revocation of Teaching License – Licensure Action Case No. 19-06

Staff Attorney Mr. Taylor Dugan said Ms. Chrystal Estelle Vega is a licensed educator. On March 19th, 2019, the Department notified Ms. Vega that she is disqualified from holding a teaching license under Ark. Code Ann. § 6-17-410 and entitled to a hearing. He said that he had been in contact with Ms. Vega; however, she did not request a waiver of the disqualification from the State Board. Mr. Dugan reviewed the exhibit packet.

Mr. Williamson moved, seconded by Ms. Dean, to accept the revocation of Ms. Chrystal Estelle Vega's teaching license. The motion passed unanimously.

Dr. Barth asked for clarification on recent legislation regarding teaching licenses. Deputy Commissioner Dr. Ivy Pfeffer said the legislation allows the State Board of Education to promulgate rules that would outline the process by which an educator could potentially petition to have a license reinstated. However, certain offenses would disqualify the educator from that process. She said the rules and regulations regarding that process were still being developed and Mr. Dugan is working on that project. Mr. Dugan specified saying that offenses that are sexual or violent in nature would not qualify for potential reinstatement.

A-2 Consideration of Charter Authorizing Panel Decisions - Summary Information

a. Consideration of Charter Authorizing Panel Decision - Capital City Lighthouse Charter School

Director of Public Charter Schools Mr. Reginald Ballard said in addition to the original agenda item, the Stat Board would also be hearing an amendment request from Capital City Lighthouse Charter School to redesign their grade levels served due to catastrophic flooding.

Regional Director of Operations for Lighthouse Arkansas Ms. LaShawnda Noel said Capital City Lighthouse Academy was affected by the recent flooding in Arkansas. She said their modular building, which housed grades 6-8, was destroyed and is unrecoverable. Ms. Noel said they are asking for a grade reconfiguration to only house grades K-5 at the North Little Rock campus. She noted that they have been working closely with their sister schools in Jacksonville as well as community leaders to transfer their existing students to the Jacksonville campus to finish the year out. For those who do not wish to be transported to Jacksonville during the 2019-2020 school year, Ms. Noel said they are working with the North Little Rock School District and other surrounding districts to accept the displaced students.

Ms. Zook said that she was impressed with the team of individuals and organizations that was put together to get the buildings cleared out. She said that was very impressive that they had a whole community, regardless of what school they are affiliated with, that is concerned about students first. Ms. Noel expressed her appreciation of the Capital City Lighthouse Academy staff, community organizations, North Little Rock School District, and the City of Jacksonville for all their help during this time of need.

Deputy Commissioner Dr. Ivy Pfeffer expressed her appreciation that this school immediately came to request assistance and made their concern for their students evident. She acknowledged that they had to make some hard decisions, but did what was best for students.

Ms. Newton commended the school administration for putting these kids first and doing what was best for those students. She asked if the students choosing to attend the Jacksonville campus would be provided with transportation. Ms. Noel said yes, the students would either be picked up at a hub area or a door-to-door stop.

Ms. Dean moved, seconded by Ms. Chambers, to not review the Charter Authorizing Panel's decision. The motion passed unanimously.

Mr. Ballard introduced the next item, saying that on October 15, 2014, the Charter Authorizing Panel approved the application for Capital City Lighthouse Charter School. The charter is approved to serve students in grades K-12 with a maximum enrollment of 750. He said that is for consideration of the amendment requests made by Capital City Lighthouse.

Ms. Zook said that she has concerns with a counselor not being on campus every day. Regional Academic Director Ms. Amanda Crowder said that they outsource their counseling services through the PAT Center which is housed in their building. Ms. Zook thanked her for the clarification.

Ms. Zook moved, seconded by Ms. Chambers, to not review. The motion passed unanimously.

b. Consideration of Charter Authorizing Panel Decision - Jacksonville Lighthouse Charter School

Director of Public Charter Schools Mr. Reginald Ballard said on November 3, 2008, the State Board of Education approved the application for Jacksonville Lighthouse Charter School. The charter is approved to serve students in grades K-12 with a maximum enrollment of 1,019. Representatives of Jacksonville Lighthouse Charter School are appearing before the Charter Authorizing Panel to request an amendment to their charter.

Ms. Newton moved, seconded by Dr. Hill, to not review. The motion passed unanimously.

c. Consideration of Charter Authorizing Panel Decision - Pine Bluff Lighthouse Charter School

Director of Public Charter Schools Mr. Reginald Ballard said on November 8, 2010, the State Board of Education approved the application for Pine Bluff Lighthouse Academy. The charter is approved to serve students in grades K-8 with a maximum enrollment of 650. Representatives of Pine Bluff Lighthouse Academy are appearing before the Charter Authorizing Panel to request an amendment to their charter.

