

In The Matter Of:
*BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION*

December 13, 2018

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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION

DECEMBER 13, 2018
10:00 A.M.

A P P E A R A N C E S

BOARD MEMBERS:

MR. JOHNNY KEY	Commissioner (Non-Voting)
DR. JAY BARTH	Chairman
MS. CHARISSE DEAN	Vice Chairman
MS. DIANE ZOOK	Board Member
MS. SUSAN CHAMBERS	Board Member
MR. R. BRETT WILLIAMSON	Board Member
MS. OUIDA NEWTON	Board Member
DR. FITZGERALD HILL	Board Member
DR. SARAH MOORE	Board Member
MS. KATHY McFETRIDGE	Board Member
MS. RANDI HOUSE	Teacher of the Year (Non-Voting)

ADE LEGAL COUNSEL:

MS. LORI FRENO	ADE General Counsel
MS. COURTNEY SALAS-FORD	ADE Deputy General Counsel
MS. JENNIFER DEDMAN	ADE Attorney Supervisor
MS. MARY CLAIRE HYATT	ADE Attorney
MR. TAYLOR DUGAN	ADE Attorney

LOCATION:

ARKANSAS DEPARTMENT OF EDUCATION
#1 Capitol Mall - Auditorium
Little Rock, AR

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1 P R O C E E D I N G S

2 A-1: CONSIDERATION TO ALLOW A TEACHER INTERN FROM UALR TO
3 SERVE AS A LONG-TERM SUBSTITUTE IN PARTNERSHIP DISTRICTS

4 CHAIRMAN BARTH: Action Agenda A, it's the 10
5 a.m. We're -- first off is Consideration to Allow a
6 Teacher Intern from University of Arkansas Little
7 Rock to Serve as a Long-Term Substitute in
8 Partnership Districts.

9 I want to thank you guys so much for -- I know
10 you probably did not expect to get hazed the way you
11 did today. And so -- and I appreciate all your hard
12 work on this issue.

13 So I have Ms. Luneau and Ms. Jacks.

14 MS. LUNEAU: Joan Luneau, Coordinator of
15 Educator Preparation here at the Department. We
16 bring before you a proposal that would allow
17 consideration for a teacher intern from UA-Little
18 Rock to serve as a long-term sub in partnership
19 districts. This would require approval for a waiver
20 from the requirement that a long-term sub have a
21 bachelor's degree. The intern would have to meet the
22 specific requirements as defined in the proposal, and
23 that will be presented to you.

24 I just want to remind you this is similar to
25 UAM's Bridging the Gap that was approved in July of

1 2015. I just want to give you an update on that
2 program. It's still going. Since it began, we've
3 had nine complete the program. All nine received
4 standard licensure; seven of the nine retained
5 employment in Southeast Co-op; two moved for personal
6 reasons but they are still teaching.

7 We have representatives from the three school
8 districts for partnerships, and we have Heather
9 Newsom from UA-Little Rock that will give the
10 presentation.

11 CHAIRMAN BARTH: Great. Thank you very much.

12 MS. NEWSOM: Hello.

13 CHAIRMAN BARTH: Good morning.

14 MS. NEWSOM: Good morning, Board. I am the
15 director of Teacher Licensure and Placement at UALR,
16 and so my duties include placing our students in our
17 partner districts. We have with us today three HR
18 directors from our main districts -- LRSD, NLRSD, and
19 PCSSD -- and I'm sure you know their faces, but Renee
20 Kovach, Cheryl Reinhart, and Shawn Burgess. And Mr.
21 Poore stayed as well, so -- and those are our primary
22 partners right now that would pilot that program, and
23 if it was successful we would absolutely expand it to
24 our other partners as well. We do place students
25 around the state, but it's primarily within central

1 Arkansas.

2 So the proposal that you see before you is
3 fairly basic. Students would be required to maintain
4 a 3.0. Students that already had one internship
5 before this in our elementary education program and
6 our middle level program, they do a full year of
7 internship; so they have one internship before this.
8 And what has become difficult for these students is
9 to essentially do the job of a teacher -- right --
10 show up at 7:30 in the morning and work all the way
11 till 4:30, without pay. And a lot of times we end up
12 losing people in the second semester because they
13 just can't afford to do it. So what we're looking
14 for is a way that we can provide financial support to
15 them in the form of a paycheck for them.

16 Many of our students, because they go into
17 internships and they perform so well, our partner
18 districts will hire them when they finish their
19 internships in their last semester as long-term
20 substitutes before they're licensed. They can use
21 them for about 30 days, until that expires, and
22 generally our students are licensed by then.

23 So what we thought we would do is create a track
24 for that second semester where our students could be
25 used as a long-term sub with that waiver and be the

1 teacher of record in the classroom every day. And
2 the support on the district side would be the novice
3 teacher support that a regular one-year teacher or
4 first-year teacher would get. On our side they
5 would, of course, have the support of their program
6 coordinator, their advisor on campus. And then we
7 have university supervisors that go out and observe
8 their teaching, give them feedback, and we look for
9 that improvement.

10 Now these would be exceptional candidates. This
11 STeP track is not going to be for everyone. And
12 sometimes when you suggest -- we've talked about it
13 to a couple of our students and they get really big
14 eyes with the idea that they'll be in the classroom
15 for the first time; so that might not be for them.
16 Right? It may be more for our really stellar
17 candidates who are comfortable walking into that
18 classroom, taking over, and having their own
19 students. So it won't be for everyone. They'll have
20 a 3.0; they will have passed all of their content
21 exams. So for our elementary education students,
22 they will have passed all four sections of the multi-
23 subject exam. For our middle level students, they
24 will have passed the content exam in which they're
25 teaching. So if they're doing a two-subject load,

1 they must have passed both. If they're doing a one-
2 subject load, they will have passed that one.
3 They'll have the time during the second semester
4 internship to complete the pedagogy exam that's
5 required -- and, of course, for the elementary
6 educators that will include the Science of Reading
7 exam, Foundations of Reading exam as well. We didn't
8 want to leave out our content folks. So these are
9 our secondary education students and our broad-range
10 students, the K-12 licensure. And the requirements
11 for them are just a little bit different because they
12 have one semester of internship; so we will have
13 expected them, again, to have a 3.0 and to have
14 completed all of their content classes. So if they
15 want to be an English teacher for 7-12, they've done
16 all of their English content classes. If they're
17 art, they've done all their art content exams. And
18 generally that's the way it is when they get to their
19 internship semester anyway. So they won't be coming
20 to campus for class because they're going to be in K-
21 12 schools all day long. And they must have passed
22 their content exam as well. They'll have the
23 opportunity during the internship as it is now to
24 pass the pedagogy exams.

25 And I'm willing to take any questions you may

1 have. And my associate dean is here as well -- Kent
2 Layton is here. And then our representatives from
3 our three partner districts that are going to pilot
4 that program are willing to take questions.

5 CHAIRMAN BARTH: Thank you very much.

6 Any questions on this side?

7 Yeah, Ms. House.

8 MS. HOUSE: So is there a system in place for
9 support for that teacher in the building? So is
10 there like a mentor teacher or someone who assists
11 them throughout that?

12 MS. NEWSOM: In our Memorandum of Agreement, our
13 affiliation agreement with the school district, part
14 of what we ask on our part is that they put them
15 through a novice teacher program -- the same program
16 that a first-year teacher would receive, that kind of
17 support. So they would have a mentor program and
18 they would go through that process. So even though
19 they're technically a long-term substitute they would
20 function as a first-year teacher and they would get
21 that support.

22 CHAIRMAN BARTH: Dr. Moore.

23 DR. MOORE: I do have a question. As a long-
24 term substitute, does this mean that they might be in
25 multiple classrooms? They're not going to be

1 guaranteed the same classroom for the semester?

2 MS. NEWSOM: No. They will be in one classroom
3 in their area the entire semester.

4 DR. MOORE: Oh, okay.

5 MS. NEWSOM: So the waiver for Licensure is this
6 -- is the ideal way to allow them to do this. So
7 they can't hold a license because they don't have a
8 bachelor's degree; but allowing them to work as a
9 long-term sub is the way that the districts can
10 employ them in that one classroom for that entire
11 semester, and to hopefully hire them. So that's the
12 hope; right? So they get a great candidate and
13 they'll be stellar candidates and they'll hire them
14 and come into -- if they hire them say in the Fall,
15 which is when we hope to bring them on, then they
16 would license -- go through the process, graduation,
17 license in January, and then they would just keep
18 that same classroom and become a salaried teacher on
19 contract, with a license, in January.

20 DR. MOORE: That makes sense. Thank you.

21 CHAIRMAN BARTH: Ms. Zook.

22 MS. ZOOK: Yes. Have you spoken with UCA who
23 has a contract with Southside in Batesville or the
24 UA-Monticello people who have a contract with
25 Southeast Arkansas Co-op?

1 MS. NEWSOM: We haven't talked with either of
2 those universities. But I will tell you, we have a
3 Two-Plus-Two agreement in Batesville with UACC-
4 Batesville. So we have students that are in
5 Batesville Southside and several others of those
6 local districts. And we've had incidents where those
7 districts have approached us and said, "We really
8 need to hire your elementary candidate" or "We really
9 need to hire your middle level candidate," and that's
10 part of that impetus, because those districts can be
11 a little isolated. They're in the process of growing
12 their own with that Two-Plus-Two program. The
13 students complete their associate's degree through
14 UACC-Batesville and then they do our program remotely
15 and come out with our BSE in elementary education and
16 also mid level.

17 MS. ZOOK: Okay. I think because they probably
18 have lessons learned that talking with both of those
19 institutions would do that.

20 MS. NEWSOM: Uh-huh.

21 MS. ZOOK: And I would also ask that if this is
22 approved that you start comparing their pass rate on
23 the Praxis to people who didn't go through this
24 program and their pass rate.

25 MS. NEWSOM: Uh-huh.

1 MS. ZOOK: Because I know we have a lot of
2 concern that students are graduating with 3.5, 4.0,
3 and then they can't pass the Praxis.

4 MS. NEWSOM: Uh-huh.

5 MS. ZOOK: So we need to get to the bottom of
6 why that is. So if you'll keep that data, if this
7 gets passed, then I'd appreciate it.

8 MS. NEWSOM: That's one of the things the
9 Department asked us to do was to track data on the
10 students that do enter the sub track. And I will
11 tell you that our requirements at UA-Little Rock say
12 that students must pass all of their Praxis exams to
13 graduate. So we don't turn out people who haven't
14 passed their Praxis exams. They are fully ready to
15 license once they graduate.

16 CHAIRMAN BARTH: All right. Ms. Dean? Ms.
17 Newton?

18 MS. NEWTON: Yeah. My question is with the
19 secondary, because it's only a one-semester
20 internship.

21 MS. NEWSOM: Yes, ma'am.

22 MS. NEWTON: Correct? So these teachers would
23 leave with their content, but no previous experience
24 as far as in a classroom or other than probably some
25 observations that you require?

1 MS. NEWSOM: They have early field experiences.
2 Right now our students tutor at Pulaski Heights
3 Middle School and then they do some observation in
4 the classroom. They also have a methods course that
5 they complete where they do 30 hours of field work
6 and teach two lessons for a cooperating teacher
7 before that. The struggle I guess we have is the
8 120-hour rule, that they have to do it with 120
9 hours, and they need at least a major in the content
10 area to be able to pass those exams because they are
11 very content heavy. So we're -- we try to find a
12 balance between -- what we can give them in the
13 Education Department is considered a minor for our
14 programs but they live out in the content areas where
15 they're becoming experts in content -- and that was
16 the real push. We discussed it with Joan Luneau as
17 well, the idea of how we could offer this to our
18 secondary and broad-range students and if we can --
19 say they've passed their content exam and they've
20 done all of the content coursework, and then they
21 could still be working on -- like they'll take
22 classroom management at the same time. I will tell
23 you that in my experience, because we have a
24 nontraditional program -- it's an M.ED. program at
25 our university, but it's an M.A.T. program elsewhere

1 -- those students will essentially have the same
2 qualifications as someone that we might put on a
3 provisional license. The only thing they lack is the
4 bachelor's degree. For a provisional license in a
5 nontraditional program you can walk right into a
6 classroom with only passing your content exam and
7 being enrolled in our program.

8 MS. NEWTON: But don't they have summer classes
9 before they walk into that classroom?

10 MS. NEWSOM: They may, they may not, because
11 they may get hired by a district in August.

12 MS. NEWTON: Okay.

13 MS. NEWSOM: Yeah, so -- and that's in any
14 program that has -- any of our M.A.T. programs or
15 M.ED. programs. It all sort of depends -- there's a
16 last push of hiring in August for our students in our
17 masters programs. The only difference there is the
18 degree, one semester.

19 MS. NEWTON: Okay.

20 MS. NEWSOM: Right. Because remember that
21 students in our STeP program are one semester away
22 from a bachelor's degree. They've done everything
23 else; they just have one semester of internship.

24 MS. NEWTON: I still have a little bit of
25 concern about those secondary students. Because I

1 can think back to my own experience; I thought I was
2 ready when I finished my content things, but if it
3 hadn't have been for a great mentoring teacher in
4 that internship I would've been a completely
5 different teacher.

6 MS. NEWSOM: I was a nontraditional teacher.

7 MS. NEWTON: Yeah.

8 MS. NEWSOM: So I had an undergraduate degree in
9 English, which I got at UALR --

10 MS. NEWTON: Yeah.

11 MS. NEWSOM: -- and a master's degree in
12 English, and I got my job in North Carolina -- my
13 first teaching job -- two weeks before the school
14 started.

15 MS. NEWTON: Yeah.

16 MS. NEWSOM: And I taught the way I'd been
17 taught in college. That didn't necessarily go very
18 well. And the program I was in did not give me my
19 coursework until that following summer.

20 MS. NEWTON: Yeah.

21 MS. NEWSOM: So I had an excellent mentor and
22 she saved my life that first semester. So we will
23 rely heavily on our partner districts and the people
24 they choose to pair our students with. This is a
25 true partnership. Our students -- we're not throwing

1 them into the deep end of the ocean.

2 MS. NEWTON: Okay.

3 MS. NEWSOM: Right. They've got somebody there
4 waiting to catch them with a buoy and a life raft and
5 everything else they may need.

6 MS. NEWTON: So I think I would like to hear
7 from the partnering districts to know what plans you
8 have as far as making sure that those especially
9 secondary teachers have that good support, good
10 mentoring that they're going to need to be able to
11 not just survive the year --

12 MS. NEWSOM: Right.

13 MS. NEWTON: I don't want them to survive the
14 year and then lose some --

15 MS. NEWSOM: Right.

16 MS. NEWTON: -- good potential teachers, but to
17 develop those skills and get them into a great career
18 that we want them to stay in.

19 MS. NEWSOM: We want them to thrive.

20 MS. NEWTON: Right. Absolutely. So --

21 CHAIRMAN BARTH: Great.

22 MS. KOVACH: Good morning. Renee Kovach,
23 Coordinator of Certified Personnel, Little Rock
24 School District. And we're all going to share this.

25 MS. REINHART: Good morning. Cheryl Reinhart,

1 North Little Rock School District.

2 MS. BURGESS: Shawn Burgess, Pulaski County
3 Special School District.

4 CHAIRMAN BARTH: Okay.

5 MS. KOVACH: And I'm going to start by saying
6 this is -- instead of having a long-term sub that has
7 a bachelor's degree, has no teaching experience at
8 all, we're excited that we're going to get someone
9 that we can possibly hire. So that's my excitement
10 for this, for our students in Little Rock School
11 District.

12 MS. REINHART: And I'd like to add to that that,
13 I mean, one of my goals starting new at this was to
14 build a long-term sub pool that was really worthy of
15 being in the classroom -- and this was a perfect
16 opportunity for that. So it also adds to our grow-
17 your-own model. I mean, we're likely, hopefully, to
18 keep those people as teachers once they're licensed.
19 I like the aspect that they have chosen excellent
20 candidates for licensure. We will assign a one-to-
21 one mentor, as well as they'll be participating in
22 the novice teacher/mentor program.

23 MS. NEWTON: Okay.

24 MS. BURGESS: I'd like to echo that. We do
25 struggle in trying to get qualified teachers, so I

1 think this will help us to grow our own. And also we
2 have Journeys that we consistently bring our teachers
3 in. Matter of fact, our district is having one this
4 Saturday for our first- and second-year novices. And
5 so these people will join right on in with that and
6 to support them in their teaching endeavors.

7 MS. NEWTON: That was my question, was the
8 support that the districts are planning on giving
9 those -- you know, I know it's going to be great for
10 the kids to have someone in there that has the
11 content information. But I just want to make sure
12 that those teachers are going to get the supports
13 that they need in order to be able to become an
14 excellent teacher.

15 MS. BURGESS: They will be assigned a mentor,
16 and those mentors are trained, are current teachers
17 that we have right now. And they support them
18 through online, if it's face-to-face, and they also
19 come and attend some of the Journeys that we have
20 planned for our districts as well.

21 SUPT. POORE: May I butt in, Ms. Newton?

22 MS. NEWTON: Yes, ma'am. Yes, sir. Sorry.

23 SUPT. POORE: I want to share one other thing
24 that I think all of the districts would uphold too is
25 that all three of these districts have spent a lot of

1 time trying to enhance professional learning
2 communities, and so that's another wraparound
3 approach. And especially in secondary, typically
4 that means that you're going to have additional
5 people besides just the one mentor. So you may have
6 three English teachers that are meeting or four
7 English teachers working with the new person that's a
8 substitute. So the team approach also is there on
9 top of the mentor.

10 So I wanted just to add that element because I
11 think that's probably the most critical thing,
12 because that really impacts then what's going to
13 happen in terms of the instructional delivery and
14 looking at the data, the strengths and weakness of
15 each learner.

16 MS. NEWTON: Thank you.

17 MS. NEWSOM: I just want to jump back in to say
18 -- just to reiterate this STeP track is not for every
19 student. Every student will not qualify for that.
20 They have to have the 3.0, they have to pass those
21 exams. But the most important thing is they must
22 have the recommendation of their program coordinator
23 and their advisor, and that's the person that's
24 already seen them out in the classroom, that watched
25 them in that methods course, where you're talking

1 about your content people. Remember, our middle
2 level people and our elementary have already spent --

3 MS. NEWTON: Right.

4 MS. NEWSOM: -- one whole semester out there.

5 MS. NEWTON: Okay.

6 MS. NEWSOM: But those content advisors, those
7 are our professors out in our content colleges and
8 they know their candidates very well and they know
9 who might be willing and prepared to do this. But
10 when we came forward with this proposal we didn't
11 want to leave out our content folks --

12 MS. NEWTON: Sure.

13 MS. NEWSOM: -- because they do struggle. And
14 what will happen is our students will run into that
15 final semester where they have to be there every day,
16 7:30 in the morning to 4:30 in the morning [sic], and
17 they'll decide to get just a straight history degree
18 or a straight math degree or a straight biology
19 degree, and we will lose them. And so the
20 internship, even though it's a bookend for our
21 program, will sometimes become the point where they
22 off-road from teaching and they decide it's too hard
23 to do it and they'll leave. And we lost a really
24 great middle level candidate last semester. She has
25 two small children and she got to the point of

1 internship -- brilliant math teacher -- and she had
2 to suspend her work in the program. So we're hoping
3 that something like this might be able to bring her
4 back in so we could support her, because she needs to
5 be able to support her children. The students at UA-
6 Little Rock, remember, are -- you know, they're
7 young, but they're still very nontraditional
8 students.

9 MS. NEWTON: Sure.

10 MS. NEWSOM: Our students are supporting
11 themselves. They may not necessarily be living on
12 campus. They have jobs. They need health insurance.
13 And they have a hard time when they get to the end
14 and they have to say, "Okay, we're going to be there
15 from 7:30 to 4:30 every day," because we expect them
16 to live the life of a teacher during our internship.
17 We want them to see it all. Right?

18 MS. NEWTON: Right. Thank you.

19 CHAIRMAN BARTH: Ms. McFetridge, anything?

20 All right. Dr. Moore.

21 DR. MOORE: I have another question, if you
22 don't mind.

23 So is there a guarantee of hiring by the
24 districts at the completion of that semester?

25 MS. BURGESS: Well, I think with us it will

1 depend on the area of licensure. As you know, a high
2 needs area, like math or science, I'm sure that we
3 will do a binder. That's what we typically do if the
4 person is of quality and we feel like they will be an
5 asset to our district.

6 DR. MOORE: Okay. And I'm sure we would be on
7 the same page with this, but we don't want to set a
8 classroom up in which they have this STeP teacher for
9 the first semester, that teacher is not hired by you,
10 and then they go out. Now if that teacher is not fit
11 to be hired by you, that's fine. But we don't want
12 it to change prematurely if we can avoid that. How
13 are y'all going to mitigate that?

14 MS. BURGESS: For us, we have a policy that we
15 do temporary hires pending when they're hired. So I
16 feel like they would stay for the second semester and
17 then they would re-interview if they are the
18 candidate that we chose to choose.

19 DR. MOORE: Okay.

20 CHAIRMAN BARTH: Ms. Zook, did you have
21 something?

22 MS. ZOOK: Yes. The first thing you have to do
23 when you start teaching is in August, when you have
24 to set up your classroom and manage your classroom
25 and get yourself established. So I wonder if we can

1 assure those teachers that they will have a strong
2 mentor, because if you come in second semester
3 somebody else has either done a good job or not. And
4 so learning that -- because until you have your
5 classroom management established then nobody is going
6 to learn much, as you well know. So if we could be
7 assured that those teachers will have a strong mentor
8 if they get hired for that first semester and beyond
9 too. Thank you.

10 MS. NEWSOM: I think our anticipation is that
11 we'll have a lot more hires happen during the Fall
12 semester. That's what the districts have told us as
13 well. But, you know, you do have those moments,
14 unfortunately, in the Spring where somebody decides
15 to leave a district and the district is looking to
16 hire someone -- and, again, they go to their long-
17 term sub pool. But if you can pull in somebody who's
18 got a strong foundation in content, already been
19 through two internships and is ready to step into the
20 classroom, it's much better than somebody that might
21 be in your sub pool. So --

22 CHAIRMAN BARTH: All right. If there are no
23 further questions, I'll entertain a motion.

24 MS. CHAMBERS: I move to approve this
25 accelerated teacher track -- permit track.

1 DR. HILL: Second.

2 CHAIRMAN BARTH: All right. Motion by Ms.
3 Chambers, second by Dr. Hill.

4 All in favor say "aye."

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRMAN BARTH: Opposed, same sign.

7 All right. Thank y'all very much for being
8 here.

9 MS. NEWSOM: Thank you.

10 CHAIRMAN BARTH: Great. Good.

11 MS. NEWSOM: Thank you so much. Our students
12 are very excited.

13 CHAIRMAN BARTH: Great. Good luck.

14 A-2: CONSIDERATION OF LEGISLATIVE REPORT: DOLLARWAY SCHOOL
15 DISTRICT

16 CHAIRMAN BARTH: Okay. We are down to the
17 Dollarway School District legislative report. And
18 folks do have -- appear to have a folder in front of
19 them that --

20 MS. CHAMBERS: Can we take a quick break?

21 CHAIRMAN BARTH: Do you need a quick break?
22 Okay. We're going to take a 5-minute break.

23 (BREAK: 11:42 - 11:52 a.m.)

24 CHAIRMAN BARTH: Okay. Now, Dr. Hernandez, we
25 are down to your item, which is the Dollarway School

1 District report.

2 DR. HERNANDEZ: Yes, sir. Dr. Mike Hernandez,
3 Office of Coordinated Support and Service. So, good
4 to be here today with you guys. This is the first of
5 four. We moved Dollarway up. They have an
6 engagement later on this afternoon, so appreciate
7 being able to have their item higher on the agenda.

8 So in the -- this is one of those follow-up
9 legislative reports. So if you remember, the last
10 one we started with, "here's the district support
11 plan; this is what they're planning on doing this
12 school year." This is a subsequent report where we
13 tried to keep all the information in the same place.
14 There's a slight update to what's on the Board
15 agenda, and that's what your packets are. And so
16 what this report really is about is how is the
17 district doing in terms of their proposed goals and,
18 of course, Dollarway having the three main goals
19 around the PLC process, instituting that; also
20 looking at literacy across the curriculum; and then
21 also around behavior type things. And so you have
22 updated information about some of the things that
23 they're looking at, some of the progress that they've
24 made. We also have the District here that has a
25 little bit of presentation to give you -- some

1 updates, a few videos; they want to share some of
2 those.

3 But overall we're seeing some good progress in
4 the district; you know, we're seeing some good things
5 around behavior, some things around student
6 attendance. I think overall the academics, you know,
7 is on its way to improving, not exactly -- probably
8 we agree probably not where we want it to be but we
9 know they're moving in the right direction. We've
10 had some excellent progress with some of the Solution
11 Tree process that's going on there with the embedded
12 coaching -- and I know that Ms. Warren will share
13 some of that information -- but the reports that
14 we're getting back is things are moving along. Every
15 time there's something that flares up they work hard
16 to iron those issues out. And we're really trying to
17 build capacity within the district to make that
18 collective efficacy of teachers grow.

19 And I noticed something that you did. I'd like
20 to point out, in the Consent Agenda items, when you
21 looked at those long-term sub lists, is you noticed
22 what's not there is there's not a lot of Dollarway
23 things that were there. They were in the past. And
24 so Ms. Warren and her team have done a really great
25 job of hanging onto their staff.

1 Even though they are a district that are on --
2 is in fiscal distress, one of the neat things that
3 we've been able to do the last couple of years is
4 give raises. We gave a \$900 raise two years ago,
5 gave a \$1500 raise that took place this year. And so
6 they're showing progress and doing some great things
7 that are in place.

8 And so if there are questions on the report, we
9 can -- I can try to answer those. And then, if not,
10 I'll go ahead and turn it over to Ms. Warren to
11 present some of her information.

12 CHAIRMAN BARTH: Yeah. Why don't we let Ms.
13 Warren do her presentation and then see what
14 questions folks have?

15 DR. HERNANDEZ: Yes, sir.

16 CHAIRMAN BARTH: Good to see you, Ms. Warren.

17 SUPT. WARREN: Hello to the Chair Dr. Barth and
18 State Board, Commissioner Key. Hello, all. Really
19 excited to be here, very excited to be here. And
20 even sometimes when the data doesn't always say what
21 we'd like it to say, we are well aware that we are on
22 our way. Dr. Hernandez covered so much. I ditto --
23 maybe I could say that to some of what he has said.

24 Three years and two days ago -- and I won't make
25 this long and forever -- but I was appointed to go to

1 Dollarway. And as a partner with that school
2 district already, it was an opportunity to help and
3 to benefit a district already loved in a community
4 that I love. And I'm happy to say that although it's
5 been three years -- and that seems like a long, long
6 time -- it's not really that long on school
7 improvement calendars when there's so much to do.
8 And so I'm very happy to say that those things that
9 Dr. Hernandez commented to you about have been a
10 culmination of work across these years.

11 And we talked about systems early on, and I
12 think you know that you have to have systems in place
13 to have a foundation. Systems breed stability, and
14 stability breeds a solid foundation that you can
15 build other things on.

16 I'm very proud to say that Dollarway has systems
17 in place -- and while, of course, there's always
18 tweaking to do we have solid systems that have
19 positioned us to have a stable and effective
20 foundation for the work that we're doing.

21 Interestingly enough, that stability -- I'm so
22 happy -- does not go toward academics. Our academic
23 data had been stable for a very, very long time -- as
24 a matter of fact, trending for decrease in student
25 achievement. But we have some changes. We have some

1 changes and we have some acknowledgements.

2 So one of the first things I want to highlight
3 for you -- we placed in your folder, what we've
4 shared with you today, the latest changes in our
5 progress report. That's a living document for us.
6 It's work that we're continuing to do. It's work
7 we're continuing to talk about. But on one side of
8 that folder you would see actually an email with
9 links to reports that we have recently gotten. One
10 of them is dated November 27th -- and I'm very proud
11 to say that what will be released very, very soon --
12 was a report from the Office of Education Policy that
13 acknowledged our high school for Statewide High ELA
14 Growth, and that's at the high school level. And
15 then High ELA Growth for High School Level (Central
16 Region). So, of course, we're excited. The Pine
17 Bluff Commercial reported on that. Our community
18 talked a great deal about it. And just some days
19 later, we would get what you see that's dated there
20 December 4th. And by the way, there are reports and
21 there's a lot of data, research, a whole bunch of
22 details that can be made available to you. But then
23 on the 4th we received another notice and that's that
24 we have a statewide -- and by the way, these are
25 performance awards, academic performance awards for

1 Dollarway -- statewide "Beating the Odds" ELA Growth,
2 High School Level, and then two for the High School
3 Level Central Region. Both "Beating the Odds,"
4 again, in Math Growth and ELA Growth. I expressed to
5 some persons in the community this is not a statement
6 of low expectations for us to say that you've beat
7 the odds because you have a population of young
8 people who can't perform. No, it's not that at all.
9 There's a trajectory that's set for performance and
10 expected performance if all is well and everything
11 goes well -- the teaching -- sound teaching and the
12 like. But what's said is given the circumstances,
13 given the situation, and given the multiple
14 conditions our children have beat the odds and have
15 exceeded the growth trajectory expected for them, and
16 that is -- it's an awesome thing. It's an awesome
17 thing not only, of course, because it's good that you
18 have growth, since growth, of course, is one of the
19 leading indicators of the positive impact that a
20 school is having on its students -- not just because
21 of that -- but because our babies need to hear
22 somebody say "I know you're learners. I know you can
23 learn. I know that you've been learning," and,
24 "Teachers, I know the hard work you've been doing.
25 We might not have been able to see it always in

1 print, but you're doing some great things." So it
2 has been really a banner for our conversations of
3 late. At church they even put something up on the
4 screen to say "Congratulations, Barbara Warren" --
5 and I keep telling people it's not Barbara Warren;
6 this is a team effort, this is a team benefit. But
7 it's all over everywhere and our community is so
8 proud, but most especially our children and our
9 teachers are. So I highlight that for you as one of
10 the pieces of objective data that we didn't gather
11 and, you know what, that you all didn't even gather;
12 ACT Aspire didn't say it. A research-based group,
13 who takes into consideration hard work throughout our
14 state and compares indexes and numbers throughout our
15 nation, they highlighted Dollarway -- and I wanted
16 you to know that.

17 So the other document that you have is a
18 progress report. And as Dr. Hernandez commented, we
19 are working as a district to support three aims that
20 we've discussed for a very long time -- multiple
21 opportunities to talk about data and connect
22 throughout various stakeholder conversations to say
23 what we can do as a district to support the goals and
24 aims of the school improvement planning that our
25 schools have done that will get us the most bang for

1 our buck is going to be in these areas of
2 Professional Learning Communities at Work -- and like
3 you said as well, PBIS and then literacy across the
4 curriculum.

5 If you'll turn your attention to page 6 where
6 the description related to Professional Learning
7 Communities at Work is listed, there is some
8 information for you. We draw some conclusions about
9 how well we feel that is working and what work we're
10 doing right now, but keeping in mind we actually have
11 started this process this year. So, we do -- any
12 data that we have we try to reflect on the very same
13 time period prior-year and then to here. But this is
14 our first year, the 2018-19 year, of the PLC at Work
15 process and it's -- a lot of the data is going to
16 kind of sound anecdotal. It really has a lot to do
17 with the collaborative teamwork; some of that is not
18 empirical. We can say to you that we all throughout
19 our district are participating in this process. We
20 have both core collaborative teams, we have non-core,
21 but all of our department leaders in our district are
22 a part of a collaborative team. Our central office
23 even has a collaborative team, even yesterday talking
24 about literacy and how we can promote and have a
25 focus on the culture of reading. But we have

1 organized our lives and the lives of our entire
2 district around this premise of Professional Learning
3 Communities.

4 We're very blessed to have the Department to
5 support us and to connect with us in this work and to
6 help us access Solution Tree. Those resources are
7 phenomenal. I can't say enough. We're talking about
8 people who come in, sit right beside us at the
9 district level, at the principal level, and right
10 alongside those teachers -- collaborative teams
11 talking about a variety of things that you will see
12 on page 7 and throughout this report. 30-60-90 day
13 plans were created -- and these are processes that go
14 along, I know, with Professional Learning
15 Communities, but we have our own tailored spin.
16 These people come and they talk to pretty much the
17 entire community. And so we're happy with the work
18 that we've done to plan what we think is going to be
19 a very successful PLC Communities at Work process.
20 There are things that you will see that are typical
21 to the PLC process we are implementing and working
22 through.

23 And I'll tell you there are some comments that
24 I'd like you to know. I'm going to highlight a lot
25 of positives, but I want to tell you some of the

1 challenges we've had as well.

2 As we think about what we're teaching and how
3 we're teaching it, lesson planning has been for us
4 where we've said, "Hey, we've got to do a whole lot
5 more work here. If you're not prepared to teach and
6 you're not planning effectively to teach, then likely
7 you're not going to have the outcomes you want." So
8 that's been an area that we have really had to shore
9 up, and we have sought assistance to do so. Our
10 staff has been -- it's been a stretch. It's been a
11 stretch. Any time you're doing something new, any
12 time you're doing something different, that's going
13 to be. But our conversations -- even if some of them
14 might be negative, our conversations are about
15 instruction. Our conversations are about
16 instruction, and that's across the entire district,
17 so I'm really excited about that.

18 I'd like to highlight for you the positive
19 behavior interventions and supports, and that starts
20 at -- on page 8. We have had such a phenomenal shift
21 in the culture in our schools. Our teams have
22 embraced teaching our children better ways to
23 approach things in the school. And so through the
24 behavior matrixes our students are working to learn
25 more about how to conduct themselves. But the

1 children who already knew how to conduct themselves,
2 of course, they are getting a benefit of all of the
3 positive supports, the positive accolades. We are
4 becoming more and more a culture who is focusing more
5 and talking more about the positive behaviors.

6 You will see in our data -- discipline
7 referrals, of course, are one of the biggest
8 indicators of just how behavior is going; and so,
9 again, there are conclusions drawn there you'll be
10 able to see in the narrative. But if you'll look
11 here at page 9, our number of referrals from first
12 quarter to -- first quarter of last year to first
13 quarter of this year, I'd like to highlight for you
14 the difference from prior-year to now. K-4, which
15 comprises our James Matthews Elementary School, the
16 number of referrals has decreased by 34%. The number
17 of referrals in 5th through 8th grade at our Robert
18 F. Morehead Middle School has decreased by 28%. And
19 we had some data pieces to work out, but these are
20 updated and current and accurate numbers for the high
21 school 9th through 12th grade band there. And the
22 difference is a 37% decrease in the number of
23 referrals first quarter this year to first quarter
24 this past year. Again, I'm telling you there are
25 things that we've still got to work on, but we are

1 making such strides.

2 We said that stability is the foundation. Kids
3 gotta come to school, teachers gotta come to school,
4 and people have to act right when they get there to
5 avail themselves of the educational opportunities. I
6 say to you this is a correlation. We are seeing
7 positive bright spots in our academic data, but it is
8 attributed to the fact that we're more focused and
9 acting right and coming to school. Basics, huh? So
10 I highlight that to you related to PBIS.

11 If you will, turning your attention to student
12 attendance data. A few things I'd just like to
13 express -- we are not only thinking about, you know,
14 our babies who are here, but what's going on with the
15 ones who didn't come back. We are trying to track
16 some information to help us understand why people may
17 have made some choices to choice away. But we are
18 happy to report that while -- as a matter of fact,
19 the elementary campus reported that of the children
20 who have left all have come back except for two. So
21 we've tried to hold on to our families. You'll note
22 that our Average Daily Membership has dropped in some
23 areas, but we're again noticing that there are some
24 reasons for that and we're seeking more information
25 to learn more. I can't say that every data-set we

1 have we have an explanation for, but we're seeking
2 and trying to learn more about that. Our average
3 daily attendance is beginning to show a steady
4 increase though in the number of kids who are coming
5 to school every single day. So while we may not be
6 able to go back and get every baby that we would like
7 to have back, the ones who are with us are coming to
8 school on a much more regular basis, and we're really
9 happy about that.

10 The percentage of the number of students who are
11 absent five or more days -- I am very proud of the
12 relationships that our principals have with their
13 children. They can call out the names. They can
14 tell you who it is and why they are -- and so often
15 there are things that they actually can't control.
16 But many -- in many of these cases when students are
17 missing five or more days, you know, we know that
18 there are special situations that have to do a lot of
19 times with family situations and things that -- but
20 we are researching and understanding those. And we
21 do know that with our students who've been absent 10
22 or more days, it's been identified that there are
23 some cases with homebound sickness and some other
24 kind of catastrophic challenges that we have
25 pinpointed and that we can tie back to actual

1 students -- so, again, most cases things that cannot
2 be controlled. We work really, really well -- close
3 connection with DHS, with different entities and a
4 variety of community supports to help us and to
5 connect services as we identify that sometimes our
6 families and children need.

7 Teacher Attendance Data, which is very, very
8 important -- I'd like to note that even though it may
9 seem a little strange -- like, for instance, I'll
10 highlight K-4 -- the percentage of certified teacher
11 absences due to illness, that's a much higher number.
12 Right? So it's 47% in Quarter 1, and now 79%. But
13 as we've talked in our department leader
14 collaborative team -- we talk about attendance every
15 month. We do a data analysis of it, and we're
16 talking about, "Hey, y'all, why is this?" But I
17 said, "Y'all, look at this; this doesn't mean what
18 you're saying it means. This is not saying that we
19 have so much more absence, but that the vast majority
20 of the absence is due to things we can't control."
21 So, for instance, 79% of the absences of certified
22 teachers is due to sickness. Okay, we can't control
23 that they're sick. But last year 47% of it was due
24 to illness; 53% of the attendance last year 1st
25 quarter we could control. So we're talking about

1 professional meetings, professional development, and
2 that type of thing. We've made a concerted effort to
3 make certain that when we can -- when we can that we
4 don't interrupt the instructional day. That's one of
5 the things we talk a lot about -- maximizing the
6 instructional day. So 79% looks like an increase,
7 but it's an increase in the type. So basically if
8 they're absent they're sick and they couldn't come to
9 work. And we've reduced the number of incidences
10 wherein there was a choice or an option. So that
11 looks a little different, a little strange, but
12 actually it's what we're considering a win -- a major
13 win. We are controlling the reason and decreasing as
14 much as possible. We've frontloaded with our
15 Cardinal Academy our professional development days as
16 much as we could so that those would not be days that
17 came out of the school year. We again re-evaluated
18 our processes that would call people away from the
19 building and call people away from meetings -- and
20 that has to do with, again, why the percentage of the
21 occurrences are tied to sickness as opposed to other
22 categories.

23 Literacy across the curriculum -- we are going
24 to share a video with you in just a second that just
25 gives a little snippet of some of the things that are

1 going on in our district. And when we talk about
2 literacy across the curriculum we're talking about
3 reading and writing every day, everywhere. And so
4 there's an article that our School Improvement
5 Specialist, Ms. Davis, who is with me, shared with
6 all of us, and it was just the importance of that 10-
7 minute read -- the importance of that 10-minute read.
8 And we are really trying to push not only the
9 importance of reading, but the importance of our
10 children having a choice about what they read and for
11 them to learn to write. They've got to read, good
12 writing. They keep pressing and pressing and
13 drilling that into my mind. So I'm like, "Y'all,
14 I've got it, I've got it. Let's make certain our
15 babies have that."

16 So a couple of things that we want to show you
17 that are very, very simple and quick for you to see.
18 I want you to note that this is actually from our
19 website; so we're trying to include more information
20 and share more with our community.

21 So on our parent and engagement tab on our
22 website, from our home page, is a segment called Why
23 Read. And so if you will, I think it's -- Ms. Davis
24 -- if you'll click on -- it's right above Why Read.
25 That's just -- that's actually just an article that I

1 had an opportunity to share at a Town Hall meeting
2 that the mayor had. So that's a really neat article
3 for reference to. But if you'll take a look -- I
4 want you just to see a little snippet of some student
5 book talks.

6 So while it's cueing -- and Ms. Davis may have
7 to come and help out -- but that little young man,
8 his name is Mr. Freeman. And so I'm just going to
9 say he's a really interesting, gifted little boy --
10 very interesting, gifted little boy. And I don't
11 know if anyone needs any help but, oh, I just really
12 want you to see him. But we have some examples of
13 some book talks that our -- some of our high school
14 students, middle school, and James Matthews
15 Elementary students have given. So what the tab is,
16 it literally -- with no cueing or anything, we're
17 just going around while they're reading, said, "Hey,
18 what's important about that book? Would you
19 recommend it to other people" -- and so, again,
20 trying to foster a culture of reading. But that
21 first little boy that I hope you do get to see -- oh,
22 I hope it works.

