

**BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION**

**FEBRUARY 14, 2019
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
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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. MARY CLAIRE HYATT	ADE Attorney

LOCATION:

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Little Rock, AR 72201

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(Under Separate Cover)

A-2: HAAS HALL ACADEMY - ANNUAL REPORTING

EXHIBIT ONE (1)

Report by Carol Wilder, "The Handling of Students with IEPs and 504 Plans by Haas Hall"

EXHIBIT TWO (2)

Report by Elizabeth Lyon-Bailey, "Remarks in Response to 'Diversity and Partnership Report'"

A-3(a): DIERKS SCHOOL DISTRICT - WAIVER REQUEST

EXHIBIT ONE (1)

District Waiver Request Outline

A-4: PINE BLUFF LIGHTHOUSE ACADEMY - RENEWAL HEARING

EXHIBIT ONE (1)

ACT Aspire Interim Report

B-14: LRSD DYSLEXIA PROGRAM REPORT

EXHIBIT ONE (1)

"Dyslexia Audit Response," by Supt. Michael Poore

P R O C E E D I N G S

A-1: CONSIDERATION OF PETITION FOR MINIMUM SCHOOL DISTRICT
SIZE WAIVER - KIRBY SCHOOL DISTRICT

CHAIRMAN BARTH: We are down to our Action Agenda. The first item up is the Kirby School District Minimum School District Size waiver, an issue we saw last month as well.

Ms. Freno.

MS. FRENO: Thank you, Dr. Barth. Lori Freno, Department of Education.

As Dr. Barth mentioned last month, you saw two waiver requests for Minimum School District Sizes. School districts with fewer than 350 students, according to the ADM for the districts for the prior two years, must administratively consolidate or annex to another school district, unless they get this Minimum School Size waiver. We -- the ADE published a list of the school districts that were on the list on January -- or on December 6th, and one of them was Kirby. This is the second year that Kirby is coming before you to request a Minimum School District Size waiver. They also received one last year.

And basically the State Board shall grant a waiver -- shall grant the waiver if the school district demonstrates all those items that are set

1 forth in Arkansas Code Annotated 6-13-1613(B)(2)(a)
2 through (d). And I will run through those to just
3 give you -- to let you know, you know, what the ADE
4 through its investigation has concluded with regard
5 to whether they meet those or not.

6 Kirby has not been classified as in need of
7 intensive support, Level 5, nor has it been
8 classified as being in fiscal distress or facilities
9 distress. It is not on probationary status for a
10 violation of any standards for accreditation. The
11 school district facilities are adequate as evidenced
12 by the school district's facilities master plan. And
13 additionally, Brad Montgomery, who is the head of our
14 Facilities Division, went out last year and visited,
15 and his updated conversations -- has had updated
16 conversations with the district to confirm that the
17 facilities are in adequate condition. And the school
18 district's board of directors has issued a resolution
19 that supports this waiver.

20 And the superintendent of the school district is
21 here, Mr. Pike Palmer, and, of course, all ADE staff
22 is here in case any of you have any questions about
23 this.

24 CHAIRMAN BARTH: Okay. And does anybody need to
25 be sworn on this?

1 MS. FRENO: No, they do not.

2 CHAIRMAN BARTH: All right. Thank you.

3 Okay. Then I will start over to my right. Are
4 there -- do you have any questions about this issue?

5 Ms. Zook.

6 MS. ZOOK: They are at 361 currently; correct?

7 CHAIRMAN BARTH: Ms. --

8 SUPT. PALMER: Yes, that is correct.

9 CHAIRMAN BARTH: Okay. All right. Could you
10 come to the microphone and identify yourself for the
11 record just so we have --

12 SUPT. PALMER: Pike Palmer, superintendent,
13 Kirby School District.

14 Currently, we're at 358, but we average anywhere
15 between 362 to 357 right now for the -- so for our
16 first two quarters and going into this year, right
17 now, currently.

18 CHAIRMAN BARTH: Great. Thank you.

19 Further questions on this side?

20 Ms. Newton.

21 MS. NEWTON: Just a clarification question. If
22 they remain above 350, then their time period will
23 start over?

24 COMMISSIONER KEY: That's correct. If they --
25 their third-quarter ADM at any point that it's 350 or

1 above then that clock resets for that district.

2 CHAIRMAN BARTH: Dr. Hill, do you have anything?

3 DR. HILL: No.

4 MS. McFETRIDGE: They also have 18 pre-K, but we
5 can't count that in that number; is that correct?

6 COMMISSIONER KEY: That's correct.

7 MS. McFETRIDGE: Okay.

8 COMMISSIONER KEY: Pre-K does not count in the
9 ADM.

10 MS. McFETRIDGE: Okay.

11 COMMISSIONER KEY: But it counts in future ADM,
12 is what they're hoping.

13 SUPT. PALMER: Yes. Yes.

14 CHAIRMAN BARTH: All right. Any other
15 questions?

16 Then, thank you.

17 SUPT. PALMER: All right. Thank you.

18 CHAIRMAN BARTH: Then I would entertain a motion
19 to approve this waiver.

20 MS. NEWTON: Move to approve the waiver.

21 MS. McFETRIDGE: Second.

22 CHAIRMAN BARTH: Motion by Ms. Newton, second by
23 Ms. McFetridge.

24 All in favor say "aye."

25 (UNANIMOUS CHORUS OF AYES)

1 CHAIRMAN BARTH: Opposed, same sign.

2 I also failed to mention earlier Ms. Dean will
3 be a little late this morning. She -- but she is on
4 her way; she had some other business this morning.

5 **A-2: REQUESTED ANNUAL REPORTING FROM HAAS HALL ACADEMY**

6 CHAIRMAN BARTH: All right. The second item --
7 action item is an annual report from Haas Hall
8 Academy regarding diversity. And I will turn it over
9 to Reginald Ballard.

10 If you could, walk us through how we -- why --
11 how we are here?

12 MR. BALLARD: All right. So this is a request
13 on annual reporting for Haas Hall Academy.

14 On January 2004, and on the 12th day of that
15 month, the State Board of Education approved the
16 application for Haas Hall Academy. On October 15,
17 2014, the Charter Authorizing Panel approved the
18 application for Haas Hall Academy Bentonville. Both
19 charters are approved to serve students in grades 7-
20 12 with a total maximum enrollment of 2,000.
21 Representatives of Haas Hall Academy are appearing
22 before the State Board of Education to report on the
23 results of its diversity outreach efforts and student
24 enrollment demographics, as requested.

25 CHAIRMAN BARTH: All right. All right. And so

1 I'll turn it over to you guys for a report.

2 And thank you, Mr. Ballard.

3 And so take it away. If everyone will be sure
4 to identify themselves for the record?

5 MR. HENRY: Yes, sir. My name is Larry Henry.
6 Good morning. I'm the headmaster at the Haas Hall
7 Rogers campus.

8 DR. WITTENBERG: Good morning. I'm Dr. Rod
9 Wittenberg and I'm the headmaster at the Bentonville
10 campus.

11 MS. BENDURE: Good morning. I'm Jamie Bendure
12 and I'm the headmaster at the Springdale campus, at
13 the Jones Center.

14 MS. BARNETT: Good morning. My name is Kelly
15 Barnett; I'm the director of admissions at Haas Hall
16 Fayetteville.

17 CHAIRMAN BARTH: Great.

18 MR. HENRY: Thank you, Dr. Barth, Board, and Mr.
19 Commissioner. Thank you for having us.

20 CHAIRMAN BARTH: Would you pull that microphone
21 up?

22 MR. HENRY: Yeah. When you're 6'4" --

23 CHAIRMAN BARTH: We've got some varying sizes
24 here.

25 MR. HENRY: Yeah, yeah.

1 king, which shows that at Haas Hall kids who are
2 academic high-fliers are appreciated and lionized
3 even by their peers. Monday, by the way, Presidents'
4 Day for us is Mitchell Balayage Day. Mitchell is
5 another 36 ACT achiever who is at the campus
6 currently. So it's not just scholars who've gone on
7 to universities; it's also people on the campus now.

8 Our faculty -- we see faculty with advanced
9 degrees and previous work experience in their
10 respective fields. Our scholars carry 90-minute
11 courses a day, four of them a day. They're completed
12 by semester, not the calendar year, which adds 3.2
13 hours of instruction each week compared to a typical
14 school day, and we achieve an additional Carnegie
15 unit class by doing it this way. We offer a free
16 full and inclusive tutoring program four days a week
17 on all of our campuses, and the way that works is if
18 you have below a C --

19 I'm not sure if I'm still up high enough, Dr.
20 Barth?

21 CHAIRMAN BARTH: You're great.

22 MR. HENRY: If you have below a C in any of your
23 four courses you go to tutoring that's peer-to-peer.
24 Scholars on our campus who excel in different areas
25 will tutor you to help bring your grade up. We don't

1 give up on anybody. Everybody excels, and that's a
2 part of that mandate and that agenda and it's highly
3 successful. They're able to communicate with their
4 peers sometimes in ways that they may not feel like
5 they can communicate with others. And we bring
6 parents in for the discussion too.