Ms. Dean moved, seconded by Ms. Chambers, to not review. The motion passed unanimously.

d. Consideration of Charter Authorizing Panel Decision - SIATech Charter School

Director of Public Charter Schools Mr. Reginald Ballard said on January 10, 2011, the State Board of Education approved the application for School for Integrated Academies and Technologies (SIATech). The charter is approved to serve students in grades 9-12 with a maximum enrollment of 275. Representatives of SIATech are appearing before the Charter Authorizing Panel to request an amendment to their current charter.

Dr. Moore asked Superintendent Katie Hatley is the new curriculum program to be used had been solidified. Ms. Hatley responded that they had been. Dr. Moore asked for clarification of what the change is going to look like. Ms. Hatley said the new curriculum, Ingenuity, provides more offerings. She said they were able to get World Languages, the complete CTE library and core library, and the regular electives. Dr. Moore asked if the changes to the name and other items have been communicated to the students and their families. Ms. Hatley said that they are ready to do a massive outreach and recruitment events.

Ms. Zook said when they come back before the State Board, she would like to hear what programs are being used to help students catch up on their reading ability level, as well as information on their screening process for dyslexia. Ms. Hatley said they have a full-time Special Education director onsite. She also said she thinks the State will be impressed with the program they will be rolling out. She noted that they are adding a social/emotional trauma background piece for their students. Ms. Zook suggested confirming with Learning Services that the program addresses all of the needs they are trying to meet.

Ms. Zook moved, seconded by Ms. Dean, to not review. The motion passed unanimously.

e. Consideration of Charter Authorizing Panel Decision - Haas Hall Academy

Director of Public Charter Schools Mr. Reginald Ballard said on January 12, 2004, the State Board of Education approved the application for Haas Hall Academy. The charter is approved to serve students in grades 7-12 with a maximum enrollment of 941. Representatives of Haas Hall Academy are appearing before the Charter Authorizing Panel to request an amendment to the current charter.

Ms. Zook asked Superintendent Dr. Martin Schoppmeyer if during principal interviews, that they are ensuring that the person selected would be an instructional leader and Dr. Schoppmeyer (on phone) confirmed this.

Ms. Newton moved, seconded by Mr. Williamson, to not review. The motion passed unanimously.

f. Consideration of Charter Authorizing Panel Decision - Future School Fort Smith

Director of Public Charter Schools Mr. Reginald Ballard said on October 14, 2015, the Charter Authorizing Panel approved the application for Future School of Fort Smith. The charter is approved to serve students in grades 10-12 with a maximum enrollment of 450. Representatives of Future School of Fort Smith are appearing before the Charter Authorizing Panel to request an amendment to the current charter.

Mr. Williamson moved, seconded by Ms. Newton, to not review. The motion passed unanimously.

g. Consideration of Charter Authorizing Panel Decision - Cabot Academic of Excellence

Director of Public Charter Schools Mr. Reginald Ballard said on March 8, 2004, the Charter Authorizing Panel approved the application for Cabot Academic Center of Excellence. The charter is approved to serve students in grades 7-12 with a maximum enrollment of 500. Representatives of Cabot Academic Center of Excellence are appearing before the Charter Authorizing Panel to request an amendment to the current charter.

Ms. Chambers moved, seconded by Ms. Dean, to not review. The motion passed unanimously.

h. Consideration of Charter Authorizing Panel Decision - Lincoln High School

Director of Public Charter Schools Mr. Reginald Ballard said on January 12, 2012, the Charter Authorizing Panel approved the application for Lincoln High School. The charter is approved to serve students in grades 8-12 with a maximum enrollment of 850. Representatives of Lincoln High School are appearing before the Charter Authorizing Panel to request an amendment to the current charter.

Ms. McFetridge asked what the reasoning was for dropping a grade. Principal Ms. Courtney Jones said that they are reconfiguring the district to better serve their students. She said that placing eighth grade students back into the middle school building allows for more equitable number in each building. Ms. McFetridge asked if they worked with the parents regarding district changes. Ms. Jones confirmed, saying the parents are very supportive of the change.

Ms. McFetridge moved, seconded by Ms. Chambers, to not review. The motion passed unanimously.

i. Consideration of Charter Authorizing Panel Decision - Badger Academy

Director of Public Charter Schools Mr. Reginald Ballard said at the most recent Beebe School District's school board meeting, the board voted to dissolve the district conversion charter for Badger Academy. The Charter Authorizing Panel heard the request and accepted their dissolution.