23 All right. Well, I'm just going to have to -- I
24 can't tell you everything that he does, but I promise
25 you I had to go back and figure out what a

1 "protagonist" is. I'm like, "What's a protagonist?"
2 And --

3 CHAIRMAN BARTH: If you could get the link to --
4 Ms. Warren, is it publically available?

5 SUPT. WARREN: Yeah, it is. It's on our --

6 CHAIRMAN BARTH: If you could just get the link
7 to Ms. Windle, she can get it out to us and we can
8 watch it.

9 SUPT. WARREN: Absolutely, sir. Yeah. So we'll
10 do that.

11 And that other video, which we won't even go to,
12 it just highlighted a few things for you. We're
13 trying to do some innovative, interesting, neat
14 things around our focus for promoting the culture of
15 reading.

16 I'll tell you just a couple of little ideas that
17 our central office collaborative team had yesterday.
18 They said, "Okay" -- 'cause our conversation was,
19 "Remember our district support pieces, these three
20 big pieces, what's your role in it?" And so we're
21 talking about literacy. And they had about nine neat
22 ideas, and one of them was "let us create trailers
23 for books that we'll share with others to recommend
24 some reading." And again, these are, of course, our
25 secretaries and our social workers -- you know, just

1 all of us.

2 Is it ready? Yea. Okay. We'll be quiet.

3 (WHEREUPON, a video was shown. The video may be
4 viewed on the ADE website.)

5 SUPT. WARREN: So I talked with a high school
6 student one day and, whether I'd like them to or not,
7 they actually watched the State Board stuff. And one
8 sweetie said to me, "I need you to tell them that we
9 know how to read," and she kind of felt like I may
10 have missed that opportunity. So we just thought it
11 would be good for you to see them -- for you to just
12 see them -- and they're examples of children who love
13 reading. And one of the things we talked about
14 yesterday is that we hadn't been asking them so much
15 about what they're reading. You know, the last
16 sweetie, she's a cheerleader and she reads all the
17 time. It's just the first time someone asked her to
18 participate. And none of them were coerced; they all
19 were fine to do it. As a matter of fact, the little
20 Freeman boy I talked about, he and Dee -- she said
21 that's her little curly grandson. But he's always
22 running to her to tell her about what he's reading
23 and what he's doing, because we're asking -- because
24 we're asking.

25 So that's an example of us promoting a culture

1 of reading. We know that seeing it, doing it across
2 the curriculum everywhere is going to promote and is
3 going to provide us with the types of outcomes we
4 know our children can demonstrate. We've even looked
5 at ACT Aspire data, where children who just had zeros
6 across the board in writing, now threes and higher.
7 So the question that we have to ask -- and we haven't
8 had an opportunity to do it though -- was why did you
9 not perform the first interim, and why did you
10 perform here. We are learning to talk more and more
11 to our children about what learning means to them.
12 And so I hope you consider that to be a positive
13 example -- a positive -- and I can go back and say to
14 her, "I did tell them. I did. I did tell them."

15 I won't highlight a whole lot more. I'm going
16 to step aside and give opportunity for any questions.
17 In the academic data that starts on page 14 you will
18 see that the Interim 2 results are actually
19 preliminary. We still have I think high school
20 testing even today. So there are some slots where
21 you're going to see empty spots. We've been having
22 some conversations about the data, and you're going
23 to see places where it's huge jumps and then you're
24 going to be able to compare 1st quarter -- let's say
25 a 4th grader to now, 1st quarter of a 5th grader --

1 and see where they ended and where they started, and
2 see some positives -- but then you're also going to
3 see some decreases, some declines. We are
4 researching that. We're trying to learn more about
5 why that is. In some cases we have a thumb on it,
6 and we expressed some of that in the report.

7 I'll tell you that with the RISE initiative,
8 with the goal toward making certain that the science
9 of reading is a part of the learning of every
10 educator in Arkansas, is needful. Our data tells you
11 that. When you look at ACT Aspire interim
12 assessments in English, and the numbers are so, so
13 much higher than what you're going to see in reading,
14 our teachers -- and again those numbers even can be
15 higher when you're looking at your 58 and 59 percent
16 proficiency in the areas of English. But what it
17 does speak to is that the concrete sequential
18 mechanics usage, all of the hard -- that concrete
19 stuff, our teachers are much better teaching that
20 than they are those things that -- the science of
21 reading is teaching us more and more to know.

22 So we know where our focus is, we know what it's
23 about. Our day coming up January 7 is going to be
24 totally devoted to that. We've spent a lot of good
25 time and we're increasing and we know exactly where

1 the -- what the strategy needs to be there to promote
2 and to increase there.

3 With that said, what I've shared with you again
4 is a living document that we're using and that we're
5 talking about every day. It's a data-set that we got
6 an opportunity -- and I really appreciate that, Dr.
7 Hernandez and ADE -- we got to decide what data we
8 thought would be important to look at and talk about
9 and to track, which of course means it's going to be
10 more useful and more important.

11 So I present that to you and I want to ditto
12 some of what's been said too. I thank you for your
13 genuine concern. I reflected on a question that was
14 asked of me, just like, "How are you doing" -- just,
15 "How are you doing?" And so not only am I doing
16 good, but Dollarway School District -- we are -- we
17 are on the way and we haven't fainted. We have not
18 fainted.

19 CHAIRMAN BARTH: Great.

20 SUPT. WARREN: Thank you.

21 CHAIRMAN BARTH: Thank you, Ms. Warren.

22 Anything else before moving to questions, Dr.
23 Hernandez?

24 DR. HERNANDEZ: No, sir.

25 CHAIRMAN BARTH: Okay. Dr. Moore -- Ms. House,

1 anything?

2 MS. HOUSE: No. Thank you.

3 CHAIRMAN BARTH: Great. Dr. Moore?

4 DR. MOORE: Thank you for being here and for the
5 hard work you're doing. I do have a couple of
6 questions since we're talking about reading today.

7 SUPT. WARREN: Yes.

8 DR. MOORE: I did notice in the report it talked
9 about your district's reading curriculum and how
10 y'all noticed gaps in phonics in Phonemic Awareness.
11 When was that curriculum purchased?

12 SUPT. WARREN: Specifically, the curriculum,
13 last year; that was -- probably two years ago. Yes.

14 DR. MOORE: So will that -- will y'all be doing
15 a different one in the future or you just figured out
16 how to fill in the gaps in the meantime?

17 SUPT. WARREN: We have filled -- figured out how
18 to fill in the gaps. And we have included our
19 instructional facilitators and principals and
20 teachers and talked about where those gaps were. And
21 so, yes, we didn't abandon that curriculum, but we
22 have filled in.

23 DR. MOORE: Okay. How long will you stick with
24 that curriculum?

25 SUPT. WARREN: Well, changing midstream doesn't

1 help anybody --

2 DR. MOORE: Right.

3 SUPT. WARREN: -- in making those shifts. We're
4 going to let the data tell us where we need to go,
5 where we need to be -- but we've not made a light
6 decision. So I feel confident that the direction
7 we're going in will be one we can stay on. Because,
8 like I say, we didn't abandon what we had before,
9 because there was some really good things happening;
10 we just saw some gaps and we've just tried to
11 supplement it.

12 DR. MOORE: Okay. Do you all have afterschool
13 programs at the elementary or middle school?

14 SUPT. WARREN: Interestingly enough, no. We do
15 have afterschool at the -- not at the -- I'm sorry;
16 we don't have afterschool at the elementary, but,
17 yes, we do at the secondary. We talked about
18 elementary afterschool programs and we have a team
19 coming together to talk about enrichment programming.
20 We've discussed how -- I think even somewhere in our
21 data we talk about the exposure that children need to
22 have a good foundation for reading. And so while we
23 know we've got to help fill academic goals, we have
24 interventions planned throughout the day. We've got
25 to help enrich our children. And so we're doing some

1 work and some planning toward some enrichment
2 programs that we'd like to see happen after school in
3 the spring to fill in some of those gaps and to give
4 them some anchors for especially reading deficits,
5 and more exposure to things that they're going to see
6 more commonly in literacy, and to help them with, in
7 our case, high poverty -- not always having access
8 and connections to things that we know our babies
9 need to have connections to.

10 DR. MOORE: Certainly, that's important. Do you
11 have community partners that are filling that void
12 for elementary school students or are they going
13 home? Do you know?

14 SUPT. WARREN: We do have some partners -- some
15 community partners that are filling some of those
16 voids. Yes. We do know though there's more work
17 that we need to do in that area.

18 DR. MOORE: Okay. Thank you.

19 SUPT. WARREN: Thank you.

20 CHAIRMAN BARTH: Great. Mr. Williamson? Ms.
21 Zook?

22 MS. ZOOK: Yes. I do appreciate you including
23 the absentee data --

24 SUPT. WARREN: Yes, ma'am.

25 MS. ZOOK: -- both for students and teachers.

1 Wouldn't it be great if it's just that simple --

2 SUPT. WARREN: Oh, yes.

3 MS. ZOOK: -- just getting people to, you know,
4 to come to work at the same time. So I appreciate
5 that.

6 One thing I'm wondering is if you all -- for
7 those students who are chronically absent, if you've
8 looked at their reading level or their -- and seeing
9 if the student's reading level, his absentee rate,
10 and how often he has to be punished, what the
11 correlation is on those kinds of things? And I think
12 I did hear you saying that y'all are doing sort of a
13 needs assessment of the students and the staff -- and
14 I think that -- because sometimes what we might think
15 somebody needs and what they realize they really need
16 -- and I think having those honest conversations and
17 them believing that it's okay to say, "I'm not great
18 at everything and I need help here."

19 How many of your teachers have been through the
20 RISE training, either partially or completely?

21 SUPT. WARREN: Okay. Almost all of our K-2. We
22 have a few that were new who have not. We are going
23 to be going through some training for 3rd and 4th
24 grade coming up the 7th and -- but our RISE trainers
25 from the cooperative provide us support. As a matter

1 of fact, they're almost there every day.

2 MS. ZOOK: Yeah. And does that include your
3 special ed. teachers as well?

4 SUPT. WARREN: Yes, ma'am.

5 MS. ZOOK: Okay.

6 SUPT. WARREN: Absolutely.

7 MS. ZOOK: Great. And are most of those who are
8 being trained -- are you finding they're implementing
9 that?

10 SUPT. WARREN: Yes. Yes.

11 MS. ZOOK: Okay.

12 SUPT. WARREN: As a matter of fact, after we --
13 our elementary principal is a former literacy
14 specialist.

15 MS. ZOOK: Okay. So she is an instructional
16 leader?

17 SUPT. WARREN: Absolutely. She's an
18 instructional leader in every way.

19 MS. ZOOK: Yeah.

20 SUPT. WARREN: Yes.

21 MS. ZOOK: I do appreciate that over time your
22 reports look to be that they're becoming more of a
23 living, working report as opposed to "I'm going to
24 have to come up here and fill in the blank" kind of
25 thing.

1 SUPT. WARREN: Yes, ma'am.

2 MS. ZOOK: So hopefully the support system that
3 ADE is trying to do is reflected in your report. So
4 thank you very much. I appreciate you. And how are
5 you doing?

6 SUPT. WARREN: I'm doing well. I'm doing -- I'm
7 doing well. I'm just over-the-moon proud.

8 MS. ZOOK: Good.

9 SUPT. WARREN: Thank you.

10 CHAIRMAN BARTH: And this may be a Dr. Hernandez
11 question or a Commissioner question -- in terms of
12 the Community Advisory Board, I know you've voiced
13 some -- in the past some desire that it's maybe time
14 for that. Where are we in terms of kind of
15 formalizing some community engagement?

16 DR. HERNANDEZ: So we have had that discussion
17 with Ms. Warren. And kind of what we're tentatively
18 looking at is potentially doing something later in
19 the spring, if that's what I remember us talking
20 about, and then possibly looking at doing some
21 extensive identification late-spring training during
22 the summer and getting that off the ground for next
23 school year. We're kind of in the process -- I'm not
24 real sure, because I wasn't here before when we
25 started up the Community Advisory Board. And so in

1 reflecting on past practices and looking at how --
2 the development of Community Advisory Boards and what
3 they do, we really want to try to make that in such a
4 way where we're having conversations and trainings
5 with these Community Advisory Boards around all six
6 systems and making sure that they're very clear on
7 what their role is and what questions they should be
8 asking and things that they should be looking at.
9 That way, we -- not only is it a Community Advisory
10 Board but we're also developing future board members.
11 And so we want to take that approach. I think we've
12 done some of that. I think we're really taking a cue
13 from Dr. Wilde at Earle. That's one of the things
14 that he's -- even though that board is -- I don't
15 remember what term we used, but there continues to be
16 meetings every month. They're having conversations
17 about all the things related to the board, normally
18 what a board would look at and talk about. And so we
19 want to make sure that we get this Community Advisory
20 Board started off on the right foot with proper
21 guidance and that way, it can eventually at some
22 point be a very good functioning board and be a pool
23 for the district to pull from in the future.

24 CHAIRMAN BARTH: Before we move on, I know that
25 some other folks are waiting for items after this.

1 We are going to need to take a break after this item
2 -- and let's just say we will be back no earlier than
3 1:10, if folks want to head out for a few minutes.
4 So I just wanted to let folks know that.

5 Ms. Dean.

6 MS. DEAN: Thank you. Congratulations.
7 Congratulations on the job well-done --

8 SUPT. WARREN: Thank you.

9 MS. DEAN: -- and the vast improvement that has
10 been made -- the evidence, I should say, of the vast
11 improvement that has been done, because there has
12 been work going on for sometime. Glad to see that
13 your family and community engagement -- that you have
14 a coordinator there and that you've been taking
15 surveys a couple of times a year --

16 SUPT. WARREN: Absolutely.

17 MS. DEAN: -- and getting feedback from your
18 parents and families and community members. Also
19 glad to hear that there's that partnership with the
20 afterschool for the elementary.

21 So I guess my question is how is your family
22 engagement coming along? Because I know that's been
23 somewhat of a struggle.

24 SUPT. WARREN: I would say it's still somewhat
25 of a struggle. Numbers aren't what we'd like to see.

1 MS. DEAN: Right.

2 SUPT. WARREN: But we are trying to not spend as
3 much time in a compliance kind of place --

4 MS. DEAN: Right.

5 SUPT. WARREN: -- like we talked about
6 reporting, but think about the quality of the
7 connections. We have some very dedicated parents. I
8 mean, they are -- there are parents that are there
9 every day. I mean, when I first got to the district
10 there were people I thought worked in the district,
11 and I would learn, of course, in days that they
12 didn't. So the quality of the involvement is very
13 good and we have some very reliable people that we
14 can connect to across our entire district. But our
15 numbers still are not what we'd like them to be.
16 However, we are learning that they want to enjoy
17 themselves, they want to enjoy their encounters --
18 and I say that separate from parent-teacher
19 conference.

20 MS. DEAN: Right.

21 SUPT. WARREN: So parent-teacher conferences,
22 our attendance of those are excellent. We have
23 really, really good attendance, even at the high
24 school. When you're talking about 50% or better
25 families coming out at the secondary level, those are

1 good numbers by, you know, state and national
2 standards. But we do want it to be better. However,
3 we have some other activities. We do, again, have
4 good quality of support, but we're still working to
5 reach our numbers. One family member said to me that
6 "you all remind us so much through Remind, through
7 your website, through your app that sometimes I have
8 everything I need information-wise." I'm like,
9 "Well, I appreciate that, you know, but your baby
10 needs to see you." So -- but, yes, I would say
11 quality is there, numbers are increasing, and we are
12 using a variety of methods to communicate and to
13 connect, but we've still got work to do with getting
14 numbers out and we're still looking for that
15 solution.

16 MS. DEAN: That points to where my second
17 question is. What have been your methods, and have
18 you changed those methods or improvised on those
19 methods to try to get more family engagement this
20 year?

21 SUPT. WARREN: Absolutely.

22 MS. DEAN: Can you give me an idea?

23 SUPT. WARREN: Okay. So we did not rely -- a
24 couple of years ago, I'll say, we didn't rely so much
25 on technology and social media. And so we have

1 active social media connections, be it Facebook,
2 Twitter, through again, like I say, our app, our
3 website. But our principals and our parent
4 facilitators are literally going to the phone and
5 reminding out and sending out newsletters, sending
6 out information. We have a newsletter that is both a
7 -- District Dollarway Matters for the entire
8 district, and then District Staff Matters that's for
9 the staff. But that has been so well received. And,
10 again, it's digital; it's a digital newsletter that
11 we can text out, email out, forward out through our
12 Messenger system, and that has been very, very, very
13 well received. It's forwarded on to all kinds of
14 people. Commissioner Key gets it all the time. And
15 so it's one of I'll say our newest -- we used it all
16 of last year; it was new for us last year, but it's
17 been very successful.

18 We are collaborating with our community schools'
19 initiative in a different way now. So having the big
20 ol' "everybody come and be a part of this community
21 school's initiative meeting," that wasn't working as
22 well. People came, but there were different people
23 every time -- which is okay, but it's really hard to
24 gain momentum toward some actions. The focus has
25 been to look at communities that -- community pockets

1 -- for instance, Alzheimer Schools -- that has felt
2 disengaged. So the effort for the community school
3 liaison is to talk to, with, and through a group of
4 people who act as hands in the Alzheimer community.
5 So we're being a little more targeted --

6 MS. DEAN: Yeah.

7 SUPT. WARREN: -- in how we are connecting and
8 making certain that we just converse on as many
9 levels as we possibly can. And I think those are
10 some of the newer things that we've done --

11 MS. DEAN: Okay.

12 SUPT. WARREN: -- that have benefitted us, I
13 will say.

14 MS. DEAN: Thank you.

15 CHAIRMAN BARTH: Okay. Ms. Chambers.

16 MS. CHAMBERS: I always appreciate getting to
17 hear from you.

18 SUPT. WARREN: Oh, thank you.

19 MS. CHAMBERS: Because I know the environment --
20 you've created a very positive environment for your
21 students, I thank you.

22 SUPT. WARREN: Thank you for that.

23 MS. CHAMBERS: I may not be reading this
24 correctly, but could you speak to -- for a couple of
25 grades, in particular for math and science, the ACT

1 Aspire score dropped quite a bit -- if I'm reading it
2 correctly. So one question is, did some -- did a
3 method of scoring change or what's the explanation
4 for this -- for the drop? And what specific plans do
5 you have for that, for those two areas?

6 SUPT. WARREN: Okay. I know she was hoping
7 she'd get away with it, but I'm going to have our
8 School Improvement Specialist to come up and to
9 share. I'm going to express one piece related to
10 that.

11 So we're not on that long-term sub list so much.
12 Right? But two years ago we had huge, huge numbers.
13 One of the things that has happened -- as Ms. Dee
14 comes forward, one of the things that's happened is
15 that we do have more stability in our numbers, but we
16 have had to make some changes in content areas -- and
17 so math would be one of them. What we've -- I'll let
18 her speak some to you about some of the enhancement
19 activities that we're putting in place and some staff
20 targeted to that. But we know that staffing was an
21 area of concern related specifically to especially
22 middle level. Absolutely, yes.

23 So, again, our School Improvement Specialist who
24 has been with us now just a little over a year -- Ms.
25 Dee Davis.

1 MS. DAVIS: Hi. Good afternoon, I think, now.
2 Dee Davis, School Improvement Specialist, Dollarway
3 School District. Can you tell me maybe what
4 specifically you were looking at with math and
5 science?

6 MS. CHAMBERS: Well, for grade say 6 and grade
7 8, for math, the 17-18 interim for -- grade 6 went
8 from 24% to 7% for interim 1 and 2, and for grade 8
9 it went from 24% to 2% and 5%, interim 1 and 2. So I
10 didn't know if there had been a method change or if
11 you could help us understand what happened and what
12 maybe the plans are?

13 MS. DAVIS: So I do think we have -- in one of
14 those grades we do have a new teacher, maybe a
15 nontraditional teacher; so, learning. We are dealing
16 with some new processes, some new ways of really
17 analyzing data. Obviously, that's a different group
18 of kids. You've got -- those kids were 7th graders,
19 now they're 8th graders. So, a little bit of a
20 different content, different way of looking at
21 things. So we're working on some ways to help that
22 teacher to use more research-based instructional
23 strategies, what are the strategies that we need to
24 use to help those areas.

25 MS. CHAMBERS: You made a great point. Do the

1 teachers have an opportunity then to plan together
2 that flow-through from one grade to another so
3 there's insured continuity and method in what's being
4 taught and reinforced?

5 MS. DAVIS: Yes. That is a recent development.
6 The schedule that we had at the beginning of the
7 year, that's been another change that we've made
8 based on the data that we see. They were not able to
9 plan together like that, so now they are able to come
10 together every single day and they get together and
11 they can look at data. So it's very new. So, you
12 know, you've got to progress ahead, so --

13 MS. CHAMBERS: And is science similar? Is that
14 similar?

15 MS. DAVIS: It's both science -- the four core
16 content areas. So you have English, math, science,
17 and history, all that is brand-new. They weren't
18 able to plan together before. To revise the whole
19 master schedule -- nightmare. But we did -- we woke
20 up and -- yeah, so now that's been a couple of good
21 solid weeks of now being able to plan every single
22 day together. So -- and that's a process too of
23 learning how do you do that; I'm used to planning by
24 myself and doing what I want to do or like to do or
25 know to do, and now, all of a sudden, it's this team

1 effort. But two heads are better than one, and so
2 that's -- they're learning that too. So -- but it's
3 going well.

4 COMMISSIONER KEY: I would just remind too the
5 cut-scores for ACT Aspire changed, so that could have
6 some impact on the results that you're seeing as
7 well. For the letter grades for school ratings, you
8 know, we made adjustments to that -- but for the
9 interims we didn't make adjustments to anything.
10 What you see is just the raw percentages. But the
11 cut-score change could have impacted some of their
12 results.

13 MS. CHAMBERS: No -- thank you -- just not
14 seeing the same change across the board is what
15 caught my attention there.

16 CHAIRMAN BARTH: Yeah.

17 MS. CHAMBERS: Thank you.

18 CHAIRMMAN BARTH: Dr. Hill.

19 DR. HILL: Yes. Great job, Ms. Warren. I just
20 want to highlight something and get some -- I think
21 you may be able to offer some valuable information to
22 others. Speak to maybe a couple of bullet points on
23 how you decreased your overall student referrals by
24 33% all across K through -- to high school, I mean
25 district-wide. So what are some of the things you-

1 all are doing that can possibly be shared? I mean,
2 because now learning is taking place because the
3 students are in class.

4 SUPT. WARREN: I wish it was a magic thing we
5 could sell, but it's really a commonsense approach.
6 Talking more about what you should do versus not-not-
7 not, what you shouldn't do; impacting the feeling
8 tone for positive attitudes, positive behaviors, and
9 having that conversation throughout the entire
10 district. So specifically going through the PBIS
11 process to plan and to implement this year was a work
12 of teams -- teams who had to develop matrixes, SOAR,
13 CARD, and to focus on compassion, respect, and a
14 variety of things. But not to just say we're going
15 to do it, like honestly we've done in the past, and
16 hope it happens. We taught those behaviors. They
17 spent time at the very beginning of the year
18 literally teaching in stations what compassion looks
19 like, what you should do when walking to the
20 bathroom; little funny videos of teachers showing
21 examples of how you shouldn't act and doing all the
22 wah-wah-wah stuff and then showing the example of how
23 you should. Students love that. Having our students
24 develop also some of those actions, develop music,
25 songs, chants to support and to nurture and keep that

1 in front of them. Honestly, just elevating a
2 positive conversation with positive expectations.
3 And then I would say, the last piece, rewarding those
4 and celebrating those. We have been following the
5 PBIS method and, of course, those commonsense
6 approaches and that has had a huge impact.

7 DR. HILL: That's great to know because -- how
8 do you work with your teachers as far as getting them
9 to understand, to be even more compassionate, and to
10 keep the kids in the classroom -- do you follow what
11 I'm saying -- as far as, hey, putting them out of the
12 classroom? I mean, what process -- because these are
13 things I think needs to be shared with everybody.

14 SUPT. WARREN: Well, it's not perfect yet, of
15 course, but our principals are making certain that
16 they're having conversations. We have deans and
17 assistants who are looking at the data and who are
18 saying, "Hey, we've made these improvements" and
19 talking about that and trying to promote that, but
20 having individual conversations as well -- "Now this
21 one has been out X-number of times," and trying to
22 really look at not just the student's behaviors, but
23 what behaviors precipitated the response that you got
24 from that student. We're -- we have a new behavior
25 intervention coordinator in our district who's

1 providing a lot of support. He was an assistant
2 principal on another campus. And sometimes things
3 just go out of whack when administrators are out of
4 the building and sometimes, of course, when teachers
5 are away. And he has been able to provide the
6 support of tying some of the PBIS components
7 together, but also going to buildings and providing
8 additional support. He's participated with behavior
9 plan creation. He's still training. There's some
10 things he's still learning, but actually having
11 another set of hands on the ground has made a big
12 difference too. But those side conversations and the
13 expectation of teachers that we're looking at your
14 data and talking about that data -- so, like you even
15 hit on just a minute ago, Ms. Chambers, sometimes
16 we're talking about just one teacher in a grade. So
17 when you're looking at data and discipline data looks
18 a certain way, it points to actually individuals and
19 it gives opportunity for conversations.

20 DR. HILL: Thank you.

21 SUPT. WARREN: Thank you, sir.

22 CHAIRMAN BARTH: Ms. Newton.

23 MS. NEWTON: One of the things that I had down,
24 looking at your information beforehand, I wanted to
25 be sure and point out to you how proud I was of you

1 with your high school growth.

2 SUPT. WARREN: Thank you.

3 MS. NEWTON: That was great, you know, because
4 sometimes high-schoolers are hard to get to grow.

5 SUPT. WARREN: Oh yeah.

6 MS. NEWTON: And so that is fantastic. And so I
7 know you're proud, and I'm very proud of that hard
8 work of you and your staff and your students for
9 doing the hard work that it takes to get those growth
10 numbers where they were. So I'm very proud of that.

11 Kind of tagging on the discipline just a little
12 bit -- and this is something that I'm asking for help
13 also -- one of the things that we have discussed in
14 the past is kind of knowing where our discipline
15 referrals are coming from. And I noticed that the
16 biggest majority of your discipline referrals were in
17 the category 17, which is Other. Do you -- can you
18 have a better description of what most of those are,
19 or can y'all go back and maybe look at that a little
20 bit and give us an idea of maybe some other
21 categories that we might need to put there instead?

22 SUPT. WARREN: Yes. We talk a lot about data
23 integrity and we're trying to hone in and do more
24 training to help our secretaries and our deans and
25 APs understand that we need to be more specific.

1 We've got some digging to do. There are often --
2 we're trying to make it where an Offense 3 isn't
3 different from teacher to teacher.

4 MS. NEWTON: Yes.

5 SUPT. WARREN: And so we've got some work to do
6 in that area. I really can't speak to exactly what,
7 but we've highlighted that as an area of concern for
8 us. There are so many behaviors that are
9 unspecified.

10 MS. NEWTON: Sure. I know.

11 SUPT. WARREN: So we know that we need to do
12 some work with reporting there.

13 MS. NEWTON: Right. But I was just saying, you
14 know, if, you know, you're needing to put them in the
15 other category maybe there's some categories that we
16 need to put in there to make it easier for you. So
17 maybe if you could gather some information on that,
18 you know, and let us know is there something
19 different that we need to do to get you where you can
20 have a slot for that maybe.

21 SUPT. WARREN: While I don't have good specifics
22 there, our eSchool does have, you know, categories
23 that were set up that we use. But our schools are
24 gathering data and being a lot more specific and may
25 can put their hands on, even in -- you know, even in

1 Google documents that they're keeping --

2 MS. NEWTON: Okay.

3 SUPT. WARREN: -- more specifics. So I believe
4 actually they would be able to speak more clearly to
5 that. I just can't right now.

6 MS. NEWTON: Okay.

7 SUPT. WARREN: But for data sake, we do have
8 some work to do there.

9 MS. NEWTON: Okay.

10 CHAIRMAN BARTH: Yeah. That's really a
11 challenge we're facing more broadly --

12 MS. NEWTON: In the state. Right. Yeah.

13 CHAIRMAN BARTH: -- in our discipline work that
14 we've looked at. So this is just a good example of
15 --

16 SUPT. WARREN: Yes.

17 MS. NEWTON: Right.

18 CHAIRMAN BARTH: -- of that challenge.

19 SUPT. WARREN: I agree.

20 MS. NEWTON: Yeah.

21 SUPT. WARREN: I agree.

22 MS. NEWTON: Last thing was I noticed when
23 you're working with Solution Tree they came in and
24 did a Needs assessment. And most of the needs that
25 you had, you know, the scoring was fairly low -- and

1 that's not always a bad thing. You know, to finally
2 understand where your problems are and what your
3 weaknesses are is always the first step of making
4 progress. But my question is, they were able to tell
5 you weaknesses and areas that you needed to grow, but
6 does your staff and your administration and your
7 community -- do they buy into those are the
8 weaknesses, those are the things that I need to work
9 on? You know, somebody could tell me all day long
10 that I'm overweight, but until I decide that I'm
11 overweight and I need to do something about it, it
12 doesn't work. Does that make sense?

13 SUPT. WARREN: It does. It does make sense. I
14 have to kind of think more about the work we've done
15 in that respect. We can correlate from feedback that
16 we have gotten from surveys, from feedback we've
17 gotten from staff, students, from a variety of
18 stakeholders that several of those things everybody
19 agrees on. So we weren't in a position where we
20 didn't necessarily know. We didn't have, I'll say,
21 the best data that supported some of those pieces.
22 But there are some other areas that are not your
23 common things -- for instance, pieces that are not
24 necessarily tied to culture. But just some of the
25 other details that they did outline and help us with,

1 we haven't really dug in yet; so I can't speak to
2 really what their perspective is. But there were
3 several things that, across all of our stakeholder
4 groups, we all agreed on; so there wasn't a whole lot
5 of outliers. But we could -- we definitely could
6 stop to talk more about those things that we don't
7 have good feedback about. That actually brings to
8 thought something that we've not talked about yet.

9 MS. NEWTON: Okay.

10 CHAIRMAN BARTH: Ms. McFetridge.

11 MS. MCFETRIDGE: I noticed the percentage of
12 certified teacher absences for professional
13 development really jumped. Do you feel like you're
14 meeting their needs for professional development or
15 do you know why there's such an increase in absence
16 of that?

17 SUPT. WARREN: Let me make certain what data --
18 okay. So when we -- yes, I can express to you
19 percentage of certified teacher absence. So take K-4
20 -- and when I talk about data integrity, we -- this
21 is what the data is, and that is what our documents
22 say and I feel good about it being accurate. But
23 actually last year we had a lot of absences at the K-
24 4 level for PD tied to RISE. Although it's a
25 phenomenal program, it takes a lot of days out. And

1 so, yes, we do still have some work to do. Like I
2 told you, some of the teachers haven't gone through
3 it. And 15% -- while it could look like a huge jump,
4 it really isn't a whole, whole lot of days, to be
5 honest with you, and so more numbers would help you
6 see that. But, yes, there is an increase. Are we
7 meeting our teachers' needs? We are, yeah, so --

8 MS. McFETRIDGE: (inaudible, not speaking into
9 microphone) -- where they feel like it's worth their
10 time, that's what I would say.

11 SUPT. WARREN: We, of course, have -- they've
12 established PGGs -- they've established their
13 professional growth goals. And we are trying to
14 connect the work that we're doing with respect to
15 professional development to those goals, and, of
16 course, what the data says about what our needs are.
17 I'll say this: we have not rejected any professional
18 development requests that any of our teachers have
19 had, and I think that may speak to not having any to
20 request things that we've not supported or found some
21 other way to provide a support for.

22 So I don't know if I can conclusively say that
23 everybody feels like they're getting everything they
24 need, and I don't know that so much an increase
25 speaks to that. But this particular number of

1 professional development days has decreased this year
2 from prior-year for the number of days that they have
3 been out for professional development. But, yes, the
4 type has definitely -- it definitely has increased in
5 respect to the percentages. Yes, ma'am. I would
6 need to do more work there too to have a better
7 answer for you there. But we -- they have missed
8 fewer days this year for professional development
9 because of the concerted efforts we've made. As a
10 matter of fact, like I said, we've frontloaded I
11 think about eight days -- eight days of our
12 professional development in August to make certain
13 that they weren't throughout the year. Now there are
14 other persons though who have to attend professional
15 development activities who are certified, like our
16 instructional facilitators. There have been several
17 pieces of training that they have. And this number
18 -- when we say "certified," that's going to speak to
19 not just the classroom teachers, but also, like I
20 say, instructional facilitators and principals and
21 everyone who is certified. But I can -- we can do
22 more to understand that number better.

23 MS. MCFETRIDGE: Thank you.

24 SUPT. WARREN: Thank you for that.

25 MS. MCFETRIDGE: Thank you. I think overall

1 you're doing a great job.

2 SUPT. WARREN: I appreciate that.

3 MS. McFETRIDGE: Thank you.

4 SUPT. WARREN: Thank you.

5 CHAIRMAN BARTH: Ms. Dean has one more.

6 MS. DEAN: I just wanted to kind of -- I forgot
7 this and I'm glad Dr. Hill brought it up. But I want
8 to go back to the positive behavior, the PBIS.

9 SUPT. WARREN: Uh-huh.

10 MS. DEAN: My question kind of correlates with
11 how -- were parents -- were family members involved
12 in that training in that process, you know, so that
13 they can have an opportunity to know what is expected
14 of the children and to kind of reinforce that
15 behavior at home? So my question is, were parents
16 being -- or family members being informed and
17 included in those processes? Because if you can have
18 that reinforced at home, you have better success, I
19 would think. So I guess that's my question.

20 SUPT. WARREN: So there were some actions taken
21 in the plan development to communicate to families
22 the direction that we were looking at going, and then
23 communicated to them, and opportunities to even
24 participate in helping to build the behavior
25 matrixes. And then at the beginning of every -- at

1 the beginning of the year every campus made it a
2 point through a variety of methods -- be it whenever
3 kids came out for schedules or whenever there were
4 open houses -- and even in literacy -- you know, on
5 literacy and math nights they're communicating and
6 sharing and putting that before them. We had
7 opportunity to share some things even in a community
8 meeting related to PBIS. So, yes, we have tried to
9 engage families and from that very same standpoint
10 help us to reinforce these types of behaviors that
11 are excellent behaviors for our children to have at
12 home or even in school.

13 MS. DEAN: Right.

14 SUPT. WARREN: So, yes, we have tried to engage
15 our families.

16 MS. DEAN: And I'd just throw in there to have
17 an opportunity for them maybe even to join in that
18 training. If there's an opportunity for come -- for
19 them to come during the school day, for however long
20 you do it, just leave that window open for parents to
21 be more engaged.

22 SUPT. WARREN: Thank you for that idea.

23 CHAIRMAN BARTH: Any other closing questions?
24 Commissioner.

25 COMMISSIONER KEY: Come back to me, Dr. Barth,

1 just so I can brag on Ms. Warren and her team. You
2 know, we are, as she said, three years in. We've
3 learned a lot together. I think we have definitely
4 learned together. I can't brag enough on Mr.
5 Johnson, you know, because this district was in
6 fiscal distress, as well as academic. And the work
7 that they have done, the growth that Mr. Johnson has
8 had --

9 SUPT. WARREN: Absolutely.

10 COMMISSIONER KEY: -- of, you know, getting a
11 handle on the finances -- the whole team I think has
12 been fantastic in their willingness to accept
13 coaching, their willingness to accept help, the
14 understanding that you can have all types of
15 professional development. But if it doesn't
16 translate to changes in the classroom, then we're not
17 meeting the needs of those teachers, --

18 SUPT. WARREN: That's right.

19 COMMISSIONER KEY: -- Ms. McFetridge. And
20 that's what we have seen really ramp-up. I think Dee
21 coming onboard has been a big boost --

22 SUPT. WARREN: Absolutely.

23 COMMISSIONER KEY: -- for -- and just everybody
24 that's associated with the group. So -- and the
25 stability, I think you mentioned that; the stability

1 that we've seen in the last couple of years has
2 really helped. So they're on a good track. And I
3 just want to say publicly how proud I am and to thank
4 you for your leadership in that effort --

5 SUPT. WARREN: Thank you.

6 COMMISSIONER KEY: -- and Dr. Hernandez and his
7 team --

8 SUPT. WARREN: Yes.

9 COMMISSIONER KEY: -- for their work that they
10 are doing down there as well.

11 SUPT. WARREN: Thank you, sir.

12 CHAIRMAN BARTH: Fantastic. Thanks for spending
13 time with us and for all your energy.

14 SUPT. WARREN: Thank you, all.

15 CHAIRMAN BARTH: And Happy Holidays.

16 SUPT. WARREN: Thank you, sir.

17 CHAIRMAN BARTH: All right.

18 SUPT. WARREN: Thank you all again.

19 CHAIRMAN BARTH: All right. We are going to
20 take a break, a little late.

21 COMMISSIONER KEY: 1:10?

22 CHAIRMAN BARTH: No, we're not going to be back
23 at 1:10. Let's plan on trying to get back as close
24 to 1:30 as possible.

25 (LUNCH BREAK: 1:02 - 1:34 p.m.)

1 CHAIRMAN BARTH: Why don't we go ahead and get
2 started. Thanks to everybody. Sorry again for our
3 miscalculating the morning a little bit, but we will
4 hopefully do some good catch-up here.

5 A-3: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT
6 CHARTERS

7 a) LITTLE ROCK SCHOOL DISTRICT

8 CHAIRMAN BARTH: We are down to the -- from the
9 morning, the Act 1240 waivers, and Ms. McLaughlin
10 will do those. We start with the Little Rock waiver.
11 Good afternoon.

12 MS. ZOOK: (inaudible)

13 CHAIRMAN BARTH: We're -- no, we -- I want to go
14 ahead and do the 1240s. Yeah.

15 MS. ZOOK: Very good.

16 MS. McLAUGHLIN: Good afternoon. Kelly
17 McLaughlin, ADE Charter School Office. Act 1240 of
18 2015, as you know, allows a school district to
19 petition the State Board of Education for all or some
20 of the waivers granted to open-enrollment public
21 charter schools that serve students who reside in the
22 school district. Representatives of the Little Rock
23 School District are here to appear before the Board
24 with petitions for Flexible Schedule, the Allowable
25 First Day of School.

1 Little Rock -- as a minder, the school district
2 will have 20 minutes to make their presentation, any
3 opposition will also have 20 minutes, and then the
4 school district will have 5 minutes to respond -- and
5 that is all before the Q-and-A begins.

6 Their 90 days expire on February 4, 2019, and
7 they are requesting for 3 years, ending on December
8 14, 2021.

9 You will want to swear in Mr. Mike Poore,
10 Superintendent, Marvin Burton, Associate
11 Superintendent, Dr. Sadie Mitchell, Deputy
12 Superintendent, and Robert Robinson, HR Director.

13 CHAIRMAN BARTH: Okay. I think Mr. Poore is
14 still not back. So do y'all need to hold --

15 COMMISSIONER KEY: Dr. Mitchell?

16 DR. MITCHELL: Yes.

17 COMMISSIONER KEY: Okay.

18 CHAIRMAN BARTH: Okay. So, I apologize.

19 COMMISSIONER KEY: So Mr. Poore texted and they
20 had a power outage at McClellan --

21 CHAIRMAN BARTH: Ah.

22 COMMISSIONER KEY: -- that required his
23 attention.

24 CHAIRMAN BARTH: Okay.

25 COMMISSIONER KEY: So he asked for a 10-minute

1 warning, and I gave him about an 8-minute warning,
2 but obviously he hasn't made it back yet.

3 CHAIRMAN BARTH: Okay. That's fine.

4 (b) WATSON CHAPEL SCHOOL DISTRICT

5 CHAIRMAN BARTH: So let's go on down to the
6 Watson Chapel case. Do we have everybody here from
7 Watson Chapel?

8 MS. McLAUGHLIN: We do.

9 CHAIRMAN BARTH: Yeah, okay. Great. Thank you.

10 MS. McLAUGHLIN: Okay. We have representatives
11 from Watson Chapel School District here to present a
12 waiver for Teacher Licensure. Their 90 days expire
13 on February 6, 2019. They have requested for two
14 years, ending on June 30, 2021, when their other
15 approved Teacher Licensure waivers expire.

16 The purpose of today's request is due to the
17 closure of the open-enrollment charter school Quest
18 Academy of Pine Bluff. And we -- you will want to
19 swear in Bill Tietz, Assistant Superintendent, and
20 Kerri Williams, School Improvement Specialist.