7 We take the -- our scholars take the ACT or SAT
8 a minimum of once a year beginning in the 9th grade
9 and take review courses throughout the year. We're
10 setting up review courses on the Rogers campus. I
11 can speak for our campus -- even now, review courses
12 for the ACT and the Aspire on our campus as we speak.
13 You're required as a scholar at Haas Hall to take the
14 PSAT each year in grades 7 through 11. We review the
15 longitudinal data to confirm our curriculum is
16 exceeding our expectations. We are constantly
17 reviewing and analyzing where we can improve, which
18 sort of leads to the next one: we require our faculty
19 to review the AP and ACT Aspire data scores each
20 year, and our department heads submit a plan for
21 improvements in those areas when we do those testing
22 -- when we do the testing, but when we also do
23 preliminary testing to prepare for the Aspire, ACT
24 Aspire.

25 Our scholars take courses by academic ability,

1 not grade level, which insures their academic
2 schedule meets their academic needs and abilities.
3 And the only exception is English, which everybody
4 takes all year in every grade, and literature and one
5 year of composition. So you always have an English
6 class.

7 Our -- we personalize the scholar's academic
8 program to meet the needs of their intended college
9 major. We're having discussions all the time with
10 what they want to do at the collegiate level and even
11 a professional level so that we can craft and tailor
12 their academic agenda to what they want to do as they
13 move on. For instance, the example we used here, if
14 a scholar is aiming toward an engineering major we'll
15 prepare them so that they're ready for Calculus III.

16 So those are some of the highlights. And also
17 our uniforms, we do those for safety and unity
18 reasons. And so scholars will wear Haas Hall logo
19 shirts and jackets, and pants that are, you know,
20 khakis or blue or black pants.

21 So those are some of the highlights I wanted to
22 go over with you guys.

23 If you don't mind flipping over to page 18 real
24 quickly, I want to show you some of the demographic
25 data that we have compiled. Let me talk about the

1 Rogers campus, if I may; then my colleagues will talk
2 about their respective campuses.

3 At Rogers, our first year was last year at the
4 Lane Hotel in downtown Rogers. This is our second
5 year now; we're halfway into it. And we've got -- as
6 you can see by the numbers here, our Asian population
7 compared to the Rogers School District, our African
8 American population compared to the Rogers School
9 District -- both higher. Hispanic population, we're
10 at 13%; the district is at 45%. Native American/
11 Hawaiian/Pacific Islander, both at 1%. Two or more
12 we're at 8%; the Rogers district is at 2%. 69%
13 white, 48% in the Rogers School District. Our
14 ELL/ESL numbers are 4.3; Rogers School District is
15 32. Our free and reduced lunch is 12%, and they're
16 at 59%.

17 So if I may turn it over to Dr. Wittenberg to
18 talk about the numbers in Bentonville, I would
19 appreciate it. Thank you.

20 CHAIRMAN BARTH: Thank you.

21 MR. HENRY: Dr. Wittenberg.

22 DR. WITTENBERG: Good morning.

23 CHAIRMAN BARTH: Good morning.

24 DR. WITTENBERG: So as you guys are aware, we
25 opened our doors in August of 2015. We were the very

1 first expansion campus of Haas Hall Academy. We've
2 been really embraced by the Bentonville community and
3 that's reflected in our numbers, our enrollment
4 numbers, which have increased every year.

5 It's a lot of fun to watch -- our scholars not
6 only do they do amazing things in the classroom; they
7 do a lot of tremendous things out in the community.
8 And I think that can only help to bolster our
9 diversity, which is the focus of this report.

10 Again, like Mr. Henry, I would encourage you
11 guys to please -- if you look on page 19 of this
12 report, that's where our campus numbers are reported.
13 And across the board we compare very favorably with
14 those of Bentonville Public Schools; our numbers are
15 largely congruent with theirs. One notable exception
16 is that 34% of our scholars identify as non-white,
17 which is a 9% increase over Bentonville Public
18 Schools, and that's largely attributed to we have 14%
19 more Asian scholars -- or we have 14% Asian scholars,
20 whereas Bentonville School District has 6%.

21 You know, while these data would indicate that
22 we're off to a really good start, I think we can do
23 better. I know we can do better, and so I'm not
24 satisfied. And that's my challenge going forward is
25 to continue to work with our scholars and their

1 parents out in the Bentonville community to try to
2 continue to engender diversity for our campus.

3 And I really want to thank you guys for your
4 time this morning. And I will yield to Ms. Bendure
5 and she's going to speak with you about the
6 Springdale campus, at the Jones Center. Thank you.

7 CHAIRMAN BARTH: Thanks.

8 MS. BENDURE: You'll have to pardon me; I'm the
9 shortest one of the bunch.

10 I'm trying to get your screen up for you.

11 My name is Jamie Bendure. Again, I'm from Haas
12 Hall at the Jones Center in Springdale. I came to
13 Haas Hall after 20 years of service at Broken Arrow
14 Public Schools, in Broken Arrow, Oklahoma, and joined
15 the faculty as we began opening the school last year.
16 Ed Clifford was kind enough to invite Haas Hall to
17 come to the Jones Center. It's a fabulous facility.
18 It has an ice rink, a gym, a swimming pool that our
19 kids have access to during school and after school,
20 and they love it. If you have a chance to come to
21 the Jones Center, please do so, not only for us but
22 just to see the Jones Center in general.

23 I want to share my demographics with you. You
24 will see that the Asian population is higher in
25 Springdale. Our black population is a little bit

1 higher. Hispanic is a little lower; we're working on
2 that. You'll also see in your packet that we have
3 done some outreach with the Hispanic community as far
4 as festivals, trying to reach more and trying to make
5 more contact within the newspaper system. And our
6 mixed race is a little higher than Springdale's. And
7 our white is fairly -- we're higher than they are on
8 that as well. Our ESL/ELL is 7%. Our free and
9 reduced lunch is 15%. We are subsidizing that as
10 much as we can as far as helping our scholars out.
11 We don't have any scholar that does not get fed; we
12 take care of that.

13 So now I will turn this over to Ms. Kelly
14 Barnett, who's the director of admissions.

15 MS. BARNETT: Good morning. Our Fayetteville
16 campus -- so the demographics on our Fayetteville
17 campus are -- let me find the page -- our Asian
18 population is higher than the Fayetteville School
19 District's population. Our black population is
20 smaller. Our Hispanic population is within 5 points;
21 it is smaller. Our Native American/Hawaiian/Pacific
22 Islander, it's half a point difference. Our two or
23 more mixed race is we have more at our Fayetteville
24 campus. And our white population -- again, it's
25 really close, but we have more white scholars at our

1 campus than the Fayetteville School District does.

2 At our Fayetteville campus we want to do better
3 and we're working on that. And every year when we
4 add new scholars we're adding -- we -- the ones that
5 we add is a smaller number than our whole population.
6 So we're slowly adding new scholars and increasing
7 our diversity each year.

8 Our ELL and ESL, our numbers are pretty close to
9 Fayetteville; ours is a little bit lower. Free and
10 reduced lunch -- we have a 6% population that
11 receives free and reduced lunch. We gave forms out
12 to everyone but not everyone turned a form in, so --
13 but the scholars who displayed a need, then they are
14 getting fed. So we like to -- we're helping our
15 scholars.

16 Next, as admissions director, I'd like to talk
17 to you about our admissions program. We -- in the
18 report from January 24th we -- at that time we had
19 1,348 applications. We have -- we were still
20 accepting applications at that time. We closed on
21 February 4th. And as of -- I'm sorry -- as of today
22 we have 1,560.

23 Did I skip it?

24 We have 1,560 applications for new scholars. We
25 will conduct our lottery on February 26th. We are --

1 our -- the seat offers in the packet has changed. We
2 were able to offer more seats this year. It will be
3 around 500. I think 501 is the exact number. And so
4 the way that we reach our community is we advertise
5 in the local newspaper, the Arkansas Democrat
6 Gazette, and their Spanish language publication,
7 [Spanish name spoken]. And so we have advertising in
8 the newspaper, on our website, and on the newspaper's
9 website.

10 Now I'd like to bring Mr. Henry back up here to
11 talk about our partnerships and outreach.

12 CHAIRMAN BARTH: Thank you.

13 Just to let the board know how I envision this
14 playing out -- as soon as their presentation is over,
15 then we'll ask whatever questions we have. And then
16 we'll, of course, turn it over to public comment
17 after that, just to kind of let you know the game
18 plan here.