Ms. Zook asked if the ALE would make an application for an LEA number or if they would be a part of the high school's LEA. Deputy Commissioner Dr. Ivy Pfeffer said it would be a part of the high school's LEA number. Ms. Zook asked what would happen to the waivers they had under the old LEA number. Assistant Commissioner Ms. Coffman said that when a district conversion charter is rescinded, then all of those waivers automatically go away. If they need the waivers, they will seek them under the traditional school LEA number.

Dr. Moore asked is Badger Academy and the next two schools run a virtual ALE program. Dr. Pfeffer said as part of the HUB, they offer different types of alternatives that districts put together sometimes within their ALE plan. She said because the Arch Ford HUB has different pathways for school districts to access content, provide job and internship experiences through JAG type programs, as well as providing some mental health supports that would become part of wraparound services that districts include within their ALE program. Per Dr. Moore's request, Dr. Pfeffer will work on getting the State Board a summary of what the typical experiences are looking like and what schools consider the most valuable.

Dr. Barth, based on dissolutions the State Board has seen, asked if the Department thinks there might be a fundamental problems with the separate ALE model. Dr. Pfeffer said that she thinks that it is the awareness of student needs have changed and we now have more available tools to meet those differentiated needs. She said it is more a question of how should ALEs look in the future to meet the needs of all students.

Ms. McFetridge asked for clarification on how the education service cooperatives (ESC) work versus the Department. Dr. Pfeffer said each ESC builds a unique relationship with the districts in its region. The Department will often work with the ESC to provide general

supports for all districts; however, the ESC may support their districts in unique and different ways. Ms. McFetridge asked who governs the ESCs. Dr. Pfeffer said that the ESCs are governed by a board of directors, who are usually the superintendents of the school districts. She added that the Department provides grant funding for some of the specialist that work through an ESC; however, each ESC is an independent entity.

Dr. Barth if there are any more standalone ALEs. Public School Program Advisor Ms. Kelly McLaughlin said there are a few district conversations still in existence.

Ms. McFetridge moved, seconded by Ms. Chambers, to not review. The motion passed unanimously.

j. Consideration of Charter Authorization Panel Decision - Washington Academy

Director of Public Charter Schools Mr. Reginald Ballard said Texarkana School District, Washington Academy voted to dissolve their district conversion charter school. The Charter Authorizing Panel accepted the dissolution.

Ms. Newton moved, seconded by Ms. Chambers, to not review. The motion passed unanimously.

Added Item – A-3 Covenant Keepers Charter School Update

Staff Attorney Ms. Mary Claire Hyatt said in response to the subpoena sent to Valerie Tatum the Department received four boxes of documents. She said the Department's finance team reviewed and organized those files and found that they are still missing most, if not all, of the financial records for the 2017-2018 fiscal year and the current fiscal year. Also, Ms. Hyatt said that they found that the IRS log-in information had been changed. The log-in information is required to check the status of payments. Ms. Hyatt noted that Ms. Tatum had been granted an extension on the subpoena to fully comply; however, did not receive any additional documents. She has been in contact with Ms. Tatum's attorney; however, Ms. Tatum says she does not have the needed documents.

Ms. Hyatt said that the Department was compelled to go to circuit court to ask the judge to enforce the subpoena that the State Board issued. She filed what in Pulaski County Circuit Court the previous Friday. Ms. Hyatt will provide the State Board with a copy of the petition. Ms. Tatum and her attorney will now have time to respond to the petition and after that time the Department can ask for a hearing.

There was no action required for this agenda item.

Action Agenda B

B-1 O'Kelley Family School Choice Appeal

Staff Attorney Ms. Jennifer Dedman reviewed the school choice procedures. She said that this is a school choice appeal between the Bryant School District and the Lakeside School District (Garland County). She said that the student was denied the transfer because the percentage of enrollment for the student's race in the Lakeside School District exceeds the percentage in the Bryant School District. Ms. Dedman said that the percentage of white students in the resident district is approximately 65.84%; whereas, the other district has a percentage of approximately 73.878%

Bryant School District's Mr. Jeremy Lassiter said that they do not have a position on this appeal. However, he said if the student is in the Bryant School District, then the district will ensure that they do everything that they can to help the student succeed academically, emotionally, and socially.

Mr. Scott Hickam, representing Lakeside School District, provided the State Board with a letter from the Department of Education essentially affirming that Lakeside is a part of the federal desegregation order and are exempt from school choice. He also passed out raw data on both school districts.

Ms. Sally O'Kelley, the student's mother, passed out medical information for inclusion in the State Board's packet. She said the student has specific medical issues that are prompting the reason for the transfer. She said that the Lakeside School District offers a flex program for elementary students which allows the family of the student to choose which days the child will and will not be present on school campus. She notes that the school days are also shorter than a traditional schedule. Ms. O'Kelley said that they believe a drastic increase in the number of hours in which the student is in class may cause a flare up of the student's medical condition due to probable fatigue and stress. Ms. O'Kelley also read two letters of support from a couple of the student's doctors.