21 CHAIRMAN BARTH: All right. If y'all will both
22 stand and raise your right hand -- do you swear or
23 affirm that the testimony you are about to give shall
24 be the truth, the whole truth, and nothing but the
25 truth?

1 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

2 CHAIRMAN BARTH: Great. Y'all have up to 20
3 minutes -- right, Ms. McLaughlin?

4 MS. McLAUGHLIN: That is correct.

5 CHAIRMAN BARTH: You have up to 20 minutes for
6 your presentation, and then if there is any
7 opposition they will have 20 minutes as well -- but I
8 don't believe we have anybody signed up. So, if
9 y'all will just identify yourself for the record and
10 the floor is yours.

11 MS. WILLIAMS: Good afternoon. My name is Kerri
12 Williams; I'm the School Improvement Specialist for
13 Watson Chapel School District.

14 MR. TIETZ: And my name is Bill Tietz, Assistant
15 Superintendent.

16 CHAIRMAN BARTH: Welcome.

17 MR. TIETZ: We're sorry that our superintendent
18 was unable to be here today. He had prior
19 engagements.

20 CHAIRMAN BARTH: Okay.

21 MS. WILLIAMS: As Ms. McLaughlin said, we have a
22 -- we currently have a waiver for Teacher Licensure
23 currently, and Quest Middle School closed. So we are
24 just requesting that we continue the licensure -- the
25 waiver that we currently have until June 30th of

1 2021.

2 CHAIRMAN BARTH: Is that --

3 MS. WILLIAMS: (Nodding head up and down.)

4 CHAIRMAN BARTH: Okay.

5 Are there questions? Any questions on --

6 Ms. Zook.

7 MS. ZOOK: Have you had it long enough to where
8 you can tell if it's of benefit to the students, and
9 whether these people are doing a quality job for the
10 students?

11 MS. WILLIAMS: In 2016, when we initially got
12 the waiver, I was able to hire paraprofessionals. I
13 hired paraprofessionals that had a college degree
14 currently and that wanted to teach. So when we got
15 the waiver, we were -- it was very beneficial because
16 a lot of those we were able to move into teaching
17 positions. So they were familiar with the district,
18 familiar with the students; some had built
19 relationships with the students. So it was very
20 beneficial for those teachers to move right into that
21 spot.

22 We currently have 19 teachers on our waiver. We
23 have 10 that are first-year, 5 that are second-year,
24 and 4 that are three-year. So we have a total of 38
25 new teachers this year, so from -- that range from

1 one to three years.

2 So even though we're trying to recruit,
3 recruiting is difficult sometimes. We partner with
4 UAPB, we reach out to all of the colleges; we do
5 everything we can to recruit. So we're actively
6 working on that. It's just sometimes it's difficult.

7 MS. ZOOK: Were you here this morning when UALR
8 was talking about their STeP program?

9 MS. WILLIAMS: Yes.

10 MS. ZOOK: Are you a school that they would look
11 at to partner with? Do you know?

12 MS. WILLIAMS: I would think so. I mean --

13 MR. TIETZ: We hope so.

14 MS. ZOOK: You're in the circle.

15 MR. TIETZ: We really hope so.

16 MS. WILLIAMS: Yes.

17 MS. ZOOK: Yeah, you're in the circle.

18 Another thing which is sort of an aside -- as
19 you have a paraprofessional become a teacher, maybe
20 they could give guidance to those teachers who are a
21 paraprofessional about "here's some things that it
22 would have benefitted me as a paraprofessional, if
23 you had taught me or helped me learn," or something
24 like that. And I know that's totally aside from
25 this, but --

1 MS. WILLIAMS: But that's something that was
2 done. We taught -- we brought in all of our
3 paraprofessionals and they were trained with our
4 Curriculum Coordinators. So that's something that --
5 we actually took that task on.

6 MS. ZOOK: So there you have it. There's
7 nothing new under the sun, is there?

8 MS. WILLIAMS: So how they would assist the
9 teachers in the classroom -- yes.

10 MS. ZOOK: Thank you.

11 CHAIRMAN BARTH: So I'm just being a little
12 dense here. So is the -- y'all's -- the charter that
13 y'all were using as the basis for your waiver was
14 Quest. And because it is gone, these are now -- it's
15 now being replaced by these other charters where you
16 have students in your district attending that are
17 replacing it. That's exactly --

18 MS. McLAUGHLIN: Correct.

19 CHAIRMAN BARTH: Okay. I was -- okay.

20 MS. WILLIAMS: Because we also had -- on the
21 initial waiver we also had Lighthouse Charter that is
22 still in -- it is still open, but Quest -- we used
23 both of those charters on our initial application.

24 CHAIRMAN BARTH: Okay. Much clearer. I
25 apologize.

1 Ms. Dean? Ms. Chambers?

2 MS. CHAMBERS: I have a similar question that's
3 process related. Given we're -- and it probably is
4 for the Department of Ed. But given where we are now
5 in the life-cycle of the waiver, as we start to see
6 -- if you hadn't had other charters to re-point the
7 waiver to, how does that work as we go forward when a
8 school has gotten the waiver request approved and
9 they've been -- they're halfway through maybe
10 actually implementing it -- how do we handle those
11 going forward?

12 MS. McLAUGHLIN: We do have a process in our
13 office. Our analyst actually monitors a -- we have
14 an Excel program where she monitors, any time a
15 school closes, who has what waivers from the specific
16 open-enrollment school. So she is actually the one
17 that brought it to my attention that these schools
18 would have to come because they had lost this
19 particular waiver.

20 So if they would -- if they were in a rural area
21 where they only had students in one particular
22 school, which is what the situation is in many of the
23 schools, they would lose the waivers on June 30th, at
24 the time that the school closes -- the open-
25 enrollment closes.

1 MS. CHAMBERS: Okay. So they would lose it.
2 And if there wasn't anything to re-point to, there's
3 nothing to come back to ask for a waiver to?

4 MS. McLAUGHLIN: If they do not -- I pull a
5 cycle report every month, and if they do not
6 currently have students in an open-enrollment charter
7 school that is in existence, they are not eligible.

8 CHAIRMAN BARTH: All right. Dr. Hill, anything?
9 Ms. Newton?

10 MS. NEWTON: Since you've been in the waiver
11 process for three years now, my question was: how
12 many of those teachers that you hired on a waiver
13 have actually pursued certification?

14 MS. WILLIAMS: We have -- all of them have
15 stated to me -- because we meet regularly with them
16 to see what their intentions are and where they need
17 assistance -- all of them have decided they're going
18 to get into a MAT program. We have some that have
19 gotten into the Apple program. So they're actively
20 getting into teacher ed. programs to help with their
21 licensure.

22 MS. NEWTON: Okay.

23 CHAIRMAN BARTH: And what is that number, the
24 "all?"

25 MS. WILLIAMS: We have 19.

1 CHAIRMAN BARTH: Okay. Thank you.

2 MS. WILLIAMS: So, right now, we have two that
3 have entered the MAT program, four that are in the
4 Apple program, and we have one that just got a
5 provisional license.

6 MS. NEWTON: Okay. And so the other 15 are
7 talking about entering a program?

8 MS. WILLIAMS: They said by the summer their
9 plans are to enter -- enroll summer -- start working
10 on their coursework in the summertime. And some are
11 saying they want to just take the test -- because a
12 lot of it is that they did the educational programs,
13 but they couldn't pass their Praxis. So a lot of it
14 is that. And we're working with Arkansas River Co-
15 op; they're doing sessions with teachers on preparing
16 them to take their Praxis. So we have quite a few of
17 them that are attending those. That seems to help
18 them with their Praxis.

19 MS. NEWTON: Do you know approximately how many
20 of those that have not passed the Praxis?

21 MS. WILLIAMS: We have nine.

22 MS. NEWTON: Nine. Okay. Thank you.

23 CHAIRMAN BARTH: Ms. McFetridge?

24 Okay. Dr. Moore.

25 DR. MOORE: I do have some additional questions.

1 We are seeing two other districts from Jefferson
2 County today. So just out of curiosity, you said you
3 had 38 new teachers this year; is that correct?

4 MS. WILLIAMS: Yes.

5 DR. MOORE: Are you losing teachers to other
6 districts in Jefferson County or are they leaving the
7 profession or moving away?

8 MS. WILLIAMS: Some of all of that. We have
9 some that are leaving the profession, we have some
10 that are moving to other parts of the state, and we
11 have some that are going to our neighboring
12 districts.

13 DR. MOORE: And does that happen every year?

14 MS. WILLIAMS: Yes. We have a high -- pretty
15 high turnover rate that -- the turnover rate is
16 pretty much consistent every year.

17 DR. MOORE: How does your salary compare to
18 other districts in your county?

19 MS. WILLIAMS: We're probably -- we're a little
20 -- well, we're second.

21 MR. TIETZ: Yeah, we're --

22 MS. WILLIAMS: I think Pine Bluff --

23 MR. TIETZ: We're pretty high. But we have a
24 much older staff too --

25 DR. MOORE: Okay.

1 MR. TIETZ: -- that keeps that salary up. We
2 have a lot ready to retire -- and when it does, it'll
3 go down a little bit.

4 DR. MOORE: Okay. And then I think you alluded
5 to this, but are districts [sic] who are hired under
6 the waiver receiving any additional supports than a
7 normal novice teacher would?

8 MS. WILLIAMS: Yes. I meet with them, with the
9 Curriculum Directors, and the district team will meet
10 with them. And then they also have buddy teachers
11 that we meet with every semester.

12 DR. MOORE: Thank you.

13 CHAIRMAN BARTH: Great. Any additional
14 questions?

15 And just for clarification, this would be to
16 extend for how long?

17 MS. WILLIAMS: 2021, June 30th.

18 CHAIRMAN BARTH: Okay. So to -- and that's --
19 the original was for five years, and this would
20 basically allow it to extend to its original five-
21 year period. Is --

22 MS. McLAUGHLIN: They will all expire at the
23 same time.

24 CHAIRMAN BARTH: Okay. Okay. Okay. All right.
25 I think y'all know the issues. The proper motion is

1 to accept the waiver or not.

2 MS. NEWTON: Move to approve.

3 DR. HILL: Second.

4 CHAIRMAN BARTH: All right. Motion by Ms.

5 Newton, second by Dr. Hill.

6 All in favor say "aye."

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN BARTH: Opposed, same sign.

9 Okay. Congratulations. Thank y'all very much.

10 MS. WILLIAMS: Thank you.

11 CHAIRMAN BARTH: All right.

12 a) LITTLE ROCK SCHOOL DISTRICT

13 CHAIRMAN BARTH: Mr. Poore, are you recovered?

14 SUPT. POORE: Yes.

15 CHAIRMAN BARTH: All right. Okay. We are back
16 to Little Rock. And we had done the introduction,
17 and so I need to swear in anybody who plans to
18 testify for this waiver. So I don't know who all --

19 Okay. If you'll raise your right hand -- do you
20 swear or affirm the testimony you're about -- you are
21 about to give shall be the truth, the whole truth,
22 and nothing but the truth?

23 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

24 CHAIRMAN BARTH: Great. I'll let -- y'all have
25 up to 20 minutes.

1 And I do want to explain I do have a number of
2 folks who had signed in on -- a few folks had signed
3 in early on a Little Rock waiver; I have Michael
4 Mills, Latonya Boston Webb, Amy Johnson. My
5 expectation is those are actually on item 14, but
6 please let Ms. Freno, in the back, know if you do
7 want to speak on this item in opposition. So --

8 SUPT. MOORE: Yeah. This waiver actually is one
9 that is coming back as a second-year to make the same
10 request. And to be honest with you, a part of this
11 was that the Commissioner had asked me to make ours a
12 one-year waiver so that it could be reviewed because
13 I think that there's belief that we need to probably
14 look at a legislative fix on this particular issue
15 long-term.

16 And so you all are aware that we were trying --
17 Little Rock School District -- we were trying to
18 create collaboration. So our waiver came in just a
19 little bit after the fact of the first wave that you-
20 all approved that ended up being I think five-year
21 waivers. And we were trying to collaborate with our
22 county school districts to all be together to come
23 forward on this, and we accomplished that, but we
24 then set it up to just have it be a one-year
25 situation.

1 So it's basically a similar waiver to what you
2 approved last year. It is a similar waiver to what
3 you've approved for other school districts. The
4 Commissioner helped catch it; we had to make an
5 adjustment because we had actually violated state
6 statute by seeking a day too early. And we had to
7 push our day back one day so that we would make sure
8 we were starting early but not before what the state
9 statute says we could -- because there is a clearly
10 defined rule in terms of when schools have to -- they
11 can't start before a certain date.

12 So I think we'll answer any questions you want.
13 This is not a very complicated issue, in my opinion,
14 and I'll leave it at that unless you have questions.

15 CHAIRMAN BARTH: All right.

16 SUPT. POORE: I should state one more thing. I
17 also want to share that besides collaboration with
18 the districts we also work with our teacher group and
19 parents in terms of developing our calendar. So
20 there is that form of collaboration as well.

21 CHAIRMAN BARTH: Thank you very much.

22 I'll start over here. Ms. McFetridge, anything?

23 Anybody else on this side have any questions
24 about this issue?

25 Dr. Moore.

1 DR. MOORE: I have some questions. Did you all
2 have a weeklong break at Thanksgiving?

3 SUPT. POORE: We have done that now, and this is
4 the -- I believe it's the second or third year for
5 that.

6 MS. KOVACH: Third.

7 SUPT. POORE: It's the third year. Yes.

8 DR. MOORE: And then do you have any other
9 extended breaks?

10 SUPT. POORE: Spring break. And other than
11 that, that's it. We -- our calendar this year and
12 the last year we added on an extra day tied into an
13 October end-of-the-first-quarter so that we could add
14 in a professional development day. We've given that
15 some thought as to whether or not we want to hold on
16 to that day, because we ended up with a high level of
17 absenteeism surrounding those dates. And then we
18 also had high absentee rates with the state educator
19 conference in November. And so we may have to re-
20 think that one.

21 DR. MOORE: Do you -- did you receive mostly
22 positive feedback from the earlier calendar this year
23 when you talked with your teachers?

24 SUPT. POORE: We have. I should say -- probably
25 the more accurate way to say it is no criticism for

1 the calendar when it came out, and staff seems to be
2 appreciative of where our calendar currently is.

3 DR. MOORE: Moving it up in August?

4 SUPT. POORE: Yes.

5 DR. MOORE: Okay. Thank you.

6 CHAIRMAN BARTH: Great. All right. Any
7 additional questions?

8 Okay. The proper motion is to approve or deny
9 this waiver request.

10 MS. ZOOK: Move to approve.

11 MR. WILLIAMSON: Second.

12 CHAIRMAN BARTH: All right. Motion by Ms. Zook,
13 second by Mr. Williamson.

14 All those in favor say "aye."

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRMAN BARTH: Opposed, same sign.

17 Okay. Thank you.

18 c) FORT SMITH SCHOOL DISTRICT

19 CHAIRMAN BARTH: And that brings us down to the
20 Fort Smith School District request.

21 MS. McLAUGHLIN: Yes. Fort Smith School
22 District is here today with a waiver request on
23 Personnel. Their 90 days will expire on March 13,
24 2019. They have requested for two years, ending on
25 December 14, 2020.

1 The speakers that you will wish to swear in,
2 with the exception of Mr. Marshall Ney, is -- he is
3 the school district counsel -- but also the
4 superintendent Mr. -- Dr. Doug Brubaker and Susan
5 McFerran, the school board president.

6 CHAIRMAN BARTH: Okay. And I also got word that
7 there are three folks planning to oppose.

8 MS. McLAUGHLIN: Yes.

9 CHAIRMAN BARTH: I'll go ahead and swear them
10 now as well. Is that appropriate?

11 MS. McLAUGHLIN: Yes.

12 CHAIRMAN BARTH: Okay. Obviously Mr. Blackstock
13 does not need to be sworn, but Sid Johnson and Lorrie
14 Woodward need to be.

15 Are you doing all 20 minutes?

16 MR. BLACKSTOCK: No, I'm not. The two other
17 people stepped out. They're coming right now.

18 CHAIRMAN BARTH: Okay.

19 MR. BLACKSTOCK: Sid Johnson and Lorrie Woodward
20 will be here shortly.

21 CHAIRMAN BARTH: Okay. Well, we'll swear them
22 when we get to that time.

23 So right now you have 20 minutes to be shared in
24 whatever way y'all wish.

25 MR. NEY: Are you going to swear?

1 CHAIRMAN BARTH: Oh, yes. I am going to swear
2 y'all. I apologize.

3 Do you swear or affirm that the testimony you're
4 about to give shall be the truth, the whole truth,
5 and nothing but the truth?

6 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

7 CHAIRMAN BARTH: All right. Welcome. And if
8 you'll just state your name for the record, that'll
9 be great.

10 MR. NEY: Of course. My name is Marshall Ney;
11 I'm a lawyer who represents the Fort Smith School
12 District. Chairman Barth, Commissioner Key, and
13 Members of the Board, I appreciate the opportunity to
14 be here today. And with a little luck I've got a
15 clicker here that's going to help with my
16 presentation.

17 What brings us here today I think is a fairly
18 unique situation -- probably very unique -- and not
19 something that you all have had the opportunity to
20 consider in the past, and that is the waiver that
21 we're requesting to transition from recognition of
22 the Fort Smith Education Association to an actual
23 PPC.

24 The history is that Fort Smith has roots with
25 the Fort Smith Education Association back to 1970,

1 and the current agreement that's in place was
2 approved in 1987, which was just a few years after I
3 graduated from Fort Smith High School -- Fort Smith
4 Southside High School. You laugh because I look old,
5 and I understand that. And so we received a letter
6 -- meaning the District received a letter -- from the
7 ASTA back in November and alerted the District to the
8 fact that there was a concern that the membership of
9 the FSEA had fallen well below 50%. And unlike the
10 agreement -- the collective bargaining agreement that
11 exists with the Little Rock School District that
12 requires an annual certification of membership, there
13 was no such provision in the agreement dating back to
14 1987 with Fort Smith. And so this is the actual
15 narrative from the letter and you can see that it was
16 specifically called out that the FSEA membership had
17 fallen below and a request was made that we replace
18 that with an actual PPC. Obviously a citation to
19 law, which, as you all know, the law requires that
20 there shall be a committee on personnel policies and
21 that the election shall be solely and exclusively
22 conducted by the classroom teachers, including the
23 distribution of ballots to all classroom teachers.
24 Of course, our -- Fort Smith was coming under the
25 exemption in the law which said that the provisions

1 of that subchapter don't apply if you recognize an
2 organization that was representing a majority of the
3 teachers.

4 And so, where were we? Well, under Arkansas law
5 there's a mandate that you have a certified PPC,
6 unless two things happen: number one, the District
7 chooses to recognize an organization; and (b) that
8 the organization represents the majority of the
9 teachers. You have to have both. And so here the
10 agreement that was passed and that's referenced in
11 policy said, similar to what the statute says, that
12 the Fort Smith District represents the Fort Smith
13 classroom teachers -- by the way, that became the
14 Fort Smith Education Association -- and that which
15 represents the majority of the teachers of the
16 District. And so the District went back and pulled
17 its payroll records after receiving the letter from
18 the ASTA to try to determine what membership looked
19 like -- and this chart shows you dating back 10 years
20 what it looks like and it shows you that as far back
21 as we measured, which was back to the 2007-2008
22 school year, the FSEA has not represented a majority
23 of the teachers in the Fort Smith School District.
24 The closest that they have been was 47% in the 2008-
25 09 school year, and it's been on a steady decline

1 since 2010-11. And what was most alarming was that
2 as of this current school year almost 70% of the
3 teachers in the Fort Smith School District were
4 unrepresented.

5 And so we sent a letter -- this is actually a
6 letter that I sent to the FSEA, and said, "Hey, we
7 show that there are 372 members in your organization.
8 You know, we're relying on the payroll records.
9 Please tell us whether we're right, whether we're
10 close, whether we're wrong. We need to get to what
11 this number is." Well, it took about a week to get
12 any substantive response -- and, finally, after about
13 a week I did receive a response from the FSEA. And
14 what the FSEA said is, "We have unofficial numbers as
15 of November '16, but we didn't reconcile those in
16 October." And what she went on to say, if you look
17 in that third paragraph, is, you know, "What we
18 really need to do here is we need to mold the law so
19 that we can be recognized."

20 These were our takeaways from the engagement
21 that we had with the FSEA. Number one, even if their
22 estimated number is 379, it's pretty darn close to
23 372, which is what we had measured.

24 In the five days leading up to the response that
25 we got from the Fort Smith Education Association

1 these are the things that we learned: number one,
2 they stated "we do not know the exact percentage of
3 teachers who are members of our organization." In
4 fact, here we are, a month later; we still don't have
5 those numbers. We still have not been provided with
6 any kind of reconciled numbers to say what their
7 membership levels are. They also made a pretty
8 telling admission, which is we don't have over 50%
9 and have not for sometime. They also stated that "we
10 understand that the law requires a majority." And
11 then the most telling statement, "If I give you
12 numbers now, they will not be accurate." So that's
13 where we were.

14 So the consequences -- the legal advice that I
15 gave to the district was this, that there are
16 consequences for that low membership. Number one,
17 that the agreement that was in place violated
18 Arkansas law, and that it likely had lapsed
19 automatically by operation of law and policy because
20 both the law and the policy both stated that there
21 had to be a majority membership, and it did not
22 exist. And so the specific recommendations that I
23 made were, number one, recognize that this agreement
24 has lapsed; move as quickly as you can to form a
25 certified PPC; come before you all today, which is

1 what we're doing, and seek a waiver so that we can
2 proceed now -- because, as you know, the law says you
3 have to organize in the first quarter of the school
4 year. Well, that's long since passed. And, finally,
5 that we should seek a waiver so that the district can
6 help get this off the ground, because it's been 50
7 years and the classroom teachers in this district do
8 not have the experience and the history of organizing
9 a PPC. And what the District wants to do is form a
10 PPC -- and when I say "form," I mean have the
11 district buildings elect representatives from each of
12 its 27 campuses so that the District can move forward
13 precisely as the law would require.

14 So the board heard all of this, heard
15 presentations probably similar to what you're about
16 to hear -- because the FSEA did appear and make
17 public comments in opposition in response to the
18 agenda item. And the board passed this resolution
19 that recognized that, yes, in fact we agree that the
20 agreement is lapsed and that we should go forward in
21 front of this board and seek a waiver. And, you
22 know, it's important to the District. We have Dr.
23 Brubaker, the superintendent, here; we have the
24 deputy superintendent, Terry Morawski, here; and we
25 have Susan McFerran, who is the board president. And

1 so they did authorize the filing of the waiver
2 request and to be here today.

3 And this is what we've asked for: we've asked
4 that we be permitted to form a certified PPC as
5 quickly as possible to dramatically increase
6 certified staff representation in the District. And,
7 again, we stated that given the decades that have
8 passed without a PPC -- and I put, parenthetically,
9 if the District ever had one -- I don't know whether
10 they did or not -- that we receive waivers from 6-17-
11 203 and 6-17-205 so that the District can provide the
12 assistance and form now and give the District the
13 flexibility to get representation from all of its
14 school buildings.

15 So the Future School of Fort Smith has already
16 received a waiver here from the entire chapter. The
17 district is not seeking a waiver from the entire
18 chapter, only from two provisions: to help them
19 manage the timing and the process. And the District
20 also is only seeking a two-year waiver, just long
21 enough to get this up and running.

22 Now what I'd like to do is just share a few more
23 thoughts with you.

24 The restrictions in law that impact this process
25 and the reason why we're here today:

1 Number one, the law restricts the District's
2 ability to work with the teachers to get this up and
3 running, to be involved in the process at all. And
4 so this waiver would give the District the
5 opportunity to work within the process so that
6 teachers can be elected from each of the buildings.

7 Number two, it allows elections from each of the
8 buildings. The way the law is worded, teachers who
9 are elected to a PPC have to be elected at-large.
10 Well, you know, the typical district that comes
11 before you is a district of 500 teachers. This
12 district has over 15,000 in 27 buildings across it.
13 And so, you know, when we're starting this process
14 does it really make sense to have a first grade
15 teacher in a discreet elementary building to be
16 voting on and electing one of the two high school
17 representatives? And so we're trying to give the
18 flexibility to allow the teachers to elect from each
19 of their buildings.

20 Number two [sic], the District has researched
21 firms that can come in and manage the election
22 process. That's not something that the District
23 would endeavor to do on its own, as the law has been
24 interpreted by our court. The District would like to
25 hire an accounting firm to come in and certify the

1 election results. Again, that's not something, under
2 the law that's written, the District could come and
3 do.

4 And, finally, the District would like to have a
5 Spring election and not wait. And I would tell you
6 we're really in a bind right now because the law
7 mandates -- mandates that there be a PPC -- but the
8 law also mandates that it happen in the Fall, and so
9 we're really between two mandates. And so we want
10 the assistance of this board to allow us to resolve
11 the issue.

12 Since the board's vote and the resolution you
13 saw, the District has issued a press release to all
14 of its patrons in the district to educate them,
15 issued also within the school building; they have
16 published FAQs so that the certified classroom
17 teachers understand what the process is; they have
18 published via email the specific waiver application
19 that's coming before you now; they've engaged in Q&A.
20 You know, they've still as of this day not received
21 an official count from the FSEA. And they've
22 researched and identified the election firms.

23 So if you approve, the plan is, you know, to
24 engage a professional election firm within the next
25 60 days and panel a PPC; get an accounting firm to

1 certify the results; have 35 teachers on the PPC
2 across the 27 buildings, trying to get a proportional
3 relationship among some of the larger versus smaller
4 buildings; have two-year terms for each of the
5 members. And during this two-year term, you know,
6 the reins will be turned over and this group will
7 then have the opportunity to shape the future. The
8 waiver will sunset; they will decide what the future
9 looks like and they will manage the process forward.

10 The only other option that we have seen -- and I
11 don't know where I am on my time currently, so I'll
12 move quickly. But --

13 CHAIRMAN BARTH: Six minutes, 44 seconds.

14 MR. NEY: Six minutes, 44 seconds. Great.

15 So there has been a lot of activity in the
16 school buildings by the FSEA, trying to take
17 ownership of the election process. I'm sure they're
18 going to tell you today that all of these waivers
19 aren't needed because they can manage it and there
20 has been effort by them to manage it. The proposal
21 that they have come forward with is seven members.
22 They say everybody is too busy to participate and
23 they should limit the group that will participate in
24 the PPC to seven members. We believe that is
25 woefully under-represented. In fact, you know, the

1 successes that this district has had over the last
2 year have been on the basis of inclusion of people
3 and stakeholders, not the exclusion. So, for
4 example, its Strategic Planning Committee had 32
5 people; the Citizens' Committee had 53; and then
6 there were scores of other people who participated in
7 the successful millage that passed, which was
8 historic since the last millage that was passed was
9 in my senior year in high school, in 1982.

10 And, you know, just speaking very frankly here,
11 we don't think that the group who has lost dramatic
12 membership over the last decades and that can't even
13 identify its membership -- can't even identify its
14 membership -- ought to be the one in charge of
15 forming this PPC. And the problem is -- is, you
16 know, they're the only ones who have been engaged in
17 policy interactions with this district for decades
18 because of the contract that existed.

19 And so what we believe would happen without this
20 waiver, we're really concerned that it will not be a
21 fair opportunity to get these classroom teachers
22 engaged in the process and give them a seat at the
23 table and a strong voice in the future of the policy
24 development. And I will tell you on that point this
25 district needs help in policy development, which this

1 PPC can provide. The policies in this district are
2 archaic and they do not follow the model from the
3 Arkansas School Boards Association. And I'm not
4 saying that any district should blindly follow those
5 or that there aren't some legacy policies that should
6 not be retained. But there will be work with
7 policies in the future, as they have just passed some
8 new business management policies, in getting cross
9 kind of functional -- and building engagement is very
10 important, and giving these teachers someone in their
11 building that they can go see as their representative
12 is critically important to the future of this
13 district.

14 So with that I will rest, but happy to answer
15 any questions if there are any.

16 CHAIRMAN BARTH: Okay. I think we'll go ahead
17 and get the other side's testimony, and then we'll
18 come back with questions to both sides, if that makes
19 sense.

20 Okay. Then we -- I think we have three folks on
21 the other side. And so if you do plan to -- if you
22 plan to testify and are not an attorney, if you'll
23 please raise your right hand.

24 MR. BLACKSTOCK: Two people.

25 CHAIRMAN BARTH: All right. If you would please

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

5 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

6 CHAIRMAN BARTH: Okay. And y'all can divide
7 your 20 minutes however you wish.

8 MR. BLACKSTOCK: Thank you.

9 CHAIRMAN BARTH: And if you'll please identify
10 yourself for the record.

11 MR. BLACKSTOCK: Thank you. My name is Clayton
12 Blackstock. I'm General Counsel for the Arkansas
13 Education Association; I've also been providing some
14 advice to the Fort Smith Education Association.
15 You'll hear from two other people today: Sid Johnson,
16 who spent his entire career in Fort Smith as a
17 teacher; and Lorrie Woodward, who is currently
18 teaching there. They know more about what's been
19 happening on the ground and the facts I'm here to
20 talk to you about and some of the legal arguments
21 that were made.

22 I will say that Pulaski County is the only other
23 school district that's gone through this. When
24 Pulaski County lost its recognition in the Fall, all
25 the teachers got together -- you know how big that

1 district is -- they formed a PPC. The PPC was up and
2 running. The teachers did it because the law says
3 that that's the teachers' responsibility. They put
4 it all together and they were up and running for the
5 last half of the year. That's the only district I
6 know where that this has happened and it worked
7 perfectly well.

8 I will -- I'm going to steal some of Lorrie's
9 thunder on the front-end because I want you to know
10 -- and she'll testify to this because she's sworn
11 under oath that even though there have been this --
12 there's been this group of Fort Smith Education
13 Association who have been negotiating policies, they
14 have been making sure for decades that all of the
15 teachers are included. They solicit ideas from every
16 teacher in the district, and before a policy is voted
17 on by the school board they send it out to every
18 teacher in the district, and every teacher in the
19 district gets to vote and voice on it. So when this
20 school district says they haven't been representing
21 everybody, they have. And my guess is that the
22 reason the numbers may have gone down is "why should
23 we join the local since they're doing our work for us
24 and they're including us in everything." So it's not
25 a situation where the teachers in the Fort Smith

1 School District have not been adequately represented
2 or teachers have been excluded. They have made sure
3 everybody is included.

4 Now the two waivers -- well, first of all, this
5 is, I think, the first time a public school has come
6 and asked for a waiver of the PPC law -- I could be
7 wrong on this -- of the PPC law based on the fact
8 that a charter school or other school also has this.
9 So this will be the first time that there's a
10 request. The rest of the school districts apparently
11 are all happy with the PPC process and it's working
12 well.

13 The two sections they want waived are 203 and
14 205 and that's something we can talk about real
15 quickly, is 203 and 205. 205 is the one that says at
16 the very beginning you're supposed to form it in the
17 first quarter of the school year. It is the teachers
18 who are supposed to get together and form the PPC. A
19 lot of times that doesn't happen; things get busy at
20 the beginning of the school year. They're asking for
21 a waiver for that provision, but there really is no
22 need for a waiver of that provision. If somebody
23 forms it late, they form it late. If the teachers
24 don't form it in the first quarter, they've lost out
25 because they don't have a voice for the first

1 quarter. They do it later. We did a PPC -- we did
2 it in Pulaski County; they formed in the Spring and
3 they got rolling. There's really no need for that
4 waiver. Nobody is going to challenge -- who's going
5 to come in and say, "You didn't form it in the first
6 quarter, we're going to sue you?" That's not going
7 to happen. Districts miss deadlines periodically.
8 They don't come here and ask for a waiver every time
9 they submit something late. But the important thing
10 is that 203 has more than just that one section in
11 it. 203 says more than simply -- and let me find my
12 copy here -- or 205, I'm sorry -- 205 says something
13 more than just organizing in the first -- 205 also
14 has the following components in it: 205 says the PPC
15 has a right to look at every policy before it goes to
16 the board; it says the PPC has the right to look at
17 it 10 days before it goes to the board; it says the
18 PPC has a right to show up to the school board and
19 talk about a policy that's getting ready to be passed
20 before it's passed; 205 says that the PPC has the
21 right to submit policies. That's all in 205. So if
22 -- I don't know that they're asking for a waiver for
23 all that, but I would suggest that shouldn't be
24 waived. That's what gives the teachers the right to
25 speak up through their PPC and talk to people. So if

1 you're inclined at all to give a waiver of 205, waive
2 the provision that says you don't form -- have to
3 form it in the first quarter. I mean, I don't know
4 that that needs to be waived, but nobody has spoken
5 to that -- but they are asking for a waiver. What
6 that means is that in the next two years they could
7 come in and adopt an entirely new set of policies and
8 not have to submit it to the PPC. The PPC doesn't
9 have a right to look at it 10 days before the school
10 board; the PPC doesn't have a right to come up and
11 speak to it before the school board. All of that is
12 out the window. So if you're going to grant the
13 waiver, let's grant it for exactly what they're
14 requesting, and that is not formed in the first year
15 [sic]. That's 205.

16 The other section they're asking for a waiver
17 for is 203. 203 also has multiple components. The
18 component that they're asking for a waiver -- until
19 today, I thought there was only one section that they
20 were asking for a waiver for and that is the section
21 that says the teachers are the ones who are
22 responsible for determining their future. The
23 teachers are the ones who are responsible to
24 determine how this PPC is going to be made up, how
25 are the nominations going to go, how many people do

1 we want, how do we set up elections -- and this all
2 happened when the PPC law was passed. No district
3 had one and all of the teachers got together and
4 formed it. That's the section they want the waiver
5 from because they do not want the teachers -- and
6 like -- remember, Fort Smith Education Association
7 has been all-inclusive the whole time that they've
8 been in operation. They want to take that away from
9 the teachers. And we all know at least from recent
10 elections why the Democrats and Republicans all want
11 to control the Secretary of State's office -- because
12 the Secretary of State controls the procedures. And
13 what's important about that? If you control the
14 procedures, the voting, you can have a big impact on
15 the outcome. And so once the administration takes
16 over from the teachers, all the procedures -- how
17 many people can be nominated, when the nominations
18 are going to happen, when the vote is going to
19 happen, how many people it takes to vote, is it going
20 to take a majority, how many teachers -- they have
21 the ability then to control that whole procedure.
22 That's what the teachers are entitled to; it's their
23 destiny. The administration is only entitled to
24 three people on the board, no more, on the PPC. But
25 they're asking, once again, for a waiver from this

1 section that says the teachers can do that, and the
2 teachers are perfectly capable of doing it. It's
3 been done in many districts before. Arkansas
4 Education Association has assisted teachers in all
5 200 some-odd districts. We had to form these PPCs
6 when the law was first passed. So they're perfectly
7 capable of doing it. To say that they're not capable
8 is probably an insult to the teachers. So 203,
9 that's the section -- but 203 has more sections to it
10 than just the teachers control the elections. The
11 PPC also says that there's no more than three
12 administrators on it. I don't know if they're asking
13 for a waiver for that. If they're not, don't give
14 them a waiver of that because you only can get three
15 administrators on there. The PPC also says that they
16 have to be elected by a majority of the classroom
17 teachers; so that is the whole teaching group. And
18 this happens in Pulaski County, all the teachers get
19 together and they vote; it takes a majority of those
20 teachers. There's actually a court case where a
21 school district tried to do it on a district-by-
22 district basis out in east Arkansas, and the Court
23 said, "No, you can't do that" -- or a school-by-
24 school basis. You can't vote at one school and
25 another school; it's a majority vote, and that's what

1 the law says. I found out today for the first time
2 they're asking for a waiver of that. I didn't
3 realize that on the front-end.

4 So if you're inclined to give a waiver, then
5 205, it's only the section on forming it at the first
6 of the year -- and 203, it's only the section where
7 you're agreeing to give the administration complete
8 control over how it's formed and how the voting takes
9 place.

10 Now the big picture: is it really a waiver? The
11 charter school in this case has got a complete waiver
12 from this. They don't want the PPC. They don't have
13 a PPC. That's the waiver. That's what a waiver is
14 about: we think the law is too strict; we don't want
15 to have to follow it; it's burdening us; we've got
16 something else we can do. Fort Smith is not asking
17 for a waiver. They want the PPC. They want this
18 process in place. They just don't want to have to
19 follow the law, which is different from asking for a
20 waiver. If they're asking for a waiver, they'd say,
21 "We don't want the PPC. Let's do away with this law.
22 That's what the charter school got." If they want to
23 come in and ask for what the charter schools got so
24 that they can compete with the charter school, you
25 know, make it a competitive thing -- because "we're

1 burdened by the PPC law and they're not. We don't
2 want to be burdened" -- let's have them come in and
3 request a full waiver. That would be balancing what
4 the charter schools and the public schools are doing,
5 if that's what the objective of this law is when
6 public schools can come in.

7 I will let Sid Johnson talk about -- he will
8 talk about the PPC law. He was here when it was
9 formed; he's helped numerous teachers form it. And
10 then Lorrie will come up and talk to you about what's
11 happened at the district level and the lack of any
12 input from the community or the teachers in the way
13 it's been handled.

14 We're not here to argue about whether this
15 negotiated agreement should be in place or not in
16 place. It's out of place. This is all about the PPC
17 today. Thank you. And Sid Johnson --

18 CHAIRMAN BARTH: Thank you.

19 Thank you.

20 MR. JOHNSON: Hello, everybody.

21 CHAIRMAN BARTH: Hello.

22 MR. JOHNSON: It's been awhile since I talked to
23 the State Board of Education - a long while, and I'm
24 so sorry it's under this circumstance because we
25 don't even need to be here for this. You really

1 don't -- all the important things you've had to deal
2 with, and we've heard today many of them, and then we
3 talk about this -- talking about a waiver from
4 something that every school district in the state has
5 to do. Now the two that didn't were Little Rock and
6 Fort Smith, because they did negotiations. That went
7 away, as you've heard. So now we've got to have a
8 personnel policy law. That's okay. There were no
9 written personnel policies, even written down, when I
10 started teaching right out of the Army, in 1964. You
11 didn't -- school boards didn't have to write them
12 down. But then I said, "That's not right." So I
13 worked through the AEA way back in the day and then
14 as local president in Fort Smith and we got a bill
15 drafted and established the PPC law, which is what we
16 have here. Now, why did we have it? To allow input
17 from the staff and from the teachers at that
18 particular time. Now we did that -- it passed and
19 all that -- but there was still no avenue for input
20 the way it worked out in many cases. But -- so we
21 said, "Well, we need to have some way to have the
22 teachers involved." So we worked up, introduced,
23 found sponsors, and it passed. We convinced Governor
24 Clinton that we needed a personnel policy law
25 written, a committee to include teachers. "Oh, okay,

1 fine." It passed overwhelmingly. So that's why
2 we're here today, because we have that law.

3 Now the makeup -- we knew what we were doing.
4 We knew that in order for all teachers to have input
5 they had to be the ones that elected their members
6 and let them be in charge of that. We knew --
7 because in the end the administration and the school
8 board is going to decide what to do; they're the big
9 boss -- and still are -- and we knew that. So we put
10 in there it's got to be run by the teachers. Now
11 some of them were members of locals and some weren't;
12 didn't matter. They could be involved in it -- and
13 they will be.

14 Now, so here we are with a new superintendent
15 from Texas asking for a waiver from this state law
16 that everybody else has to do -- and there's no
17 reason why Fort Smith can't do it. We can run this
18 show, just like every other district does, and we can
19 elect our members and make it done right. And trust
20 me, we really don't have to have all these CPAs and
21 whatever -- but if you want us to, well, we would do
22 that too. Now his new committee is going to have 27
23 members. How would you like to have 27 members on
24 your board? Now you see it's really hard to get them
25 all together and all that and to come up with things,

1 because it's a small amount. But what you do is you
2 send out questionnaires, you do all kinds of things
3 with your representatives in the building, you say,
4 "What is it the teachers want us to work on this
5 year?" That's the way that has worked, and that's
6 the way it works around the state, and that's the way
7 it'll work in Fort Smith.

8 Now we just had negotiations taken away. We
9 understand why, yes, that's happened. I know in the
10 Bible it said there would be a great falling away in
11 the late days, but I thought He was talking about the
12 church, not our association membership. But anyway,
13 ours did fall away, yes, as everybody else's in all
14 organizations, including churches, have done now. So
15 that was a hard blow up-side the head, but we took
16 it. The next thing we know they want a waiver so we
17 don't get to do like the rest of the state and have a
18 PPC on the same terms as everybody else. We've got
19 to do it like the superintendent wants to do it, and
20 he wants to pick one in each school. Well, you know,
21 that's not the way it was designed and that's not the
22 way it's intended.