19 Yeah.

20 MR. HENRY: Thank you, Dr. Barth.

21 Back up. So sorry I didn't get to that page. I
22 want to show you something real quickly. When I was
23 talking about page 5 I should've gone there. If I
24 don't mess this up, let me get to page 26.

25 So we do a lot of innovative things. I don't

1 know if I can scroll that up. I'll just let that sit
2 there. But we do a lot of innovative things at Haas
3 Hall that we're really proud of, and one of the
4 things we do on the Rogers campus is our meal
5 program. We -- you can't see them here but that's
6 Katelyn, Alex and Marvin, our chefs. We have started
7 a really innovative as much as possible farm-to-table
8 food program that also incorporates everything from
9 our PD class to our Garden Club. If you come to our
10 campus -- and please do, I'd love for you to come by
11 and see us -- but you'll see these big planters out
12 front where our Garden Club is even growing organic
13 herbs and vegetables. Now not enough to use in -- we
14 do veggie lasagna, we'll have meat options, and we'll
15 have vegetarian, even vegan options, and we do multi-
16 cultural food options all week long too. And that's
17 something we're really proud of on the Rogers campus.

18 But beyond that, we also partner with our
19 community in very robust and active ways. We -- I'll
20 give you one example; I think others are listed in
21 this document. But one of the things we do, for
22 instance, is we partner with other schools in the
23 school district -- the Rogers School District, not
24 just the Haas Hall school district -- with the Rogers
25 Police Department. We have a fantastic relationship

1 with the police department and fire department. The
2 fire department even trains at our site. And our --
3 we have three scholars from our school that joined
4 with the scholars from Heritage and other schools in
5 the district with the police department to go through
6 different plans and procedures for active shooter and
7 shooter situations, other safety issues. And so all
8 of the schools in our area are partnering with that.

9 We also open our building to -- we have a great
10 relationship with the church across the street. They
11 have their dinners at our church [sic]. Rogers High
12 School's 50th year reunion was on our campus free of
13 charge. We don't charge for that because it's our
14 way of also being good community partners. And the
15 businesses in our downtown area, of course, are
16 appreciative of what we do too. And, again, I
17 encourage you to come by and see us. But those are
18 some of the partnership things we do just at the
19 Rogers campus. The Crystal Bridges, we partner with
20 them on some tours with our scholars who are studying
21 art and photography and those sorts of things. So
22 there's a real active partnership program at our
23 campus and the others.

24 So with that, Dr. Barth, thank you for having
25 us. Mr. Commissioner, Board, and Dr. Barth, we

1 really do appreciate it. And if you have any
2 thoughts or questions we'll be happy to address them.

3 CHAIRMAN BARTH: Great. Thank you very much.

4 MR. HENRY: Thank you.

5 CHAIRMAN BARTH: I'll start over here. Ms.
6 McFetridge, do you have questions?

7 MS. McFETRIDGE: Did you have a comparison from
8 year-to-year on your diversity -- growth in your
9 diversity? I didn't see anything like that in your
10 packet.

11 MR. HENRY: I -- now, so we at the Rogers
12 campus, last year was our first year. This is our
13 second. So these numbers reflect where we are to
14 date from last year.

15 MS. McFETRIDGE: Okay.

16 MR. HENRY: Ms. Barnett can probably offer some
17 more insight on whether that's reflective of the
18 other campuses. But Springdale and Rogers, since we
19 came online last year this is reflective of where we
20 are to date.

21 MS. McFETRIDGE: Okay. So can someone else help
22 answer that then?

23 MR. HENRY: Dr. Wittenberg or Kelly, if you
24 don't mind. Let me get out of your way. Sorry.

25 MS. BARNETT: It wasn't part of the packet, but

1 I do have numbers for each of our campuses'
2 populations last year. I don't have -- I don't have
3 it as a comparison, but I do have the information.
4 Would you like me to read that to you?

5 MS. McFETRIDGE: Sure. That would be great.

6 MS. BARNETT: Okay.

7 MS. McFETRIDGE: Thank you.

8 MS. BARNETT: So at our Fayetteville campus last
9 year our Asian population was 9-1/2%; our black
10 population was 1.1%; Hispanic, 6.7%; Native
11 American/Hawaiian/Pacific Islander, 1.4%; two or
12 more, 6.2%; white, 75%.

13 At our Bentonville campus our Asian population
14 was 16%; black, .33%; Hispanic, 9.7%; Native
15 American/Hawaiian/Pacific Islander, 2%; two or more,
16 5.03%; white, 66.8%.

17 Haas Hall Academy in Rogers, at the Lane, Asian
18 percent -- or Asian population, 6.13%; black
19 population, 2.45%; Hispanic, 10.42%; Native American/
20 Hawaiian/Pacific Islander, none were reported; two or
21 more, 9.81%; white, 71.16%.

22 At our Springdale campus, at the Jones Center,
23 Asian population, 7.89%; black, 3.28%; Hispanic,
24 21.05%; Native American/Hawaiian/Pacific Islander,
25 1.97%; two or more, 7.23%; white, 58.55%.

1 MS. McFETRIDGE: Did you track your free and
2 reduced numbers as well?

3 MS. BARNETT: I don't have that information.

4 MS. McFETRIDGE: Okay.

5 MR. HENRY: But we'll get it to you.

6 CHAIRMAN BARTH: Can you come up?

7 MR. HENRY: Yeah. Sorry, Dr. Barth. I didn't
8 mean to cut you off.

9 CHAIRMAN BARTH: No, go ahead.

10 MR. HENRY: I was just going to say we'll
11 provide you with the information --

12 MS. McFETRIDGE: Okay.

13 MR. HENRY: -- that we don't have available
14 right now.

15 MS. McFETRIDGE: That would be fine. Thank you
16 very much.

17 MR. HENRY: Thank you. Thank you so much.

18 MS. McFETRIDGE: Thank you.

19 MR. HENRY: Sorry, Dr. Barth. I didn't mean to
20 cut you off.

21 CHAIRMAN BARTH: No, that's fine.

22 Ms. Newton.

23 MS. NEWTON: Could you describe your efforts at
24 trying to increase your diversity? I know as I tried
25 to listen as you were going through there, there

1 wasn't a whole -- there was some change, but there
2 wasn't a whole lot of change as you went through
3 there. Can someone maybe describe district-wide what
4 your efforts are as to try to increase your
5 diversity?

6 MR. HENRY: Yeah. Kelly probably -- let me get
7 it started. And some of that is in this document.
8 We are constantly conducting outreach programs,
9 through festivals, through -- where we do a school
10 choice event. And so we're constantly pulling in
11 outreach efforts, and people we go to -- actively we
12 go to, but also our participation in different events
13 around town.

14 Ms. Barnett.

15 MS. BARNETT: So we spent more than \$29,000 in
16 the last couple of years on advertising in the
17 newspaper and on TV. And we -- in your packet, on
18 page 31, the ad on the left side of the page is in
19 Spanish. We ran that ad and another version of this
20 same ad giving the same information from November
21 through January, leading up to the end of our
22 lottery. So that ran in the Arkansas Democrat
23 Gazette English version and then the [Spanish title
24 spoken here], their Spanish version newspaper. And
25 we also have ads on their website where people can

1 read a story and then click, and this ad on the
2 bottom right -- they can click that ad and it would
3 go directly to our application so they could apply
4 right then.

5 MS. NEWTON: I guess I didn't phrase my question
6 accurately. What are you doing differently now than
7 what you've been doing in the past? I guess that's
8 how I should've said it. Some of these efforts
9 you've been trying to do for several years.

10 MS. BARNETT: Uh-huh.

11 MS. NEWTON: And what are you trying to do now
12 differently than what you've done in the past to
13 increase your diversity?

14 MS. BARNETT: In addition to this, we are
15 getting out into the community more, like Mr. Henry
16 was saying -- attending festivals. And we were a
17 part of the Schools and Community Expo in January,
18 and we have -- we take our iPads and were able to
19 help people sign up for the lottery right then. So
20 we're able to talk to them and then help them through
21 the admissions process right on the spot. So we're
22 just -- we're getting out in the community more and
23 having more one-on-one with people.

24 MS. NEWTON: Good. Thank you.

25 MR. HENRY: And if I may add one thing

1 anecdotally just to cap that -- one anecdotal example
2 too of us using media to also get our message out, we
3 have a scholar on my campus -- I have to brag about
4 him, if you'll permit me a second -- Dylan Rodriguez.
5 Dylan wants to go to MIT. He's a 9th grader, got a
6 33 on his ACT; wants to be an astronaut. So I got a
7 call from the CBS affiliate up in northwest Arkansas,
8 KFSM. They just started a Young Sheldon program,
9 about the really smart young guy, and said, "Do you
10 have a young Sheldon?" I said, "I've got a campus
11 full of them. But I want to introduce you to Dylan
12 Rodriguez." And so that led to a conversation that
13 we had with the Spanish language station up there
14 too, who's also -- we're getting some stories working
15 with them, some additional stories. So our outreach
16 is continuing.