Dr. Moore asked how the State was a party in this desegregation suite. Ms. Dedman said that the State is a party to the 1989 order in Davis versus Hot Springs because the State is the monitoring body. She said that a failure comply with the order would be treated as such.

Ms. Zook asked how there were 204 non-resident, white students in the Lakeside School District. Lakeside Superintendent Mr. Rick McLaughlin said that those students were transferred from schools with a higher white population.

Ms. Zook asked if the student had an IEP. Ms. O'Kelley said that the student does not yet have an IEP. Ms. O'Kelley expressed her concern that her student may lose instruction if not a part of the flex program. Ms. Zook suggested looking into specialized virtual instruction.

Dr. Barth asked if the State Board could ask the Bryant School District to follow the IEPs in a way that supports the student's education, assuming the student goes to Bryant School District. Mr. Lassiter said yes and that they always follow the IEPs.

Dr. Moore asked if students who are rejected can reapply annually. Mr. Hickam said yes, they just have to meet the deadline. Dr. Moore noted that the percentages may change from year to year and allow the student the possibility of transfer at that time.

Mr. Williamson moved to grant the appeal. The motion failed for lack of a second.

Dr. Moore suggested that the family could try to reapply with a new application.

Ms. Dean moved, seconded by Ms. Chambers, to deny the appeal. There was a roll call vote. Mr. Williamson voted no. The final vote was 7-1. The motion passed.

Dr. Barth and Ms. Dean thanked the O'Kelley family for advocating for their student.

B-2 Request for Transfer of Succeed Scholarship: Williams

Deputy General Counsel Ms. Courtney Salas-Ford said the ADE Rules Governing the Succeed Scholarship Program require the parent of a student receiving a Succeed Scholarship who wishes to enroll the student in another private school from the list of eligible private schools, to request approval from the State Board of Education. The Williams family requests approval to transfer their scholarship due the closure of St. Edwards School.

Ms. Newton moved, seconded by Ms. McFetridge, to grant the request. The motion passed unanimously.

B-3 Request for Transfer of Succeed Scholarship: Berry

Deputy General Counsel Ms. Courtney Salas-Ford said the ADE Rules Governing the Succeed Scholarship Program require the parent of a student receiving a Succeed Scholarship who wishes to enroll the student in another private school from the list of eligible private schools, to request approval from the State Board of Education. The Berry family requests approval to transfer their scholarship due to the closure of Pathfinder Academy.

Ms. Zook moved, seconded by Ms. Chambers, to grant the request. The motion passed unanimously.

B-4 Request for Transfer of Succeed Scholarship: Horton

Deputy General Counsel Ms. Courtney Salas-Ford said the ADE Rules Governing the Succeed Scholarship Program require the parent of a student receiving a Succeed Scholarship who wishes to enroll the student in another private school from the list of eligible private schools, to request approval from the State Board of Education. The Horton family requests approval to transfer their scholarship due to the closure of St. Edwards School.

Ms. Chambers moved, seconded by Mr. Williamson, to grant the request. The motion passed unanimously.

B-5 Request for Transfer of Succeed Scholarship: Hoffman

Deputy General Counsel Ms. Courtney Salas-Ford said the ADE Rules Governing the Succeed Scholarship Program require the parent of a student receiving a Succeed Scholarship who wishes to enroll the student in another private school from the list of eligible private schools, to request approval from the State Board of Education. The Hoffman family requests approval to transfer their scholarship to Christ Lutheran.

Ms. Zook asked if the family had checked to ensure that their child would be provided with the same level of services to meet their needs. Ms. Salas-Ford said that she believed that in the information submitted by the family, that they had discussed the transfer with Access Academy and that it was decided that Christ Lutheran best fit the student's needs. Ms. Hoffman, the student's mother, said that the family felt comfortable with the transfer.

Ms. Newton moved, seconded by Ms. Dean, to grant the request. The motion passed unanimously.

B-6 Request for Transfer of Succeed Scholarship: McCain

Deputy General Counsel Ms. Courtney Salas-Ford said the ADE Rules Governing the Succeed Scholarship Program require the parent of a student receiving a Succeed Scholarship who wishes to enroll the student in another private school from the list of eligible private schools, to request approval from the State Board of Education. The McCain family requests approval to transfer their scholarship to Catholic High School.

Ms. Chambers moved, seconded by Ms. Dean, to grant the request. The motion passed unanimously.

B-7 Request for Transfer of Succeed Scholarship: Ventura

Deputy General Counsel Ms. Courtney Salas-Ford said the ADE Rules Governing the Succeed Scholarship Program require the parent of a student receiving a Succeed Scholarship who wishes to enroll the student in another private school from the list of eligible private schools, to request approval from the State Board of Education. The Ventura family requests approval to transfer their scholarship due to the closure of St. Edwards School.