23 Now Fort Smith has always been a well-respected,
24 well-run school district -- all of you know that; not
25 caused you many problems down through the years or

1 anything. We still want it to be that way. And just
2 because you have a new superintendent doesn't mean
3 you have to change the way you do things. Send it
4 back. Don't give this waiver. We'll go back; we'll
5 -- they'll put in -- they'll put in a personnel
6 policy committee, just like everybody else has,
7 except Little Rock.

8 So I'm asking you please don't give this
9 unnecessary waiver -- it's not needed -- and get on
10 to some lot more serious business y'all have. Thank
11 you very much.

12 CHAIRMAN BARTH: Thank you.

13 And, Ms. Woodward, you have 6 minutes, 28
14 seconds.

15 MS. WOODWARD: I'll talk fast. Good afternoon,
16 Ladies and Gentlemen, Commissioner Key. They've
17 already made several of the points that I would make
18 to you, which is that, you know, we do have the need
19 to form a Personnel Policy Committee. I did not come
20 prepared to revisit how we reached the vote that the
21 school board did on the 26th; however, I will be
22 happy to answer questions at any time about that.

23 The -- apparently, FSEA has a -- comes across as
24 a bit disruptive, because what we did was -- we knew
25 that in order to have a Personnel Policy Committee it

1 needed to be run according to state law. And AEA has
2 excellent resources; they helped us to draft a
3 possible form that could be used. We spoke to the
4 people who were not members and asked if they would
5 be willing to be involved, and they did agree. We
6 sent a copy of it to Superintendent Brubaker and one
7 to each of the school board members and asked for an
8 opportunity to sit down and discuss it and work on it
9 together. One of the school board members at the
10 night of the vote had said that they felt it was
11 important to include us as an organization in the
12 planning process, because we did represent the
13 teachers in the past. We have been unwilling --
14 sorry -- unable to get an appointment set before
15 today. We did have several responses back from Dr.
16 Brubaker, but none of them before we were going to
17 meet here today. Our intent and hope would've been
18 that we could've sat down together and worked on
19 something that would've been beneficial to everyone;
20 that, however, did not happen.

21 As Clayton said earlier, we do send our surveys
22 to every single member of the district. We do get
23 their input on every single policy before we draft
24 any policy at all to present at the negotiations
25 table. And then they do have the opportunity to vote

1 it yea or nay before the school board does a final
2 vote. Not everybody takes advantage of that
3 opportunity; not everybody will on a PPC, either --
4 but the opportunity was there. And I think it is
5 important that everyone understands that a body of 7,
6 a body of 10, a body of 12, if they are truly
7 representing everyone, is going to be much easier to
8 work together and have conversation and schedule. If
9 you've ever had to work with teachers, you can
10 imagine trying to get 27 or 34 of them to agree on
11 one day and one time to meet together consistently.
12 It is very difficult to do that.

13 I'm actually here as a voice to the people.
14 There were some emails that were sent out,
15 absolutely, describing the plan for the -- or request
16 for the waiver to the District. I personally am not
17 aware of any input by stakeholders that was asked
18 for, other than "call me if you have a question." If
19 there is, then it's been out of my range of
20 knowledge. However, we did have a lot of people that
21 did turn to us because they did want to express their
22 opinion. There was a lot of people that were very
23 scared; they didn't know what was coming, they were
24 unsure. We did our best to educate and let people
25 have an idea what a PPC would be. We opened up the

1 doors to anyone who wanted to come and we would
2 explain to them as best as we could from what we
3 knew. And so we tried to alleviate some of that fear
4 in the district.

5 And what I have currently, we have a packet that
6 we put together that has some relevant -- it has a
7 copy of the plan that we wrote and proposed, to work
8 with all people across memberships and non-
9 memberships. I also have a large amount -- and we
10 still have them coming in -- letters from community
11 members, educators, non-educators, expressing some of
12 the concerns that they have over what they consider a
13 lack of being told how this was going to be handled.
14 A lot of people did say that they were confused about
15 why the waivers were so broad and that there wasn't a
16 very specific plan laid out. I do know there was a
17 meeting this week with some of the district that laid
18 out a little bit more of the detail -- but then
19 again, that's only some of the district and it's not
20 everyone.

21 As I close, I would like to share with you just
22 a couple of the excerpts from these emails that you
23 will find in your packet. One teacher said,
24 "Independence from administration in the election
25 process is not just a suggestion, it is the

1 fundamental motivation for the law." Another
2 teacher, "The teachers in our district are more than
3 capable of taking care of the nominations, election,
4 and creation of our PPC." Another said, "I am
5 worried that if the administration is given control
6 of the PPC that they send a message that we are not
7 capable adults who can think for ourselves or work
8 together effectively." A business owner in the
9 community sent in an email saying, "I would like to
10 remind the Arkansas Department of Education, the Fort
11 Smith Board of Education, and the Fort Smith Public
12 School administration that the language of the law
13 makes it clear its purpose and intent, which is for
14 the teachers to have an election process for their
15 PPC that is free from any interference by the
16 administration or the school board." As I've said,
17 these are just a few excerpts. You have copies of
18 all of them that we have received so far. I do know
19 that, as I've said, more are coming in.

20 Our goal coming here to speak today is not to
21 reverse or ask for any type of a reversal on the
22 negotiations for the District. We understand that
23 that's done. Our goal today is to ask that the law
24 be followed as it is written and that the teachers be
25 given the permission to set up and form their own

1 PPC. Thank you.

2 CHAIRMAN BARTH: All right. Ms. McLaughlin, is
3 there response time or do we go straight to
4 questions?

5 MS. McLAUGHLIN: The District has 5 minutes to
6 respond.

7 CHAIRMAN BARTH: Okay. Right. That's what I
8 thought.

9 Mr. Ney.

10 MR. NEY: We obviously haven't seen those
11 letters. Mr. Blackstock, did you-all bring us a
12 packet?

13 MR. BLACKSTOCK: No, I wasn't responsible for
14 collecting any of those.

15 MR. NEY: Okay. Well, so a few things. I put
16 this slide back up because, as you'll recall, the
17 response that was received back in November to the
18 request we had about membership was this one that
19 said "the law can be molded." And it's funny that we
20 had just talked about that about 10 minutes ago,
21 because Mr. Blackstock came up to you and said,
22 "Don't worry that the law says you have to form in
23 the first quarter; it's okay not to comply with the
24 law." We don't subscribe to that view.

25 So just to be clear, Arkansas Code 6-17-

1 205(a)(1) says each school district's committee on
2 personnel policies shall organize itself in the first
3 quarter of the year. That's not permissive language.
4 That is a mandate from our legislature that would be
5 interpreted as such by our courts. So we don't have
6 the flexibility to mold the law and just turn another
7 cheek and say without your permission we're going to
8 go form that PPC. Instead, we're mandated to have
9 one; we're mandated to do it in the first quarter.
10 We need help from this board to bring ourselves in
11 compliance.

12 Number two, as expected, the Fort Smith
13 Education Association has come forward and told you,
14 "Hey, don't worry, we got this, we got this." Well,
15 what "we got this" really means is the lawyers of the
16 AEA in Little Rock got this because that's who's been
17 providing their talking points and guidance in trying
18 to steer this. And the fact of the matter is, is
19 seven members isn't enough; five members wasn't
20 enough. We have 1200 teachers in the district. I
21 think I said 15,000 earlier -- that's students, not
22 teachers. I was corrected when I sat down. That
23 would be a lot of certified teachers. But we do have
24 1200, and so trying to get a representative from each
25 building is important.

1 I don't know how many letters that you have in
2 front of you, but when you count those -- I don't
3 know if it's 50 or 150. But remember, 1200 teachers
4 -- so do the math and see what percentage of teachers
5 are represented in your packet. And just so you
6 know, we received -- the administration received also
7 very encouraging communications, one from a 6th grade
8 classroom teacher: "Dr. Brubaker, thank you for
9 adding representation from all buildings. This has
10 been needed for many years and extremely important.
11 I hope the waiver is approved. Thank you again."
12 And in terms of the management of the process by the
13 Fort Smith Education Association, they have a
14 Facebook page and they posted what their plan was on
15 their Facebook page. And what you can see is, is
16 that -- you know how we can do on Facebook -- I'm not
17 on Facebook but I was at one time and I know you can
18 post a comment. And a comment that was posted on the
19 website after they published their proposed process
20 was from a teacher named Jonathan Mathis. And
21 Jonathan says, "I think I'm out. Not enough
22 representation, and I've been a member since 2002."
23 So he was one of those 372 members, and he says, "I'm
24 out." You know, having seven people in a district
25 that has 1200 classroom teachers just isn't enough.

1 The most important thing though to know about this is
2 his comment was removed by the Fort Smith Education
3 Association within minutes so that nobody could see
4 it.

5 Now, number four, this whole argument that we
6 represent everybody, that's -- I mean, how do you say
7 that? I mean, I could stand up and say "I represent
8 everybody. I'm now the representative of the
9 classroom teachers; I represent everybody.
10 Everybody, follow my lead." How is there any
11 accountability to that process? The accountability
12 is in the membership. That's how you know who you
13 represent. Just raising your hand and saying "I
14 represent everybody and everybody gives input" --
15 really? All 1200? This is ingenuous at best. And
16 remember, what we're trying to do is bridge to the
17 future -- bridge. We're trying to get two years
18 ahead where the teachers take this over and own it.
19 We're trying to give them a nudge. Yes, most every
20 district in the state gets how to do this and does it
21 correctly. But guess what, they've not been sitting
22 on the bench on the sideline for 50 years. They've
23 had practice. And who can remember when they formed
24 originally and how their process got started? And
25 again, remember --

1 (COURT REPORTER'S NOTE: The timer rings.)

2 MR. NEY: I'll stop there.

3 CHAIRMAN BARTH: Great. Thank you very much.

4 MR. NEY: Thank you.

5 CHAIRMAN BARTH: And, Mr. Blackstock, you have
6 -- or your side has 5 minutes to close however you
7 wish to use it. Is that correct, or not?

8 MS. McLAUGHLIN: Not that I know of.

9 CHAIRMAN BARTH: Okay. We don't -- never-mind;
10 I apologize. But you'll be back up. I was trying to
11 equalize, but you're totally right. Okay. But we'll
12 be asking you questions.

13 I do have one question, clarifying question I
14 got confused on. Mr. Ney, in terms of the waiver
15 request, are y'all asking for the entirety of 203 and
16 205 or only those provisions that were the focus of
17 your presentation?

18 MR. NEY: So we would be open to engaging with
19 the Board on that. We did ask for the two
20 provisions. We actually thought we were being pretty
21 surgical with that request, because, for example, in
22 Fort Smith they have -- the Future School of Fort
23 Smith actually got relief from the entire chapter.
24 And so what we did is we picked the two statutes that
25 are needed. If you want us to engage with the Board

1 and try to be even more surgical with specific
2 subsections, I don't think we have any opposition to
3 that. What we want to be able to do is freed to form
4 now and participate in the process. Those are the
5 key pieces that we're trying to accomplish here. And
6 so working with your legal counsel in molding to the
7 specific we're fine with.

8 CHAIRMAN BARTH: Okay. And just to let you
9 know, I mean we cannot amend your waiver request.
10 Any amendment has to come from you --

11 MR. NEY: Sure.

12 CHAIRMAN BARTH: -- along the way.

13 MR. NEY: Yes.

14 CHAIRMAN BARTH: So that's certainly your choice
15 --

16 MR. NEY: Very good.

17 CHAIRMAN BARTH: -- in terms of how to hone the
18 request.

19 MR. NEY: Yeah. But to be clear, we're not
20 trying to hide the ball and our -- you know, what
21 we're trying to do is be, you know, very apparent in
22 the process and very succinct in the duration.

23 CHAIRMAN BARTH: Okay. All right. I'll start
24 over here with Ms. McFetridge and see if you have any
25 questions.

1 MS. MCFETRIDGE: No questions.

2 CHAIRMAN BARTH: All right. Ms. Newton?

3 MS. NEWTON: Yeah. Mr. Ney, why two years?
4 Because I understand that for the first year, because
5 of the spring; I understand that. And I personally
6 like the idea of making sure there's representation
7 from each building. Okay. But I don't understand
8 once the Personnel Policy Committee is formed and
9 it's a two-year term why you need the second year of
10 the waiver.

11 MR. NEY: Well, for a couple of reasons. Number
12 one, this is new, and putting 35 people in a room
13 will be new to us, to these teachers, and to the
14 District. And we're trying to launch them to study
15 the process under a two-year term; let them study the
16 process, engage with other districts. Certainly,
17 they're going to receive input from organizations.
18 You know, there are a couple of obviously large trade
19 organizations that engage with teachers in our state.
20 They can talk to other districts. And just give them
21 that opportunity to on their own develop what they
22 believe the best practices would be going forward.
23 And so if you think about, you know, where we are
24 today -- so we're in December -- let's say that this
25 gets up and running, you know, by February, March --

1 then we're at the end of the school year. They're
2 going to empanel again in the Fall, and so it would
3 get them through one more election. So what we're
4 really talking about is getting through two Falls --
5 the upcoming Fall and one more -- and then it would
6 sunset.

7 MS. NEWTON: I guess I don't -- I didn't follow
8 then. I understood that you would hold an election
9 this Spring, and this Spring's election would be for
10 a two-year term.

11 MR. NEY: Well, I don't know that that's how I
12 envision it. I would envision that we have it up and
13 running, but they would get in the practice, you
14 know, starting in the Fall and Fall. I'll look at --

15 SUPT. BRUBAKER: If I can add --

16 MR. NEY: Yes. Yes. Can I --

17 SUPT. BRUBAKER: Is that all right?

18 MS. NEWTON: Yeah.

19 CHAIRMAN BARTH: Sure. Of course.

20 MS. NEWTON: Yeah.

21 SUPT. BRUBAKER: So the idea --

22 CHAIRMAN BARTH: Just state your name for the
23 record.

24 SUPT. BRUBAKER: Doug Brubaker, superintendent,
25 Fort Smith Public Schools.

1 The idea here is similar to like a
2 constitutional convention so that a group of
3 educators from across the district can come together,
4 and the idea is that they then set up that framework
5 for the future. And so they may decide, for example,
6 that they might want to phase the terms; they might
7 decide to have fewer or more members. And so based
8 on the pace that the group works at, then they would
9 have the flexibility -- up to two years they'd have
10 that safe harbor through which -- during which they
11 can do that work. Does that make sense?

12 MS. NEWTON: I guess I'm not following. Okay.

13 MR. NEY: Well, and so I think -- Ms. Newton, I
14 guess your question is, number one, if we elect in
15 the Spring are we going to elect again in the Fall.
16 I think that's your question, number one?

17 MS. NEWTON: Uh-huh. Okay.

18 MR. NEY: And my expectation would be yes.

19 MS. NEWTON: Okay.

20 MR. NEY: And so -- and then they would elect
21 again in the following Fall. But in the meantime, to
22 Dr. Brubaker's point, they may decide -- so this
23 would be launched with two-year terms, but they may
24 decide they want staggered three. And so what they
25 may do, for example, is in the Fall maybe everybody

1 won't stand for re-election; maybe some would then
2 and some would in the following term. But after that
3 second Fall election then this would sunset.

4 MS. NEWTON: Okay. So this would be for the
5 remainder of this year and then two more years?

6 MR. NEY: No. It would be -- I view it as two
7 calendar years.

8 MS. NEWTON: Okay. So two years from today?

9 MR. NEY: Correct.

10 MS. NEWTON: Okay. And this might be a question
11 for Ms. McLaughlin. If they are saying 27 -- I think
12 it was 35 teachers -- 35 teachers, if that's what
13 they said, would that be part of this waiver? You
14 know, when they described -- when he described their
15 plan for approaching getting the Committee
16 established, would that be part of the waiver or not?

17 MS. McLAUGHLIN: The increasing of the number of
18 teachers -- I think the purpose of the waiver is
19 because of the springtime.

20 MS. NEWTON: (Nodding head up and down.)

21 MR. NEY: So I can answer that.

22 MS. NEWTON: Okay.

23 MR. NEY: Okay. So the statute provides a floor
24 on the number of teachers, and not a ceiling. And so
25 this would give the District the opportunity to, say,

1 elect 35 people across 27 buildings -- because
2 otherwise, under the law the District can't say that.

3 MS. NEWTON: I guess that's my question, is if
4 you were to be granted the waiver would there be
5 anything that would hold you to that this is going to
6 be 27 teachers -- or 35 teachers across 27 buildings?

7 MR. NEY: No. In fact, it could be 135. But in
8 our -- so what we have said in our application is
9 that we will have representatives from every
10 building; so we're held to that -- 27 buildings, a
11 minimum of 27.

12 MS. NEWTON: Okay.

13 MR. NEY: But the published plan is to do 35
14 across the 27 buildings.

15 MS. NEWTON: Okay.

16 MR. NEY: And obviously, if we're standing in
17 front of this group, if that's what we say that we're
18 going to do --

19 MS. NEWTON: Okay. One more question: if you do
20 the 27, one from each building, are you going to put
21 a limit on the number of administrators that will be
22 on the Committee?

23 MR. NEY: Oh, there's no intent to increase the
24 administrators; still just three.

25 MS. NEWTON: Still a maximum of three here?

1 MR. NEY: Yes.

2 MS. NEWTON: Okay. That's all for right now.

3 CHAIRMAN BARTH: Okay. Dr. Hill? Ms. Chambers?

4 MS. CHAMBERS: Mr. Ney, one of the things that
5 would be helpful -- it gets to what Dr. Barth was
6 asking. It would be helpful to hear over the course
7 of our discussion the specific components of 203 and
8 205 you're talking about. That will be helpful to
9 us.

10 MR. NEY: Okay.

11 MS. CHAMBERS: Have you had a chance in the
12 communications -- it sounds like good communication
13 has -- is already underway to engage your
14 constituencies. Do you have any way of kind of
15 clarifying or articulating the sentiment of the
16 teachers? What is it that they're thinking right
17 now? What is it that they want from this? We've got
18 these letters that we'll have a chance to go through.
19 But what are you hearing? Because it's going to tie
20 to my last question, which is -- I'm curious if
21 there's any color commentary you could share from the
22 board on why you supported this request?

23 MR. NEY: Do you want to speak?

24 As she's walking up, one reaction that I would
25 have is the best evidence of the sentiment is the

1 declining membership and the fact that 70% of the
2 teachers in the district have not participated in the
3 current representation. In that sense, the board
4 voted. There has been a further decline of
5 membership in the Fort Smith Education Association.
6 I think that's the most objective evidence that
7 exists with respect to the sentiment of the teachers.
8 With that said, I'll defer to the board president.

9 MS. McFERRAN: Hello there. I'm Susan McFerran,
10 president of the Fort Smith School Board.

11 CHAIRMAN BARTH: Welcome.

12 MS. McFERRAN: I was a teacher for many, many,
13 many years and I've heard from a lot of the teachers.
14 And I don't think our board voted on this hastily.
15 We got feedback from teachers. I got feedback from
16 one woman who used to be very active in -- it was
17 called CTA, and was very opposed to what we voted on,
18 until I explained to her how -- what an equalization
19 this is going to be. We're going to have 35
20 representatives and each person from each school can
21 go back and talk to their teachers. I would've loved
22 to have had something like this and had a voice. So
23 I hope I answered your question. Is that --

24 MS. CHAMBERS: You did. I just didn't know if
25 there was anything even more specific that had been

1 done that gave some sense of given a choice at the
2 moment how would -- would teachers want to go with
3 reconstituting what had been in place or are they in
4 support of some of the things that you're proposing?

5 MS. McFERRAN: Well, I meant to add another
6 comment too, who I've heard from. A lot of the
7 principals have called me and said, "We're for this.
8 This will be great." But I cannot speak publicly
9 because I may have a few teachers that are not sure
10 about this and I don't want to step out and lose a
11 relationship with them. But overall, I think this is
12 the best plan for Fort Smith Schools. I hope I
13 answered that, Ms. Chambers. Thank you, all.

14 CHAIRMAN BARTH: Great. Ms. Dean? Ms. Zook?
15 Dr. Moore? Okay. Ms. House?

16 Okay. Anything else over here?

17 MS. McFETRIDGE: This goes to your board
18 president. How do you, moving forward, plan to work
19 with your teacher association in Fort Smith? Do you
20 give them a spot on your school board agenda to
21 report? Is that -- okay.

22 MS. McFERRAN: We have a section on our agenda
23 -- it's Citizen Participation -- and we open it up to
24 anyone who would like to participate, if they sign
25 up. You know, it may be a couple of days before or

1 that night they can sign up to speak. I'm leaving a
2 lot of this up to our administration; they're our
3 paid staff, they know how this works, they've worked
4 on this. But we do take the comments -- you know,
5 we're elected officials and so we need to listen to
6 the public out there too.

7 MS. McFETRIDGE: Good.

8 MS. McFERRAN: Does that answer?

9 MS. McFETRIDGE: Yes. Thank you. Coming from a
10 district that had a PPC and an education association,
11 both, we worked very well together and respected the
12 teacher association very highly. But the PPC worked
13 very well in the district and every building was
14 represented, did have a voice, and they did go back
15 and report. The teachers reported out in their local
16 buildings about any issues or anything coming
17 forward. So I know it can work; I've seen it work;
18 I've seen it work many years. So I just wanted to
19 make that comment.

20 CHAIRMAN BARTH: So before we move to a motion,
21 I do want to get -- oh, Ms. Newton. I'm sorry.

22 MS. NEWTON: Could you, Mr. Ney, actually speak
23 to which sections of 205 that we were --

24 CHAIRMAN BARTH: You're reading my mind.

25 MS. NEWTON: Okay.

1 CHAIRMAN BARTH: That's exactly where I'm going.
2 I want us to be very clear on that in terms of what
3 the waiver request is before you move to a motion.

4 MR. NEY: So we seek a waiver from 205(a)(1) and
5 that is the first quarter of the year.

6 May I have just a second?

7 CHAIRMAN BARTH: Sure.

8 [A FEW MOMENTS OF SILENCE]

9 MR. NEY: Okay. So with respect to 6-17-205, we
10 only seek a waiver of (a)(1). With respect to 6-17-
11 203, we see a waiver of all.

12 CHAIRMAN BARTH: Of all?

13 MR. NEY: Of all.

14 CHAIRMAN BARTH: Okay. And so on 203, could --

15 MR. NEY: Hang on. Hang on one second.

16 CHAIRMAN BARTH: Yeah.

17 [A FEW MOMENTS OF SILENCE]

18 MR. NEY: Let me correct that statement. In 203
19 we only need a waiver of (b); so 6-17-203(b) would be
20 the waiver. And then 6-17-205(a)(1).

21 CHAIRMAN BARTH: Okay. So in 203, both (b)(1)
22 and (b)(2)?

23 MR. NEY: Yes, sir.

24 CHAIRMAN BARTH: Okay. So just for everybody --
25 so they're basically on the same page. So 203(b)(1),

1 the classroom teacher members of each school
2 district's committee on personnel policy shall be
3 elected by a majority of the classroom teachers
4 voting by secret ballot; (2) the election shall be
5 solely and exclusively conducted by the classroom
6 teachers, including the distribution of ballots of
7 all classroom teachers.

8 MR. NEY: Correct.

9 CHAIRMAN BARTH: And then in 605 [sic] is (a) --
10 just (a)(1)?

11 MR. NEY: Just (a)(1).

12 CHAIRMAN BARTH: Just (a)(1), "Each school
13 district's committee on personnel policy shall
14 organize itself in the first quarter of each year and
15 elect a chair and a secretary?"

16 MR. NEY: Correct.

17 CHAIRMAN BARTH: Okay. Okay. Everybody good on
18 that?

19 Now my question is back in 6 -- in 203. I'm
20 unclear of the need for (b)(1).

21 MR. NEY: So (b)(1) is a -- is again a struggle
22 with this process coming out of the shoot. We're
23 trying to have an election in the next 60 days, and,
24 as it is written, the member in each building would
25 have to be elected at-large. So we would have that

1 dynamic where the high school, the junior high, the
2 middle schools would be voting on people they don't
3 know in all of the other buildings. And so what --
4 this would allow the buildings to elect their own
5 representatives. And, again, when this gets turned
6 over to the teachers and they benchmark they may
7 decide that there is another process that allows
8 them, for example, to nominate out of a building but
9 still have elections at-large. Or, you know, the
10 teachers may come back and say, "In a district with
11 27 buildings and 1200 teachers the at-large really
12 doesn't work for us." They may ask the
13 administration to come back and ask for a
14 continuation of that waiver so they could continue to
15 elect by building. The fact of the matter is, is
16 back to the example of most of the laws deal with a
17 district of about 500 students. That is a difficulty
18 in the law that is a struggle for the handful of very
19 large districts that exist in the state.

20 CHAIRMAN BARTH: Okay. Do you need to waive the
21 secret ballot for that?

22 MR. NEY: No, we do not; have no interest in
23 waiving the secret ballot provision.

24 CHAIRMAN BARTH: Okay.

25 MR. NEY: I don't know how to come to you in a

1 request though and then even start to parse further.

2 CHAIRMAN BARTH: Well, actually you're -- this
3 is on the record and that is limiting the request.
4 That's correct, Ms. McLaughlin; right?

5 MS. McLAUGHLIN: That's correct.

6 MR. NEY: Yes.

7 CHAIRMAN BARTH: And so that is the way we
8 handle those when there --

9 MR. NEY: Very good.

10 CHAIRMAN BARTH: -- when there is some --

11 MR. NEY: Yeah.

12 CHAIRMAN BARTH: Okay.

13 MR. NEY: Secret ballot is obviously the plan.

14 CHAIRMAN BARTH: Okay. Well, not always
15 "obviously."

16 MR. NEY: Yes.

17 CHAIRMAN BARTH: Okay. Is everybody clear on
18 the motions? I saw Mr. Blackstock -- I think did --

19 Okay. So it is -- Mr. Ney, I need your help
20 again. It's 6 -- it's 6-17-203 --

21 MR. NEY: (b).

22 CHAIRMAN BARTH: (b), minus the secret ballot?

23 MR. NEY: Correct.

24 CHAIRMAN BARTH: And then in 205 -- 6-17-205 --

25 MR. NEY: (a)(1).

1 CHAIRMAN BARTH: (a)(1). All right.

2 MR. NEY: Yes.

3 CHAIRMAN BARTH: Okay. Mr. Blackstock, did you

4 --

5 MR. BLACKSTOCK: If you would give me a minute,

6 I will --

7 CHAIRMAN BARTH: Yes, you may have a minute.

8 I'll ask you for your response to that.

9 MR. BLACKSTOCK: And I was going to ask about
10 the secret ballot. Thank you for doing that --

11 CHAIRMAN BARTH: Okay.

12 MR. BLACKSTOCK: -- because that was important.

13 My only comment was going to be on the feedback
14 and the requirements that you have; that when
15 somebody has a waiver it's like you ask them to write
16 the methods and the times and the dates and the
17 manners. And all we have here is like isolated
18 incidents; that Lorrie comes up and says she has a
19 letter; the board member says somebody else called --
20 my point merely being I hate making decisions based
21 on little isolated incidents without a big picture.
22 And had the District followed this we could've had
23 like a formal meeting; you could've had input from
24 all the teachers; we'd actually -- see, I recognize
25 that like it sounds nice to have 27, you know, with

1 one from each district [sic]; on the other hand, the
2 teachers may prefer to have three elementary, three
3 high school, three whatever it is. I mean, there's
4 all that framework. And what we don't have here, and
5 I wish that we did have, was the actual feedback from
6 all of the teachers who are the stakeholders in this
7 rather than just you having to rely on these isolated
8 statements with two sides pitted against each other.
9 Anyway, it's missing. Thank you.

10 CHAIRMAN BARTH: Okay. Ms. Newton, did you get
11 clear on the need for two years?

12 MS. NEWTON: Kind of, sort of.

13 CHAIRMAN BARTH: Okay.

14 MS. NEWTON: I'm okay.

15 CHAIRMAN BARTH: All right. You're ahead of me.
16 Okay. We'll entertain a motion to approve or
17 deny the waiver request as amended, both, on the
18 floor today.

19 MS. CHAMBERS: I move to approve the waiver as
20 amended.

21 MR. WILLIAMSON: Second.

22 CHAIRMAN BARTH: All right. Motion by Ms.
23 Chambers, second by Mr. Williamson.

24 And I believe a roll-call on this.

25 COMMISSIONER KEY: Ms. Zook.

1 MS. ZOOK: Yes.

2 COMMISSIONER KEY: Dr. Hill.

3 DR. HILL: Yes.

4 COMMISSIONER KEY: Mr. Williamson.

5 MR. WILLIAMSON: Yes.

6 COMMISSIONER KEY: Ms. Chambers.

7 MS. CHAMBERS: Yes.

8 COMMISSIONER KEY: Ms. McFetridge.

9 MS. McFETRIDGE: Yes.

10 COMMISSIONER KEY: Dr. Moore.

11 DR. MOORE: Yes.

12 COMMISSIONER KEY: Ms. Newton.

13 MS. NEWTON: Yes.

14 COMMISSIONER KEY: Ms. Dean.

15 MS. DEAN: Yes.

16 CHAIRMAN BARTH: Okay. Eight/zero.

17 Thank y'all. Thanks, everyone, for a good job

18 of presenting a complex issue.

19 Okay. Folks hanging in there?

20 All right. We are now down to -- get my paper

21 here, as those guys leave --

22 Okay. We'll take 5 minutes for a bathroom

23 break.

24 (BREAK: 2:58 - 3:04 p.m.)

25 CHAIRMAN BARTH: All right. So the Commissioner

1 and I have discussed how to best rearrange things
2 this afternoon because we want -- we do have a number
3 of members of the public here. We also have folks
4 from Little Rock School District who have another
5 competing meeting at 5:30. And so we know we've got
6 to -- we need to try to get this done by then, or as
7 much done -- the Little Rock case done by then. So
8 here's what I am proposing: that we go to the KIPP
9 case first; we go ahead and take the rest of the
10 charter stuff; take care of item 4, which would get
11 all the charter stuff off the table for today. Then
12 we will go down to item 10, which will pick up with
13 the Earle case, and so that would get us -- we'll do
14 the legislative report from Earle and then Pine
15 Bluff. So we'll do 12 through -- 10 through 14. And
16 then we're going to come back up to the top and start
17 going through the rules that are not -- where the
18 staff is -- needs to be here, but the public who is
19 not is interested in those items may go ahead and
20 leave. Does that sound good as a rearrangement?

21 Okay.

22 B-5: HEARING ON OPEN-ENROLLMENT CHARTER SCHOOL AMENDMENT
23 REQUEST: KIPP DELTA PUBLIC SCHOOLS

24 CHAIRMAN BARTH: So we are now to a hearing on
25 the waiver -- the request for an amendment from KIPP

1 Delta Public Schools. And I'm going to turn things
2 over for -- to get us started and remind us of the
3 process.

4 MR. BALLARD: All right. Good afternoon. My
5 name is Reginald Ballard. I am the director for the
6 Public Charter School Unit at the Arkansas Department
7 of Education.

8 On October 18, 2018, representatives from KIPP
9 Delta Public Schools appeared before the Charter
10 Authorizing Panel requesting amendments to their
11 charter. By a unanimous vote, the Panel approved
12 that request. On November 8, 2018, the State Board
13 of Education voted to renew the decision of the
14 Charter Panel -- excuse me -- Charter Authorizing
15 Panel.

16 We have a representative from KIPP Delta here,
17 Mr. Scott Shirey. He's going to have 20 minutes for
18 presentation, then there will be 20 minutes for
19 rebuttal -- I'm sorry -- 20 minutes for opposition,
20 and 5 minutes for rebuttal; then we'll open up for
21 question and answer.

22 CHAIRMAN BARTH: And it's -- Mr. Ballard, it's
23 20/20/5/5; correct?

24 MR. BALLARD: Yes, 20/20/5.

25 CHAIRMAN BARTH: Okay. Perfect. All right.

1 Mr. Shirey, if you'll raise your right hand. Do
2 you swear or affirm the testimony you're about to
3 give shall be the truth, the whole truth, and nothing
4 but the truth?

5 MR. SHIREY: I do.

6 CHAIRMAN BARTH: All right. You have 20
7 minutes.

8 MR. SHIREY: Thank you, Chairman Barth,
9 Commissioner Key, and Members of the State Board.
10 Thank you for taking the time to hear this. I do
11 have a PowerPoint I'm going to run through, and not
12 read every word just for the sake of time but
13 hopefully give you an overall picture, and then take
14 questions.

15 So we are requesting a waiver, as Mr. Ballard
16 said, of 6.07(1) through (4). And sort of the most
17 salient point is while the waiver may -- request may
18 seem new this is actually -- I'll show you prior
19 versions of the law, that this was a longstanding
20 waiver and flexibility we had that actually changed.
21 So we'll walk through some of that.

22 Of course the primary purpose of NSLA funding
23 was to close the equity gap across the state. And
24 one of the biggest ways in doing that is getting the
25 right people to play for your team so-to-speak, so we

1 actually can -- this is just a section of it where
2 we're seeking that -- seeking that waiver.

3 Most common use of NSL funds -- actually if you
4 look across the state, 21% were used for these same
5 purposes that we're requesting -- to hire curriculum
6 specialists, instructional facilitators, math or
7 literacy coaches. So this is not an uncommon
8 practice. You can see 190 of 238 school districts
9 use it for this purpose. And in 2013-14 that was the
10 most common use of NSL funds.

11 What I'm going to walk through very quickly is
12 sort of how the rules have changed. Back in 2007,
13 you had to have three years of experience to qualify
14 for one of these positions and use NSL funds. 2010,
15 it increased to four, but then there was a provision
16 around Teach for America which said -- or if you come
17 out of the Teach for America program you can have
18 this. And then, in 2016, it changed most radically
19 to add the valid Arkansas teacher's license.

20 And so, again, here's the 2007 version that you
21 can see. And we had this -- again, we've had this
22 flexibility and we were getting results at that time.
23 2010, you can see it added four years and then said
24 you can have all these things or be a completer of
25 Teach for America to qualify for one of these

1 positions. 2012, no change. And in 2016 it revised
2 the specialist qualifications, added a data coach
3 position, added school improvement specialist -- and
4 you can see it there. 2016, a valid Arkansas
5 teacher's certificate. And then, according to Legal,
6 it actually -- the way you read it, it says a
7 bachelor's degree or completion of Teach for America,
8 which basically waives the Teach for America
9 exemption -- because I think the original intent was
10 all the bullet points above or Teach for America, not
11 just that last bullet point, as every Teach for
12 America member automatically has a bachelor's. And
13 then you can see the same thing for a data coach,
14 Arkansas teaching certificate, five years of teaching
15 experience. Three years there. Same thing on the
16 school improvement specialist.

17 So you can see over the last nine years it's
18 become more stringent. And then this last round,
19 with having Arkansas teacher's license, has created
20 the biggest financial hurdle for us. And so what's
21 happened for us, the amount of people we have
22 eligible to move in this position have been reduced
23 to a select few. And then the way we've spent down
24 our NSL funds -- actually we're having a harder time
25 spending down those funds now -- and that was a

1 problem probably a decade ago, then flexibility came.
2 If you remember one time in history the NSL balances
3 really built up flexibility and we were able to spend
4 down. So where we are now, we've got to cut into
5 operating when we don't have that flexibility that we
6 once had.

7 Y'all know the mission of KIPP. I just say that
8 as a reminder. Our whole reason for sort of -- our
9 reason to be is to close the achievement gap, the
10 equity gap. So we think we're fulfilling the purpose
11 of NSL.

12 On top of that -- and this is in data that you
13 don't know, but supply and demand with teachers --
14 the teacher supply is certainly not growing. And you
15 can see sort of nationally what that looks like: a
16 35% drop in enrollment in teacher programs.

17 For us, recruitment has always been a
18 significant challenge. For many, many years, we had
19 the Teach for America support. In fact, in 2013, 46%
20 of our teachers were Teach for America. But when we
21 lost that talent source due to some national Teach
22 for America policies, we dropped down to 6%. So we
23 have really -- it's hit our results pretty hard and
24 we have worked incredibly hard to sort of say, Okay,
25 if we don't have that pipeline how do we fix this.

1 We have worked pretty hard on that the last -- and
2 you can see back in 15-16 we were over-dependent on
3 TFA. And when we lost that, like I said, that
4 pipeline, we didn't have a lot of applications to
5 backfill over the last three years. We've increased
6 to 400 applications in 16-17, 468 applications in 17-
7 18 for fewer spots, and we think we'll clear 500
8 applications this year for even fewer spots. We've
9 had some good intent to return.

10 What does that all mean? We still are looking
11 for the best talent out there, some of which may be
12 certified, some of which may not be. And while we
13 are the only district currently seeking the waiver
14 for this, other schools in the state may face a
15 similar challenge. And I think the big challenge
16 really -- y'all know all these numbers, so I'm not
17 going to go through all of it. The amount of
18 available certified teachers, particularly in the
19 Delta, is a real challenge.

20 Back to the slide we just showed -- we think we
21 can find the talent, we have the flexibility to hire
22 that talent, but we don't have the ability to pay for
23 them anymore and so that becomes the essence of the
24 challenge. Like I said, prior to 2017, we did not
25 have these issues and that's -- well, I'll take

1 questions on that. I do -- the one thing I would say
2 is we are -- the people we are going to pay with this
3 -- if offered the waiver, the people we are going to
4 pay are highly trained professionals. Some of them
5 have been with me for a decade and have achieved
6 incredible results for us. Like I said, this is not
7 a new request so-to-speak, but sort of get back to
8 operating the way we did when we were successful.

9 CHAIRMAN BARTH: Great.

10 MR. SHIREY: I tried to move fast, but there's a
11 lot to cover.

12 CHAIRMAN BARTH: Yeah.

13 MR. SHIREY: But I'll slow down for questions.

14 CHAIRMAN BARTH: Thank you.

15 Mr. Ballard, was there any opposition?

16 MR. BALLARD: No.

17 CHAIRMAN BARTH: Okay. All right. Then if you
18 want to make a closing argument and then we'll move
19 to questions, that would be great, if you have any --
20 or are you --

21 MR. SHIREY: I think I've laid it out.

22 CHAIRMAN BARTH: Okay. All right. Then I'll
23 start with Ms. House, any questions? Dr. Moore?
24 Okay. Ms. Zook?

25 MS. ZOOK: Yes. This one would be --

1 CHAIRMAN BARTH: Microphone.

2 MS. ZOOK: Oops. This one would be probably for
3 ADE Legal. It was -- I was told that this change was
4 an administrative, not a legislative change. And I
5 wondered if we knew the reasoning behind it?

6 MS. HYATT: Mary Claire Hyatt, Arkansas
7 Department of Education. So all the information that
8 Mr. Shirey gave you is correct; it was added into the
9 rule in 2016, along with the addition of the other
10 positions into the NSL rules. I can go and find that
11 out -- that information out for you and try to come
12 back with it. I don't know the answer off the top of
13 my head. A lot of those requirements were added in
14 2016.

15 MS. ZOOK: Okay. If you can while he's making
16 his presentation --

17 MS. HYATT: Sure.

18 MS. ZOOK: -- I'd appreciate it. I know one of
19 the concerns expressed by a Panel member was if we in
20 fact okayed this waiver then that opens any district
21 from which you draw children from traditional schools
22 to also be able to request this waiver. So I think
23 our challenge would be to find out if we think it is
24 -- it's a valid enough request that we're willing to
25 open it for all the districts, you know, surrounding

1 traditional districts.

2 MR. SHIREY: If I can just -- the only thing I
3 can say is we're happy to share our hiring practices.
4 And I can assure the Board this is not a way to hire
5 lower-end talent; it's flexibility to get the best
6 talent possible and then use -- really minimize the
7 use of our operating dollars and keep our NSLA
8 balances down.

9 MS. ZOOK: Uh-huh. I think when you and I spoke
10 earlier you mentioned it was one person in
11 particular. So is it more than one person?

12 MR. SHIREY: Right now it's one person, and
13 she's our lead curriculum instructional person for
14 the region who's been with me for a decade and had
15 garnered outstanding results.

16 MS. ZOOK: Right. Is there any reason why she
17 hasn't chosen to do an ALP or to become licensed in
18 that 10 years?

19 MR. SHIREY: Because we had the flexibility,
20 there wasn't --

21 MS. ZOOK: But not since '16?

22 MR. SHIREY: Not since '16. And this has just
23 come up as a budget issue for this year, so --

24 MS. ZOOK: Do you know if she would be willing?

25 MR. SHIREY: I think she would be willing to,

1 over time -- and, again, we would still want that.
2 Whether it's a Teach for America teacher and who we'd
3 end up picking up, we would want that flexibility in
4 case there's other talent that we want to scoop up --
5 and then, of course, encourage them for the long-term
6 certification.