17 MS. NEWTON: Good. Okay. Thank you.

18 MR. HENRY: Thank you.

19 CHAIRMAN BARTH: Dr. Hill?

20 DR. HILL: Yes. Well, first, I want to commend
21 all the academic achievements that you all have
22 accomplished. I visited the campus last year for the
23 diversity issues and I was -- I walked away with
24 you're doing a great job. However, I saw nothing in
25 the packet about the demographics of the teachers and

1 the faculty, and that's so important for the
2 diversity goals and I would like to see that and see
3 what your goals are. I think that's what we're
4 talking about: do you have a set target of goals that
5 you're trying to reach and what the strategic plan is
6 to get that, when I talked to Dr. Schoppmeyer there,
7 to know what processes are in place to do that; and
8 are you making first downs toward those goals to
9 ultimately make a touchdown to get where you want to
10 go.

11 And I think those instructors and inclusion
12 officers or -- let me just say this: so I know how
13 challenging it can be when I came there. Okay. But
14 I know that it has to be a very intentional effort to
15 do that -- and I talked to Dr. Schoppmeyer about that
16 while I was there. So, I mean, that information has
17 to be handled and I think the approach as you are
18 looking to be inclusive -- I mean, if you're trying
19 to grow your diversity -- when I came to
20 Fayetteville, you know, in 1989, you know, as a coach
21 -- you know, when you want to recruit players, you
22 know -- I call them identifiable role models. And if
23 you -- and inclusion is having people who can aspire
24 to be like their teachers, and I don't -- I haven't
25 seen that when I came there. And that was one of the

1 things that I talked -- because it's easier to
2 promote diversity when -- to go out into communities,
3 you know, when you -- when somebody looks like
4 somebody there's a connection and they'll come up to
5 them. But if you don't have that and you're not
6 promoting that as part of your strategic plan, it's
7 tougher.

8 And so those are some precise things that -- you
9 know, I think we have to go back to the drawing
10 board. Because I think you-all may need an inclusion
11 officer to help you identify these specific
12 initiatives to make sure -- much like Wal-Mart -- she
13 tell you about those type of things. And I don't see
14 us making that specific progress to have somebody
15 telling you "this is what needs to be done to be
16 inclusive of everybody so that everybody can enjoy
17 this high educational institution that you have."
18 And I came there and spent a day and gave the
19 recommendations, and my recommendation then -- I say
20 in that situation you have to grow your own. I said
21 -- you know, University of Arkansas, right there with
22 College of Education, that you can invest in paying
23 for young people to come and get an apprenticeship,
24 and then you say, "Listen, our job -- we're going to
25 help you, but we want you to teach here." I mean,

1 those are the type of strategic initiatives that must
2 take place that we need -- as a board, we -- I don't
3 want to speak for everybody else. I'm just saying
4 that you have to be intentional.

5 And right now, I mean, I applaud everything you
6 have. But what I think is there's only a certain
7 group of people that are getting exposed to these
8 awesome educational opportunities that you have. And
9 you have to work as hard -- diversity is hard. It's
10 hard. And you have to work as hard on that as you
11 have about your academic achievements that you've
12 shared with us today. And those are the type of
13 things -- I'd like to see goals, immediate goals,
14 short-term goals, long-term goals spread out. And
15 then when you come back here, you know, I don't --
16 maybe we need to go with six months than a year so we
17 can see that we're moving to change. But right now I
18 want to know what the faculty, the teachers,
19 instructors look like. I mean, that's -- to me,
20 that's the first point of business. In churches, I
21 mean, I say the first thing that -- if we want our
22 congregation to be more diverse, then our pastors --
23 our pastoral people have to be that -- our worship
24 team. I mean, it's the same. And so if you want to
25 grow that, there's nothing like identifiable role

1 models; say, "Hey, we've got awesome opportunities
2 here when you go there." The outreach -- they start
3 reaching out to that person.

4 So I just -- you know, I think we may need to go
5 back to the drawing board again and make sure you
6 have somebody advising and guiding you down this
7 path, rather than you think that you are doing the
8 right thing. But I applaud this institution. Man,
9 y'all are knocking it out of the park. But right now
10 you're fumbling in this area here and I think you
11 just need some help.

12 MR. HENRY: Thank you. Thank you, Dr. Hill.

13 CHAIRMAN BARTH: Okay. Ms. Chambers.

14 MS. CHAMBERS: I can't improve on what Dr. Hill
15 said. I would add just a couple of things.

16 To the point about goals, I think that is so
17 critically important, not just to have external
18 pressure in terms of reporting -- and I know you have
19 your own internal expectations -- but having very
20 specific goals where a performance evaluation is
21 determined on if you're getting the right people
22 hired and developed. Because until it's that
23 personal it's hard to see change occur as rapidly as
24 you need to see it occur.

25 In smaller organizations I think it's easier to

1 innovate. And as you're innovating obviously with
2 education I would ask that you look at how you grow
3 your own, just as Dr. Hill was talking about. We
4 have got to develop faculty faster, teachers that
5 represent the student population. And I would
6 encourage you to come and show us how we might take
7 your ideas and apply them more broadly, whether it's
8 charter or traditional. So we'd really ask you to
9 make that a significant expectation for yourselves.

10 And last but not least, from an employer
11 perspective, we went through some very similar
12 progressions of thought about first making sure do no
13 harm; make sure there are no impediments to having
14 great applicants to our -- to work. And if you
15 thought about it as applicants to your lottery pool,
16 we learned over time we needed to go beyond newspaper
17 print and radio ads; we needed to develop long-term
18 relationships with communities that were meaningful
19 to them. We went into churches; we went into
20 whatever was relevant to the community and meaningful
21 to develop trust so that you really could develop a
22 sustainable applicant pool, so that those lottery
23 numbers produce the diversity I know that you want.
24 But I think you're going to have to do that to get
25 there in a way that's sustainable and long-term.

1 MR. HENRY: Thank you. Thank you very much.

2 CHAIRMAN BARTH: Great. I've got a few things.
3 Of course, Dr. Hill said so much of what I had to
4 say. But I have a couple of questions building on
5 the community outreach piece. You know, when the
6 Springdale campus -- the debate over the Springdale
7 campus was happening, in 2016, there was a commitment
8 to hire a community outreach coordinator. Was that
9 person hired?

10 MS. BENDURE: Not that I'm aware of.

11 CHAIRMAN BARTH: Okay.

12 MS. BENDURE: At least not under that title and
13 not at the Springdale campus.

14 CHAIRMAN BARTH: Okay. Mr. Schoppmeyer at the
15 Charter Authorizing Panel that year did indicate that
16 there was a person in place. Is that --

17 MS. BENDURE: Not under that title. No. Maybe
18 somebody who was doing that job that's under a
19 different title. I'm not sure.

20 CHAIRMAN BARTH: Okay.

21 MS. BENDURE: It probably would be Kelly, quite
22 honestly.

23 CHAIRMAN BARTH: Okay. I mean, do you see that
24 as part of your role? I mean, would you call
25 yourself that in terms of -- you know, and --

1 MS. BARNETT: No, I wouldn't. But that's
2 something that's -- you know, I do the admissions.
3 I'm the admissions director and I help with
4 advertising and communications, like that.

5 CHAIRMAN BARTH: Okay.

6 MS. BARNETT: So somewhat, yes, but not
7 necessarily that main thing.

8 CHAIRMAN BARTH: Okay. Well, part of his
9 testimony under oath that day did indicate that there
10 was a person in place to work on that issue, and
11 apparently that --

12 MR. HENRY: Well --

13 CHAIRMAN BARTH: -- didn't happen.

14 MR. HENRY: Sorry again, Dr. Barth. I don't
15 mean to keep cutting you off. One of the things we
16 do on all of our campuses, we have academic advisors
17 who also serve those roles and are constantly
18 reaching out to different aspects of the community to
19 bring not only more scholars from diverse backgrounds
20 to the campus, but also administrators and faculty
21 members. It's an ongoing effort. Even yesterday I
22 had a discussion with my academic advisor. We are
23 getting ready for Boys and Girls Day. And I served
24 in the Marine Corp and have a good relationship with
25 a lot of the veterans organizations up there. And we

1 reached out to some of them to help us facilitate
2 that effort. So in many ways we are reaching out on
3 a day-to-day basis through different roles that
4 people have on campus.