Ms. Dean moved, seconded by Ms. Chambers, to grant the request. The motion passed unanimously.

B-8 Request for Transfer of Succeed Scholarship: Johnson

Deputy General Counsel Ms. Courtney Salas-Ford said the ADE Rules Governing the Succeed Scholarship Program require the parent of a student receiving a Succeed Scholarship who wishes to enroll the student in another private school from the list of eligible private schools, to request approval from the State Board of Education. The Johnson family requests approval to transfer their scholarship.

Ms. Dean moved, seconded by Mr. Williamson, to grant the request. The motion passed unanimously.

B-9 Consideration of Arkansas Better Chance 2019-2020 Contracts

Division of Early Childcare and Education Ms. Susan Underwood said that she passed out an update to the State Board members. She said the 2019-2020 contracts provide several different services, including professional development, technical assistance, and research for the 248 ABC programs serving over 23,000 students who are in center-based and home-visiting.

Dr. Moore asked for clarification on the grants given to the ASU Childhood Services. Ms. Underwood said the environmental rating scale handles a lot of training and assistance with the programs on environment, child/teacher interaction, language development, health and safety, etc. Dr. Moore asked if these are competitive grants. Ms. Underwood said these are continuations of grants they have had for the past couple of years. Dr. Moore asked if there are reporting mechanisms and she was answered in the affirmative.

Ms. Zook asked if Ms. Underwood was aware that they were still on balanced literacy and not structured literacy. She noted that R.I.S.E. Arkansas is based on structured literacy. Ms. Underwood said she was aware and that their teachers located in school districts are also participating in R.I.S.E. Arkansas training. Ms. Zook suggested putting out an RFP for a different provider of literacy professional development.

Ms. Chambers moved, seconded by Ms. Dean, to approve. There was a roll call vote. Ms. Zook and Dr. Moore voted no. Mr. Williamson was not present in the room. The final vote was 5-2. The motion passed.

B-10 Consideration of the Second Round for Arkansas Better Chance 2019-2020 Grants

Division of Early Childcare and Education's Ms. Susan Underwood said they are requesting approval of the Second Round for Arkansas Better Chance Grants for the 2019-2020 school year. She said there have been some closure of programs and other changes and they are requesting that they award the relinquished slots to the following programs: Arkansas River Education Service Cooperative, eight slots; Crowley's Ridge Education Service Cooperative, 20 slots; and West Memphis, 40 slots. Ms. Underwood said that is in addition to funds to set up classrooms: Arkansas State, one classroom at \$10,000; Crowley's Ridge, one classroom at \$10,000; Fort Smith, two classrooms at \$20,000; and West Memphis, two classrooms at \$20,000.

Ms. Newton moved, seconded by Dr. Hill, to approve. The motion passed unanimously.

B-11 Provision of Arkansas Better Chance (ABC) 2018- 2019 Funding Targeting Foster Care

Division of Early Childcare and Education's Ms. Susan Underwood said they were requesting that completion of payment to the ABC Programs serving additional children in Foster Care be approved.

Dr. Moore asked if centers receive additional funds per foster student. Ms. Underwood said yes and those funds are for the services of the children.

Ms. Newton moved, seconded by Ms. Dean, to approve. The motion passed unanimously.

B-12 Consideration of Remaining Arkansas Better Chance Funding

Division of Early Childcare and Education's Ms. Susan Underwood said a recommendation for use of the AR Better Chance funding remaining at the end of the 2018-2019 school year. They are requesting a continuation of AmeriCorps for schools through the Southeast AR Education Cooperative that provides assistance to at-risk pre-K students in reading and math across eight counties and serves as a conduit for an introduction for teacher education. They also have several infant and toddler programs, a payment reconciliation to DeQueen/Mena, and a one-time payment to the Bryant School District.

Ms. McFetridge moved, seconded by Mr. Williamson, to approve the reallocation of funds. The motion passed unanimously.

B-13 Consideration of Final Accreditation Report Fiscal Year 2018-2019: Summary of Accreditation for Arkansas Public Schools and School Districts

Assistant Commissioner Ms. Deborah Coffman said the Department requests the Board approve the Final Accreditation Report Fiscal Year 2018-2019: Summary of Accreditation for Arkansas Public Schools and School Districts. She also introduced the new coordinator overseeing Standards for Accreditation, Standards and System Support Unit, Charter Schools, and State and Federal Monitoring. Ms. Coffman said that every school district is approved, except Lee County School District and Lee County High School. Lee County is currently under

probation and must get the policies and procedures corrected with the next school year or face further ramifications.