7 MS. ZOOK: Uh-huh. I also -- I don't know what
8 they'll come up with as far as the administrative
9 reasoning. But, you know, I hesitate to bring it up,
10 but your school rating has gone down --

11 MR. SHIREY: Yes.

12 MS. ZOOK: -- over the last several years. And
13 the concern that I have is that maybe the people that
14 this person is mentoring may not also be licensed
15 people; and so, therefore, we have a non-licensed but
16 experienced person who is mentoring people who aren't
17 licensed -- and that may or may not be the reason the
18 children's achievement and growth scores have gone
19 down. But it may be.

20 MR. SHIREY: Yeah, I don't --

21 MS. ZOOK: I don't know.

22 MR. SHIREY: I don't think there's a
23 correlation. The biggest -- we've gone back and done
24 the analytics on it. The biggest thing for us is,
25 2013, 46% of our teachers were Teach for America. In

1 fact, in 2014 our high school was ranked number two
2 in the state at that time. If you include TFA, and
3 TFA alone, we were like 71%. And to see that number
4 drop all the way down to 6% in the space of three
5 years, we just lost our talent source -- and, again,
6 that was national TFA policies. It hit the Delta
7 hard. For instance, at our campus in Blytheville we
8 haven't had a new Teach for America teacher there in
9 five years. And a lot of that we had structured --
10 we had structured our training, we had structured our
11 recruitment, because we had an incredible partnership
12 that lasted really 12, 13 years. So we have been
13 reinventing the model. To me, this is the most
14 exciting piece because I had to bring in a new talent
15 director, rethink recruitment, rethink training, re-
16 think leadership. We've taken those steps. So I'm
17 optimistic we'll see the data start to shift back
18 this year. It's just been -- it's a hard couple of
19 years as we've had to change out our model due to
20 external circumstances.

21 MS. ZOOK: And the program that you're using to
22 train your teachers in science -- the science of
23 reading and RISE, I know that was approved by ADE.
24 How far along are you in that training and who is
25 conducting the training?

1 MR. SHIREY: We have -- so our -- one of the
2 persons, who I mentioned we'd be using as help, is
3 supporting in that. And then we have experts from
4 the HillRAP Center coming in.

5 MS. ZOOK: Okay.

6 MR. SHIREY: We have a contract with them. This
7 is our first full year of HillRAP implementation --

8 MS. ZOOK: Right.

9 MR. SHIREY: -- which, of course, ADE has paid
10 attention to -- and we're seeing some exciting early
11 results. We actually plan on bringing in more and
12 training more people under that program.

13 MS. ZOOK: Right. And I don't know if you were
14 here earlier when UALR was talking about their
15 program and partnership, and I don't know if that
16 would be something that would be helpful to you in
17 recruiting staff, as if you took those final semester
18 bachelor's level people or master's level people and
19 then let them work in your district and mentor them
20 and then possibly keep them.

21 MR. SHIREY: Absolutely. If you've got talent
22 pipelines, send them our way.

23 MS. ZOOK: Right. Okay.

24 That's all I have, Dr. Barth.

25 CHAIRMAN BARTH: All right. I see Ms. Hyatt

1 back with an answer.

2 MS. HYATT: Mary Claire Hyatt, Department of
3 Education. Well, okay. So the best I can gather in
4 a couple of minutes is that the additional
5 information was added into the rule because the
6 things that you spend your NSL dollars on are
7 supposed to be to supplement what's already being
8 offered by the school, not supplant. And so in order
9 to really provide that type of targeted support for
10 those specific groups of kids, the idea was that
11 those services will be above what's already being
12 offered by the school and be of really high quality,
13 so that they could actually serve the purpose of the
14 rules.

15 MS. ZOOK: Okay. That makes perfect sense to
16 me.

17 MS. HYATT: Thank you.

18 CHAIRMAN BARTH: So --

19 MR. SHIREY: I would just echo that is our
20 intent, and I think you can supplement with high
21 quality either certified or non-certified.

22 CHAIRMAN BARTH: Mr. Shirey, I just want to be
23 clear. So your --

24 MR. SHIREY: Yes, sir.

25 CHAIRMAN BARTH: -- your NSLA funds, you said it

1 was beginning to -- you're having more challenges --

2 MR. SHIREY: It's become more challenging.

3 CHAIRMAN BARTH: You're having more challenges
4 spending it?

5 MR. SHIREY: Yes.

6 CHAIRMAN BARTH: And that's I guess surprising
7 to me, especially as the list of uses has grown.

8 MR. SHIREY: Let me answer it in a more direct
9 way. I want to invest in things that -- we could
10 spend it down, but it would be spending down on
11 things that I don't actually believe will have the
12 biggest impact on kids, versus for me getting the
13 person with the right leadership skills who I know
14 can drive results supporting kids directly. So I
15 just prefer not to spend it on superfluous things
16 that I don't think will impact children.

17 CHAIRMAN BARTH: And I appreciate that very
18 much, because we know there are a lot of unused
19 SmartBoards around the state.

20 MR. SHIREY: Yes. That's what I don't want to
21 do.

22 CHAIRMAN BARTH: All right. Then -- all right.
23 All right. Dr. Hill? Ms. Newton?

24 MS. NEWTON: Because you don't have this person
25 hired right now, is she still there on staff right

1 now?

2 MR. SHIREY: We do have this person. She's just
3 -- we've got to shift operating dollars from kids,
4 when we could be using NSL funds.

5 MS. NEWTON: So your teachers are getting
6 instructional coaching and have been getting
7 instructional coaching over the last --

8 MR. SHIREY: Oh, we -- yes.

9 MS. NEWTON: So during this time that your test
10 scores have declined this person has still been there
11 coaching and doing what you're going to be --

12 MR. SHIREY: Again, I think there are just -- I
13 think there are two different issues. The biggest
14 reason for that decline, like I said, is we lost the
15 talent market. You can see in 15-16 once we lost the
16 talent market we only had 139 applications. We made
17 some poor hires. As I've restructured the talent
18 recruitment team, you can see the number of
19 applications have come up. It's just taken us two or
20 three years to rebound from being dependent on one --
21 hard lesson to learn, but being dependent -- overly
22 dependent on one talent pipeline. And we've had to
23 reinvent how we've done stuff.

24 MS. NEWTON: Okay.

25 MR. SHIREY: So I mean there's lots of ways -- I

1 could give you a 40-minute presentation on sort of
2 how we got to this place. I think the broader point
3 I would make back, when we had that flexibility was
4 when our high school was ranked Top 5 in the state
5 for four years in a row. That same person was on my
6 team then driving college outcomes for kids, so --
7 and we had other people who were noncertified driving
8 some pretty incredible results.

9 MS. NEWTON: Good.

10 MR. SHIREY: So I don't -- I just don't think
11 there's a correlation to say, oh, we lost this
12 flexibility and then our results dropped.

13 MS. NEWTON: Okay.

14 MR. SHIREY: I think they're two separate
15 issues.

16 MS. NEWTON: Okay.

17 MR. SHIREY: And I don't want to use one as the
18 excuse for the other.

19 MS. NEWTON: Okay. This -- I don't know if
20 there's anybody from Finance here -- or maybe,
21 Commissioner, you can answer it. I don't understand
22 federal funding very well, so I admit that. But if
23 we grant this waiver to them, and another district
24 comes and asks for this waiver, I know there's some
25 guidelines federally on the -- you can't replace; it

1 has to be the supplement. So will we get into
2 problems that way with -- you know, we don't want to
3 spend the wrong way, I guess.

4 COMMISSIONER KEY: Yeah. No, these funds we're
5 talking about are state categorical funds.

6 MS. NEWTON: Okay.

7 COMMISSIONER KEY: They're not connected --

8 MS. NEWTON: They're not federal.

9 COMMISSIONER KEY: -- whatsoever to federal
10 funds.

11 MS. NEWTON: Okay.

12 COMMISSIONER KEY: Federal rules, we all live by
13 those.

14 MS. NEWTON: Right. Right.

15 COMMISSIONER KEY: You can't waive those. Those
16 supplement, not supplant. NSL is federal-like, but
17 not the same scrutiny. I mean the Feds don't really
18 look at NSL the way they look at the Title 1 funds.

19 MS. NEWTON: Okay.

20 COMMISSIONER KEY: Yes. So we don't see any
21 concern with this waiver being a ripple effect that
22 would be negative.

23 MS. NEWTON: Okay. Thank you.

24 CHAIRMAN BARTH: Ms. McFetridge? Okay. Any
25 other questions?

1 I know you do have a lengthy charter. Your
2 extension is how many years?

3 MR. SHIREY: I think 20-21. We did a 10-year,
4 so it's 20-21 or 20-22.

5 CHAIRMAN BARTH: Okay. I think one -- you know,
6 and I'm -- in some ways my perspective is that this
7 request is -- this amendment is fairly minor. But I
8 think a number of us were concerned about your
9 decreasing scores. And I think trying to get some
10 handle around that mystery, this has been helpful in
11 terms of explaining that. And I know it probably was
12 frustrating to you to get dinged on on this.

13 MR. SHIREY: I've had more sleepless nights over
14 it than have most of you. But we actually -- I sat
15 down with Commissioner a couple of weeks ago and
16 walked through the whole thing, made a plan, and it's
17 a lot of hard work. And we have another request
18 coming; we're going to consolidate campuses and just
19 try to get more focused and get back to the basics.
20 I can give you a hundred reasons, not one good
21 excuse, and it's my job to get us back on track and
22 that's what we're trying to do.

23 CHAIRMAN BARTH: Great. Thank you.

24 Any other questions?

25 Ms. Chambers. Microphone.

1 MS. CHAMBERS: I'm sorry. What is the length of
2 this waiver?

3 CHAIRMAN BARTH: It's for the life of the
4 charter. Right?

5 MR. SHIREY: Yes, sir.

6 CHAIRMAN BARTH: And that would be through 20-
7 21. So that would be three more -- two -- three more
8 years?

9 MR. SHIREY: Yes.

10 CHAIRMAN BARTH: Yeah.

11 MS. CHAMBERS: Thank you.

12 CHAIRMAN BARTH: All right. Anything else?
13 All right. So the proper motion is to approve
14 this amendment or deny this amendment request.

15 MS. ZOOK: Move to approve.

16 MS. DEAN: Second.

17 CHAIRMAN BARTH: Okay. Motion by Ms. Zook,
18 second by Ms. Dean.

19 All those in favor say "aye."

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN BARTH: Opposed, same sign.

22 Okay. Thank you, Mr. Shirey.

23 MR. SHIREY: Thank you, all.

24 CHAIRMAN BARTH: Thank you very much.

25 MR. SHIREY: Appreciate it. Have a good

1 afternoon.

2 CHAIRMAN BARTH: Yeah. Thank you.

3 B-4: CONSIDERATION OF CHARTER AUTHORIZING PANEL DECISION ON
4 CHARTER SCHOOL AMENDMENTS: STANDARDS FOR ACCREDITATION

5 CHAIRMAN BARTH: All right. Mr. Ballard, I
6 think we can do the item right before it very quickly
7 and get you on your way. And this is another packet
8 of these requests that we've seen before.

9 MR. BALLARD: Yeah. So this is a request. On
10 July 1st of this year, new Standards for
11 Accreditation became effective, necessitating a
12 transition in waivers from the previous Standards for
13 Accreditation. On November 13th of this year, ADE
14 staff appeared before the Charter Authorizing Panel
15 requesting approval of the transition of these
16 waivers on behalf of several charter schools, listed
17 here. By a unanimous vote, the Panel approved the
18 requests -- these requests. No request for the State
19 Board of Education to review the decision made by the
20 Panel were submitted. The State Board may exercise a
21 right to review and conduct a hearing on the Charter
22 Authorizing Panel's determination at the State
23 Board's meeting. And so just asking for a reaction
24 from the State Board.

25 CHAIRMAN BARTH: Okay. Any questions to my left

1 on any of these items?

2 Okay.

3 (COURT REPORTER'S NOTE: Chairman Barth looks to
4 his right in askance.)

5 CHAIRMAN BARTH: All right. We've seen these
6 before.

7 I would entertain a motion to approve these in
8 bulk, if there is one.

9 Ms. Hyatt.

10 MS. HYATT: Mary Claire Hyatt, Arkansas
11 Department of Education. Could you do the district
12 conversions and the open-enrollment separately,
13 please?

14 CHAIRMAN BARTH: We sure can.

15 MS. HYATT: Thank you.

16 a) DISTRICT CONVERSION CHARTERS

17 CHAIRMAN BARTH: Okay. So we have the district
18 conversion charters that look like there are eight
19 there. So I'd entertain a motion on the district
20 conversion charters.

21 MS. McFETRIDGE: I'll --

22 CHAIRMAN BARTH: Ms. McFetridge. Okay.

23 MS. McFETRIDGE: I'll make that motion.

24 CHAIRMAN BARTH: Is there a second?

25 MS. DEAN: Second.

1 CHAIRMAN BARTH: All right. Motion by Ms.
2 McFetridge, second by Ms. Dean.

3 All in favor say "aye."

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIRMAN BARTH: Opposed, same sign.

6 All right.

7 b) OPEN-ENROLLMENT CHARTERS

8 CHAIRMAN BARTH: And now the same on the open-
9 enrollment charters, if someone is ready to do that.

10 MS. McFETRIDGE: So moved.

11 MS. DEAN: Second.

12 CHAIRMAN BARTH: All right. Motion by Ms.
13 McFetridge, second by Ms. Dean.

14 All in favor say "aye."

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRMAN BARTH: Opposed, same sign.

17 All right. Thank you, Mr. Ballard, for your
18 work. And welcome. We'll see you again and again
19 and again.

20 B-10: CONSIDERATION OF LEGISLATIVE REPORT: EARLE SCHOOL
21 DISTRICT

22 CHAIRMAN BARTH: Okay. All right. We are now
23 down to item 10 [sic], as we jump around. I
24 apologize to folks, but we're trying to maximize our
25 time here. And just like we saw Dollarway earlier in

1 the day, we're now to the Earle School District. And
2 so I'll turn it over to Dr. Hernandez.

3 DR. HERNANDEZ: Good afternoon. Again, very
4 similar to the Dollarway report and structure --
5 although Earle is not required from a district plan
6 of support, they've chosen to go ahead and do that.
7 They do have the second quarterly update that's there
8 that has kind of an update on all of their school
9 level plans and kind of action steps that they've
10 done. Dr. Wilde is here to do a little presentation,
11 and after that we can answer questions.

12 CHAIRMAN BARTH: Fantastic. Dr. Wilde, it's
13 good to see you.

14 SUPT. WILDE: Richard Wilde, School -- School
15 Improvement -- Superintendent, Earle School District.
16 I have with me today Reginnia Williams -- she's the
17 Earle High School Principal -- and Juanita Bohanon --
18 she is the Earle Elementary Principal. Since Dr.
19 Barth didn't swear me in, they're here to validate
20 anything I tell you.

21 So, well, good afternoon. In the ADE update
22 that you received there was information about
23 expenditures and about the data that the schools are
24 collecting. And within the written report provided
25 it highlighted our current progress, or lack of

1 progress, along with key challenges and assets. But
2 we want to give you a quick oral report to tell you
3 about our thinking.

4 And as you know, it's just been one year since
5 Earle School District came under State authority.
6 The Department asserted authority because of federal
7 money and the misuse of federal money. And so
8 approximately \$650,000 in federal funds we had to
9 borrow and we're paying that money back at \$10,000
10 per month. The December report updates you regarding
11 from us; the one from the school district updates you
12 in terms of where we're at with facilities, services,
13 personnel, and personnel challenges. At the same
14 time, this Fall the elementary was identified as a
15 school in need of comprehensive support. Earle High
16 School had previously been identified under the old
17 NCLB and the NCLB waiver as a school in need of
18 priority support. But despite which accountability
19 system or any accountability system, when you take a
20 look at the students that have graduated over the
21 last few years we are definitely under-serving our
22 students and we accept responsibility for that.

23 Based on our trend data, the district and school
24 leaders feel that the school improvement plan is
25 around a logic model. They believe the key is the

1 adult thinking, key is the behaviors of the adults,
2 and key are the supports that we put in place to
3 assist our students.

4 Critical in improving our outcomes, we know that
5 our teachers must have in-depth knowledge of the
6 standards to be taught. That is nothing we could do
7 in a two-week or three-week period; that takes two to
8 three years to develop that deep understanding within
9 your teachers. We also know that teachers must have
10 the skills to engage the students in understanding
11 the relevance of low standards. And we know that
12 teachers must have the skills to invite the students
13 to learn.

14 We went down the path of looking at logistics,
15 support, and data analysis. To assist teachers, the
16 school schedules needed to provide both planning time
17 and collaboration time. District leaders needed to
18 listen, be active listeners. And, as we took a look
19 at it, in truth, our students really are dependent
20 upon the teachers and the skill level of the
21 teachers. So from that, we had to make sure -- or
22 are making sure that we're developing units of
23 instruction that takes students from where they're at
24 to where they need to be. And if you look at our
25 scores, our scores were very, very poor and very low.

1 But we're addressing that; we're embracing the
2 problem.

3 So our logic model -- the one piece that we went
4 back -- after our last meeting here at the State
5 Board, if you notice in the red there Parent, and we
6 have done considerably more with engaging the
7 community. One of the things that we reported before
8 was that we were having meetings with City Council.
9 We still have an Advisory Committee; we make the
10 Advisory our forum for where action items we're going
11 to send to the Commissioner are talked about within
12 the community before they're sent to the Commissioner
13 -- and why we're recommending what we're
14 recommending. So we're using it as a forum to teach
15 the community, as well as the Advisory Council, about
16 the decision-making process.

17 We also over time have talked about that there
18 are four domains of rapid school improvement. We're
19 kind of using that document to guide us. And where
20 you see the little asterisk, we feel pretty good that
21 we have prioritized improvement and we're
22 communicating the urgency for improvement. We think
23 we're doing pretty good in helping our teachers
24 understand, to diagnose, and respond to students'
25 learning needs. And we're working on building a

1 culture focused on student learning and effort.

2 And, last, from where we're at right now --
3 solicit and act on stakeholder input. We have forums
4 for students, we have forums for teachers, we have
5 forums for the community.

6 History -- and I think the KIPP Delta people
7 kind of set the stage for me in the sense of saying
8 research and history would tell us that improving
9 outcomes with students that come from income -- low-
10 income communities has been challenging. It becomes
11 herculean when we talk about staff that are novice
12 and systems that are not in place. And so the
13 question is always where do you begin first. Well,
14 we tortured the data until it confessed -- and it's
15 true, our students are not excited about learning.
16 But when you torture the data, the real question that
17 comes out is, are we excited about teaching. Our
18 students do not read at or near grade level. But
19 when you torture the data, are we teaching reading.
20 And so as you look at all of our data points for
21 students, there is a question that you have to come
22 back to about us as the adults. That's our rationale
23 for focusing our school improvement plans -- not
24 about interventions, not about programs, but about
25 building our people.

1 So where did we begin? We began with logistics.
2 So we put in place instructional schedules where
3 there's both planning time and collaboration time.
4 Collaboration time included weekly early releases and
5 requirements for horizontal and vertical teams to
6 meet. And we developed protocols, because one of the
7 things we know about our-self is that without tools
8 we have a tendency to just turn those collaboration
9 times into conversation time. So we're using
10 protocols to guide us.

11 Each instructional team is required to report to
12 members of the district leadership team. So we're
13 saying every week one of the schools meets with the
14 district leadership team. And so during the plan
15 time each instructional team meets at the school;
16 each instructional team is reporting out what they
17 have talked about, what data they've looked at, and
18 what they're going to do with the data. The process
19 has also helped bring to the forefront that our
20 teachers really didn't know what data to collect or
21 act from. And when you realize that we have many
22 novice teachers, this concept was really foreign to
23 most of them. And then the last part there: which
24 assessments help in the decision-making and which
25 assessments we're just doing to do. And so we're

1 sorting through the process of elimination of a lot
2 of additional assessments.

3 The second logistic that we were doing was
4 permitting leadership teams to have discretion over
5 funds. The building leadership has to have some
6 autonomy from the district to decide what they're
7 going to do. Now the process is helping the
8 principals with the concept to understand that you
9 have to study what is the solution to the problem, or
10 what are the potential options within the budget, and
11 then how we evaluate the impact. So that's new to us
12 too; that's a learning curve.

13 The third logistic was access to training. I
14 think everybody that's come today to talk about a
15 progress report mentions PBIS, Response to
16 Intervention, RISE, and Professional Learning
17 Communities. We're not implementing at this time any
18 of those things. We are building capacity with our
19 staff to implement those things, and so we're sending
20 people to training, we're having conversations -- and
21 the trainings are simply to impact us in the future.
22 The truth is, once you get the training you don't
23 solve the problems in the same way you did before you
24 had the trainings. So we started thinking
25 differently; we started looking at things

1 differently.

2 The RISE training identified for us that we have
3 a challenge moving from training sessions to
4 classroom. We are very good at going to trainings;
5 we've got that down. The part that we were
6 struggling with was coming back and changing our
7 behavior as adults after going to the training. So
8 we're accepting that and we're working on it. And
9 ADE and Crowley's Ridge are providing us more
10 support, and Ms. Bohanon more support, as we take a
11 look at RISE.

12 Positive Behavior Intervention Systems training
13 through SPDG has caused us to sit down and talk about
14 what's the purpose of discipline -- and it's to
15 teach, not to punish. So one of the challenges --
16 and principals can tell you that they've had a real
17 challenge this Fall -- we've taken away corporal
18 punishment and we have said suspensions would be used
19 as a last resort. Part of that is for us to have to
20 find other ways. If I have an easy out, I will
21 continue to do the easy out. So strategically we
22 said we will not do these things, and I think it
23 reflects in our data in terms of suspensions.

24 And then the trainings in the PLC are helping us
25 to expand our shared decision-making and shared

1 accountability. Well, two steps forward and one step
2 back. When none of our systems are in place, the
3 trainings are influencing how we're addressing
4 current problems.

5 If you read in our report, we're struggling
6 financially. We had real problems with cash flow,
7 and where we had the cash flow problems is in
8 operations. With our NSL money, we carried forward
9 into this year approximately \$300,000 from last year.
10 As you take a look at federal money, because we had
11 to pay back \$300,000 -- well, that was last year's
12 money, so we get it back this year, okay, because the
13 life of federal money in a state is two years. So
14 the money that we misused last year came back to us
15 this year. That's the \$441,000. When you take a
16 look at the school improvement funds, \$55,000, these
17 are carry-forward -- money we've brought from last
18 year into this year. So the point simply is while
19 we're saying on one-hand we're struggling with
20 operation, we have the resources to do school
21 improvement. We have approximately \$1.2 million in a
22 small district of about 500 students to do school
23 improvement with. The challenge is to use it wisely,
24 to use it so that it makes a difference.

25 And the way that we're thinking about things is

1 improve -- we set the goal that we're going to
2 improve student achievement in reading and
3 mathematics and we're going to improve the skills of
4 our graduates. We know that the gateway to do that
5 is to improve teacher effectiveness. So we also know
6 that we have to improve leadership, we have to
7 improve our management, we have to improve the
8 student learning effectiveness, and we have to
9 improve curriculum effectiveness. Well, under each
10 one of those areas there's a whole set of things that
11 we need to do. We focus first on improving
12 management, because every-other-day we were getting
13 somebody calling us and having to do a corrective
14 action plan because we did not do it correctly in the
15 first place. And every time we would start to get
16 momentum there would be another corrective action
17 plan and you have to drop everything and do the
18 corrective action plan. So we were pulling people
19 away from their primary jobs. So, management first.

20 As we think of leadership and leadership
21 effectiveness, executive coaching, as we -- Dr.
22 Hernandez truly is trying to be my executive coach;
23 he's trying to coach me in how to perform my job
24 better. Rocky Malone is trying to help our
25 principals, okay, as an executive coach, not a

1 mentor; not for advice, but here is somebody I can
2 talk to, here's how I can solve problems. Okay. So
3 as we take a look at this, we have more activity but
4 it's not all good. As you take a look here to
5 improve teacher effectiveness, okay, we know there's
6 a number of areas we have to address, but we can't
7 overwhelm the teachers. So we're going slowly at
8 this end, but we're going faster with management.

9 So as the reports come to you over the next
10 quarters we'll be filling in what is done, what's
11 been accomplished, and give you a format of which
12 we're reporting out to you in those areas of
13 improving our teacher skills.

14 Any questions or --

15 CHAIRMAN BARTH: Great. Thank you so much for a
16 great report.

17 I'll start with Ms. McFetridge. Any questions?

18 MS. MCFETRIDGE: Do you have a plan going
19 forward on bringing this training for these programs
20 and then what -- how you're going to bring them into
21 the classroom -- what kind of a timeframe?

22 SUPT. WILDE: Well, we're training teams with
23 the intent that we will embed the professional
24 development. And keep in mind that our teams -- a
25 grade level team may be three people. So having one

1 person on the team who has been at the same training
2 with the principal, we're all discussing then how we
3 will implement. And that's why I say we're building
4 capacity, so we can have the conversations and at the
5 same time we're looking at our additional funding and
6 saying maybe we need to bring all the teachers in
7 next summer for the month of June and do nothing but
8 planning for the next school year. So we're working
9 on that as part of our school improvement plan.

10 MS. McFETRIDGE: So the teachers will have a
11 voice then as to how quickly this will be coming
12 forward?

13 SUPT. WILDE: Yes.

14 MS. McFETRIDGE: Because that was -- that's my
15 concern, that we overwhelm those teachers and --
16 yeah. And I know you voiced that as well, so --

17 SUPT. WILDE: Yeah.

18 MS. McFETRIDGE: Okay.

19 CHAIRMAN BARTH: Ms. Newton.

20 MS. NEWTON: How many novice teachers did you
21 have this year?

22 SUPT. WILDE: A bunch.

23 MS. NEWTON: That's what I was wondering. Yeah.
24 And so do you expect that next year you'll have to
25 start over again or --

1 SUPT. WILDE: We actually moved from the 1240
2 waiver last year to ETPs this year, and we maintained
3 probably 90% of the people that were with us under
4 the 1240. By moving to the ETPs, everyone that we
5 have is also in a program to become certified. And
6 so we've also had conversations with those
7 individuals that by March they have to have
8 substantial completion of their program in order for
9 us to offer a contract. So we're working to the end
10 of getting everybody certified, at the same time
11 we're hiring ETP people.

12 MS. NEWTON: Well, one of the things that I love
13 that you're doing in Earle is you're building
14 capacity of the administrators that are there; you're
15 building the capacity of the teachers, the students,
16 the community. And, you know, if you build the
17 capacity of this group of teachers this year and then
18 you have to start over next year, it's hard to get
19 anywhere. So I was just wondering what you were
20 looking at as far as re-teaching and you're starting
21 to make, you know, some inroads into that.

22 SUPT. WILDE: Yeah. And we're talking with
23 other people. One of the things we know is if we
24 hire from Jonesboro the person will drive to us from
25 Jonesboro. As soon as they can find a job in

1 Jonesboro, they're going to go back to Jonesboro.
2 We've got to figure out a way to bring people to our
3 community or close to our community. We're very
4 aware of that. And we've had conversations with a
5 number of people, including the City, about how to
6 move that ahead.

7 MS. NEWTON: Thank you.

8 CHAIRMAN BARTH: Dr. Hill.

9 DR. HILL: Great job and appreciate you doing
10 everything you can to keep the students in school and
11 teach. That's where learning takes place.

12 MS. CHAMBERS: There is a very basic core of
13 wisdom in everything that you shared in your update,
14 and I really appreciate it, because I think so much
15 of that is applicable to all of us. And so it was --
16 not only was it great to hear in terms of what you're
17 doing for Earle, but I think we can apply that
18 rapidly across the state where we listen.

19 SUPT. WILDE: Thank you.

20 MS. DEAN: Glad to hear that you are not just
21 informing the community and the parents, but actually
22 including them in the process. I love what you said,
23 "the shared decision-making" and "shared
24 responsibility." So I love that you're doing that as
25 far as for students, for community members, parents,

1 and for teachers. And I did notice in the packet
2 that we were sent that you have no support at this
3 time for a stakeholder communication family and
4 community engagement?

5 SUPT. WILDE: In terms of outside support, we're
6 not accessing --

7 MS. DEAN: Right.

8 SUPT. WILDE: -- outside support. We have
9 dedicated one position.

10 MS. DEAN: Okay.

11 SUPT. WILDE: We have a parent/community liaison
12 position --

13 MS. DEAN: Okay.

14 SUPT. WILDE: -- that is new this year. Just
15 recently -- initially when we did the -- assumed
16 authority over the school district, there were lots
17 of people coming to our advisory meetings. Okay.
18 That has waned some over time. So we've asked the
19 community liaison to start going to all the churches
20 and reporting to the congregation -- and we already
21 have a good relationship with the ministerial group.
22 So we're now asking them to come at least once a
23 quarter and give a report of what's going on in the
24 school and why we're doing some of the things we're
25 doing so that people understand. And it's a small

1 community, so --

2 MS. DEAN: Right. That's great.

3 SUPT. WILDE: Rumor is pretty good too.

4 MS. DEAN: Right.

5 SUPT. WILDE: So if we really want to get things
6 out we start a rumor.

7 MS. DEAN: That's great as far as reaching to
8 your faith community -- and just pulling all of those
9 stakeholders in the community to work together is
10 really key. So thank you for doing that. And
11 hopefully we'll have frameworks coming out soon -- we
12 will have frameworks coming out soon for community
13 and family engagement that can give you even some
14 more support as well. Thank you.

15 CHAIRMAN BARTH: I just want to say, in
16 particular -- to pick up on Ms. Dean, you know, that
17 your focus on empowering citizens and building future
18 leaders is -- I think it's the best I've seen. And I
19 know that it is a small community and with that comes
20 some advantages and some disadvantages. Right? I do
21 think that connectedness is an area where we have an
22 advantage. But I don't -- I know I've not seen a
23 better example of conscious community engagement in a
24 real way from the get-go, and I really appreciate
25 that enormously. And I also just really celebrate

1 your, you know, taking the issue of school discipline
2 by the horns and ending corporal punishment and
3 changing philosophy in general. That is so important
4 for sending clear signals to kids about their value.
5 So I appreciate that very much.

6 SUPT. WILDE: And in truth, who bears the brunt
7 of that.

8 CHAIRMAN BARTH: Yes. So thank y'all as well.
9 Commissioner.

10 COMMISSIONER KEY: Like I did with Ms. Warren, I
11 just want to express my thanks to Dr. Wilde and the
12 team for the work that they have been doing, and
13 doing such a great job, and I appreciate your remarks
14 about the engagement. You know, that is probably one
15 of the best examples of recent -- maybe the best
16 example in recent history of how to keep a local
17 board -- although they have been removed of their
18 authority, left in an advisory capacity so that the
19 community could stay involved. And the reports that
20 Dr. Wilde sends every month about the things they
21 discuss are succinct but they are very -- at the same
22 time very thorough and deep in the elements that he
23 covers -- and not without difficulty. You know, you
24 have a construction project and a sidewalk that has
25 historical significance, there are community things

1 that have to be dealt with there, and he's done a
2 great job with that.

3 So I just want to say I appreciate the work
4 you're doing. But I also want to point out, Ms.
5 McFetridge, I hope y'all see -- and you too, Ms.
6 Newton -- y'all both talked about, you know, to some
7 degree on the training, you know, developing the
8 teachers and then not overwhelming the teachers.
9 We've really tried to narrow the focus of the
10 Department's initiatives. When you see common
11 references to PBIS or RTI, RISE, and, you know, the
12 other -- the PBIS and RTI tied to the SPDG grant,
13 RISE and the PLC processes, trying to build that, and
14 encouraging schools that we're supporting and
15 districts we're supporting to not add a lot of
16 initiatives. Let's get really good at doing the
17 basics -- blocking and tackling, Coach, you know.
18 And it's translating in how do we -- how do we get
19 better at helping you all translate into classroom
20 practices and improve classroom practices.

21 So, again, Dr. Hernandez and team have been
22 working closely to make that happen. And as we are
23 with Dollarway, we are learning a lot with Earle
24 along the way. So, thank you, Dr. Wilde.

25 CHAIRMAN BARTH: Thank you.

1 Ms. Zook.

2 MS. ZOOK: Yes. It's obviously clear, it's very
3 specific. It's obvious you're a superintendent who
4 knows where he is, where he wants to be, and how to
5 get there. You've done a great job with the task
6 analysis. I think it is an approach that could be
7 used by every district as a template because, big or
8 little, every district has to deal with all of the
9 things you're dealing with.

10 The question I have is: does Earle, because of
11 the low academics, need to be in Level 5?

12 SUPT. WILDE: I think we are in Level 5 just
13 simply because of the State assuming authority.

14 MS. ZOOK: But it was for finance; right?

15 SUPT. WILDE: It was for finance. I would say
16 if we don't make improvement -- if this time next
17 year when we're here if we have not shown significant
18 improvement in our reading, I think the answer to
19 that is absolutely yes.

20 MS. ZOOK: Thank you.

21 CHAIRMAN BARTH: Dr. Moore? Ms. House?

22 MS. HOUSE: I just want to thank you for being
23 so transparent and honest when you're looking at your
24 data. It's so easy to gloss over it and make
25 excuses, and you did not do that today and that just

1 is refreshing to hear. I applaud everything you're
2 doing over there and I loved Dr. Barth's comment
3 because when you talked about changing the mindset
4 about discipline I thank you for that. That was
5 awesome.

6 SUPT. WILDE: Thank you.

7 CHAIRMAN BARTH: Great. Anything else?

8 All right. Then we need a motion to accept the
9 report.

10 MS. DEAN: I move to accept the report.

11 MR. WILLIAMSON: Second.

12 CHAIRMAN BARTH: All right. Motion by Ms. Dean,
13 second by Mr. Williamson.

14 MR. WILLIAMSON: I'll vote yes for it.

15 CHAIRMAN BARTH: All those in favor say "aye."

16 (UNANIMOUS CHORUS OF AYES)

17 CHAIRMAN BARTH: Opposed, same sign.

18 Thank y'all so much for being here. Safe
19 journeys back home.

20 All right. Okay.

21 B-11: CONSIDERATION OF LEGISLATIVE REPORT: PINE BLUFF SCHOOL
22 DISTRICT

23 CHAIRMAN BARTH: We are now down to Pine Bluff.
24 We have two items related to Pine Bluff. And I will
25 turn it over to Dr. Hernandez to get us started with

1 the legislative report.

2 DR. HERNANDEZ: Good afternoon again. This --
3 on the Pine Bluff report that you have before you,
4 it's a little bit different in structure because we
5 haven't -- this is the first report we've done,
6 because Pine Bluff was taken over for fiscal purposes
7 initially and then put on Level 5. We did share with
8 you last month the systems analysis -- preliminary
9 systems analysis that we did. They're in -- we're in
10 the process now -- Dr. Owoh is here too -- we've been
11 working on ideas of revising school level plans, and
12 then in response to that district level support
13 plans, but at the same time we're making a very
14 comprehensive plan overall in each system.

15 So when we think about what we're doing with
16 human capital and all those things related to
17 finance, we're starting to sketch out what we are
18 doing. More specifically in terms of the finance
19 situation is we've started this week, I believe, the
20 initial part of the reduction in force for next year,
21 because we do have some significant overstaffing
22 issues that we're having to take care of -- the
23 points that went out to staff members to notify them
24 of where their points are to give that time for
25 correction. We anticipate taking care of those

1 things in the second semester, so that will go into
2 effect for next year. So that will be related to
3 buildings, which buildings will be in operation,
4 which staff members and all that. We're taking a
5 very fine look at all of our Title 1 NSL type things
6 to make sure that we're using that money
7 appropriately. We have started the discussions again
8 with Solution Tree to try to start next year out
9 fresh with the PLC process and make sure that's
10 embedded. The inherent issue that I think -- and
11 that'll be more as we get into the waiver decisions
12 -- is because we also have the academic issues.
13 According to the RIF process, it's based on a
14 structure where first -- you know, first hired, first
15 out. And so it doesn't let us really discern and
16 pick and choose which employees that might not be
17 being effective in the classroom and maybe having
18 some issues in terms of that. It doesn't allow us to
19 do that. And so that's an inherent problem as we're
20 trying to make some of these decisions is that we're
21 having to -- we're going to get down to the right
22 size staff. But as far as the right people in the
23 right places, that's going to take some time and some
24 things to work through. But overall, in subsequent
25 reports we'll kind of be updating you about what's

1 going on and those types of things.

2 So you do have some preliminary information in
3 front of you. We'll take questions on that. Dr.
4 Owoh is here. I'll let him share a little bit about
5 his journey so far. But we'll be happy to answer
6 questions on anything.

7 CHAIRMAN BARTH: Thank you.

8 Thank you, Dr. Owoh.

9 SUPT. OWOH: Good afternoon. Jeremy Owoh,
10 superintendent, Pine Bluff School District. I
11 appreciate the opportunity to stand before you today.
12 And I'll tell you, as Dr. Hernandez said, we're at
13 the fact-finding point, really looking at what
14 systems are in place; what systems are not in place;
15 what capacity our staff members have, both the
16 licensed and the classified; what supports are
17 needed. And we really want to make sure that we make
18 informed decisions. We're dealing with our students,
19 their academic capacity; we're dealing with our
20 educators and our classified and their performance.
21 So we really want to make sure that we make the right
22 decisions -- and in doing so, we've taken the systems
23 of support -- and in order to continue to get the
24 community engagement -- and I will tell you that the
25 amount of community engagement is remarkable. We

1 have a community that really supports the school
2 district, supports the needed changes, and ready --
3 they are ready and continue to voice their readiness
4 to support us and roll up their sleeves and work with
5 us in moving the district forward.

6 And I would definitely be remiss to mention
7 about my students. The last time I reported, I went
8 back and they reminded me, said, "Dr. O, you didn't
9 do what you asked us to do." And I had the privilege
10 to really engage with them, with student focus
11 groups, and I asked them, you know, "We know what the
12 perception of Pine Bluff is. But I'm asking you," as
13 I speak to the students, "to really change that
14 narrative, because we write our own narratives and we
15 need to highlight the positiveness." And they hold
16 -- they held me accountable when I met with them
17 again. They said, "Dr. O, well, you didn't do that;
18 you didn't change the narrative." And they meant --
19 what they meant by that was because I didn't share
20 the positives that they were doing, the positiveness.
21 And we have some really bright students, students who
22 participate in the fine arts, who are excellent
23 musicians; students who come to school early, stay
24 late, study; students who have taken ownership and
25 are very capable to voice their concerns about the

1 challenges that we face, and they're ready to work
2 too. And so, it was so important for me as their
3 leader, as their instructional leader, as their --
4 one of their advocates to make sure that they have a
5 voice. And so we're going to continue to have
6 student focus groups so I will be informed before I
7 make any important decisions, as well as making sure
8 that our educators and classified staff members have
9 the same voice as well. So we've created engagement
10 groups around the systems of support. So each
11 system, such as academics, student support, family
12 and community engagement, they all have leaders from
13 the district office so that we have them involved in
14 the work. But they have staff members -- I mean
15 community members and staff personnel who signed up
16 during our report to the public meeting to be a part
17 of those engagement sessions. And so we want to make
18 sure -- in fact, we had the fiscal and operational
19 governance engagement session Tuesday night, and
20 we've gotten a lot of feedback, positive feedback,
21 and information. We've received positive feedback
22 from them -- that constructive feedback that we can
23 utilize as we move forward. So we want to make sure
24 that we continue to do that.

25 One of my main concerns, as you know, as I serve

1 as superintendent is to make sure that -- you know,
2 you hear that we did not get to this state overnight,
3 so it's going to take time. But I refuse to accept
4 that because our students -- they don't get another
5 9th grade year; they don't get another 3rd grade
6 year. And based on our data our students are
7 matriculating, at each grade level, grade levels
8 behind; so every year counts, every class session
9 counts. And so I've told the District staff, as well
10 as our auxiliary staff, that we have to make sure we
11 get it right the first time and make sure that we
12 make the right decision. And so I've charged them to
13 get out of the office, at the district office, and be
14 in the classrooms because we cannot make sound
15 decisions, informed decisions from an office, from a
16 desk, sitting behind a desk. And so they're in the
17 classrooms, they're in the buildings. We're not
18 perfect, we're not where we need to be yet, but we're
19 headed there because we have to make sure that every
20 second counts for our students. So I want to make
21 sure that I've highlighted that.

22 Of course, we have students who are
23 participating in coding. Recently, last Friday, we
24 had Governor Hutchinson to visit our campus. In
25 fact, our campus was the only campus in the state

1 that he visited and he spent some quality time with
2 our students and they were very appreciative of that
3 as well.