5 CHAIRMAN BARTH: Okay. On --

6 DR. HILL: Can I follow-up?

7 CHAIRMAN BARTH: Yes, please.

8 DR. HILL: And I think -- to echo Dr. Barth, I
9 think -- if you've been in the Marines, you
10 understand --

11 MR. HENRY: Yes, sir.

12 DR. HILL: -- then the intentionality of
13 diversity --

14 MR. HENRY: Yes, sir.

15 DR. HILL: -- in the promotion of ranks and
16 inclusion of soldiers and those deals right there.

17 MR. HENRY: Yes, sir.

18 DR. HILL: But I think that the key component to
19 understand is that when you have somebody that that's
20 their job --

21 MR. HENRY: Yes, sir.

22 DR. HILL: -- and they come there at 8:00,
23 saying, "This is what we're going to do," and you
24 have embraced and hired that individual to guide you
25 all along this process, and you're listening to them,

1 I mean, there's a connectivity that's going to take
2 place because they already have the relationships in
3 the community. And it's obvious that -- just as we
4 mentioned the print ad and stuff, a lot of times in
5 the community they don't -- may not read it. I mean,
6 they may not hear it. And so it's very, very
7 intentional. And so I don't think -- I mean, I think
8 that's part of the outreach process, but I think
9 there are voids and gaps in just spot outreach. I
10 mean, it has to be -- you know, it's kind of like a
11 puzzle; you know, it fits different pieces at
12 different times, but it makes a whole piece once
13 every piece is together. And I think you have to
14 approach it like that. But -- and the puzzle, you
15 start putting pieces together to make the whole, and
16 that's not happening. And I think, you know,
17 obviously that person needs to help in the process,
18 and then from the faculty and staff all the way down
19 to the students. And once it starts you'll see it;
20 it almost fills itself, you know, because you have
21 that. And when you don't have that you keep having
22 gaps through the whole process, and that's what I
23 still see here from last year. It's the same --
24 almost the same presentation, you know, and --

25 But at the same time I want to give y'all kudos

1 because, man, you've got -- you have something
2 everybody wants, but everybody can't get it because
3 of the process of inclusion.

4 MR. HENRY: And with our -- Mr. Henry.

5 ATTY. MARK HENRY: Good afternoon. My name is
6 Mark Henry. Well, good morning. It feels longer
7 than that.

8 In response to your question of whether someone
9 was employed at the time, I was here. He made the
10 statement. Her name is Carolyn Proctor. She's no
11 longer with us.

12 CHAIRMAN BARTH: How long was she with the
13 organization?

14 ATTY. MARK HENRY: I can check and I can provide
15 you a written response. I don't -- I'm not here to
16 tell you the entirety, but that was her purpose; that
17 was her direction. She went -- she was very active
18 in a lot of specific intentional ways. She was
19 instrumental in helping Haas Hall's mountain bike
20 team, the road bike team -- I mean, a lot of things
21 that were not -- I mean, my apologies; Dr.
22 Schoppmeyer is not here today. He has something in
23 Fayetteville. And we also want to present you with
24 the entire new face of Haas Hall to certainly respond
25 to a broader criticism that this is some Schoppmeyer

1 dynasty thing. This is not that. We are here with
2 the headmasters who are accountable for each of their
3 students, and that's why -- it was part of our reason
4 for coming in this manner.

5 CHAIRMAN BARTH: I think to pick up on, you
6 know, Dr. Hill's point, this work just can't be a
7 one-off.

8 ATTY. MARK HENRY: No.

9 CHAIRMAN BARTH: I mean, you can't just have
10 somebody in the position --

11 ATTY. MARK HENRY: Right.

12 CHAIRMAN BARTH: -- long enough to get an
13 amendment that allows you to expand your charter.
14 It's got to be an ongoing commitment if you're really
15 going to achieve these goals. That's, I think, the
16 point and that's why I went back to that. And I was
17 just curious what had happened to that position, that
18 person whom I didn't hear from today.

19 ATTY. MARK HENRY: Well, and you'll also recall,
20 Chairman, the suggestion was "give us a chance at
21 Jones Center. Springdale is an under-served
22 population, and that location will help drive some
23 diversity." And you'll see the numbers are
24 dramatically different. If you were to look at Haas
25 Hall Fayetteville four years ago, the numbers needed

1 vast improvement. If you were to bring in all these
2 different campuses now, you would see -- and we're
3 happy to present you with a statistical analysis --
4 huge improvements by virtue of our intentional
5 decision to go in districts that are very, very
6 diverse. And Fayetteville is -- needs to grow. But,
7 again, Fayetteville was there; it had bad numbers and
8 we needed to work on them and only new slots were
9 open; younger kids came in. So it's a slower growth
10 rate.

11 Everyone here is committed to making those
12 changes.

13 DR. HILL: Can you tell me what your percentage
14 of faculty -- what diversity is just --

15 ATTY. MARK HENRY: I will. I don't know that.
16 I'm not here to -- I mean, you --

17 DR. HILL: Well, the only thing I'm saying -- on
18 this board it said that you were coming here to
19 report the diversity outreach efforts.

20 ATTY. MARK HENRY: Diversity outreach efforts,
21 yes.

22 DR. HILL: Yeah. Okay. So, I mean, we applaud
23 -- I mean, I'm enamored by what you're doing
24 academically. But you're only here because of --

25 ATTY. MARK HENRY: Absolutely.

1 DR. HILL: -- of that. So I want -- that should
2 be the primary focus of this presentation.

3 ATTY. MARK HENRY: Yes.

4 DR. HILL: However, we appreciate it because you
5 all have ideas and things that you can help others,
6 because you're innovative in education. I saw it and
7 it's impressive.

8 ATTY. MARK HENRY: Right.

9 DR. HILL: But I think right now if I knew that
10 I was coming here for a diversity presentation and I
11 didn't know what my faculty diversity numbers were --

12 ATTY. MARK HENRY: Well, it will certainly be on
13 the next report.

14 DR. HILL: Well, I would like to see that as
15 soon as possible.

16 ATTY. MARK HENRY: And I'll get it to you next
17 week, if you'd like.

18 DR. HILL: Yes, sir.

19 ATTY. MARK HENRY: Absolutely. Sure.

20 CHAIRMAN BARTH: So I have a couple more things
21 and then I'll turn it to my right.

22 I heard on a few occasions, related to the free
23 and reduced lunch population, you know, a quote,
24 "they're getting fed." And so I'd like a little more
25 detail about that, and in particular I want some

1 detail to know if those students who need free and
2 reduced lunch options whether there is anything that
3 singles them out after they are in the schools in
4 terms of what their -- that experience is like for
5 them. And also when there's communication on the
6 recruiting side about that issue is that overtly
7 stated that options are open to students based on --
8 no matter their income levels --

9 MR. HENRY: Yes.

10 CHAIRMAN BARTH: -- or is it something that
11 those students or their families have to ask?

12 MR. HENRY: Thank you for that. We -- I can
13 speak to our campus because we were the first one at
14 Haas Hall with a cafeteria and the only one with a
15 cafeteria. And so we have a nutritional director
16 there who oversees that. Yeah, we make it clear. As
17 Ms. Bendure said, we -- no one -- no one goes hungry.
18 It's made clear to families through the paperwork
19 process and the state process that free and reduced
20 lunch options exist. And no one is ever challenged
21 about having a deficit. We have a POS system through
22 My School Account where you punch in, and no one is
23 ever challenged about having a deficit in that
24 account. Everyone eats every day, regardless of what
25 that status is.

1 CHAIRMAN BARTH: Okay. All right.

2 MR. HENRY: Thank you, Dr. Barth.

3 CHAIRMAN BARTH: We didn't see much in this
4 report on special education numbers. And so could
5 you just do -- I don't need the specific numbers, but
6 the general trend lines, to go back to Ms.
7 McFetridge's point, in terms of outreach to special
8 ed. students.

9 MR. HENRY: Yes, sir. And others can help me
10 with the numbers on their campus. The Rogers campus,
11 we have about 260 scholars. We don't -- we have --
12 we started last year with 7th through 10th grade. We
13 have 7th through 11th grade this year, and next year
14 we'll have 7 through 12. So our current student
15 population is 7 through 11. We're at about 260 total
16 number of students. We have 33 scholars who are on
17 504 -- who are 504 scholars, and we have two special
18 ed. scholars. We have a --

19 CHAIRMAN BARTH: Two?

20 MR. HENRY: Yes, sir. Two.

21 CHAIRMAN BARTH: Two 504s?

22 MR. HENRY: I'm sorry. No, no, no. I'm sorry.
23 IEPs. I'm sorry. I meant --

24 CHAIRMAN BARTH: Two IEPs?

25 MR. HENRY: Yeah. I meant to say --

1 CHAIRMAN BARTH: Out of two hundred and --

2 MR. HENRY: Two on IEPs, 33 on 504s.

3 CHAIRMAN BARTH: Out of two hundred and --

4 MR. HENRY: About 260. Yes.

5 CHAIRMAN BARTH: So less than 1% of your
6 students --

7 MR. HENRY: The numbers fluctuate. Like even
8 this next week we have another meeting with our
9 special ed. coordinator for some other scholars for
10 the 504 options. So it's a fluctuating number and a
11 growing number for a brand-new campus. Now last year
12 we only had a hundred -- about 165. So as our campus
13 grows so do other needs. But that's where we are
14 right now.