Ms. Zook moved, seconded by Mr. Williamson, to approve. The motion passed unanimously.

B- 14 Request for Approval: Proposed ADE Emergency Rules Governing the Educator Compensation Reform Program

Deputy General Counsel Ms. Courtney Salas-Ford said that Act 877 of 2019 established the Educator Compensation Reform Program to assist public school districts in meeting the minimum teacher salary schedules contained in Ark. Code Ann. § 6-17-2403, as amended by Act 170 of 2019. Act 877 requires promulgation of rules to administer the program. Both Acts contain an emergency clause making the Acts effective July 1, 2019. Emergency approval of these rules is necessary for implementation of the Acts and Program. Governor's approval was received on May 13, 2019. ADE staff respectfully requests that the State Board approve these emergency rules.

Ms. Newton asked if there was monies available to increase the steps all the way up. Ms. Salas-Ford said that districts are not required to increase each step; they are only required to increase the minimum. She said that it is the Department's understanding that most districts are going to increase to keep the differentiation the same. The rules will allow the districts to use the \$60,000,000 (whatever portion allotted) to help them meet each of the minimums. Assistant Commissioner Mr. Greg Rogers said the calculation for the \$60,000,000 was determined by multiplying each school district's FTEs by the difference between what their current salary schedule minimum salary is and the increase. He noted that this is a one-time funding. Ms. Newton asked if there may be increases in foundation funding to help in the future. Dr. Pfeffer said that she did not have a definite answer; however, the Department is ensuring that school districts have the information they need to make the appropriate decisions on how they choose to distribute their portion of the \$60,000,000.

Dr. Moore asked if the Excellence Trust Fund has to be spent on teacher salary. Mr. Rogers said that the Educational Excellence Trust Fund is part of the calculation that does into the foundation funding. He said that right now it is based off the state aid. There has been a change in the law so that the fund only looks at the last year to determine the difference with the current year and the amount that would be applied to the teacher salaries. He also said that now it will consider all the resources received as part of foundation funding. Dr. Moore asked if the Department tracks bonuses that a district may have been giving in lieu of pay increases and Mr. Rogers said no.

Ms. Chambers said that she is excited for the opportunity for teachers; however, she wants to ensure that once the money from the State is no longer available, that there is good continuity. Ms. Salas-Ford said that there have been internal discussions on ideas to help guide districts. Dr. Pfeffer said that there is also an interactive planning tool available to districts.

Ms. Zook moved, seconded by Ms. Newton, to approve the proposed rules. The motion passed unanimously.

B-15 Consideration for Release for Public Comment: Proposed ADE Rules Governing the Educator Compensation Reform Program

Deputy General Counsel Ms. Courtney Salas-Ford said that Act 877 of 2019 established the Educator Compensation Reform Program to assist public school districts in meeting the minimum teacher salary schedules contained in Ark. Code Ann. 6-17-2403, as amended by Act 170 of 2019. Act 877 requires promulgation of rules to administer the program. Governor's approval was received on May 13, 2019. ADE staff respectfully requests that the State Board approve the release of these rules for public comment.

Ms. Newton moved, seconded by Ms. Chambers, to release the proposed rules for public comment. The motion passed unanimously.

B-16 Request for Approval: Proposed ADE Emergency Rules Governing the Educational Excellence Trust Fund

Deputy General Counsel Ms. Courtney Salas-Ford said that Act 170 of 2019 amended Ark. Code Ann. §§ 6-5-307 and 6-17-2403 concerning the Educational Excellence Trust Fund. Act 170 contains an emergency clause making the Act effective July 1, 2019. Emergency approval of these rules is necessary for implementation of the Act. Governor's approval was received on May 13, 2019. ADE staff respectfully requests that the State Board approve these emergency rules.

Ms. Chambers moved, seconded by Ms. Dean, to approve the proposed rules. The motion passed unanimously.

B-17 Consideration for Release for Public Comment: Proposed ADE Rules Governing the Educational Excellence Trust Fund

Deputy General Counsel Ms. Courtney Salas-Ford said that Act 170 of 2019 amended Ark. Code Ann. §§ 6-5-307 and 6-17-2403 concerning the Educational Excellence Trust Fund, requiring an amendment to these rules. Governor's approval was received on May 13, 2019. ADE staff respectfully requests that the State Board approve the release of these rules for public comment.

Ms. Newton moved, seconded by Ms. Chambers, to release the proposed rules for public comment. The motion passed unanimously.