4 We'll continue to assess. We've started
5 curriculum -- the curriculum audit a couple of weeks
6 ago, and, of course, the preliminary information that
7 we received was what we expected. We have zero
8 curriculum and we really need to make sure that we
9 develop that and make sure that our students -- our
10 teachers are at the table as we move forward in
11 developing that curriculum. And that's when -- and
12 it was mentioned earlier by another superintendent
13 about really assessing what's on our teachers' plates
14 -- and from the district office, from every grade
15 level -- elementary, middle and high school -- it's
16 all over the place. They were demanding this
17 program; they had this program in place, they had
18 this intervention, and there was no focus. There was
19 zero focus. And so I've challenged our district
20 staff to focus on two or three goals, as well as our
21 leaders in the building to focus on two or three
22 goals, and then support our teachers in doing so and
23 insuring that the professional growth plans of our
24 educators, as well as our leaders, all align with the
25 district and the school goals which are based on our

1 student needs. And so we're going to move forward in
2 making sure that we streamline professional learning
3 opportunities, making sure that when someone requests
4 professional learning that it aligns with our
5 professional growth plan and that it aligns with the
6 district goals. We've streamlined fieldtrips, making
7 sure that they align with the state standards and
8 making sure that there is a goal as it pertains to an
9 academic goal that's aligned with that or linked with
10 that. And so we want to make sure that every option
11 -- every opportunity that our students have is an
12 opportunity to increase their learning, because
13 that's what it's about is making sure that, one, we
14 provide the opportunities, but also make sure the
15 students know about those opportunities and all
16 students -- and I started saying this to my staff and
17 the parents and community, that all means all. And
18 so our actions have to align with that. If we really
19 mean all means all, then all of our decisions must
20 align with that -- and actions really do speak louder
21 than words. And so we'll continue to move forward
22 with that.

23 We mentioned 1240s, and of course that waiver is
24 -- we have submitted that waiver for approval. It's
25 not any news -- unexpected news that we have a

1 teacher shortage in Pine Bluff School District. So
2 we have committed to developing a recruitment and
3 retention plan that will increase. We're actually
4 partnering with two other school districts, Watson
5 Chapel and Dollarway, through Go Forward, Pine Bluff
6 to really focus on the recruitment and retention of
7 highly qualified teachers in the Jefferson County
8 area. And so really having discussions on what that
9 looks like and what it means from the school's --
10 school district's perspective, but also the community
11 perspective and how we can work together to increase
12 the number of licensed teachers in the Jefferson
13 County area.

14 We have approximately -- almost 20% of our
15 teachers who are on 1240 waivers. And so we've had
16 the staff from Educator Effectiveness come down and
17 work with our teachers to develop licensure pathways,
18 because we want to make sure we retain these
19 teachers. Once we provide the training, the support,
20 we want to make sure that they stay past the
21 expiration of the 1240 waiver that we've been
22 granted, because we know that these teachers have the
23 content. But we need to make sure that they have the
24 pedagogy, to make sure that they know how to present
25 and how to deliver the instructional material in a

1 number of ways to meet all of our students' needs.
2 And so we want to make sure that's in there and
3 ongoing professional learning that's meaningful for
4 all of our teachers and classified.

5 So that's a brief update, and I'm available for
6 any -- I say "brief" but probably long-winded, so --
7 but I apologize. But if you have any questions --

8 CHAIRMAN BARTH: Okay. Dr. Hernandez, have you
9 got --

10 DR. HERNANDEZ: Yes. I had a little bit to echo
11 what Dr. Owoh said, is that, you know, this isn't one
12 of those things where we're going to wait and see. I
13 mean, we want to go fast and maybe make some slight
14 mistakes here and there, but we want to -- we're in a
15 rush to make sure that we do this right. We have a
16 golden opportunity with the Pine Bluff School
17 District to make some significant changes within a
18 year and not be in some of the scenarios that we've
19 learned from in the past, that, you know, we're
20 having to wait until a certain time to make changes.
21 We know we -- we know there needs to be change. I
22 mean, there's no doubt about that. We walked into a
23 district that was financially unsound, academically
24 not doing what it needs to do, and so there has to be
25 change. And so with that -- those significant type

1 changes, I know Dr. Owoh is all in and ready to do
2 those things and so we do have a good opportunity to
3 make a lot of significant changes. We're in the
4 process; we do have the bones of a plan of what we
5 want to do. We'll have some ADE consultants that are
6 going to meet with Dr. Owoh starting in the next
7 couple of weeks that will be there on a regular
8 basis, most of them every day, in helping execute
9 that plan.

10 Inherently, when you take over a district and
11 the people that are there have been there for a long
12 time, you know, there's that "we don't know what to
13 do" and "we don't necessarily know if we're onboard
14 or we're not onboard." And so we don't have a lot of
15 time to fight that, quite frankly. You know, we need
16 people that are going to help make decisions, make
17 decisions quickly, and then move our vision forward
18 as to what we want the district to be. Like Dr. Owoh
19 said, what we gather from community members is that
20 they're onboard, they want change; they want that to
21 be a district of choice. We think we can do that.
22 Specifically under Dr. Owoh's leadership we know that
23 can happen. And so we will definitely need your
24 support as the State Board to get some of those
25 things done.

1 But we'll take questions. I don't know if we're
2 doing item -- this report and the item together or
3 y'all are voting on this legislative report and then
4 taking up the other item, so --

5 CHAIRMAN BARTH: Yeah. Well, I think we need to
6 accept the report. And I want to see if there are
7 any questions about the report itself before we move
8 into the next item.

9 {BRIEF MOMENT OF SILENCE}

10 CHAIRMAN BARTH: Okay. I'll entertain a motion
11 to accept the report.

12 MS. NEWTON: So moved.

13 MS. DEAN: Second.

14 CHAIRMAN BARTH: All right. Motion by Ms.
15 Newton, second by Ms. Dean.

16 All in favor say "aye."

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIRMAN BARTH: Opposed, same sign.

19 B-12: CONSIDERATION OF WAIVER OF EDUCATION-RELATED LAWS IN THE
20 PINE BLUFF SCHOOL DISTRICT

21 CHAIRMAN BARTH: So that moves us to item 12
22 [sic] and I'll turn it back to Dr. Hernandez.

23 DR. HERNANDEZ: So specifically I know Ms.
24 McLaughlin is here. And the reason that this item
25 was moved down from the Act 1240 section is -- one of

1 the reasons is their charter school that had the Act
2 1240 had closed. And so the reason we moved this is
3 we're asking for that waiver of Teacher Licensure
4 under Level 5; that way it's in place and we're not
5 at the changing of those charter things. So that's
6 the first waiver request that we're asking for.

7 COMMISSIONER KEY: And the second one is related
8 to what Dr. Owoh and Dr. Hernandez, both, said with
9 regards to, you know, the urgency of what needs to
10 happen there. And what we had hoped to bring you --
11 because if you look at Act 930 it contemplates the
12 Board being able to reconstitute a district. And as
13 we started looking to see and researching what that
14 -- you know, what that would entail -- we had a
15 vision of what that would be. But then our legal
16 team looked at it and said, "You know what, it's not
17 clear; you can't really do a restart in the way of a
18 -- for a district the way you had -- are envisioning
19 doing that. So you have to use the other tools to do
20 that" -- and those tools, one being the RIF process,
21 because what we wanted to do was right-size, but at
22 the same time we wanted to get effective instruction.
23 And as Dr. Owoh said, you know, those are things that
24 are definitely lacking right now. So the second
25 waiver is under Act 930, a waiver of Teacher Fair

1 Dismissal and Employee Fair Hearing Act because --
2 for the 19-20 school year and limited to the 19-20
3 school year. He may not have to use it, but it's a
4 tool that would be available to him if in dealing
5 with the urgency of the situation he feels like he
6 would need to do so.

7 MS. ZOOK: So that would do away with the RIF
8 application?

9 COMMISSIONER KEY: No. No, ma'am. RIF
10 application -- well, go ahead, Mike.

11 MR. HERNANDEZ: So the RIF application would be
12 in place. So the idea here is since we don't have
13 the availability of what we thought of in terms of
14 reconstitution is we intend to use the RIF process
15 this year to right-size the district, to make sure
16 we're financially stable and spending the money that
17 we need to in the appropriate manner that we do. In
18 addition to that, what we would see next year -- as
19 we start to bring in some of these new processes and
20 protocols that we want the district to strictly
21 adhere to in terms of teaching and learning, we want
22 to have that availability. If there's a principal
23 that's not doing what they're supposed to be doing,
24 if there's not -- a teacher that's not -- or any
25 staff member -- that we have that ability to make

1 quick decisions and not have to wait, you know, many
2 months and sometimes even a year or more to make that
3 decision and get the person out of that classroom or
4 out of that particular seat and be able to get --
5 replace them with an effective person. So everybody
6 knows these are the expectations: we're not able to
7 do a reconstitution; you're here -- but if you're
8 going to be here, you're going to make sure you're
9 swimming in the right direction, as we're all trying
10 to go.

11 MS. ZOOK: Rather than move them to somebody
12 else?

13 DR. HERNANDEZ: That's right.

14 MS. ZOOK: Thanks.

15 CHAIRMAN BARTH: I want to -- so are y'all
16 requesting a motion to that regard?

17 COMMISSIONER KEY: At whatever point y'all are
18 --

19 CHAIRMAN BARTH: Right.

20 COMMISSIONER KEY: -- ready to move forward.

21 CHAIRMAN BARTH: I want to -- so I want to voice
22 my frustration about this item. I think this is a
23 very, very big, big ask, big change. I realize and
24 recognize that something fairly urgent needs to
25 happen. But I think with something like that, I

1 think there was a real effort to hide the football in
2 a vague agenda item. I think that, you know, open
3 government requires open government; that is, being
4 open with the public, whether you think they won't
5 like it or will like it. And I think it is
6 frustrating that this comes before us without true
7 public notice. And so I do think it is very
8 problematic in that regard. I understand anyone here
9 can make a proper motion, and I will not stymie
10 proper motions. I just think that this -- it's clear
11 there was an agenda here. We know that from FOIA
12 reports that there was an agenda here. I'm
13 personally offended because our rule -- our operating
14 rules do give me the power, as Chair, working with
15 the Commissioner's office to create the agenda for
16 the meeting. I never saw the agenda for this meeting
17 until it was posted. And so I think it is
18 problematic in terms of how this item and another
19 item that's coming in 14 was handled. I think it is
20 simply contrary to our fundamental tradition of being
21 open with the public, and so I want to put that on
22 the record. I think it is deeply problematic and
23 sets a very bad precedent for the future of this
24 board.

25 But I will -- the floor is open for any motion.

1 COMMISSIONER KEY: Dr. Barth, I think there's
2 public comments signed up on this item.

3 CHAIRMAN BARTH: Yeah, but we do have -- we need
4 to get a motion before we -- and then we will do --

5 COMMISSIONER KEY: Yeah.

6 CHAIRMAN BARTH: Yeah. And then we'll go to
7 public comment. Yeah.

8 Are there questions? Are there comments?

9 MS. CHAMBERS: Well, I don't -- I don't sit in a
10 position of authority in terms of having, I mean, any
11 prior knowledge of what the agenda would be. But I
12 don't disagree with your comments, Jay. In terms of
13 this is a big deal and I completely applaud the speed
14 we need to have to turn this school -- this district
15 around, and other districts. Just as you said so
16 very effectively, these kids don't get another shot
17 at the classes they're in to get everything that they
18 can get out of those classes. But I do think not
19 only for Pine Bluff but for Little Rock, the next
20 topic, we need to come together as a community as we
21 move through this timeframe, not feel less trustful
22 of one another. And so I don't know what that means
23 in terms of where we stand in the process and the
24 timing. But I would love to engage -- find an
25 opportunity to engage the public and be clear on what

1 we do and how we go about it. Obviously we need to
2 have a sense of urgency about that. But that's my
3 own take on where we sit right now on the topic.

4 CHAIRMAN BARTH: Any other comments?

5 MR. WILLIAMSON: Well, I think --

6 CHAIRMAN BARTH: Mr. Williamson.

7 MR. WILLIAMSON: -- the point of having State
8 takeover is that the State needs to step in and do
9 some thing that the local board couldn't, didn't, or
10 wouldn't do. I understand where you're coming from,
11 but, you know, there are -- there have got to be
12 measures taken to drastically improve this district.
13 And, you know, I think I agree with, you know, Dr.
14 Hernandez; the easiest way, the best way, the
15 effective way to do that is, you know, surgical
16 precision, you know, by waiving a couple of items.

17 CHAIRMAN BARTH: And, Mr. Williamson, I totally
18 agree and I supported the takeover of this district
19 because I think it was in dire straights and I think
20 quick action needs to be taken. The point is that if
21 this was known that this was going to be on the
22 agenda, and we clearly heard this report from three
23 members of the Department, why wasn't the public
24 informed so that they could come and give their
25 comments? We do have a fair amount of public comment

1 from Little Rock because a lot of that came to light
2 in recent days. Very little came to light about the
3 Pine Bluff situation, and I think the residents,
4 patrons, teachers of Pine Bluff were not given the
5 right information. Now I think they should've had
6 their say. I think this board might well -- in fact,
7 very likely would have moved forward with this. But
8 I'm just deeply offended by this -- by our
9 responsibility. And I see it as a public body our
10 responsibility to be sure that we are operating wide
11 open, and this is not -- this was not a transparent
12 process, and I think it's very problematic and sets a
13 bad precedent.

14 DR. HILL: Dr. Barth, what do you -- as Board
15 Chair, what do you recommend -- I mean, for you?

16 CHAIRMAN BARTH: Well --

17 DR. HILL: Speak to that, please.

18 CHAIRMAN BARTH: I mean, my recommendation would
19 be to table this item until the next meeting, which
20 might be a special meeting or might be a regular
21 meeting, so that the public actually knows what's up
22 in this district. But this is y'all's body at this
23 point. I just wanted to make clear my views on what
24 came -- how this came down and how I see it as
25 problematic.

1 Ms. Dean. I'm sorry.

2 MS. DEAN: I have to echo what you and Ms.
3 Chambers say. You know, we've had several districts
4 come before us, several people come before us, and
5 that's one question that I always ask is was the
6 community, were parents, were teachers, were all the
7 stakeholders made aware and allowed to be a part of
8 the process. And I understand the urgency of this
9 situation and -- but I'd have to agree with you, that
10 I think in order for us to be as transparent as
11 possible I think we need to allow the opportunity for
12 all stakeholders to be engaged in this process.

13 CHAIRMAN BARTH: Did you have --

14 DR. HILL: I agree.

15 CHAIRMAN BARTH: Okay. Other comments? Dr.
16 Moore.

17 DR. MOORE: I just have a couple of clarifying
18 questions. So this would be for the -- the waiver
19 for Teacher Fair Dismissal would be for the next
20 school year and those teachers will be under new
21 contracts at that point. Is that correct?

22 DR. HERNANDEZ: (Nodding head up and down.)
23 Correct.

24 DR. MOORE: Okay. Okay. And that will include
25 teachers, principals, and administrators?

1 DR. HERNANDEZ: Yes, ma'am.

2 DR. MOORE: Okay. Thank you.

3 MS. ZOOK: Are we looking at the 12 item, which
4 is the 1240 waiver that was listed?

5 CHAIRMAN BARTH: No, that's a second -- that's a
6 separate -- I was responding -- this was a request
7 for the end of Teacher --

8 MS. ZOOK: Item 11?

9 CHAIRMAN BARTH: No. Item 12, there was a
10 request for an end to Teacher Fair Dismissal. There
11 was no -- there is no motion on the floor --

12 MS. ZOOK: Okay.

13 CHAIRMAN BARTH: -- to be --

14 COMMISSIONER KEY: So --

15 CHAIRMAN BARTH: -- to be fair at this point.

16 DR. HERNANDEZ: Maybe I can tell -- kind of
17 clarify, is I remember -- my understanding, the way
18 these agendas are structured, is that all school
19 districts that are on Level 5 -- we've had this
20 discussion in past board meetings -- is come forward
21 with potential waivers that you might need in order
22 to work through some of the issues you may -- that
23 arise at a district. And so, you know, my personal
24 opinion -- which you didn't ask for it, but I'll give
25 it -- is that any time a district is in Level 5 -- I

1 mean, it's kind of standing notice that at any time
2 when you're in Level 5 these are the different items
3 that could be waived. And so the fact that that
4 listing on there is not specific of all the things
5 that you could do as board members aren't there,
6 they're always there. So they knew as far as there
7 being a waiver request. The specific one to Teacher
8 Licensure was just a movement that we thought later
9 that, hey, since that's already on the agenda up here
10 in 1240, moving it down to this Level 5 was the
11 reason.

12 So, I mean, I do understand the sentiments but
13 at the same time, you know, all of these things
14 should always be at play. The community should know
15 when they were taken over these are all the things
16 that are available to them. And so that's the -- so
17 that would be my thoughts, I guess, on that.

18 MS. ZOOK: So do we need two motions here for
19 the 1240 waiver and if someone made the motion on
20 Fair Dismissal?

21 DR. HERNANDEZ: Yes.

22 CHAIRMAN BARTH: Yes.

23 DR. HERNANDEZ: Yes.

24 MS. ZOOK: Okay.

25 CHAIRMAN BARTH: And my read right now is that

1 we -- well, yes, we will consider whatever motion.
2 The 1240 request is on the agenda, clearly on the
3 agenda, and has been on the agenda. So I -- that --
4 I have no objection whatsoever to the consideration
5 of that issue because the public was very much --
6 very fully informed on that.

7 Ms. Chambers.

8 MS. CHAMBERS: I just wanted to clarify. I have
9 no issue with the waiver or the fact that when taken
10 under state control you're going to have to do some
11 different things to get us out of the situation that
12 we're in. So I don't have any issue with that. My
13 ask is that it's in process and how we go about it so
14 that there's maximum transparency. Even as we look
15 at things like whether it's a RIF or it has to do
16 with performance that we're just all clear on how
17 that's going to work, that the community understands.
18 Not everyone will agree, that's probably a given.
19 But I do think we have a fighting chance of coming
20 out the other side of this stronger if we have a
21 really good process and transparency in the
22 communication process.

23 CHAIRMAN BARTH: Okay. So we have requests for
24 public comment from a couple of folks on item 12. We
25 don't yet have an agenda -- we don't yet have a

1 motion on the floor. And I would -- I think it would
2 --

3 MR. WILLIAMSON: I'm ready with a motion.

4 CHAIRMAN BARTH: Our preference would be -- our
5 typical practice would be to have a motion, have that
6 motion on the floor, and then open it up for public
7 comment if the Board was willing.

8 MR. WILLIAMSON: I've got a motion about the
9 waiver of Fair Teacher Dismissal.

10 CHAIRMAN BARTH: All right.

11 MR. WILLIAMSON: I move that the State Board
12 waive application of the Teacher Fair Dismissal Act
13 and the Public School Employee Fair Hearing Act of
14 Pine Bluff School District employees, effective for
15 the 2019-2020 school year.

16 CHAIRMAN BARTH: All right. Motion by Mr.
17 Williamson.

18 MS. ZOOK: Second.

19 CHAIRMAN BARTH: Okay. Motion by Mr.
20 Williamson, second by Ms. Zook.

21 And so I would -- would y'all want to -- I would
22 invite a motion to move to public comment before our
23 continued debate on this issue for the two items --
24 two individuals who have signed up on this agenda
25 item.

1 MS. ZOOK: Sure. So moved.

2 CHAIRMAN BARTH: All right.

3 MS. DEAN: Second.

4 CHAIRMAN BARTH: All right. Motion by Ms. Zook,
5 second by Ms. Dean.

6 All those in favor of public comment say "aye."

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN BARTH: Opposed, same sign.

9 Okay. Our normal practice is to allow up to
10 three minutes. We also always say please avoid
11 repetition to the greatest degree possible in doing
12 so.

13 Our first person on Item 12 is Tracey Ann
14 Nelson. And so I would invite you -- and we do have
15 a clock.

16 MS. NELSON: Thank you, Mr. Chair, Members of
17 the Board. My name is Tracey Ann Nelson. I'm the
18 executive director of the Arkansas Education
19 Association. And I came prepared to speak on Act
20 1240 waiver for Pine Bluff, but we now have another
21 one that was not on the agenda, which we find
22 especially troubling.

23 Earlier this week we met with educators in Pine
24 Bluff at Broadmoor Elementary School. So I'm going
25 to address first only the Act 1240 waiver and not yet

1 Teacher Fair Dismissal.

2 We've all seen the problematic nature of this
3 act. Since the law gives no authority to the ADE to
4 craft the rules to offer guidance, the Department,
5 the State Board of Education, and even, more
6 importantly, the public have been left in the dark
7 about how this law should even be applied. Act 1240
8 is an affront to students, parents, educators,
9 administrators, and public education as a whole, in
10 that it allows for the under -- the undoing of
11 decades of progress for public education
12 professionals and their advocates and students, and
13 have made -- and have made to insure the educational
14 excellence of Arkansas students. Continued
15 dismantling the very standards that establish a
16 floor, a basic -- okay -- from which to build upward
17 moves us downward as opposed to upward. Unraveling
18 standards have never been a path to success. As
19 licensed education professionals, we expect high
20 standards for ourselves and in turn, we expect that
21 for our students.

22 When reviewing the entirety of the packet for
23 the Pine Bluff District waiver, the District chose
24 not to offer any written response under the State
25 Board of Education's worksheet, requesting a

1 "discussion of the transparency of the process and
2 methods used for garnering support for the waivers."
3 These efforts can include notifying and including
4 stakeholders such as students, teachers, and staff,
5 parents, community members, or even providing a
6 school board resolution. My question and my concern
7 on behalf of those educators in Pine Bluff is that
8 this waiver is being sought once again and there has
9 been no public notification or discussion about it
10 with local stakeholders.

11 Under the previous waiver, where is the data
12 that shows us that unlicensed educators are moving to
13 licensure because they've had the waiver in place?
14 While we understand that the Pine Bluff School
15 District --

16 (COURT REPORTER'S NOTE: The timer rings.)

17 MS. NELSON: -- is working to insure that staff
18 hired under a licensure waiver receives their
19 certification within three years, I want to point out
20 that that means that students spend nearly three
21 years of their high school career being taught by
22 unlicensed teachers.

23 CHAIRMAN BARTH: Thank you, Ms. Nelson.

24 MS. NELSON: Thank you.

25 CHAIRMAN BARTH: All right. Next up is Reverend

1 Haley Jones.

2 REV. JONES: Apologies to the Board. It's
3 actually Item Number 14 I would like to speak to and
4 not 12 --

5 CHAIRMAN BARTH: All right.

6 REV. JONES: -- if that's okay.

7 CHAIRMAN BARTH: That's totally fine.

8 REV. JONES: Thank you.

9 CHAIRMAN BARTH: Thank you, Reverend Jones.
10 Okay. All right.

11 MS. KOHLER: If they're going to break the
12 rules, can we?

13 CHAIRMAN BARTH: So I would -- we have a motion
14 and a second. I would invite discussion among board
15 members. In fact, I'll just go around. I'll see if
16 Ms. McFetridge -- do you have any comments or
17 questions?

18 MS. McFETRIDGE: No.

19 CHAIRMAN BARTH: Ms. Newton?

20 MS. NEWTON: I'm just pulling up the law. It
21 just -- I'm going to take a few minutes to read it,
22 if that's okay.

23 CHAIRMAN BARTH: Okay.

24 MS. NEWTON: Not out-loud, to myself. Is that
25 all right?

1 CHAIRMAN BARTH: Sure. Do you need a little
2 break?

3 MS. NEWTON: No, I'm good. Y'all go ahead.

4 CHAIRMAN BARTH: Okay. Dr. Hill?

5 DR. HILL: So if -- back to your point, what you
6 were talking about -- if you tabled it and come back
7 to a special session that we could then let the
8 community stakeholders get involved, is that what you
9 were referencing?

10 CHAIRMAN BARTH: Well, I mean, that is a
11 possibility.

12 DR. HILL: Okay.

13 CHAIRMAN BARTH: But we have a live motion.

14 DR. HILL: Yeah, I understand.

15 CHAIRMAN BARTH: There could be a motion to
16 table it at any point --

17 DR. HILL: Okay.

18 CHAIRMAN BARTH: -- if that was the will of the
19 body.

20 MS. CHAMBERS: Just a question for Dr. Owoh or
21 Dr. Hernandez. If there were a delay, even if it was
22 just within the next month to table, can I do that?
23 Is it -- oh, I didn't know if I was talking about
24 something out of school. Does that -- I don't know
25 what timeline you're on and in terms of contract

1 notice. But if we were to take any additional time
2 does that impede your ability if the Board were
3 ultimately to vote in favor of the waiver?

4 SUPT. OWOH: I'll address the 1240 because
5 that's the waiver I submitted. In doing so, I was
6 informed that since Quest Middle School was no longer
7 in existence that we had 1240 teachers. And so in
8 order to move forward with the teachers that we
9 currently have I submitted that request to continue
10 with the 1240 until the expiration in 20-21.

11 DR. HERNANDEZ: So, on the waiver that we're
12 talking about now, just in trying to effectuate our
13 plan and get prepped for next year as far as making
14 sure people are clear when they sign contracts next
15 year, we have plans to issue early contracts. That
16 way, early -- sometime after Christmas break, when
17 they start coming back, trying to get that timeline
18 down to where we let people know, you know, coming
19 back, but when you do it's under the waiver from this
20 law. So that's the -- that would be a key issue for
21 us.

22 DR. HILL: You said after Christmas or before
23 Christmas?

24 DR. HERNANDEZ: After.

25 DR. HILL: Okay.

1 CHAIRMAN BARTH: Ms. Dean?

2 MS. DEAN: No questions.

3 CHAIRMAN BARTH: All right. Ms. Zook, anything?
4 Mr. Williamson? Dr. Moore?

5 DR. MOORE: I do. I think we all agree that
6 teachers are the -- one of the single most important
7 factors for a student. These teachers that would be
8 under this new contract that you're proposing, Dr.
9 Hernandez, they would still be under the teacher
10 evaluation system and support system. Is that
11 correct?

12 DR. HERNANDEZ: They would. And we would
13 immediately after this -- in the early Spring
14 semester, we would bring back a policy and put in
15 place that would be approved by the Commissioner,
16 since he's acting in lieu of the board, that has a
17 due process place in there to where they still have
18 representation. It just truncates that timeline
19 quite a bit. And so that's the plan that he would
20 see is how to address that due process issue.

21 DR. MOORE: Good. And it's good to hear that
22 you all are working with other districts -- the other
23 districts in Jefferson County to address the lack of
24 teachers --

25 DR. HERNANDEZ: Right.

1 DR. MOORE: -- and --

2 DR. HERNANDEZ: And, you know --

3 DR. MOORE: -- retention issues.

4 DR. HERNANDEZ: Again, that it's not a -- you
5 know -- to be used as a -- I know we've heard
6 different terms, but not to be a wholesale type
7 change, but it's one of those things that's in place
8 knowing that we want to make sure to make decisions
9 that -- where they're needed to be, at whatever level
10 that is to be determined to be.

11 DR. MOORE: Thank you.

12 CHAIRMAN BARTH: Ms. House?

13 Okay. Well, then, Ms. Newton, anything?

14 MS. NEWTON: I'm okay.

15 CHAIRMAN BARTH: Okay. All right. So we have a
16 motion and a second. Are y'all ready to proceed to a
17 vote?

18 Ms. Newton.

19 MS. NEWTON: I'm listening to my buddy here,
20 helping me out a little bit. You know, I don't want
21 us to -- I'm praying for wisdom, the right words
22 right now. So, but anyway, the community of Pine
23 Bluff is hungry for change; the community of Pine
24 Bluff is hungry for their students to have the
25 opportunities that they deserve -- and I want that

1 for them too. And I believe that, as hard as it is,
2 sometimes the things that are best for students are
3 not always the best things for adults, that make
4 adults happy. But I don't want it to be that we have
5 deceived anyone at all, you know. And if we could
6 come back, even in a day or two, give everybody
7 opportunity -- you know, I think this is the right
8 thing to do, okay, and I'm completely fine with that.
9 But I -- you know, Dr. Hill has been in that
10 community and he -- we don't want to have that
11 community think that we are trying to just bulldoze
12 and -- do you understand what I'm saying? That we
13 want to do this the right way. And so, you know,
14 I'll go on the record and say if we were to vote
15 today I would have voted for it -- but I don't want
16 to deceive the community in any way, and I want to
17 give the public the time and opportunity to have a
18 voice. So, Dr. Hill --

19 DR. HILL: I mean, based on -- the last thing
20 the Board needs to be is like we're trying to deceive
21 someone. And I respect what you brought up to the
22 Board, Dr. Barth, and as Board Chair, especially. So
23 that's my thought that we should give the public a
24 chance to voice as community engagement, as we talk
25 -- because if we're promoting community engagement

1 but we don't engage the community, then we're
2 speaking out of both sides of our mouth.

3 CHAIRMAN BARTH: Okay. So is there any motion
4 along those lines, or do you just want to vote on
5 this motion?

6 DR. HILL: Can you give a motion within a
7 motion?

8 CHAIRMAN BARTH: Well, I'm going to bring Ms.
9 Freno up -- or ask Ms. Freno -- Ms. Hyatt.

10 MS. HYATT: Mary Claire Hyatt, Arkansas
11 Department of Education. So as long as you're being
12 very clear about what it is that you're doing in the
13 operating procedures that were adopted over the
14 summer, I think you can replace the motion as a
15 substitute motion; you'll just need to be very, very
16 clear that that's what you're doing. State the
17 motion before you vote. And then if that new motion
18 were to pass, that would make the original motion
19 irrelevant. Make sure that you note that on the
20 record.

21 CHAIRMAN BARTH: Okay.

22 MS. HYATT: Just very clear.

23 CHAIRMAN BARTH: So the -- and I don't want to
24 put words in anyone's mouth over here, but I'm
25 hearing a sentiment for delay. The proper motion

1 would be to table?

2 MS. HYATT: So --

3 CHAIRMAN BARTH: Or --

4 MS. HYATT: So you can go about this a couple of
5 different ways.

6 If you want to go ahead and vote on Mr.
7 Williamson's motion and see how it goes, and then
8 perhaps make a different motion, or not, depending on
9 the outcome, that's fine.

10 If you would rather make a motion to table it
11 until the next meeting or until a special meeting is
12 held, you can do that, as long as you're being clear
13 about what you're doing. And then address the
14 original motion that's on the floor after the
15 substitute motion.

16 CHAIRMAN BARTH: Okay.

17 MS. HYATT: Does that make sense?

18 MR. WILLIAMSON: Let me short-circuit this a
19 little bit. I move to table my previous motion until
20 we have a public hearing.

21 MS. NEWTON: Can we have the special meeting
22 next week maybe?

23 MS. ZOOK: Tuesday or Wednesday?

24 CHAIRMAN BARTH: We can have a special meeting.
25 We -- I will look to Ms. Freno in terms of public

1 notice, length of public notice.

2 MS. ZOOK: Most of the press is here.

3 CHAIRMAN BARTH: Forty-eight (48) hours -- is it
4 48? 24? Two.

5 MR. WILLIAMSON: Two hours.

6 CHAIRMAN BARTH: Two hours. Okay. I think
7 that's obviously in an emergency situation.

8 MS. ZOOK: So we can't -- could we do it
9 tomorrow?

10 DR. HILL: Tomorrow -- or is that not enough
11 time? Is tomorrow fair, I mean, Doctor --

12 MS. ZOOK: Is that enough notice?

13 MS. HYATT: So according to the operating
14 procedures, special meetings, the board members are
15 required to give 24 hours notice. But if you're all
16 here and you all agree to waive that 24 hours notice,
17 then that would be acceptable. In terms of notifying
18 anyone else, it's not the 24-hour. So in terms of
19 the operating procedures, that would be allowable
20 now.

21 MS. CHAMBERS: It probably doesn't work in
22 support though of the transparency we're trying to
23 provide folks that would want to participate.

24 If it's next week, if we are out of town can we
25 participate by phone?

1 CHAIRMAN BARTH: That is allowed under our
2 operating procedures, participation by phone.

3 MS. HYATT: That's correct, at the Chair's
4 discretion.

5 MS. ZOOK: If we can get the phone to work --
6 get the phone to work.

7 CHAIRMAN BARTH: Yeah. All right. So just to
8 where we are, Mr. -- okay. So you have tabled your
9 motion until a later meeting, either a special
10 meeting --

11 MR. WILLIAMSON: Or otherwise.

12 CHAIRMAN BARTH: -- or otherwise. Okay. Ms.
13 Zook was the second on that. You agree to that?

14 MS. ZOOK: Uh-huh.

15 CHAIRMAN BARTH: Okay.

16 MS. HYATT: May I make a request?

17 CHAIRMAN BARTH: Yes.

18 MS. HYATT: Rather than tabling your motion,
19 which would mean you would bring the motion
20 immediately back up, could we --

21 MR. WILLIAMSON: Would you like me to rescind it
22 or --

23 MR. HYATT: -- withdraw the motion and table the
24 agenda item for the next meeting?

25 MR. WILLIAMSON: I don't have a problem with

1 that at all.

2 MS. HYATT: Does that -- I mean, is that -- I
3 just want to make sure you're clear on the difference
4 between the two, so --

5 MR. WILLIAMSON: Sure.

6 CHAIRMAN BARTH: Okay.

7 MS. CHAMBERS: Is the next meeting you're
8 referring to a called meeting or --

9 MS. ZOOK: Yes.

10 MS. CHAMBERS: -- the next regularly scheduled?

11 MS. HYATT: Whichever meeting you decide to hear
12 this agenda item. But if you -- if he tables his
13 motion, what would happen is that whenever you hear
14 the agenda item that motion would still be on the
15 floor. If, instead, the motion is rescinded or
16 withdrawn and the agenda item is tabled, then you
17 would pick the agenda item back up without a motion.

18 COMMISSIONER KEY: And the agenda item covers
19 the 1240 waiver?

20 CHAIRMAN BARTH: It's the entire item 12.

21 MS. ZOOK: Okay.

22 CHAIRMAN BARTH: Okay. So that's y'all's --
23 that's the motion on the floor?

24 MS. ZOOK: Right.

25 MR. WILLIAMSON: Yes.

1 CHAIRMAN BARTH: Okay. Is to rescind that --
2 he's just rescinded it, so we don't need to vote on
3 that. Right?

4 MS. HYATT: That's correct.

5 CHAIRMAN BARTH: It's just pulled. There is no
6 motion on the floor at this point.

7 Now we would need a motion to delay
8 consideration of this agenda item?

9 MS. HYATT: Yes. And since it is on the agenda
10 as 12 and 12(a), and the 1240 is separated, if you
11 wanted to, just do the one part tabled and then hear
12 the 1240 today, since the documents were uploaded.
13 That's fine. If you want to do it all together,
14 that's fine too. It's just up to you guys.

15 CHAIRMAN BARTH: Okay.

16 MS. ZOOK: I don't know where this came from,
17 but I just got a thing on this phone that says "I'm
18 not sure y'all can delay." It says, "Failure of
19 Agency to act action by injured party." I don't
20 know. I'm not a lawyer. In any case, "A rule-making
21 adjudication, if any agency shall unlawfully,
22 unreasonably, or capriciously follow or refuse or
23 delay to act, any person who considers them-self or
24 herself injured" la-da-da-da. So I don't know if
25 y'all want to look at this and see if it's got any

1 bearing on this? I don't know. And I have no idea
2 why it was sent to me -- and I don't know.

3 CHAIRMAN BARTH: Okay. Well, I think we have --
4 we don't have a motion on the floor. I think the
5 question is we need some motion to deal with this
6 item, either the first part of 12 or the entirety of
7 12.

8 MS. ZOOK: I move that we vote on the (a) part
9 of 12 on the 1240 waiver. And then I'll have a
10 follow-up motion.

11 CHAIRMAN BARTH: Can we do it the other way?
12 Well, I mean, they're in order.

13 MS. ZOOK: Okay. I move that we have a special
14 meeting on Tuesday, the 18th to consider -- am I --
15 you know, somebody help me here. I don't want to
16 just keep wording things and everybody going no.

17 MS. HYATT: I think you're on the right track.

18 CHAIRMAN BARTH: Yeah. Okay.

19 MS. ZOOK: Okay. I move that we have a special
20 meeting on the 18th. I know that the Charter
21 Authorizing Panel is meeting that day in this room.
22 I think it's in this room. So we might have to meet
23 in --

24 CHAIRMAN BARTH: I think the problem is that
25 takes a lot of staff who are --

1 MS. ZOOK: Okay. We could meet -- is Reggie
2 here? How long do you expect that meeting to last?
3 Oh, Kelly.

4 MS. McLAUGHLIN: It will be most of the day.

5 MS. ZOOK: Okay.

6 MS. HYATT: And it will be all day Tuesday and
7 Wednesday.

8 MS. ZOOK: Okay. Then, how about the 20th?
9 That's Thursday, a week from today.

10 MS. NEWTON: Could we do it Monday?

11 MS. ZOOK: I can't do it Monday.

12 MS. NEWTON: Okay.

13 MS. McFETRIDGE: I still want to make sure --

14 MS. ZOOK: If I'm going to make the motion, I'm
15 not going to make it for Monday because I can't be
16 here.

17 CHAIRMAN BARTH: Ms. McFetridge.

18 MS. McFETRIDGE: Well, and I still --

19 MS. ZOOK: And I can't come in --

20 MS. McFETRIDGE: -- want to make sure that we
21 give the community a chance to review and give us
22 some feedback on it.

23 MS. ZOOK: So that'll be a week.

24 MS. NEWTON: That will be a week.

25 MS. McFETRIDGE: Okay. I thought you said

1 Monday, so --

2 MS. ZOOK: Well, no. They said Monday. I
3 didn't say Monday.

4 Okay. I move that we have the special meeting
5 on Thursday, the 20th, to consider the first part of
6 item 12 relative to Pine Bluff School District.

7 CHAIRMAN BARTH: 10:00 a.m. for those who wish
8 to drive? Is that appropriate? Is that okay?

9 Okay.

10 MR. WILLIAMSON: Second.

11 CHAIRMAN BARTH: All right. So we have a motion
12 for a special meeting on the 20th to consider the
13 first portion of item 12.

14 All those in favor of that say "aye."

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRMAN BARTH: Opposed, same sign.

17 Okay. All right.

18 a) DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT
19 CHARTERS: PINE BLUFF SCHOOL DISTRICT

20 CHAIRMAN BARTH: We are now down to 12(a) and
21 this is -- Ms. McLaughlin.

22 MS. McLAUGHLIN: Okay. I feel like you've
23 already heard quite a bit about this, but we do have
24 Pine Bluff School District here for Teacher Licensure
25 waivers. Their 90 days expires on February 10, 2019.

1 They have requested for three years, ending June 30,
2 2021, which is when their other previously approved
3 Teacher Licensure waivers will end. The purpose of
4 today's request is solely due to the closing of the
5 open-enrollment charter school Quest Academy in Pine
6 Bluff.

7 And we have Dr. Owoh, superintendent of Pine
8 Bluff Schools here.

9 CHAIRMAN BARTH: All right. Dr. Owoh, you've
10 already spoken to this but you do have up to 20
11 minutes, according to our operating procedures. You
12 do not have to take it.

13 DR. OWOH: Jeremy Owoh. I have no further
14 comments.

15 CHAIRMAN BARTH: Thank you.

16 All right.

17 DR. HERNANDEZ: I want to make sure I know --
18 the idea there for the three years I thought was we
19 were asking for this under Level 5 and not the
20 charter process.

21 MS. ZOOK: Right.

22 DR. HERNANDEZ: Is that --

23 MS. ZOOK: So it's not timed.

24 DR. HERNANDEZ: That was my -- that way, it's
25 not timed. So I don't know. I just wanted to make

1 sure that that part is clear. That's why we moved
2 it. So it's not -- we're not officially asking for
3 an Act 1240 waiver; it's asking for it under Level 5,
4 waiver of Teacher Licensure.