15 CHAIRMAN BARTH: Okay. And in terms of special
16 ed. services --

17 MR. HENRY: Yes, sir.

18 CHAIRMAN BARTH: -- what's your staffing
19 situation in terms of special ed. --

20 MR. HENRY: We provide all the services --

21 CHAIRMAN BARTH: -- educational services?

22 MR. HENRY: I'm sorry. We provide all the
23 services that are required. We have an English
24 language tutor that -- we have a homebound tutor that
25 we're providing some services for right now for some

1 IEP scholars. So we do provide those services.

2 CHAIRMAN BARTH: Okay. And my final question is
3 actually for the Department, and Dr. Boyd may be the
4 most pertinent person since she was in this role for
5 awhile. And I apologize for not giving you a heads-
6 up; I was trying to catch your eye to let you know I
7 was going to call you.

8 Obviously, we've heard a lot about the lottery
9 at Haas Hall. And could you walk us through what the
10 Department is doing to insure that that's being done
11 as appropriate?

12 DR. BOYD: Alexandra Boyd, Public School
13 Accountability.

14 So for the lottery process we have for all
15 schools that are oversubscribed, we have a lottery
16 observation tool that we use to observe all the
17 lotteries when they happen. Most of those are done
18 in person. There are a couple of lotteries that are
19 done virtually, and those that are done virtually we
20 attend virtually.

21 We also provide technical assistance when it
22 comes to the lottery application. So we advise on
23 the amount of information that should be in the --
24 should be asked for in the application. We don't
25 necessarily tell people what they can and cannot

1 have, but we just provide them with examples about
2 what it should look like.

3 And then we have the lottery officiator sign
4 off, knowing that we can request all of the data that
5 had to do with the lottery at any time, meaning from
6 the point of application to when the lottery was run,
7 to how they handled their wait-list seats.

8 CHAIRMAN BARTH: All right. Thank you.

9 Okay. Ms. Zook.

10 MS. ZOOK: Thank you. My question was on the
11 faculty --

12 MR. HENRY: Yes, ma'am.

13 MS. ZOOK: -- and we will get that information.
14 The game plan -- I'm good at game plans.

15 MR. HENRY: Yes, ma'am.

16 MS. ZOOK: So I was thinking that since you do
17 have some diversity in your student population if you
18 could make a point when you have these activities of
19 having those students -- which will then help develop
20 their leadership ability -- let students who are
21 Hispanic, who are Asian, who are black -- before you
22 can get your faculty to where you want it -- so they
23 can talk about what's good about the school, what's
24 bad about the school, what's a challenge, those kinds
25 of things while you're in the process of having a

1 more diverse faculty.

2 And I also wanted to make the point in case the
3 people in the audience or the people who are live-
4 streaming -- there is no -- and correct me if I'm
5 wrong, Mr. Ballard -- there is no information on the
6 application that says I'm Hispanic, I'm black, I'm
7 white; there is nothing that indicates I'm special
8 ed., I'm free and reduced lunch, none of that. So if
9 they have like 1,000 applications and they have 500
10 seats, they draw those out. And, you know, the luck
11 of the draw might be where you'd get a pretty good
12 percentage from each of the diverse groups, but you
13 don't necessarily draw out the same percents that
14 applied. Am I correct?

15 MR. HENRY: It's a lottery system. Yes.

16 MS. ZOOK: Okay. So I just wanted to be sure
17 that people at least at this point know that y'all
18 may not be doing as good a job as we hope you do with
19 faculty or that we hope you eventually grow to. But
20 you can only take the students who apply --

21 MR. HENRY: Uh-huh.

22 MS. ZOOK: -- and you can only take the students
23 who are drawn out of the hat --

24 MR. HENRY: In the lottery, yes, ma'am.

25 MS. ZOOK: -- or however you do that kind of

1 thing. So -- but the game plan is get those minority
2 students out when you're having your festivals -- I
3 know that you work with the schools -- and let them
4 help you. Because as we know, these capable bright
5 students can help other students decide they want to
6 go there.

7 MR. HENRY: Yes, ma'am. Thank you.

8 CHAIRMAN BARTH: Mr. Williamson?

9 MR. WILLIAMSON: That was exactly --

10 CHAIRMAN BARTH: Great.

11 MR. HENRY: Thank you.

12 MR. WILLIAMSON: That was exactly what I wrote
13 down.

14 CHAIRMAN BARTH: Dr. Moore?

15 MR. HENRY: Thank you.

16 DR. MOORE: Yes. Do any of your campuses
17 provide transportation for students?

18 MR. HENRY: We -- our scholars come from all
19 over -- all over the area in northwest Arkansas.
20 I've got -- on my Rogers campus I've got scholars
21 from Siloam Springs. And as you know, from Rogers to
22 Siloam is about 45, 50 minutes to the west. I've got
23 scholars from Pea Ridge; I've got scholars from
24 Bentonville, from Fayetteville. So we don't have
25 buses because they come from all over the area.

1 It's, you know, open enrollment, as Ms. Zook said.
2 People enter the lottery and they come from
3 everywhere. So we -- the transportation is provided
4 by the families.

5 MS. ZOOK: But do you help with carpool
6 arrangements?

7 MR. HENRY: Yes. Yes, we do. Sorry.

8 ATTY. MARK HENRY: I just wanted to give you a
9 straight answer to your question. We don't have an
10 institutional bussing group. But at the Springdale
11 campus several scholars have used the bus routes
12 around, because there's a transportation -- do you
13 want to expand on that?

14 MS. BENDURE: Ozark Transit does run several
15 stops at the Jones Center, and so last year we had
16 several students that did that. We enabled them to
17 get a little closer to home for parents who could not
18 get to the Jones Center and pick them up within the
19 time limit. So we have been able to utilize that and
20 we cover the cost of that for their transportation.

21 DR. MOORE: That's great. Is that something
22 that's advertised --

23 MS. BENDURE: Yes.

24 DR. MOORE: -- when you're recruiting?

25 MS. BENDURE: Yes. They -- that's -- when they

1 talk about coming to the center we talk about
2 everything that we can offer for that.

3 DR. MOORE: That's great. And great if more
4 campuses could take advantage of that to recruit
5 students who wouldn't have those means.

6 Another question that I had -- I know students
7 are going to exit campus every year for various
8 reasons. Do you all do any exit interviews with
9 students when they leave your campus to get a better
10 understanding of why students might be leaving? And
11 particularly those students that come from diverse
12 backgrounds?

13 MS. BENDURE: I can say as the headmaster at the
14 Jones Center that, yes, I do that. I do ask why
15 you're going. It's ranged everything from wanting to
16 participate in more sports, because we don't
17 necessarily have football and things like that at our
18 campus, to the distance sometimes that they come. I
19 have lost a couple that were at the Siloam Springs
20 area and wintertime travel became an issue for them
21 to come. So there were some of those issues.

22 DR. MOORE: Okay. Thank you.

23 MR. HENRY: It's the same with all the campuses.
24 Yeah. We do discuss that at exit.

25 DR. MOORE: Thank you.

1 CHAIRMAN BARTH: Ms. Chambers.

2 MS. CHAMBERS: I just wanted to make one more
3 observation. To Mrs. Zook's very good comment about
4 the reminder that this is lottery, if you don't --
5 today, one of the things that would be helpful is you
6 watch your trends over time. It's about the
7 applicant pool; it's about the lottery pool. And if
8 you -- if those percentages grow over time the
9 lottery percentages produced and the results of your
10 school will change over time. And so that might be
11 especially initially, but over time a good goal to
12 consider establishing.

13 MR. HENRY: I agree. Thank you.

14 CHAIRMAN BARTH: All right. Are there any other
15 questions from the Board?

16 Then we do have -- thank y'all very much.

17 MR. HENRY: Thank you.

18 CHAIRMAN BARTH: And we may -- questions may
19 arise a little bit later on as we try to decide next
20 steps here.

21 **PUBLIC COMMENTS**

22 CHAIRMAN BARTH: We do have several public
23 comments on the Haas Hall case.

24 Did Senator Hester have to leave?

25 MR. HENRY: Senator Hester had to leave.

1 CHAIRMAN BARTH: Okay.

2 COMMISSIONER KEY: Mr. Chairman, Senator Hester
3 and Representative Dodson both had to go to
4 legislative committees.

5 CHAIRMAN BARTH: Okay.

6 COMMISSIONER KEY: But they were here to express

7 --

8 CHAIRMAN BARTH: Okay. All right.

9 MR. HENRY: Senator Bledsoe also came --

10 CHAIRMAN BARTH: Okay. All right.

11 MR. HENRY: -- and had to go back also.

12 CHAIRMAN BARTH: All right.

13 COMMISSIONER KEY: I missed her.

14 CHAIRMAN BARTH: I missed her as well.

15 Okay. So we do have five individuals on -- for
16 public comment.

17 First up, Elizabeth Lyon-Balley. And, Ms.
18 Bailey, as you come up, we limit public comment to 3
19 minutes, and so please stay within that.