B-18 Consideration of Legislative Report: Dollarway School District

State Superintendent Dr. Mike Hernandez said pursuant to Ark. Code Ann. § 6-13-112 & 6-15-2917, a quarterly status report is provided for each school district currently under state authority. He said they are continuing in the Professional Learning Community (PLC) work and have completed the first year of working with the embedded coaching model. Based on a survey conducted with staff, 79% feel that they are implementing and developing through the process. Also, he said the 30-60-90 plans for working with Solution Tree coaches are in the process of being developed. He noted they have been going through PBIS and they have their behavior matrices in place. Dr. Hernandez said that as they are revamping the District support plans and school level plans, they are keeping the exit criteria in mind.

Dr. Moore asked if they will be able to retain their principals next year, as well as staffing. Superintendent Ms. Barbara Warren said their middle school principal is going to be the athletic

director, but she is excited about the candidate they have coming in as a replacement. She noted that they are about 95% staffed; however, they need two General Education teachers and two Special Education teacher at the middle school, one opening at the high school, and two openings for the elementary school.

Ms. Zook asked if the eight long-term substitute position from last year had been filled. Ms. Warren said that three of those are Emergency Teacher Permits. She said they had been shifting away from long-term sub and have engaged with a diverse group of teacher who are coming in.

Ms. Zook asked for confirmation that a full audit of the dyslexia and special education programs in the fall and Ms. Warren confirmed.

Ms. Newton applauded the district's progress thus far.

Mr. Williamson moved, seconded by Dr. Hill, to accept the report. The motion passed unanimously.

B-19 Consideration of Legislative Report: Earle School District

State Superintendent Dr. Mike Hernandez said the district is trying to get more voice around the teaching staff, community, and students. He said they have been active with their student government association and have conversations with them about if they though their needs were being met. He said that have a contract with AdvancEd and the district used their diagnostic tool, through which, they gained additional pieces of guidance about what they need to be improving in their systems. Dr. Hernandez also said that Dr. Wilde and Ms. Knowles are developing a matrix of alternative compensation plans for their hard-to-staff areas. Regarding R.I.S.E. Arkansas, they have somebody going in weekly to provide reports and updates on the science of reading. Dr. Hernandez said that they will be working on an exit criteria and the fiscal distress budget with the district.

Ms. Newton, Dr. Hill, Ms. Dean, and Ms. Chambers all thanked Superintendent Dr. Richard Wilde for all of his hard work.

Ms. Chambers asked if he was feeling comfortable with the transition. Dr. Wilde said he has really bonded with the district; however, he feels that they have been putting the pieces in place for people to be successful.

Ms. Zook asked where he thought the principals were in becoming instructional leaders. Dr. Wilde said that they are maturing into instructional leaders; however, they still have things to work on. He said that over the last 18 months the level of their conversations has greatly improved as has their in-depth knowledge. Ms. Zook asked if they are thinking in terms of addressing the reading needs of the students who have not benefited from the instruction leading up to this moment. Earle School District's Ms. Tish Knowles said that all of their teachers have gone through R.I.S.E. Arkansas and 14 teachers and one paraprofessional have gone through Phonics First. She said the education service cooperative has also been instrumental in helping to ensure that R.I.S.E. is being implemented correctly.

Ms. Zook moved, seconded by Ms. Dean, to approve the report. The motion passed unanimously.

B-20 Consideration of Legislative Report: Lee County School District

State Superintendent Dr. Mike Hernandez said since the take-over of Lee County was recent, this report is more of an initial summary. He said they finished all the transcript audits and got them ready to make sure that as many students as possible were ready for graduation. He said they also have started to go back and look at the 11th and 10th grade transcripts. Dr. Hernandez said they are actively working on developing a course catalog and master schedule. He said that when they got on-site, it was found that students were not being screened for dyslexia; however, they have been working with the students that were there to get them screened. He also said that there was not a consistent literacy or phonics program, so they are purchasing Wilson Foundations to do the training. He said they also lack R.I.S.E. Arkansas training. Dr. Hernandez said that the district didn't have a licensed RN; however, they have hired one for the upcoming year. Regarding fiscal distress, they do have a fiscal distress plan in place and are starting to work on the objectives. Dr. Hernandez also said that two new principals have been hired to replace those that resigned at the elementary and high school levels. He said that they are in the process of analyzing school level plans at the moment.

Ms. McFetridge asked if they had found a guidance counselor. Superintendent Mr. Zrano Bowles said they are in the interview process for a counselor.

Ms. Dean encouraged the district to make sure the community was engaged in building the culture of the district.

Ms. McFetridge moved, seconded by Ms. Dean, to approve the report. The motion passed unanimously.