5 CHAIRMAN BARTH: It's listed as an Act 1240
6 waiver on the agenda.

7 DR. HERNANDEZ: And that's why we moved it down
8 to the act -- to the Level 5 Pine Bluff section.

9 CHAIRMAN BARTH: I'm sorry, Dr. Hernandez.
10 That's the way it's shown on the agenda, as an Act
11 1240.

12 DR. HERNANDEZ: Okay.

13 CHAIRMAN BARTH: I mean, I'm -- you understand
14 the confusion.

15 DR. HERNANDEZ: No. Yeah, I definitely
16 understand.

17 CHAIRMAN BARTH: Thank you.

18 Do you have a recommendation? Are you -- is Dr.
19 Owoh -- are you withdrawing this request?

20 SUPT. OWOH: No, sir.

21 CHAIRMAN BARTH: Okay.

22 MS. McLAUGHLIN: This waiver came from the
23 Charter Office recommendation because of the closure
24 of the open-enrollment --

25 CHAIRMAN BARTH: Okay.

1 MS. McLAUGHLIN: -- charter school. So in order
2 for them to -- for the school district to effectuate
3 their Teacher Licensure waivers --

4 CHAIRMAN BARTH: Right. Just like the case
5 earlier today.

6 MS. McLAUGHLIN: Just like the case earlier.

7 CHAIRMAN BARTH: Yeah.

8 MS. McLAUGHLIN: It's totally the same.

9 CHAIRMAN BARTH: I totally get it, but I was
10 just confused in terms of what the request is now.

11 MS. McLAUGHLIN: It is an Act 1240 waiver that
12 he needs.

13 CHAIRMAN BARTH: Okay. Dr. Moore?

14 DR. MOORE: Yeah, I do have questions. So
15 currently how many teachers are employed under the
16 Act 1240 waiver in the district?

17 SUPT. OWOH: Currently, we have 41 teachers
18 under the Act 1240 waiver.

19 DR. MOORE: Wow. And how long has the district
20 had this waiver?

21 SUPT. OWOH: This is -- we have -- it was a 5-
22 year waiver, and so we have it until 2021 -- so,
23 about two years.

24 DR. MOORE: Okay. And do you have data as to
25 how many of those teachers are on track to get their

1 license?

2 SUPT. OWOH: No. No, ma'am.

3 DR. MOORE: Okay.

4 SUPT. OWOH: Not with me.

5 DR. MOORE: Is that something y'all will be
6 looking at in the months to come?

7 SUPT. OWOH: We are. And in fact, as I
8 mentioned earlier, Melissa Jacks from ADE has been
9 meeting with our 1240 teachers to work out --

10 DR. MOORE: Good.

11 SUPT. OWOH: -- a licensure pathway. In fact,
12 many of the Act 1240 waiver teachers were in an
13 educational -- educator preparation program, but then
14 they were -- they decided to move into another
15 degree. So they've had the training, and so we're
16 looking at an alternative pathway that would meet
17 their needs so they could quickly obtain licensure.

18 DR. MOORE: Okay. That's great.

19 This is a process question for the Department, I
20 guess. Can we approve the Act 1240 waiver and then
21 next week also consider it under the authorities of
22 Level 5, or would that be unnecessary to do both?

23 CHAIRMAN BARTH: Ms. McLaughlin, is that --

24 COMMISSIONER KEY: Yeah. I mean, I would just
25 say that if you have the waiver the only thing that

1 might be at issue is that it's still yet tied to a
2 charter. Under Act -- under Level 5 intensive
3 support, it's no longer attached to a charter; so if
4 the need arose at some point the District could come
5 back and ask for it under a -- under the Level 5
6 provisions.

7 DR. MOORE: Okay. But the State Board, under 6-
8 15-2916, can take action at any point in time under
9 Level 5 with any of those. Correct?

10 COMMISSIONER KEY: Yes. Correct.

11 DR. MOORE: Okay. Thank you.

12 CHAIRMAN BARTH: Okay. So this is -- everybody
13 clear on what's on the floor?

14 MS. CHAMBERS: No. Could somebody say it again,
15 please?

16 CHAIRMAN BARTH: Well, I guess we -- so this is
17 simply the Act 1240 waiver that is basically picking
18 up the existing Act 1240 waiver, changing the target
19 school, because the school that was the original
20 linkage is no longer in existence.

21 MS. CHAMBERS: For three years?

22 CHAIRMAN BARTH: For three years, which it was a
23 five-year waiver. It's been in effect two years;
24 this would continue it the final three years.

25 MS. McLAUGHLIN: The expiration date will be the

1 same as all of the rest of the school districts'
2 Teacher Licensure waivers.

3 MS. NEWTON: But if at some point in the future,
4 maybe at the end of that three years, because they're
5 under Level 5, if they needed to continue that, then
6 they -- we could continue it at that time. Correct?

7 CHAIRMAN BARTH: Correct.

8 MS. NEWTON: Okay.

9 CHAIRMAN BARTH: All right. Any -- okay. Do we
10 have a motion?

11 MS. CHAMBERS: So moved.

12 CHAIRMAN BARTH: Okay. To -- okay.

13 MS. CHAMBERS: To that.

14 CHAIRMAN BARTH: All right. Motion by Ms.
15 Chambers. Is there a second?

16 MS. DEAN: Second.

17 CHAIRMAN BARTH: And second. Okay.

18 All those in favor of the continuation of this
19 Act 1240 waiver please say "aye."

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN BARTH: Opposed, same sign.

22 All right. Okay.

23 B-13: CONSIDERATION OF LEGISLATIVE REPORT: LITTLE ROCK SCHOOL
24 DISTRICT

25 CHAIRMAN BARTH: We are down to item 13. I know

1 that Little Rock -- what time is your meeting?

2 SUPT. POORE: 5:30.

3 CHAIRMAN BARTH: Okay. So there's a Community
4 Advisory Board Meeting in Little Rock at 5:30. I
5 need some -- can we take a 3-minute break? And Mr.
6 Poore and Commissioner and I can talk. Is that --
7 we'll try to figure out a good plan. So a 3- to 5-
8 minute break.

9 (BREAK: 4:57 - 5:04 P.M.)

10 CHAIRMAN BARTH: All right. We're back in
11 session. This is my recommendation for where we go
12 with the rest of these -- this item. We get Mr.
13 Poore -- Dr. Hernandez, the legislative report, get
14 it teed up to give Mr. Poore time to make any
15 comments he would like to make about it. We then get
16 on the table those issues that board members would
17 like to have the Board address related to Little Rock
18 under the Act 930 powers, under the Level 5 powers.
19 Because Mr. Poore and everybody else from LRSD needs
20 to be at a very important public meeting where some
21 important issues are being discussed, we do not take
22 action on those things today. We do, however, give
23 -- because you will know what issues are teed up --
24 we give those folks who are here, who wish to give
25 public comment on Item 14, give them that opportunity

1 to do so today or to delay until the special meeting
2 where we might take any action related to these items
3 as well -- but there will be greater clarity about
4 what those issues are. If folks want to delay their
5 comments until that time, they would also be -- that
6 would be good as well.

7 That's kind of my game plan in terms of -- or my
8 suggestion in terms of balancing these competing
9 interests of being true to these folks who've sat
10 here all day and who want -- who need to have their
11 public comments known; getting greater public
12 information about where this board might be headed in
13 terms of some of these decisions, but doing that in a
14 way that is a little more -- we'll have a little more
15 relaxed thoughtful time to do so.

16 Is this -- everybody okay with this general
17 direction? Any major objections here?

18 Okay. Dr. Hernandez, take it away.

19 And so folks who are here who have signed up for
20 public comment, be thinking about whether you wish to
21 give your public comment today or whether you wish to
22 hold until a future date.

23 DR. HERNANDEZ: Okay. Again, we're -- same
24 structure as the report for Little Rock School
25 District. You'll see there that under the Quarter 2

1 District Support Plan Update that's where the new
2 plan has been updated, along with any activities and
3 things that -- they've put several artifacts in there
4 kind of showing their work process and how they've
5 done. Towards the bottom -- somebody's phone --
6 towards the bottom you'll see all the different
7 highlighted or bold places, and some of them have
8 links, and that shows how our team has worked with
9 the Little Rock team over several -- the past several
10 months and some of the work we've been doing in all
11 of the various systems.

12 And so I won't belabor it any longer. If you
13 have questions, I'll be happy to answer those. And
14 Mr. Poore is here to also answer any questions.

15 CHAIRMAN BARTH: All right. Mr. Poore, thank
16 you.

17 SUPT. POORE: Thank you very much. I appreciate
18 the opportunity to address all of you tonight. It's
19 tonight now, I think. And I appreciate the support
20 of the Commissioner and Assistant Commissioner
21 Pfeffer, Dr. Hernandez, and also Stacy Smith who has
22 been -- all those people have been a really big help
23 to Little Rock, you know, during my tenure. But it
24 seems like we've gotten a whole lot better at it, to
25 be honest with you, in this Fall semester in terms of

1 the support and the work that we're all doing
2 together.

3 So I don't know whose phone this is, but it's
4 buzzing.

5 The thing that I would also share is I'm pleased
6 with my team and the work that we've done to start
7 our school year.

8 I have sent my deputy superintendents down to
9 the Community Advisory Board meeting. And, you know,
10 I just want you to know we don't schedule the Little
11 Rock School Board meetings on your day, other than
12 Christmas because we have to bump up to try to get
13 that in. And so that's where the conflict came in
14 for today, and I apologize.

15 I do have with me Dr. Perkins and Dr. Henry and
16 Dr. McCarroll and then Robert Robinson from our HR
17 team here to assist me. And they're going to pass
18 out a couple of things that we'll put into your hands
19 right now.

20 (COURT REPORTER'S NOTE: The following books
21 were passed out to board members: "Learning by Doing,
22 a Handbook for Professional Learning Communities at
23 Work" (Third Edition) and "The Restorative Practices
24 Handbook for Teachers, Disciplinarians, and
25 Administrators;" also, the "LRSD 2018 Community

1 Report."

2 SUPT. POORE: But I guess the first thing that I
3 want to share with you is that I kind of look at this
4 and, you know, I look at just time as a factor in
5 terms of what we're doing. And, you know, I think
6 that everything that you've all heard today, and then
7 even within the Little Rock report, is a sense of
8 urgency in terms of what we do to try to move forward
9 to impact achievement. And I actually feel like
10 that's prevalent throughout our community to try to
11 impact achievement and have students whether it's at
12 grade level or whether it's getting a year's worth of
13 growth, being 3rd grade readers, being comfortable
14 with who they are, or having local control come back.
15 All those factors are a part of Little Rock right
16 now. And there's a great deal of support that's
17 happening again from the State Department, but also
18 from our community. I think I've shared this with
19 you before: last year we had -- or, excuse me -- my
20 first year \$19 million of volunteer hours; last year,
21 \$27 million. And I think we're ready to go break
22 that again in terms of just support coming in to us.

23 I look at my tenure and if I've -- one thing
24 that I can beat myself up on -- I want to share
25 publicly -- is not moving to MAP sooner, Measures of

1 Academic Progress by NWEA. I've used that product
2 for a big chunk of my career. I used it in Colorado
3 Springs, I used it in Bentonville and brought it to
4 Bentonville -- and I was reluctant to bring it into
5 Little Rock until this year. And the reason for that
6 was that online assessments in Little Rock -- we're
7 just going into our third online assessment. So it
8 was such a dramatic new thing that I felt like we
9 needed to have that opportunity to use ACT Aspire
10 interim assessments during my first two years. That
11 may have been a strategic mistake because one of the
12 things -- you know, and I'm not really going in order
13 of my report; I'm kind of freewheeling a little bit
14 -- because I think that data drives so many things in
15 terms of our actions and the things that we have to
16 reach out for support. And we did not have the
17 appropriate data in my first years. Yes, we had data
18 such as attendance, we had data in terms of
19 discipline records -- and those things really do
20 matter; they're very important in a district like
21 ours. But our academic achievement data wasn't near
22 as rich as it should've been, other than the big
23 summative assessment at the end of the year using the
24 final ACT.

25 I can tell you right now that what's going on in

1 our community -- and it combines all three of the
2 major goals that are a part of the first part of my
3 report: the PLC initiatives that we're working on,
4 the work to do -- professional development, and the
5 data report. But math is a game-changer. Many of
6 you have been in this game for a long time. When was
7 the last time you heard a high school educator and
8 principal say that they're moving English teachers
9 around to better meet the needs of kids and they're
10 not just stuck in one classroom? I've never
11 personally heard that. We have elementary principals
12 that have changed their schedule around immediately
13 at the start of this year, after they got their first
14 data results back for math, to say, "Houston, we have
15 a problem." We've got to do more. We're going to
16 have to be more intentional and restructure their
17 time so that there's greater blocks for intervention
18 and support to students.

19 We have interactions going on within our
20 principal groups through our Central Office staff
21 that has educators, principals, and teachers coming
22 in to Professional Learning Communities based on
23 groupings of performance and sharing strategies that
24 they're using to try to engage students, engage
25 parents, and have better performance in terms of

1 teachers interacting. We've done a really fabulous
2 job of getting Solution Tree involved -- and, you
3 know, that's in many ways all on the Little Rock
4 School District and this group of people that made
5 that happen. We didn't get the grant from the State.
6 Okay. We didn't get any of our schools to get into
7 the PLC grant. But we didn't say no to that because
8 we know it's the right work, and we applaud the State
9 for going in that direction -- and then we went and
10 created our own.

11 So we have Solution Tree that has come in and we
12 actually feel like that's money that's being freed
13 up, that's coming in right now in the 10-03. And we
14 have a good chunk of change that's coming in that
15 will impact some of our schools that most need it.
16 We're going to be able to expand Solution Tree.
17 We'll also be able to expand the work of -- that we
18 do with Marzano in the high-reliability schools.
19 That started at Hall High School and now will
20 transition into some of our other high schools, we
21 believe. Those are things that are kind of being
22 worked on.

23 So in some ways it probably does an injustice
24 tonight to shorten my report and just say that's
25 about it, but that's probably about it because -- but

1 I want to applaud my staff and I want to applaud our
2 teachers and our principals right now because there's
3 things that are going on in our district that are
4 really pretty awesome.

5 And the other thing that I'm really proud of is
6 we've really moved forward on two other things that
7 are really critical that fit into each one of these
8 main big boxes, and that is we've really worked on
9 trying to establish the culture of support that will
10 allow us to be better at dealing with students that
11 have some sort of challenge that then can lead to
12 behavior issues. So we've gotten restorative justice
13 training that's occurred through our schools. We've
14 expanded the restorative justice model that's a part
15 of Tendogi [ps] and we've done PBIS training in our
16 district.

17 The other thing that I would share that we've
18 done that's another game-changer is project-based
19 learning. And if you follow us on social media,
20 you'll see that project-based learning is exploding
21 in the district, and I'm very, very proud of that,
22 whether it's with our One District/One Book effort or
23 with people doing things that are maker-spaces in
24 their school environments. We have kids thinking and
25 doing and working and collaborating, and staff there

1 with them, and I think those things are all game-
2 changers.

3 My final comment, and then open it up to
4 questions you have, is I can't wait for MAP to come
5 out -- winter MAP. We are finishing up our testing
6 this week, all the make-up and everything. So we
7 will have those results right after Christmas, and I
8 can't wait to see them -- and I'm going to be hurt if
9 it doesn't show growth because I think we're doing
10 the right work.

11 And the one thing I will leave you with before
12 you address your questions -- when you think about
13 reform in an urban environment, there's nothing
14 really that you can go do that's just dramatic, eye-
15 catching, one action that can go shift and change
16 everything. It's about doing the right work over and
17 over and over again. And it's really not that
18 complex. It's getting people to work together in
19 professional learning environments; it's giving them
20 and providing them data that allows them to do good
21 work; and then knowing the professional development
22 that comes from that, because you find out through
23 the conversations and the data what needs to happen.

24 I'm sorry; I did forget one more thing.
25 Professional development -- reading is critical --

1 and I know this board, that's what you're all about,
2 because if we don't have people ready to read at 3rd
3 grade we're in trouble. Well, I hope that you would
4 say that our RISE efforts -- we have been super-
5 aggressive on that. We have -- all K5 schools now
6 have some form of RISE training. We can go into
7 depth -- more depth on that, if you want to ask. And
8 we have all of our 6th grade English teachers also
9 having received RISE this year. So I think we're
10 probably one of the most aggressive districts in that
11 in the state.

12 Thank you, Dr. Barth.

13 SUPT. POORE: All right. I'll turn -- I'll
14 start over here. Ms. McFetridge, do you have
15 questions?

16 MS. MCFETRIDGE: I don't know if I have a
17 question, but just a comment on your MAP -- and I
18 appreciate that. I saw what it did in Springdale --
19 and you're probably getting tired of hearing me talk
20 about Springdale. But our principals got onboard
21 right away; the teachers were excited about being
22 able to see those results almost instantly. Oh, my
23 gosh -- what a difference it made in that district
24 when they went to MAP testing. So I applaud you on
25 that. I hope it works. I hope it works. I don't

1 know how it can't really.

2 SUPT. POORE: I agree. Thank you.

3 CHAIRMAN BARTH: All right. Ms. Newton, either
4 comments or questions?

5 MS. NEWTON: Thank you for coming and being
6 patient with us today. We appreciate that.

7 My question is -- and it comes from a statement
8 that was in your report and was something Dr. Wilde
9 had said earlier. One of the things that was in your
10 report, it says, "Although we gained the knowledge in
11 theory, this knowledge did not translate into
12 practice," you know. And I know, you know, all the
13 initiatives -- the PLCs, RISE, and all of those -- if
14 we -- if our teachers go to those trainings but then
15 go back to the classroom and we do the same things
16 we've always done, we're not going to expect MAP to
17 be better; we're not going to expect things to
18 change. So how are we going to make sure that when
19 we do go to those trainings that we come back and we
20 implement what we've been taught is the best thing
21 for kids?

22 SUPT. POORE: Dr. Perkins has really helped lead
23 that charge as our Chief Academic Officer in doing
24 instructional walks with her team, to go into the
25 classrooms to make sure that -- so we're doing -- we

1 have a much more structured system of monitoring
2 within our Central Office group to go into those
3 classrooms. We've actually got additional help from
4 Stacy Smith from Arkansas Department of Education
5 who's also done some of those walks with Dr. Perkins
6 and her team. So we are trying to monitor that to
7 see whether or not -- because we're getting really
8 positive feedback from the RISE trainers and even
9 from the State Department, saying, "Your people seem
10 to really be engaged."

11 But you're right, you have to go back and -- a
12 board member that is on our Community Advisory Board,
13 you know, she hears about MAP and RISE and a lot of
14 other trainings -- Melody Fox -- and she'll say, "You
15 know, I've gone down this road before" -- and MAP --
16 before MAP it was something called SOAR and, you know
17 -- but I -- the one thing that I'll share, I think
18 there's a thing about consistency -- a consistency of
19 leadership and consistency of approach -- that I'm
20 not sure always was there. And I can't totally speak
21 to that because this is just my third year. But when
22 you have so many superintendents coming and going and
23 -- you know, those things created kind of a dynamic
24 of, you know, you could have different systems and
25 flavors being brought in at different times. I think

1 that hampered some things in terms of sustainability
2 in previous times. And we're benefitting from a team
3 that's really been together now for three years.
4 And, again, I'm going to be really disappointed if we
5 don't have some results come out of this January
6 assessment.

7 CHAIRMAN BARTH: Dr. Hill?

8 DR. HILL: No. Good job.

9 MS. CHAMBERS: Just in the interest of time --
10 thank you.

11 CHAIRMAN BARTH: Ms. Zook.

12 MS. ZOOK: Good report. Thank you.

13 Under your Goal 2, when I read this it doesn't
14 appear that it's been updated because you still have
15 listed Brent Miller as working on that, and he has
16 been the principal at Crestwood Elementary in North
17 Little Rock since August. So those kinds of things
18 frustrate me as I read this report. So when I read
19 that, right or not -- probably not, because you're
20 competent people -- when I read those kind of things
21 I worry that you are still -- or your staff is just
22 filling out a report, not actually using the report.

23 And also under -- when you talk about the
24 evidence and outcome, you have listed the evidence,
25 like you're going to show your minutes of your

1 meeting, but you haven't listed any outcomes or any
2 hoped-for outcomes.

3 So those are the kind of things -- you sat here
4 today and listened to Dollarway and you listened to
5 Earle, and, you know, that's more along the lines --
6 I'm not saying the exact form, but that's more along
7 the lines of easy-read, clear that I'm hoping, you
8 know, to find.

9 And I noticed that you listed Ms. Stout as the
10 Orton-Gillingham trainer. Is she a certified trainer
11 in that program?

12 SUPT. POORE: Dr. Perkins.

13 DR. PERKINS: Good afternoon, President Barth
14 and Commissioner Key. So Ms. Stout --

15 CHAIRMAN BARTH: And if you'd just identify
16 yourself for the record.

17 DR. PERKINS: Oh, thank you.

18 CHAIRMAN BARTH: Thank you.

19 DR. PERKINS: Veronica Perkins. I serve as
20 Chief Academic Officer for Little Rock School
21 District. And Ms. Stout is a -- she has been through
22 the training; however, we use IMSE as our primary
23 deliverer of that training. So while she does
24 oversee the training, certified individuals from IMSE
25 come in and do our training.

1 MS. ZOOK: At every meeting?

2 DR. PERKINS: At every meeting.

3 MS. ZOOK: Okay. Okay. And we got down and we
4 were talking about we can get trained but are we
5 applying it. And I've gotten the feedback from
6 people from the Department that have been there that
7 said there are several classrooms where they've been
8 through the training but they're not implementing.
9 So I know that you can't be in 40 schools all the
10 time, but -- so are your principals not instructional
11 leaders enough to make sure that it's happening?
12 What's the disconnect there?

13 SUPT. POORE: A couple of things. One is I do
14 believe that our principals are instructional
15 leaders, and I do believe that they are also in the
16 midst of getting their training for RISE this year.
17 So they're on the learning process as well. And so
18 when we come back from a meeting, whether it was with
19 Ms. Smith and Dr. Perkins or Dr. Perkins and her
20 team, the principals are included in those meetings
21 and they're a part of listening, hearing, and seeing
22 here are the disconnects or here's the celebrations
23 that are taking place. So, you know, we are trying
24 to build their, you know, knowledge up, both through
25 professional development as well as in their

1 participation in these kind of meetings.

2 MS. ZOOK: Okay. And when you do your needs
3 assessment --

4 SUPT. POORE: Can I have her --

5 MS. ZOOK: Oh, sorry.

6 DR. PERKINS: May I also address that?

7 MS. ZOOK: Yes.

8 DR. PERKINS: We are being very intentional
9 about making sure we engage our principals and
10 instructional leaders. So you'll see under our --
11 one of the actions for PLCs, we conducted quarterly
12 meetings with our principals and specific team
13 members from their individual schools where we're
14 coming in and we're modeling what that PLC should
15 actually look like. So we took them just this past
16 month, all secondary and elementary leaders -- we
17 took them through a PLC piece where we focused on our
18 NWEA MAP data because we do want to build their
19 capacity.

20 MS. ZOOK: Right.

21 DR. PERKINS: But you're right; this piece
22 around making sure that we are monitoring what we
23 expect, we are continuing to say that to our
24 principals, to our instructional facilitators. All
25 those individuals are expected that you have to go

1 out into those classrooms and inspect what it is you
2 expect. We know that there is a knowing/doing gap;
3 so while we might know it, we might go through the
4 training, we don't always implement. But we've been
5 very intentional.

6 Another piece that we're using also is our
7 pieces of EdReflect that -- we are doing
8 observations, going in, talking to principals about
9 the number of informal observations or formal
10 observations that they've done. We've asked them to
11 tell us what kind of reflective feedback it is that
12 they're giving to their teachers -- are you
13 identifying those domains, especially in domains to
14 building the culture or the environment; and three,
15 especially instruction domain three. We're having
16 those conversations with our leaders in a much more
17 targeted and intentional way.

18 MS. ZOOK: Okay. And when you do your needs
19 assessment with your schools, are they saying they
20 need what you-all are bringing them? Are they saying
21 "we need Kool-Aid and you're bringing us water?"

22 SUPT. POORE: Well, that kind of goes back into
23 a discussion that we had with all of you last Spring
24 and then in the Summer again, you know, of how, you
25 know, this is new for people that have been used to

1 using templates to create school improvement plans
2 through the old ACSIP. And so, you know, this is a
3 whole new ballgame and new opportunity. And, you
4 know, what we're seeing through the environments that
5 Dr. Perkins just shared, in terms of Professional
6 Learning Communities, is they're changing their own
7 school improvement plans, as they either get data
8 back or they interact with their peers, to either add
9 or improve. So it's becoming living documents, and
10 those living documents really do align well with what
11 our district improvement plan is.

12 MS. ZOOK: Thank you. That's all.

13 CHAIRMAN BARTH: Great. Mr. Williamson? Dr.
14 Moore?

15 DR. MOORE: Just along those same lines. Since
16 y'all have been doing the RISE training, has the
17 reading curriculum for the district changed or is it
18 the same?

19 SUPT. POORE: It's a good question. It has not
20 changed at the elementary level. The secondary did
21 get new resources this year; so we do have a
22 different curriculum that was brought in. And
23 remember, a curriculum for reading, there's not one
24 magic answer there. There has to be sound practice
25 and professional development brought in so that you

1 can fill in the gaps and make sure that we're doing
2 the science of reading each and every day.

3 DR. MOORE: Okay. So at the --

4 DR. PERKINS: May I answer that just a moment,
5 please?

6 DR. MOORE: Uh-huh.

7 DR. PERKINS: So also what's very important to
8 know here is that we did make sure we adopted a
9 resource that would align itself, Decoding Power, to
10 align itself with phonics and phonological awareness.
11 We are also going through right now the adoption
12 process for a new resource for, in fact, pre-K4
13 through 5. And so we'll determine what kinds of
14 changes need to be made to the curriculum once the
15 new resource is adopted.

16 DR. MOORE: Okay. Thank you.

17 CHAIRMAN BARTH: Ms. House, anything?

18 MS. HOUSE: No.

19 CHAIRMAN BARTH: Okay. Any other comments or
20 questions?

21 Ms. Zook.

22 MS. ZOOK: No. But you can excuse them, but for
23 transparency I was wanting to talk about some things
24 that I will want in addition to the number 14. I can
25 do it on this one or I can do it on 14. But there

1 will be some things I bring up.

2 CHAIRMAN BARTH: Either one. Okay.

3 So why don't we go ahead and accept your report
4 if --

5 SUPT. POORE: Can I just say one other thing?

6 CHAIRMAN BARTH: Yeah.

7 SUPT. POORE: You do have a document here that's
8 also -- that goes above and beyond in terms of a
9 community report. Obviously, the rules have changed
10 on that. You all are aware that that just has to be
11 on your website. We go -- try to go above and beyond
12 that to share, you know, a real or reality of not
13 only where we're at but what are some of our
14 challenges and some of our celebrations. And this is
15 also available online as well. It's a product that's
16 produced by Pam Smith and many others to put it all
17 together, and it's a really good product.

18 MS. ZOOK: I know --

19 CHAIRMAN BARTH: Ms. Dean wants to make --

20 MS. DEAN: I meant to say this earlier, but I
21 just wanted to thank you and Pam Smith for the
22 involvement in our community and family engagement
23 stakeholder -- that whole process. Pam Smith was a
24 great asset to the whole process, and I appreciate
25 all the work that the people at the District did to

1 help us along with that. Thank you.

2 SUPT. POORE: It was a really good process --

3 MS. DEAN: Yes.

4 SUPT. POORE: -- to help and support. Thank
5 you.

6 MS. DEAN: You're welcome.

7 CHAIRMAN BARTH: Ms. Zook.

8 MS. ZOOK: Yes. And I know that, based on your
9 press conference the other day and the information
10 that came up and your timeline, you were going to
11 present to your CAB tonight and then ask them for a
12 vote, and then a presentation to the Commissioner.
13 In light of some of the things I'm going to have on
14 the agenda next Thursday, you might want to delay
15 that vote.

16 SUPT. POORE: Okay. And I may have to learn
17 that all from the Commissioner because I'm going to
18 take off right now. We did delay already the vote on
19 taking action tonight because we have some Community
20 Advisory Board -- we were going to be at a bare
21 minimum of four.

22 MS. ZOOK: Okay.

23 SUPT. POORE: And that really was not going to
24 be -- it's a quorum, but it doesn't feel right in
25 terms of taking action. So we were going to delay

1 the vote until Tuesday when we could have a larger
2 group in.

3 But I also want to point out that our process --
4 okay, we have been working with a community and we
5 have been working now since September in terms of
6 release of the concept -- five community meetings we
7 have had. We've captured all those things. You can
8 all look at those on the website. This is actually
9 in our fourth goal. We've captured all the meetings
10 on the website. We've captured the notes the parents
11 and families gave us. We then held a survey that
12 people got to participate in. And now we're into the
13 next phase, which is another release of my
14 recommendations in a community forum tonight to allow
15 people to participate and share out, and then we will
16 have a vote. And then we have another survey that's
17 supposed to come out tonight after the CAB meeting to
18 give another chance for people to be involved with
19 giving input. So we have been very, very thorough on
20 our form of community engagement, which I'm very
21 proud of.

22 CHAIRMAN BARTH: All right. Yeah, Commissioner.

23 COMMISSIONER KEY: Before you leave, Mike -- I
24 bragged on everybody else, but if you left and I
25 didn't brag on you, I'd feel bad -- just to say, you

1 know, there have been some big things this year that
2 we're -- big lists. The conversion to eSchool has --
3 we finally smoothed things out there and I think
4 things are going much better with that. I won't
5 rehash community input, what you're getting ready to
6 do tonight, but I think there's some power in that.
7 So anyway -- and to the rest of your team that's here
8 and those that had to leave I just express my
9 appreciation for all your hard work. Thank you.

10 SUPT. POORE: Thank you.

11 CHAIRMAN BARTH: Great. All right.

12 So I would invite a motion to accept this
13 report.

14 MS. CHAMBERS: Move to approve.

15 CHAIRMAN BARTH: Motion by --

16 MS. DEAN: Second.

17 CHAIRMAN BARTH: Motion by Ms. Chambers, second
18 by Ms. Dean.

19 All in favor say "aye."

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN BARTH: Opposed, same sign.

22 Thank you all for being here.

23 B-14: CONSIDERATION OF WAIVER OF EDUCATION-RELATED LAWS IN THE
24 LITTLE ROCK SCHOOL DISTRICT

25 CHAIRMAN BARTH: I will -- we'll then go down to

1 Item 14. Obviously, as was noted earlier, because
2 Little Rock is on Level 5, a district -- the State
3 Board's powers are broad in this arena. And I
4 understand Ms. Zook wants to present some concepts
5 that she wishes for the Board to consider.

6 MS. ZOOK: Now it's my understanding that all of
7 this will be on next Thursday as well?

8 CHAIRMAN BARTH: That would be my -- yeah.

9 MS. ZOOK: Yeah. Because even though a small
10 percent of the community was aware of the wording of
11 the Fair Dismissal, they weren't -- the whole
12 community was not.

13 CHAIRMAN BARTH: Correct.

14 MS. ZOOK: Okay. So -- and y'all may want to
15 write this down because it's stuff. But as a Level 5
16 district, there are certain things that the State
17 Board has responsibilities to do that haven't
18 happened quickly, in keeping with what Pine Bluff is
19 trying to do to act quickly. You know, we started in
20 the process of looking at intervening in Little Rock
21 under one Governor, and then we have another one; we
22 started under one Commissioner, and then we have
23 another one; we started with one Superintendent, and
24 now we have another one. So a lot of the things that
25 might have happened quicker and might -- we might be

1 seeing a quicker turnaround on, some of these things
2 sort of got pushed away because we didn't want to get
3 in the way of the, you know, the Superintendent and
4 the new Commissioner about, you know, how we wanted
5 this done. And so we thought, well, maybe left to
6 his own devices that the Superintendent would see
7 these as things that were done and that, in my
8 opinion, directly affects student learning.

9 So under 6-15-2902(4)(a), it says if the local
10 government fails, the state must compel" the District
11 to do; (b) says, "allowing state intervention to
12 occur if the local government chronically fails to
13 meet the burden in spite of the" student -- according
14 to the student assessment.

15 6-15-209(4) says, "Assesses whether all children
16 have equitable access to excellent educators."

17 6-15-2914(2)(d) says, "Other criteria the State
18 Board determines appropriate, like feeder patterns,
19 graduation rate, growth calculations, other
20 indicators of school success."

21 These are things we have authority over as a
22 State Board:

23 6-15-2915, Accommodations for Level 5 districts.

24 6-15-2916, The State Board of Education's
25 authority over a district classified in need of Level

1 5, (1) "conduct an analysis of all district systems."

2 I'll move to do so, specifically to Little Rock
3 special ed. So what I'm wanting to do is have the
4 Department of Education -- and I will make these
5 motions next Thursday -- do a thorough and complete
6 analysis of the entire special education department
7 in the Little Rock School District and also the
8 application and whether or not they are with fidelity
9 and consistently taking care of the children
10 screening with regard to dyslexia, and whether or not
11 that in fact is being done.

12 I'm also going to ask that the Finance
13 Department at the Department of Education do a
14 complete analysis when that data is available; I know
15 Little Rock is converting over. Because I
16 consistently get reports from teachers that they
17 believe some schools get more money and other schools
18 get less money, and some teachers get more money and
19 some don't. So, you know, I want to look at that so
20 we're dealing with, you know, actual data. That
21 would fall under 6-15-2916, the State Board's
22 authority over a district classified in Level 5
23 intensive support.

24 Under (k) -- under (g) and (h), I will want to
25 have curriculum-based standards to adopt and

1 implement a literacy curriculum based on the science
2 of reading, and that the ADE Division of Learning
3 Services develop an implementation process to insure
4 alignment with academic standards, science of
5 reading, and the RISE initiative.

6 Under (k) of that same section it says, "Take
7 any other necessary and proper action." I will be
8 making a motion with regard to complete restructuring
9 of Central Office to eliminate some positions, to add
10 some positions. And I will ask the Superintendent
11 and Dr. Hernandez and Dr. Pfeffer to work with him on
12 that and then bring something back to see if the
13 Board -- what they think about it and recommend to
14 the Commissioner or not.

15 And then with regard to two schools -- in
16 particular Hall High School look in terms of
17 reconstituting that. And before when we recon -- or
18 when Forest Heights was reconstituted the teachers
19 there who were not retained stayed in the system.
20 And so if that principal did not think that they were
21 qualified to be in that school they wound up in
22 somebody else's school, and I don't think that that
23 is an effective way for a district to improve. So
24 I'll be wanting to look at that too, and then talk in
25 terms of the reconstituting, whether it's a STEM, a

1 conversion charter, you know, a high-reliability
2 school. You know, we can talk through that as a
3 board or we can have maybe Dr. Roberts, who's the
4 principal there, and Dr. McNulty, out at Henderson
5 who's a feeder pattern, and Amy -- what's her --
6 Cooper over at Forest Heights work with -- the three
7 of them come to us with some sort of recommendation.

8 And then at Pinnacle View, we -- I think in the
9 plan he's presenting he's talking about adding 9th
10 grade for next year. And then I want to be sure that
11 we assure families that if you have done successfully
12 what Judge Marshall said was probably the most
13 tapestry accurate school in the entire district
14 relative to the town, then I think we should consider
15 that a success. And it worked for 6th, 7th, 8th --
16 and moving to 9th and then moving to 10th and 11th.
17 Because we said we would not do anything specific
18 until Southwest was being built, which it is, so that
19 we have a school that meets the needs of the whole
20 community.

21 I was encouraged by the election of our new
22 mayor, and he was talking about bringing the
23 community together. And I think that all of these
24 kinds of things will bring the community together so
25 it doesn't look like, oh, we're going to take care of

1 the east side but not the north side, or we're going
2 to take care of the north side but not the south side
3 -- but everybody will get a quality education and
4 hopefully choose Little Rock School District over any
5 other options. I know I have friends who are working
6 in some of the private schools and, you know, like
7 80% of those kids are having to be tutored after
8 school. Well, you know, maybe those people would
9 come back or maybe people in the charters would come
10 back, you know. But let's make Little Rock School
11 District the school district that -- when I started
12 to work in the Little Rock School District, it was
13 like ideal; it was like the place to be. It was like
14 the place that as a student teacher you just -- you
15 know, you knew you had to have really good grades and
16 really good experience in order to get to student
17 teach here -- and I think it can be that again. And
18 I think if we work together and do the things that we
19 can have the initiative to do -- and, according to
20 the State, the Supreme Court -- the responsibility to
21 do as a state, I think these can happen.

22 So to be totally transparent, those kinds of
23 things I'll be coming forth with the motions. And I
24 really believe had we done all of these things from
25 the beginning we would not have to ask for the Fair

1 Dismissal -- but we didn't and time is of the
2 essence. And so more than likely -- but if I do make
3 the motion for the removal of that, it will be for
4 all staff. It won't be for just teachers in D and F
5 schools. It will be for teachers in all the schools;
6 it will be for classified staff in all the schools;
7 it will be for administrators in all the schools.
8 So, there again, we are applying equal to everyone --
9 and, you know, as an educator it gives me pause and
10 pain. But I don't know whether or not -- you know --
11 when we intervened in Little Rock, 50 -- 62% -- not
12 counting professional development, 62% of the
13 teachers were chronically absent. At least that's
14 improved; it's now 52%. But 52%, when you have kids
15 who are also having absent problems, mostly the ones
16 who don't read well or mostly the ones who have to
17 get a kid ready to work -- or go to school and all of
18 this -- if the child isn't there part of the time and
19 the teacher is not there a lot of the time, then that
20 could be like 30 or 40 or 50 days of a 178-day year
21 when nobody is learning anything. Because God bless
22 people who were willing to substitute teach, but a
23 lot of people -- I don't mean -- yeah -- who are
24 willing to substitute. But often if you don't
25 substitute behind a really well-organized teacher you

1 don't get much done that day. And I want every --
2 each -- the Milliken winner down in Kingsland said
3 "each child, every day." And when schools are being
4 measured 50% at the elementary level on growth -- and
5 that is only "did I as an individual make the
6 progress that I've been expected to make based on
7 what I've done in the past." This is not measuring a
8 poor child or a rich child or anybody against anybody
9 else; it's just this child. And if he made six
10 months progress last year, we should make sure he
11 makes six -- I think seven or eight months progress,
12 if he's ever going to catch up. So I don't know if
13 chronic absenteeism can be included in part of the
14 evaluation process or if it is a part of the
15 evaluation process or the contract. But we have got
16 to do everything within our power to make teachers
17 want to come to work and to make sure that if they
18 don't come to work that they understand what it is
19 that -- what kind of damage that does to a child.

20 So, that's -- I wanted to be as transparent as I
21 could about the kind of things that I will -- I'm
22 concerned about.

23 CHAIRMAN BARTH: Okay. Thank you.

24 Are there any questions or comments on those
25 items at this point? Obviously, things that will be

1 discussed and debated later on.

2 And so my plan -- so we don't have to take
3 action on -- Ms. Freno, can we just not take action
4 on 14 for now? Do we need to have an action that
5 puts it at a date-certain? Or Ms. Hyatt, either one,
6 whoever. Ms. Freno.

7 MS. FRENO: Lori Freno, Department of Education.
8 Dr. Barth, I think you should take the same action, I
9 mean, consistent -- you should table -- take a vote
10 to table, consistently with what you did with the
11 Pine Bluff School District.

12 CHAIRMAN BARTH: Okay. All right. And -- but
13 that would not lock us in on any specific motions at
14 that meeting, but the topics would be on the table.
15 Is that correct?

16 MS. FRENO: The topics would be on the table.

17 CHAIRMAN BARTH: Okay.

18 MS. FRENO: You could discuss whatever you want.

19 CHAIRMAN BARTH: Okay. All right. Okay.

20 Any questions on that? Ms. Dean?

21 PUBLIC COMMENT

22 Okay. All right. So we are down to -- we are
23 to public comment on 14. Again, as I said earlier,
24 if folks wish to pass at this point and do public
25 comment at a later date, that would be appropriate.

1 Or you can have up to three minutes at this point.

2 Is that -- everybody good on that?

3 Okay. First up, LaTonya Boston Webb. Thanks
4 for being here all day.

5 LaTONYA BOSTON WEBB

6 MS. WEBB: Good evening. Thank you.

7 CHAIRMAN BARTH: Yeah.

8 MS. WEBB: I'm a parent, and I thank you for the
9 opportunity for being here. But for the sake of time
10 -- I was going to share my thoughts first, but my
11 daughter texted me. She really wanted to be here
12 today, and she had finals, so she was not able to.
13 She attends Hall, which is considered an F school.

14 I'm trying not to get very emotional here.

15 They kind of see you guys as bullies, the
16 students, just FYI, for your information, due to the
17 fact that there's no elected school board, there is
18 no to little accountability or transparency to myself
19 and other parents in the community. And because of
20 our advisory board that is in place -- they have no
21 authority to act on the matters here -- the only
22 option for me as a parent, as I stand here today for
23 my daughter and her future -- this is kind of the
24 only option we have. A lot of us are very unaware of
25 what's going on; so we don't have the opportunity to

1 be where we need to be because we're not aware.