20 CHAIRMAN BARTH: Wait. Wait just a second and
21 we'll be sure that we get these distributed so we're
22 not distracted --

23 MS. LYON-BALLEY: Okay.

24 CHAIRMAN BARTH: -- during comments.

25 MS. LYON-BALLEY: You should have those because

1 I might have to talk really fast. They said bring 20
2 copies.

3 (WHEREUPON, A-2 Exhibit One (1) was passed out
4 to board members; it was marked for identification
5 and entered into the record.)

6 CHAIRMAN BARTH: All right. If you'll start
7 with identifying yourself for the record and then you
8 have 3 minutes.

9 MS. LYON-BALLEY: Thank you. Good morning. My
10 name is Elizabeth Lyon-Balley and I am here to oppose
11 the diversity and partnership report presented by
12 Haas Hall Academy.

13 The administration of Haas Hall Academy operates
14 in bad faith. Asking them to compile and present
15 their own data is an invitation for the Haas Hall
16 administration to lie and to perjure themselves, as I
17 believe they have done habitually throughout their
18 operation of their charter schools.

19 So I'm going to talk fast, but everything is
20 here.

21 First, I want to say about Caroline Proctor,
22 that they told you was their diversity outreach
23 coordinator in 2016, she worked at Haas Hall until
24 January 31, 2018. And she made an unemployment claim
25 on February 20, 2018, stating that she was laid off

1 for lack of work, and that was approved. So she's
2 collecting unemployment because she didn't have
3 enough work to do at Haas Hall.

4 I want to point out, as you already have, that
5 Haas Hall's 2019 diversity and partnership report is
6 incomplete because it does not address students who
7 qualify for special education under the federal IDEA
8 law. It also doesn't address the racial makeup of
9 the schools' leadership team, and both of these items
10 are explicitly required by Reginald Ballard in his
11 letter to Dr. Schoppmeyer dated January 28, 2019.

12 As of two months ago, in December 2018, Haas
13 Hall did not identify any English Language Learners
14 because Superintendent Schoppmeyer asserted that none
15 of the students who came from non-English speaking
16 homes required any ELL assistance. Between then and
17 now, Haas Hall's ELL identification percentages have
18 risen from zero to several small percentages at each
19 of the different campuses. Why the sudden increase?
20 And why are these ELL numbers so deficient relative
21 to their surrounding districts in Rogers and
22 Springdale?

23 Haas Hall's expansion into Springdale and Rogers
24 were approved specifically to increase diversity
25 among Haas Hall's student community. But these

1 campuses are clearly not fulfilling their intended
2 purpose.

3 In 2016, Dr. Robert Maranto, Kelly Magoulick,
4 and Dr. Gary Compton sent assertions of preferential
5 enrollment and exclusion of students to the ADE. The
6 Board should have used its subpoena power at that
7 time to investigate these allegations. The ADE
8 should have compared APSCN attendance records with
9 enrollment lottery and waiting list results for every
10 year of Haas Hall's existence, but it did not.
11 Instead, the ADE just sent representatives to observe
12 the Haas Hall lottery drawing without first checking
13 whether the names entered into the drawing were
14 entered correctly and without following up by
15 auditing the notification and acceptance process or
16 comparing the lottery results with the APSCN student
17 attendance records.

18 In 2017, Heather Holaway, who was Haas Hall's
19 marketing director, took over management of Haas
20 Hall's enrollment lottery. Ms. Holaway's digital,
21 randomized enrollment lottery has forced Haas Hall to
22 become more devious about hiding its preferential
23 enrollment practices.

24 (TIMER BELL RINGS)

25 CHAIRMAN BARTH: Finish that thought and then

1 we'll --

2 MS. LYON-BALLEY: I really will go fast.

3 CHAIRMAN BARTH: No, just that one thought and
4 then we'll --

5 MS. LYON-BALLEY: Okay. I am submitting
6 documents that show Heather Holaway believes this
7 year's lottery drawing -- that's for the 2018-2019
8 school year -- was a sham. She asserts that the
9 lottery website was down during the drawing, but
10 still somehow generated a spreadsheet of results.
11 Surely the Board of Education could compare
12 timestamps on the lottery website with timestamps on
13 the video of Haas Hall's enrollment lottery to check
14 whether the lottery website was actually the source
15 of the enrollment lottery results. Thank you.

16 CHAIRMAN BARTH: Thank you.

17 Next up is Mark Holaway. Mr. Holaway, you have
18 up to 3 minutes -- and if you'd pull the microphone
19 up. Thanks.

20 MR. HOLAWAY: Thank you very much. Up there it
21 says "Do what is right, not what is easy," and that's
22 what I want to challenge everybody here today.

23 My name is Mark Holaway. I'm speaking as a
24 parent of a Haas Hall graduate and a current senior
25 in Haas Hall, and as the spouse of Heather Holaway,

1 whom I believe the Board knows is no longer employed
2 at Haas Hall, and as a person who has volunteered in
3 the school in multiple functions.

4 Elizabeth Lyon-Balley and I have some
5 philosophical disagreements on public education. I
6 personally believe we should increase funding to
7 high-performing public charter schools. I see them
8 as a valuable asset for our students and for the
9 economic future of our great state.

10 I've always been a vocal admirer of the function
11 of Haas Hall which educates selected students in an
12 intensive college preparatory environment -- and they
13 do it well. Dr. Schoppmeyer has a unique vision of
14 how to prepare children of high academic potential,
15 and these lucky students receive an exceptional
16 academic education from gifted and passionate
17 teachers in every one of the schools. Unfortunately,
18 these students are also learning that discrimination
19 and harassment are tools of power and that whoever
20 has the best law firm gets their way.

21 I'm here to ask you today because are these the
22 values that the Board of Education endorses? Because
23 if not we need a different response from you.

24 I have personally experienced the destruction
25 caused by the systemic harassment, intimidation and

1 fear used by Haas Hall administration to restrict
2 information flow, perform unethical actions, and to
3 violate legal statutes that other public schools are
4 held to. Why are parents being threatened with
5 cease-and-desist letters when they make complaints?
6 Why are staff members made to fight with
7 representatives from one of the top law firms in the
8 nation simply to get their paycheck or W-2?

9 As a parent and taxpayer I'm asking that the
10 Board of Education, the ADE, use its regulatory
11 oversight authority to start dismantling the open
12 secret that is Haas Hall's unethical management and
13 admissions practices. The Schoppmeyer family is the
14 only authority within their schools, and there is no
15 checks and balances to their power. Their staff
16 attorney referred to the "dynasty" and how they
17 wanted to show the diversity. One-half of their
18 headmasters are the Schoppmeyer family. Ms. Bendure
19 is his sister-in-law.

20 Ask the hard questions about the lottery and the
21 admissions practices. You have subpoena power; use
22 it. Dig deep to figure out how and why this
23 continues to come up so often. Determine if state
24 statutes on nepotism are being circumvented by
25 calling family members in administrative staff

1 positions "volunteers." Perform a full and
2 transparent audit of the financial and management
3 practices of Haas Hall Academy and The Academy, Inc.
4 Insist that Haas Hall has a functioning and governing
5 school board, just as any other public school is
6 expected to have. Only you have the power to compel
7 these questions and get answers for them and hold
8 regulatory violators accountable, and anyone who has
9 willfully and --

10 (TIMER BELL RINGS)

11 MR. HOLAWAY: -- knowingly violated statutes is
12 referred for prosecution.

13 Elizabeth Lyon-Balley has drawn you some pretty
14 clear roadmaps in her handouts. Look at them. Only
15 you have the power to say our concerns aren't met.

16 And thank you, Dr. Hill, for referring to what
17 you asked for last year.

18 CHAIRMAN BARTH: Thank you, Mr. Holaway.

19 MR. HOLAWAY: Thank you.

20 CHAIRMAN BARTH: Thank you.

21 Vicky Hatter.

22 I do not see Ms. Hatter.

23 MS. LYON-BALLEY: She's in the hospital. She
24 had to miss this meeting, unfortunately.

25 CHAIRMAN BARTH: Okay. Carol Widder. Is --

1 UNKNOWN FEMALE IN AUDIENCE: By phone.

2 CHAIRMAN BARTH: Yes, is she available? Okay.

3 AUTOMATED PHONE MESSAGE: Please enter your
4 access code followed by the pound sign.

5 CHAIRMAN BARTH: Okay. I'm going to go on to
6 the last one person who's here, and then we'll come
7 back in a bit, if that's all right. If you could --

8 AUTOMATED PHONE MESSAGE: You entered 3-3-7-8-7.
9 If this is correct, press 1. To re-enter your access
10 code, press 2.