B-21 Consideration of Legislative Report: Pine Bluff School District

State Superintendent Dr. Mike Hernandez said that Pine Bluff is moving toward the PLC process. He said that they had their kick-off meeting recently and Dr. Anthony Muhammed did their day-one training. He said that they have worked on master schedules with them to make sure there is time for intervention, teacher collaboration, etc. Dr. Hernandez said that they have nearly completed their reduction in staff and they are working to finalize the budget. He said that Superintendent Dr. Jeremy Owoh has been in constant communication with community organizations and they have done many different events to raise awareness of their plans for the district. He said Dr. Owoh has partnered with UA-Monticello ERZ to identify issues related to chronic absenteeism. In addition to the PLC process, another focus for the district is making sure that their students are being screened for dyslexia. The district is continuing to resolve all pending personnel issues and Dr. Owoh is working on selling unused or underutilized buildings.

Ms. Zook asked about their reduction-in-force policy. Dr. Owoh said that it takes into account the number of years the person has in the district, as well as the number of certifications, grade level certifications, and certifications in shortage areas. Ms. Zook asked if they were going to have their principals ready to be R.I.S.E. assessors by the time the teachers are through with their training. Dr. Owoh said that is their plan.

Dr. Owoh said that he has been fortunate to have community support and partnership support. He also noted that having the exit criteria on the front end is helpful.

Ms. Zook moved, seconded by Ms. Chambers, to accept the report. The motion passed unanimously.

B-22 Consideration of Legislative Report: Little Rock School District

State Superintendent Dr. Mike Hernandez said the district has been working on their MTSS manual, which will give guidance and expectations related to their RTI process in school. He noted that Mabelvale Elementary School is going to be part of the PLC pilot program for Cohort 3. Dr. Hernandez said as part of the District Support Plan, they are having collaborative team meetings with district leadership where they analyze data. They are in the process of updating the school level plans. He said they have been encouraging the district regarding a decision-making matrix, which is a newer concept. There has been a revision to the TESS handbook that has a clear timeline related to teachers receiving intense intervention. Dr. Hernandez said that they have identified the district exit criteria and it has been presented to the Community Advisory Board and to the principals. Regarding curriculum development implementation, Dr. Hernandez said they are having discussions about training and are starting to buy programs. He also said that they are anticipating a balanced budget next year.

Special Education Division Manager Mr. Matt Sewell provided an update on the in-depth monitoring of the Little Rock School District's Special Education program. He said they reviewed 181 student files and at the conclusion of their 90-day correction window his team issued a Letter of Finding which included the areas of noncompliance for which LRSD will be required to develop a compliance action plan. He noted that the areas of noncompliance came from six of the 181 files reviewed. LRSD has one year from the Letter of Finding to provide evidence that the correct steps have been taken. Mr. Sewell said the Special Education unit will continue to provide support and monitor their progress.

ADE Special Advisor Ms. Lisa Tyler said that they also contracted with a special education supervisor to provide support to LRSD. Ms. Tyler said that she was surprised to learn that many of the principals have a background in special education. She saw student and teacher attendance as areas of need, as well as a need for positive behavior intervention.

Ms. Zook asked what progress was made regarding Child Find. Mr. Sewell said that they were not cited on Child Find. He said they were trained on it and they corrected it; however, it was not a finding against the district.

Ms. Newton asked if the literacy adoption was finalized. Superintendent Mr. Mike Poore said yes and they have teams working on curriculum mapping and a training schedule in place.

Ms. Dean said that she was glad to see so many opportunities for parents to be engaged and involved in the school level plans.

Ms. Zook asked if the new K-12 literacy person is R.I.S.E. trained and if Mr. Poore was confident that they are an instructional leader. Mr. Poore said yes on both items. Ms. Zook asked if she is willing to switch from balanced to structured literacy. Mr. Poore said that he believes all of their principals are on board for the switch.

Dr. Barth said that we are seven months away from the five year mark. He asked that the State Board members prepare a thought contingency plan and take ownership of their decisions going forward in a way that is best for the community, the district, and the students.

Ms. Zook said that she has already spoken with Chief of Staff Ms. Gina Windle about having a work session on Act 930 in the fall.

Ms. Chambers moved, seconded by Ms. Dean, to accept the report. The motion passed unanimously.

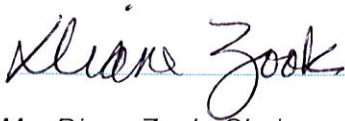
Public Comment

There was no public comment.


Adjournment

Ms. Dean moved, seconded by Ms. Chambers, to adjourn. The motion passed unanimously. The meeting adjourned at 5:36 p.m.

Meeting minutes recorded by Tiffany Donovan

A handwritten signature in blue ink that reads "Diane Zook". The signature is written in a cursive style and is positioned above a horizontal line.

Ms. Diane Zook, Chair

A handwritten signature in blue ink that reads "Johnny Key". The signature is written in a cursive style and is positioned above a horizontal line.

Johnny Key, Commissioner