2 With that being said, my daughter is a sophomore
3 at Hall. She has a 3.75 GPA. She takes all AP
4 classes. Our current situation, and has been from
5 one district in Arkansas to the next, domestic
6 violence and abuse -- which I wanted to bring that up
7 because it causes a lot of things to happen in
8 families and homes. Regardless of what our
9 circumstances are or have been, her sanctuary, her
10 stability, her support has come from her teachers.
11 They go over and beyond their duties as far as she
12 just texts and calls them, whether it's picking her
13 up from school, dropping her off. I can't even name
14 the things that they do -- countless -- that you're
15 maybe aware, unaware, don't even care to know. My
16 concern with the decisions that you may make or may
17 not make is how that's going to affect her and her
18 cohorts. If it's not going to promote some type of
19 stability or something that's going to help them
20 overcome and improve as a district and their
21 teachers, then I really think that you need to table
22 or go back to what you are considering, because it
23 has affected them tremendously, greatly. It's
24 actually kind of horrifying.

25 But I will read briefly, if I have another 10

1 seconds or so, what she said. She introduced herself
2 as Jayden Lee, and she says, "I attend Hall High."
3 And we're new here in this district, by the way,
4 first year. "It's an F school. My teachers have
5 gone above and beyond their teacher duties. This
6 includes but doesn't -- but isn't limited to picking
7 me up and dropping me off, offering extra help over
8 the breaks, and even introducing me to friends that
9 can continue -- that I can continue to hang out with.
10 My teachers also try to do what is in my very best
11 interest, and I appreciate that. My teachers love to
12 communicate with my mom and make sure that she's
13 always updated. They have stepped out of the teacher
14 box and have definitely stepped out of their comfort
15 zone. They're always there for me and treat me like
16 their very own child. If this action is taken, I am
17 faced with the risk of losing my teachers, my
18 mentors, my stability and support, which I have for"
19 -- because she's there most of the day. "They
20 deserve to have security in their jobs. Most of them
21 have children and families of their own. As
22 unappreciated and underpaid as they are, teachers are
23 my rock stars. They work very hard every day to make
24 sure that I can go to college. I apologize for not
25 being able to be here today, but I had finals."

1 CHAIRMAN BARTH: Great. Thank you very much,
2 Ms. Webb.

3 Also I wanted to note that Senators Elliott and
4 Bond and Representative Tucker are here. They've
5 voiced a desire to have the rest of the public go
6 first before their -- any of their comments. And I
7 wanted to just note that because they were actually a
8 little higher on the list.

9 Next up: Amy Johnson.

10 AMY JOHNSON

11 MS. JOHNSON: Thank you, Board Members and
12 Commissioner Key, for allowing me this opportunity to
13 share with you my concerns. I'm here as the parent
14 of three girls who are in the Little Rock School
15 District that are in A performing schools. I
16 appreciate the complexity of the issues that you as
17 board members are facing in trying to do what's best
18 for the Little Rock School District, given its long
19 history of strife and given the disparities in
20 resources that are available to individual schools
21 around the district. So I appreciate where you are
22 and what it is that you're facing.

23 I also -- earlier, there was mention about a
24 concern about there being a lack of transparency and
25 distrust. And I will say that, as a parent who was

1 looking at this agenda in preparation for the
2 meeting, I was concerned and I felt a sense of
3 distrust. And I know that to the extent that you all
4 wish to foster that sense of trust and get the buy-in
5 from the community that those are the kinds of things
6 that do not lend themselves to the kind of
7 transparency that I as a parent feel like I should
8 have since my three girls are in the district.

9 I would say too that the lack of a locally
10 elected school board is also a concern, and what
11 appears to me to be a lack of meaningful progress and
12 improving school performance during the time that the
13 district has been under state control. These are the
14 things that have created, I believe, a sense of
15 distrust among parents and among teachers.

16 And I want to address specifically the Fair
17 Teacher Dismissal Act item that may end up coming
18 forward. I am deeply concerned about the pursuit of
19 the waiver of Fair Teacher Dismissal laws because I
20 think that will further foment distrust and it will
21 create a climate where our teachers feel exposed and
22 unsupported. And I will say even at Roberts
23 Elementary and Pinnacle View Middle School I would
24 get text messages, when the contract negotiations
25 were underway, where teachers were telling me about

1 how threatened they felt and about their willingness
2 to continue working for the school district. I think
3 we will see teacher turnover even in the A schools
4 that are in the school district -- and the high
5 turnover rates, of course, will create the kind of
6 instability that parents -- like the previous mother
7 who spoke talked about. That instability is not
8 conducive to a good learning environment.

9 More broadly, I'm just worried about the
10 trajectory of, you know, where we're heading with
11 placing the burden on our teachers to be completely
12 responsible for improving the performance of our
13 district. I'm concerned that we're looking at
14 holding out new facilities and the redistribution of
15 students throughout the district as the solutions
16 that are going to be the silver bullet to the problem
17 -- and I just don't feel that they are. Arkansas,
18 whether you realize it or not, is the highest in the
19 country in the incidents of adverse childhood
20 experiences.

21 (COURT REPORTER'S NOTE: The timer rings.)

22 MS. JOHNSON: These are things that affect
23 cognitive development that affect the ability of
24 children to learn and affect their behavior. And I
25 would love to see -- rather than us re-arranging the

1 deck chairs, I would love to see us pursue some
2 solutions that try to get to the root causes of some
3 of these issues. And I do not believe that Fair
4 Teacher Dismissal Act waivers is going to get where
5 we need to go. Thank you.

6 CHAIRMAN BARTH: Thank you.

7 Next up: Teresa Knapp Gordon.

8 TERESA KNAPP GORDON

9 MS. GORDON: I am going to hold my comments till
10 next week.

11 CHAIRMAN BARTH: Okay. Thank you.

12 Ali Noland.

13 ALI NOLAND

14 MS. NOLAND: Thank you. I am a mom of two very
15 young kids in Little Rock School District. My oldest
16 is in kindergarten right now, so we have our entire
17 career -- you know, education ahead of us. I am
18 concerned enough about this to sit here all day to be
19 able to talk to you about it. So I would like to
20 talk to you about the fact that as a mom, as a weekly
21 volunteer at Wakefield for the past two years, as a
22 property owner, and my husband is a small business
23 owner in Little Rock -- y'all talk about stakeholders
24 -- we are stakeholders. And I am asking you not to
25 waive Teacher Fair Dismissal because I think it is

1 going to make it harder for us to attract good
2 teachers in Little Rock. Teachers are not paid
3 enough, their job is challenging. We don't need to
4 then take away some small measure of due process and
5 job security and make it harder for us to compete
6 with surrounding districts to be able to attract good
7 teachers.

8 I would also say that the statute you pointed to
9 talks specifically about access to excellent
10 educators, and I just don't think that doing this
11 will attract excellent educators to come apply to
12 Little Rock School District.

13 I would also say that it would further erode
14 public trust. You've already heard that, and I won't
15 belabor the point. But this isn't coming from the
16 community, this isn't coming from people who live
17 here and have our futures and our children invested
18 in this process. And I would also add that we don't
19 understand -- at least I'm speaking for myself -- why
20 this particular -- the Teacher Dismissal requirement
21 works for other districts and is, you know, okay for
22 the rest of the state but is allegedly causing
23 specific problems in Little Rock School District.
24 The causation there hasn't really been made clear
25 about why that is linked to the problems that -- you

1 know, that are being asserted. So those are my
2 comments and I appreciate your time. Thank you.

3 CHAIRMAN BARTH: Thank you very much.

4 Now, Reverend Haley Jones.

5 REVEREND HALEY JONES

6 REV. JONES: Thank you to the Members of the
7 Board for your time. My name is Haley Jones and I'm
8 the pastor of Community Engagement -- we've heard
9 that word a lot here today -- at First Methodist
10 Church downtown Little Rock, just a few blocks from
11 -- up from here. But many of you have already heard
12 from me, once via email. But I'm standing in front
13 of you today to urge you to vote no on the waiver of
14 the Teacher Fair Dismissal Act that we expected to be
15 on the table -- and assume that it will be on the
16 table next week for Little Rock School District.

17 I stand here with many of my own parishioners
18 behind me, both literally and in emails to each of
19 you and from many conversations in our community.
20 This waiver is not a sufficient means for protecting
21 our students as you may think. The intention behind
22 this waiver to remove ineffective teachers at D and F
23 schools will only continue to create bigger gaps of
24 inequity in our district, and I lay that
25 responsibility right in front of you.

1 I know that you've each seen the numbers. The
2 makeup of our failing schools as measured by state
3 standards our majority low-income and minority
4 students. You've used a universal measure of success
5 without taking into consideration the personal,
6 emotional, and mental experience of the students
7 taking the assessment. Our low-income and minority
8 students are already at a disadvantage by the social
9 systems that we have set in place and continue to
10 perpetuate. The school building should be the place
11 where we begin to break the cycles and systems of
12 poverty and racism. We are not doing that.

13 Some of you say that this waiver will help
14 students by removing ineffective teachers. But I'm
15 here to give a comment that voting yes on this waiver
16 will not do what you think. The proposed solution
17 with this waiver is shortsighted; it's a shortsighted
18 decision to a much deeper problem in our district.

19 I urge you to look further into the horizon.
20 The struggle in our district cannot and should not be
21 placed in the hands of our teachers solely. Let's
22 have a conversation about academic resources,
23 facilities, and funding. There is by definition
24 educational inequity. That's the conversation that
25 we need to be having -- unequal distribution of

1 resources based on a grading system that is not
2 comprehensive. A student's experience should not
3 determine the adequacy and quality of the school and
4 thus, its teachers. That is certainly not fair to
5 the creative --

6 (COURT REPORTER'S NOTE: The timer rings.)

7 REV. JONES: -- innovative and well-equipped
8 community members that we are trying to cultivate in
9 our district. Your vote speaks volumes to what you
10 believe about educational equity. If you vote yes on
11 this waiver, you will only continue to marginalize
12 the poorest of our communities and not provide a
13 quality and equitable education. That is your duty.
14 Thank you.

15 CHAIRMAN BARTH: Thank you.

16 I think Ginny Blankenship -- is she -- I thought
17 I saw her leave.

18 Vicki Hatter.

19 VICKI HATTER

20 MS. HATTER: Good evening, everyone.

21 CHAIRMAN BARTH: Good evening.

22 MS. HATTER: I am Vicki Hatter. And today I'm
23 going to stand before you not as an education
24 advocate, but as a mom. I have a child at Parkview
25 who's a 9th grader, who is preparing for her semester

1 exams. I also have a son who was in the district and
2 he's older and he has promoted out.

3 What I want to talk to you guys about, we have
4 talked about or heard about community -- family and
5 community engagement. And we also adjusted our
6 agenda because of the meeting tonight with our
7 district that started at 5:30. And you guys praised
8 them for their community engagement and reaching out
9 to our parents -- right -- to us, to me. However, we
10 had less than a 24-hour notice of this meeting, and
11 so many of us will not be able to be there that would
12 typically be at these meetings. So, yes, they did
13 inform us, but they did not give us adequate time to
14 even prepare, knowing that it is semester exams,
15 knowing that there are assignments that are due at
16 this time of year. So I -- and I would say I do hope
17 that you guys extend more of a community notice,
18 family engagement -- right -- to our fellow parents
19 in Pine Bluff to insure that they have enough time to
20 travel here and to have their comments.

21 I want to speak about our teachers. All of my
22 daughter's teachers are certified. They have some of
23 the highest certifications, not only just licensed,
24 you know. Every year I look at my teachers' certifi
25 -- my daughter's teachers' certifications. And one

1 year there was a teacher at another school that did
2 not -- their certification lapsed, and it was my duty
3 to inform the principal. Well, that was taken care
4 of. I as a parent do not want my child taught by an
5 unlicensed and a person that is not highly certified.
6 I do not want my daughter or any of her friends or
7 fellow classmates, or her teachers or their fellow
8 teachers having anxiety about whether or not they're
9 going to lose their job because of a political gain
10 that, like, we are playing with our students and our
11 teachers. We have highly certified teachers right in
12 the Little Rock School District, and we are pushing a
13 lot of fear with parents to where they do not
14 understand what is going on with the district because
15 we are not being told exactly what's going on.
16 There's a lot of smoke screens. And we have a lot of
17 teachers that have anxiety about teaching but yet,
18 they go into a classroom -- they step on campus every
19 day to pour out their heart to give their best, to
20 educate our next engineers, educate our next SBE
21 members. And I expect you guys to vote like if our
22 children's lives depend on it, because it does. I do
23 not want -- and my fellow parents do not want -- our
24 teachers, licensed or --

25 (COURT REPORTER'S NOTE: The timer rings.)

1 MS. HATTER: -- certified or else dismissed
2 because of a political game. And to take this and
3 say that firing teachers that are ineffective, but
4 yet we do not have a list of those teachers that have
5 tried to be fired because -- because maybe there is
6 no list, or maybe it's just a theory, that's not okay
7 either. And it only takes -- is it 40 days, right,
8 to fire a teacher? -- 70 days. As long as the
9 principal is doing their job, documenting, and going
10 in the classroom and doing that instructional review,
11 then it can happen. So we don't need this to pass,
12 right, to get rid of bad teachers. Thank you.

13 CHAIRMAN BARTH: Thank you, Ms. Hatter.

14 Wendy Sheridan.

15 WENDY SHERIDAN

16 MS. SHERIDAN: Good evening.

17 CHAIRMAN BARTH: Good evening.

18 MS. SHERIDAN: Thank you for allowing me to
19 speak. I am a parent of two students in the Little
20 Rock School District. I have a kindergartner and a
21 2nd grader. Both of my children attend a wonderful
22 school in Little Rock School District, just like
23 every other school in Little Rock School District.
24 They have amazing teachers who are all highly
25 qualified and certified, go to countless trainings,

1 work collaboratively at all hours. I could drive by
2 that school right now and there are teachers in the
3 parking lot, just like every other school in this
4 district.

5 One of the things that -- I had a whole thing to
6 talk about. But when Ms. Zook brought up attendance,
7 I want to focus on that real quick. One of the
8 things that bothers me about talking about teachers'
9 attendance is we're not looking -- we're just looking
10 at that wholly as however many days they miss. So
11 that -- you did mention professional development; I
12 think you said that you were taking those days out of
13 your --

14 MS. ZOOK: Yes.

15 MS. SHERIDAN: Okay. But then we also need to
16 look at other things that people miss school for.
17 Specifically as a woman, and that most of our
18 teachers are women, they are protected by federal law
19 of FMLA to take time off to have children. And I
20 think that happens quite a bit in that it's not
21 necessarily fair that we're counting those absences
22 in. Also, I am not a teacher; I work in a different
23 field -- I'm perfectly able to take off my time off
24 and I'm not punished for taking off my earned time
25 off. And I don't think we should punish our teachers

1 for exercising their right to take off their time
2 off, whether that is for, lets say, having a baby,
3 taking care of a family member that is ill, maybe
4 they're ill, maybe they're dealing with a chronic
5 illness. I hate for us to punish people when they
6 are protected by federal law.

7 I also want to talk about recruitment. Another
8 parent mentioned on that. I am concerned about what
9 -- if we -- if you do vote to terminate Fair
10 Dismissal to -- for that waiver of what that will do
11 for recruitment for our teachers. We heard from
12 another district today who's having a terrible time
13 recruiting and they -- and then we'll have that
14 problem.

15 So those are my concerns. I think that's it.

16 I also want to point out that at our school
17 specifically I volunteer quite frequently -- I'm the
18 PTA president -- and our teachers are also
19 volunteering through the PTA. They don't have to do
20 that, and I appreciate that -- and I know that
21 teachers across this district are doing that as well.
22 Thank you.

23 CHAIRMAN BARTH: Thank you so much.

24 All right. We're down to Senator Bond.

25 SENATOR BOND: We're coming back.

1 CHAIRMAN BARTH: Okay. Senator Elliott?

2 SENATOR ELLIOTT: We'll come back.

3 CHAIRMAN BARTH: Representative Tucker?

4 REPRESENTATIVE TUCKER: Same.

5 CHAIRMAN BARTH: All right. We will see y'all
6 on -- next Thursday.

7 Okay. That is the end of public comment on that
8 item.

9 We are -- let's take a three-minute break
10 please, Chair's prerogative, and then we'll come back
11 up to finish our rules and we will be done for the
12 evening.

13 (BREAK: 6:08 - 6:15 P.M.)

14 CHAIRMAN BARTH: All right. It happened in my
15 brain but it didn't happen in reality. Apparently I
16 thought we had made a motion to table that item
17 officially; that did not happen. So I would invite a
18 motion to table that until the special meeting next
19 Thursday.

20 MS. DEAN: So moved.

21 CHAIRMAN BARTH: All right.

22 MS. NEWTON: Second.

23 CHAIRMAN BARTH: All right. Motion by Ms. Dean,
24 second by Ms. Newton.

25 All in favor say "aye."

1 (UNANIMOUS CHORUS OF AYES)

2 CHAIRMAN BARTH: Opposed, same sign.

3 Okay. So that is -- and just to be clear, that
4 meeting will begin at 10 a.m. You know, I don't know
5 exactly how long it will go. But I hope -- I hope we
6 now have the issues in our head and can be -- deal
7 with those issues in a thoughtful manner but also in
8 a timely manner. So that will be the story next
9 week.

10 B-1: CONSIDERATION FOR RELEASE FOR PUBLIC COMMENT: ADE RULES
11 GOVERNING THE SUCCEED SCHOLARSHIP PROGRAM

12 CHAIRMAN BARTH: We are back up to the Action
13 Agenda B, item 1, and Ms. Salas-Ford. This is a
14 release for public comment for the Succeed
15 Scholarship Program.

16 MS. SALAS-FORD: Good evening. Courtney Salas-
17 Ford for the Department. And we are requesting to
18 release for public comment the Succeed Scholarship
19 Program rules. It was necessary to amend these rules
20 to incorporate changes from Acts 327, 637, and Act
21 894 of 2017. And I will be happy to answer any
22 questions.

23 CHAIRMAN BARTH: Any questions on this side?

24 Any questions over here?

25 MS. ZOOK: I have a lot, so --

1 CHAIRMAN BARTH: Okay.

2 MS. ZOOK: Do you want to go to them first and
3 come back to me?

4 CHAIRMAN BARTH: Any others?

5 Okay. Yeah, Ms. Zook.

6 MS. ZOOK: Hi.

7 MS. SALAS-FORD: How are you?

8 MS. ZOOK: I'm fine. Okay. I have some and
9 I'll reference them by number so that -- off of the
10 mark-up draft.

11 MS. SALAS-FORD: Okay.

12 MS. ZOOK: The first one is 4.01.1.1.2.

13 MS. SALAS-FORD: Okay.

14 MS. ZOOK: And it talks about the superintendent
15 of the resident district.

16 MS. SALAS-FORD: Yes.

17 MS. ZOOK: Okay. I wonder -- because of school
18 choice, sometimes a student is not going to school in
19 their resident district; they're going to a school
20 they've choiced into, which is a nonresident
21 district.

22 MS. SALAS-FORD: Correct.

23 MS. ZOOK: So do we need to tweak that wording?

24 MS. SALAS-FORD: No. That wording comes
25 directly from the law. I can look and see exactly

1 which act it was, but it has to be the resident
2 superintendent. And so even if that student is not
3 attending their resident district it still has to be
4 that resident superintendent to grant the waiver.
5 And we have had cases in which that student has never
6 been in that resident school district -- but yet,
7 that's the superintendent that they had to go to to
8 ask the waiver from.

9 MS. ZOOK: Okay.

10 MS. SALAS-FORD: And just real quick, so that is
11 from Act 637.

12 MS. ZOOK: Okay. We had a case that came up
13 this year where the child was coming from a DHS pre-K
14 facility to a district as a kindergartner.

15 MS. SALAS-FORD: Yes.

16 MS. ZOOK: Now unless the law has changed, it's
17 the obligation of the district they go to to put them
18 in the least restrictive setting, which you have to
19 start with a regular classroom and then show why
20 that's not right and on up like that.

21 MS. SALAS-FORD: Uh-huh.

22 MS. ZOOK: So does that in any way affect or
23 apply to these children who come from a DHS center
24 into one of the Succeed schools?

25 MS. SALAS-FORD: Not sure if I understand the

1 question entirely. Those students that might be in
2 like a DDTCS, they still have the option to apply for
3 a Succeed Scholarship to go to a private school.
4 Again, it would be the resident school district, who
5 would technically be responsible under the law, who
6 would grant that waiver, if so needed.

7 MS. ZOOK: But they might not have an IEP.

8 MS. SALAS-FORD: If they were in a DDTCS
9 facility, they would have an IFSP, which is -- and
10 we've defined that in here "equivalent to an IEP."

11 MS. ZOOK: Okay. So that has changed.

12 MS. SALAS-FORD: Yes.

13 MS. ZOOK: Okay. Okay. Is -- was there any
14 effort made during legislation to change the
15 "severely" language? Because the Department defined
16 if you have an IEP, you qualify. But because the
17 law, federal and state, defines "severely" -- and
18 then under this law they use the word "severely" it's
19 like -- do we need to ask the legislature to adjust
20 that "severely" language to just say any student with
21 an IEP and take the "severely" out?

22 MS. SALAS-FORD: To my knowledge, there was no
23 bills introduced that attempted to define "severely."
24 And I can't say whether there would be any in this
25 upcoming session or not.

1 MS. ZOOK: Okay. Because it's -- you know, it's
2 confusing to parents. So anyway, okay.

3 5.02.1.3 --

4 MS. SALAS-FORD: Uh-huh. Yes.

5 MS. ZOOK: It says "another accrediting
6 association recognized by the State Board of
7 Education as providing service to the severely
8 disabled students," which is -- we now know is an
9 IEP, not --

10 MS. SALAS-FORD: Uh-huh.

11 MS. ZOOK: -- that. I think this four-year
12 allowance -- I mean, that is forever in most
13 children's life, but it is beyond forever in the life
14 of a handicapped child.

15 MS. SALAS-FORD: Uh-huh.

16 MS. ZOOK: Has there been any effort to say
17 within two years or when -- as opposed to four years
18 to get your accreditation? Because it doesn't take
19 four years to get accredited.

20 MS. SALAS-FORD: That -- again, that language
21 comes directly from Act 327. And from my
22 recollection, the four years was to allow them to
23 receive accreditation from a number of different
24 associations -- so whether it be Advanced Ed. or the
25 ANSAA, the Arkansas Nonpublic School Accrediting

1 Association. So different organizations have
2 different requirements and the maximum amount of time
3 that it could take a school was four years, and so I
4 believe that's why that language was included in the
5 Act. But, again, we just added the language directly
6 as it comes from the law that was passed.

7 MS. ZOOK: Yeah. I think -- anyway, I won't say
8 that.

9 Are the teachers in these schools required to
10 have a background check. If they're licensed in
11 Arkansas, I know they do. But if they're not
12 licensed and they're hired, do they have to have a
13 background check?

14 MS. SALAS-FORD: If they're not licensed, then
15 that would be up to the private school's own policy.
16 But our requirement for participation in the Succeed
17 Scholarship Program is that it be licensed teachers
18 for these students.

19 MS. ZOOK: Okay.

20 MS. SALAS-FORD: So the teachers at least
21 teaching these kids would have gone through a
22 background check.

23 MS. ZOOK: Okay. But it doesn't say that a
24 child -- that a teacher has to be employed by them;
25 it says they might contract. So if 15 kids go to

1 this school and they all get the Succeed Scholarship
2 and they only contract for a teacher for a couple of
3 hours a day, and there's no speech or OT or PT, that
4 -- you know, I recognize -- whether I agree or not, I
5 recognize that the parents are signing away their
6 rights of their child to have a free and appropriate
7 education.

8 But I guess what I wonder is when the
9 legislators are being asked to consider these things,
10 are we making an effort to educate them on what it is
11 they are voting -- I mean, all of the ramifications?

12 COMMISSIONER KEY: Yes. We try.

13 MS. ZOOK: Okay. That's all you can do. Okay.

14 And 6.01 -- I think it's just -- yeah, 6.01 --
15 let me get back up there. It says, "The parent or
16 guardian of a student participating in a Succeed
17 Scholarship shall select the private school." I
18 think the point I was trying to make is that ADE is
19 not recommending that -- and the way some of this is
20 worded it sounds like ADE is recommending that the
21 child go there as opposed to the parents choosing for
22 the child to go there.

23 MS. SALAS-FORD: Correct. This is an entirely
24 voluntary program and our listing of approved private
25 schools is not an endorsement or recommendation of

1 any school or that any student participate in that
2 school.

3 MS. ZOOK: Okay. Okay.

4 Now 6.02.1.1.2 --

5 MS. SALAS-FORD: Uh-huh.

6 MS. ZOOK: It says "request that the Department
7 approve the reinstatement or transfer," which is a
8 change from before.

9 MS. SALAS-FORD: Yes.

10 MS. ZOOK: Was that a substantive change? Did
11 you -- did the legislation change the wording?

12 MS. SALAS-FORD: That was not a legislative
13 change; that was strictly based on the number of
14 requests that came before the Board over the last
15 calendar year. And the time that it can often take
16 to get on the agenda and get to the Board, we felt
17 that it would be more expedient and more efficient if
18 it was a Department review and approval. But that is
19 strictly an internal change, not legislative.

20 MS. ZOOK: Okay. Well, I'm not going to argue
21 because now I don't have to feel guilty about how I
22 vote.

23 Okay. And 7.0 -- it's troubling that this was
24 written so the money goes to a third-party who then
25 pays the religious institution, because in charters

1 the law is very strict that you can't have a charter
2 that has a religious affiliation.

3 MS. SALAS-FORD: Uh-huh.

4 MS. ZOOK: I think I've stated this before, and
5 I'll state it again, it just looks like we were
6 manipulating the law. So that's all I'll say about
7 that. Okay.

8 (COURT REPORTER'S NOTE: Board Member Dr. Hill
9 left the meeting.)

10 MS. SALAS-FORD: And that is direct wording from
11 the law.

12 MS. ZOOK: Okay. 8.01, "The State Board of
13 Education shall adopt rules and develop notices and
14 other documentation necessary to administer the
15 Succeed Scholarship that are in the best interest of
16 children." Okay. Now go down to 9.02, "The
17 curriculum and education plan for a student with a
18 disability attending a private school is not subject
19 to the regulatory authority, the State Board of
20 Education." So how is it that we are responsible for
21 doing things in the best interest of a child when we
22 have no regulatory authority over the place they go?

23 CHAIRMAN BARTH: That section, again --

24 COMMISSIONER KEY: Here's how I would answer
25 that, Ms. Zook: that the State Board adopts rules

1 that are in the best interest of students, subject to
2 what's allowed in the law. And there's other
3 sections of code, there's other laws that don't give
4 us authority to -- you know, for oversight of private
5 schools. So we just don't have it -- assessment,
6 curriculum, anything like that for private schools.

7 MS. ZOOK: Then I would ask, if it's -- if it
8 was put in administratively and not by the --

9 MS. SALAS-FORD: No, that is straight from the
10 law.

11 MS. ZOOK: It is?

12 MS. SALAS-FORD: Both items are directly --

13 MS. ZOOK: So we can't take our-self out of
14 that?

15 COMMISSIONER KEY: No.

16 MS. SALAS-FORD: I could take it out of the
17 rules, but it would not take it out of law and so the
18 requirement would remain.

19 MS. ZOOK: Okay. That's all, Chairman.

20 CHAIRMAN BARTH: All right. Any other
21 questions?

22 Again, I remind the Board that they are welcome
23 to make public comment --

24 MS. SALAS-FORD: Absolutely.

25 CHAIRMAN BARTH: -- through the process.

1 And I would invite a motion to release this rule
2 for public comment.

3 MS. CHAMBERS: Move to release.

4 MS. DEAN: Second.

5 CHAIRMAN BARTH: Motion by Ms. Chambers, second
6 by Ms. Dean.

7 All in favor say "aye."

8 (UNANIMOUS CHORUS OF AYES)

9 CHAIRMAN BARTH: Opposed, same sign.
10 Great.

11 MS. SALAS-FORD: Thank you.

12 CHAIRMAN BARTH: Thank you.

13 B-2: CONSIDERATION FOR RELEASE FOR PUBLIC COMMENT: ADE RULES
14 GOVERNING CONCURRENT COLLEGE AND HIGH SCHOOL CREDIT FOR
15 STUDENTS WHO HAVE COMPLETED THE EIGHTH GRADE

16 CHAIRMAN BARTH: All right. Next up, Release
17 for Public Comment: Rules Governing Concurrent
18 College and High School Credit for Students. Welcome
19 Mr. Dugan for his first --

20 MR. DUGAN: Hey, thank you. Thank you.

21 CHAIRMAN BARTH: -- first visit to the --

22 MR. DUGAN: This is my first time in front of
23 you guys; so good evening. I had written on my
24 script good afternoon though.

25 Taylor Dugan, attorney for the Department. You

1 guys already have these in front of you. They are
2 the rules for concurrent credit for students that are
3 enrolled in a high school class and also college
4 class and would get credit for both of those. The
5 changes were made to these to incorporate Act 1118 of
6 2017, and so the Department respectfully requests
7 that this board approve these so we can release them
8 for public comment.

9 MS. ZOOK: So moved.

10 MS. NEWTON: Second.

11 CHAIRMAN BARTH: All right. Motion by Ms. Zook,
12 second by Ms. Newton.

13 All those in favor say "aye."

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRMAN BARTH: Opposed, same sign.

16 See, that was easy.

17 MR. DUGAN: Yeah. I hope they'll all be like
18 that.

19 CHAIRMAN BARTH: All right. Easier than Ms.
20 Hyatt's first.

21 B-3: CONSIDERATION FOR FINAL APPROVAL: ADE RULES GOVERNING
22 SCHOOL DISTRICT REQUIREMENTS FOR PERSONNEL POLICIES, SALARY
23 SCHEDULES, MINIMUM SALARIES, AND DOCUMENTS POSTED TO DISTRICT
24 WEBSITES

25 CHAIRMAN BARTH: All right. Next up is Final

1 Approval, Rules Governing School District
2 Requirements for Personnel Policies, et cetera.

3 MS. HYATT: Thank you. Mary Claire Hyatt,
4 Arkansas Department of Education. This is for
5 consideration for final approval of the ADE rules
6 governing school district requirements for personnel
7 policies, salary schedules, minimum salaries, and
8 documents posted to district websites, which would
9 now be called the ADE Rules Governing Documents
10 Posted to School District and Education Service
11 Cooperative Websites. No substantive changes were
12 made after the public comment period, and we just
13 request that you give final approval for these rules.

14 MS. ZOOK: And who checks this?

15 MS. HYATT: I'm sorry?

16 MS. ZOOK: Who checks this to be sure they've
17 done it?

18 MS. HYATT: So the Standards Unit does check on
19 the website for all the things that are listed in the
20 standards. In the new rule as it exists now, we
21 tried very hard to make a convenient list. If you go
22 through the code and through the standards, there are
23 a hundred and -- million different places where there
24 are website requirements, and they didn't exist in
25 one single rule. There were some in the rule as

1 existed before, and then others in other rules. So
2 now it will be a convenient place where all the
3 website requirements are, and a lot of them come from
4 the standards and are checked by the Standards Unit.

5 MS. ZOOK: Okay. Thank you.

6 CHAIRMAN BARTH: Great. Any other questions?

7 If not, I would entertain a motion for final
8 approval on this rule.

9 MS. NEWTON: Move final approval.

10 MS. McFETRIDGE: Second.

11 CHAIRMAN BARTH: Motion by Ms. Newton, second by
12 Ms. McFetridge.

13 All in favor say "aye."

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRMAN BARTH: Opposed, same sign.

16 Great.

17 B-6: CONSIDERATION FOR FINAL APPROVAL: ADE GUIDELINES FOR ARK.
18 CODE ANNOTATED 12-12-901 ET SEQ. "MEGAN'S LAW"

19 CHAIRMAN BARTH: Okay. We are now down to item
20 6 -- Ms. Dedman -- Final Approval on Arkansas Code
21 also known as "Megan's Law."

22 MS. DEDMAN: Yes. You'll see that this is
23 guidance, not a rule. These proposed --

24 CHAIRMAN BARTH: My phone is --

25 MS. DEDMAN: I'm sorry?

1 CHAIRMAN BARTH: Oh, my phone started talking to
2 me.

3 MS. ZOOK: He was talking to Siri.

4 CHAIRMAN BARTH: Siri was talking to me. Sorry,
5 Ms. Dedman.

6 MS. DEDMAN: No problem. These are guidelines,
7 rather than a rule. The change to the guidelines
8 incorporates Act 267 of 2017. There is a code
9 section that requires that the State Board give
10 approval to these guidelines. So I'm here to ask for
11 your approval and it will be final.

12 CHAIRMAN BARTH: Okay. All right. So these are
13 not a rule; these are guidelines, but required by
14 law. I'll entertain a motion, unless there are
15 questions. Ms. Moore.

16 DR. MOORE: What's the difference between a rule
17 and a guideline?

18 MS. DEDMAN: So rules have to be promulgated
19 pursuant to the APA, the Administrative Procedures
20 Act. These are -- these don't have the same
21 requirements as the rules under the Administrative
22 Procedures Act; they're merely guidance passed by the
23 Department. But if you look over at Arkansas Code
24 Annotated 12-12-913, it charges the State Board of
25 Education with the responsibility of passing these

1 guidelines for the disclosure of this information to
2 the school district staff. So the way that we did
3 it, in 2002, when these were last passed, was the
4 State Board gave their final approval and then we
5 released it through a Commissioner's Memo.

6 DR. MOORE: Okay. Thank you.

7 CHAIRMAN BARTH: So --

8 MS. ZOOK: That helps.

9 CHAIRMAN BARTH: So building on that, so it does
10 not go back to the -- through the rules -- the new
11 rules process at all?

12 MS. DEDMAN: It's not a rule, so it will not go
13 through the rules process.

14 CHAIRMAN BARTH: Okay. Excellent.

15 I'll entertain a motion for final approval of
16 these guidelines.

17 MS. McFETRIDGE: So moved.

18 MS. DEAN: I move to --

19 CHAIRMAN BARTH: All right. Motion by Ms.
20 McFetridge, second by Ms. Dean.

21 All in favor say "aye."

22 (UNANIMOUS CHORUS OF AYES)

23 CHAIRMAN BARTH: Opposed, same sign.

24 Okay.

25 B-7: CONSIDERATION FOR RELEASE FOR PUBLIC COMMENT: ADE RULES

1 GOVERNING NUTRITION AND PHYSICAL ACTIVITY STANDARDS AND BODY
2 MASS INDEX FOR AGE ASSESSMENT PROTOCOLS IN ARKANSAS PUBLIC
3 SCHOOLS

4 CHAIRMAN BARTH: Also Ms. Dedman, Public --
5 Release for Public Comment, Rules Governing Nutrition
6 and Physical Activity Standards.

7 MS. DEDMAN: Yes. These rules were altered to
8 remove outdated references to the ACSIP and to
9 resolving internal conflict in the rule. We just
10 respectfully request that they be approved for public
11 comment release.

12 MS. ZOOK: So moved.

13 MS. DEAN: Second.

14 CHAIRMAN BARTH: Motion by Ms. Zook, second by
15 Ms. Dean.

16 All in favor say "aye."

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIRMAN BARTH: Opposed, same sign.

19 Okay.

20 B-8: CONSIDERATION FOR FINAL APPROVAL: ADE RULES GOVERNING
21 FEDERAL PROGRAM COMPLAINT RESOLUTION

22 CHAIRMAN BARTH: And Ms. Dedman, ADE Rules
23 Governing Federal Program Complaint Resolution; this
24 is Final Approval.

25 MS. DEDMAN: Yes, sir. Changes to these rules

1 were necessary to incorporate a complaint process for
2 the participation of private school children and to
3 provide updated language, including references to
4 ESSA. These were approved for public comment on
5 October 11th. A public comment hearing was held and
6 the public comment period expired on November 19th.
7 There were comments received, but they did not result
8 in substantive changes. So at this time I'd ask you
9 to approve -- I'm sorry -- consider these for final
10 approval.

11 MS. ZOOK: Is there anything of note that we
12 need to be aware of or that we might've missed?
13 Because by the time we got to this point we were
14 indeed very tired.

15 MS. DEDMAN: I did receive a public comment from
16 the -- from Rebecca Miller-Rice at the Bureau of
17 Legislative Research. She pointed out in Section
18 4.01 that there was a miswording. It said "the
19 private school students" were to be treated
20 equitably. The miswording based on the law was
21 "private school or students." So that was the change
22 that was made. There was no change made to Section
23 4.06 based on the public comment you see before you
24 because that is -- in our opinion, that's for reasons
25 of due process; the school must know about the

1 complaint before it can move forward.

2 MS. ZOOK: Thank you.

3 CHAIRMAN BARTH: I'd entertain a motion for
4 final approval of this rule.

5 MS. NEWTON: Move final approval.

6 MS. CHAMBERS: Second.

7 CHAIRMAN BARTH: Motion by Ms. Newton, second by
8 Ms. Chambers.

9 All in favor say "aye."

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRMAN BARTH: Opposed, same sign.

12 All right. And then, finally -- thank you, Ms.
13 Dedman.

14 MS. DEDMAN: Thank you.

15 B-9: CONSIDERATION FOR FINAL APPROVAL: PROPOSED ADE RULES
16 GOVERNING DATA REPORTING, THE ARKANSAS PUBLIC SCHOOL COMPUTER
17 NETWORK, AND INFORMATION SYSTEMS -- AND REPEAL OF ADE RULES
18 GOVERNING THE ISSUANCE OF LOCAL EDUCATION AGENCY NUMBERS, ADE
19 RULES GOVERNING THE PROCESSES TO ENSURE THE QUALITY, SECURITY,
20 VALIDATION AND TIMELINESS OF PUBLIC SCHOOL DATA IN THE ARKANSAS
21 PUBLIC SCHOOL COMPUTER NETWORK, ADE RULES GOVERNING THE FINAL
22 CLOSE OF PUBLIC SCHOOL FINANCIAL RECORDS, AND ADE RULES
23 GOVERNING THE ARKANSAS EDUCATIONAL FINANCIAL ACCOUNTING AND
24 REPORTING SYSTEM AND ANNUAL TRAINING REQUIREMENTS

25 CHAIRMAN BARTH: Finally, Ms. Hyatt back with

1 final approval of the rules governing data reporting
2 in a variety of places.

3 MS. HYATT: Thank you. Mary Claire Hyatt,
4 Arkansas Department of Education. Consideration for
5 final approval of the new ADE rule governing data
6 reporting, the Arkansas Public School Computer
7 Network, and Information Systems -- and the repeal of
8 the four rules that are listed under that --

9 CHAIRMAN BARTH: Okay.

10 MS. HYATT: -- which I'll spare you me reading
11 them to you.

12 We combined all four of those rules into the new
13 one, as well as made the changes necessitated by
14 legislation from 2017. They went out for public
15 comment. No substantive changes were made. And we
16 ask that you give final approval.

17 CHAIRMAN BARTH: Thank you very much.

18 Is there a motion for final approval?

19 MS. MCFETRIDGE: Move for final approval.

20 MS. ZOOK: Second.

21 CHAIRMAN BARTH: All right. Motion by Ms.
22 McFetridge, second by Ms. Zook.

23 All in favor say "aye."

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRMAN BARTH: Opposed, same sign.

1 FINAL ISSUES/ADJOURNMENT

2 CHAIRMAN BARTH: We have reached the end of our
3 action agenda. Any new business?

4 Ms. Freno, I assume there's no other public
5 comment? Is there any other --

6 MS. FRENO: There are no further issues. Thank
7 you.

8 CHAIRMAN BARTH: Okay. Great.

9 All right. I'd entertain a motion to adjourn.

10 MS. CHAMBERS: So moved.

11 MS. DEAN: So moved.

12 CHAIRMAN BARTH: Motion by Ms. Chambers, second
13 by Ms. Dean.

14 All in favor say "aye."

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRMAN BARTH: Opposed, same sign.

17 I remind you we will return at 8 a.m., upstairs
18 in 201, for breakfast and a work session.

19
20
21 (The Meeting was concluded at 6:36 p.m.)
22
23
24
25

C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.
COUNTY OF SALINE)

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter and Notary Public before whom the foregoing proceedings was taken, do hereby certify that the same is a true and correct transcription before the Arkansas State Department of Education, State Board of Education, in Little Rock, Arkansas, on December 13, 2018, that the said proceedings was reduced to typewritten form by me or under my direction and supervision; and that the foregoing pages constitute a true and correct transcription of all proceedings had in said matter.

I FURTHER CERTIFY that I am neither counsel for, related to, nor employed by any of the parties to this action.

I FURTHER CERTIFY that I have no contract with any parties within this action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial agency, or that requires me to provide any service not made available to all parties to the action.

WITNESS, MY HAND AND SEAL, THIS DATE: December 26, 2018.

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

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