11 Please enter your access code.

12 You entered 3-3-3-7-8-7-8. If this is correct,
13 press 1. To re-enter your access code, press 2.

14 Please wait.

15 You are the first caller. You will be placed on
16 hold until the next caller arrives.

17 CHAIRMAN BARTH: All right. So we'll jump back
18 to see if she has arrived. But if we could just turn
19 the volume down there, that would be great.

20 All right. Heather Holaway. Ms. Holaway, you
21 have 3 minutes.

22 MS. HOLAWAY: Thank you, guys. This is a little
23 --

24 CHAIRMAN BARTH: If you could pull the
25 microphone down just a little.

1 MS. HOLAWAY: Oh, yeah.

2 CHAIRMAN BARTH: Thank you.

3 MS. HOLAWAY: This is a little bittersweet for
4 me. I feel like I've come to know many of you over
5 the years, standing here presenting this report and
6 many others over the course of Haas Hall's vast
7 expansion throughout my community. I don't have a
8 background in education. In fact, my background is
9 in marketing. I'm really good at reports. In fact,
10 the one that they've presented today and the ones in
11 the past I can say are a huge departure from what was
12 there before I was, and I'm thrilled that they're
13 still able to use these and to provide these for you.

14 What I will say is I'm also really, really
15 critical of a report that doesn't have any data. And
16 when I'm looking at the data in the report and I'm
17 thinking about the things that I personally felt like
18 I had to answer over the years, I'm seeing some
19 holes. And so I'm not coming to you as a former
20 employee. I know that regardless of how positive my
21 remarks are today I'm going to be called by the
22 administration and legal counsel "a disgruntled ex-
23 employee." And when it comes down to it, I am. But
24 I'm not going to tell you why and I'm not going to go
25 into that today.

1 What I am going to do is tell you what I've
2 experienced, and that is that regardless of how hard
3 you guys work to get them to place priority on the
4 things you want to say -- your ADE staff, the people
5 who were there to guide and support and advise, they
6 simply don't have the ability to match wits with
7 people who actively want to play the system. You're
8 not going to get anything different from Haas Hall
9 Academy by asking for a glossy report, because
10 they're going to show up with that every time with
11 their high-paid attorneys and they're going to give
12 you a little bit and promise some more later. But
13 when it comes down it, is that what you guys asked
14 for? Because I'm pretty sure that in 2016 you guys
15 held me to a standard of providing this data and
16 information, and I don't see that it's happened yet.

17 I appreciate all of you. I appreciate the
18 Charter Office and everyone within the ADE that
19 serves to guide. I appreciate the APSRC and the work
20 and heart that they put in to making sure that the
21 things that happen within this school are done by the
22 book. But when you have people who are willing to
23 take that good advice and continue working hard to
24 circumvent it you're going to continue having these
25 problems. This problem is only going to increase as

1 we continue to create more highly funded charters
2 within our state, and you guys have the ability right
3 now to start proactively taking care of that problem.
4 And I for one, as a taxpayer, a mother, and "a
5 disgruntled former employee," call that you do so.
6 Thank you.

7 CHAIRMAN BARTH: Thank you, Ms. Holaway.

8 Did we have anybody else join? No one is on?

9 Okay. All right. Then that --

10 MS. LYON-BALLEY: I have Ms. Hatter's remarks,
11 if I could just give them to you.

12 CHAIRMAN BARTH: That's fine, if you would like
13 to distribute them.

14 (WHEREUPON, A-2 Exhibit Two (2) was marked for
15 identification and entered into the record.)

16 CHAIRMAN BARTH: Thank you very much.

17 All right. As soon as these remarks are
18 distributed, then the Board I think has two things to
19 think about. One is, of course, whether to accept
20 this report today; and then, secondly, to pick up on
21 Dr. Hill's comment, to ask the question when is
22 appropriate for a follow-up report. Right now Haas
23 Hall is on a one-year diversity inclusion report
24 cycle.

25 Is that right, Mr. Ballard? They've -- if we do

1 -- if we only accepted the report, then they would be
2 back in a year --

3 MR. BALLARD: Yes.

4 CHAIRMAN BARTH: -- unless we alter that in some
5 way. Is that correct?

6 MR. BALLARD: Yes.

7 CHAIRMAN BARTH: Okay.

8 Okay. Any questions or comments on this side?
9 Ms. Newton?

10 MS. NEWTON: (shaking head from side to side.)

11 CHAIRMAN BARTH: No?

12 I do have a question probably for the
13 Commissioner in terms of an audit of practices within
14 a charter.

15 Is the auditing -- the auditing that's typically
16 done by legislative auditing is simply dollars and
17 cents; correct?

18 COMMISSIONER KEY: Yes. Typically that deals
19 with how they spend their dollars, policies as it
20 relates to spending --

21 CHAIRMAN BARTH: Okay.

22 COMMISSIONER KEY: -- but not necessarily on
23 practices. I think that falls under the public
24 school accountability.

25 CHAIRMAN BARTH: Okay.

1 COMMISSIONER KEY: And which is why we recently
2 moved the Charter Unit under Public School
3 Accountability from Learning Services, because of
4 their -- it was a better fit there, not just for the
5 accountability side but for the support side also.

6 CHAIRMAN BARTH: And what -- to pick up on some
7 of the concerns about self-presentation of data, are
8 there ideas that you have on how -- what we might ask
9 for in terms of information regarding these practices
10 that don't simply be -- they're not simply self-
11 reported data and self-reported information about
12 practices so that we do -- we can as a board -- well,
13 y'all as a board can feel more confident that this is
14 -- what we get is the real thing?

15 COMMISSIONER KEY: I think that would require
16 looking at what is submitted as far as certified
17 data. Districts -- all districts have certain types
18 of data that they have to submit on a periodic basis,
19 and it is certified. And when it is certified then
20 there is the -- you know, the school leader,
21 superintendent -- there is a -- you know, there is a
22 commitment of that this is true and factual
23 basically. And my team can tell me if I'm describing
24 that correctly.

25 So when there are things that are requested that

1 may be outside what is certified data typically that
2 is going to be self-reported. When we ask school
3 districts and charter schools for information beyond
4 the norm, then, you know, it may be things that we
5 don't capture in our current data system. So if
6 there is a desire to see something that's beyond the
7 norm of what's certified under the submission
8 process, then, you know, that would specifically be
9 something that could be requested of the Charter Unit
10 or Public School Accountability or the Finance Unit,
11 whatever is appropriate to dig in if -- to look at
12 whatever, if you are concerned that self-reported
13 data may not be as accurate as you'd like.

14 CHAIRMAN BARTH: And that's exactly what we did
15 with Little Rock in terms of dyslexia services and
16 special education.

17 COMMISSIONER KEY: That report -- that'll be
18 today -- yes --

19 CHAIRMAN BARTH: Okay.

20 COMMISSIONER KEY: -- that y'all requested a
21 special review, special audit of those programs.

22 CHAIRMAN BARTH: And this is the only school in
23 the state that has any kind of special oversight
24 related to diversity, because of the concerns over
25 the years that's -- I mean, obviously the general

1 concerns about discrimination. But this is different
2 in that it's the one district where there's -- or one
3 school where there is --

4 COMMISSIONER KEY: I'm not aware of any others
5 at this point.

6 CHAIRMAN BARTH: Right.

7 Ms. Newton.

8 MS. NEWTON: Just a process question, Dr. Barth.

9 I'm going to read from the notice letter. It
10 says, "The report should include but is not limited
11 to information on leadership team, diversity
12 demographics, poverty, free and reduced lunch,
13 student recruitment, and student special education
14 and English Language Learner demographics." Since we
15 didn't get all of that, do we have to approve the
16 report?

17 CHAIRMAN BARTH: You do not.

18 MS. NEWTON: And so could we ask for maybe the
19 Department to work with the school? I don't know
20 what a process would be from here on out.

21 CHAIRMAN BARTH: Mr. Ballard.

22 MR. BALLARD: I'm Reginald Ballard, Public
23 School Accountability.

24 You don't have to accept the report. You can
25 request for another report. I would like to have the

1 Board state when they would like to have that report,
2 as well as what they would like to be detailed inside
3 of it, if the Board so chooses.

4 CHAIRMAN BARTH: All right. So that is on the
5 table.

6 And, Mr. Ballard -- sorry to catch you -- would
7 it -- this may be a legal question as well. Is it
8 more appropriate to table the issue for today and
9 wait for additional data that's in accordance with
10 the request that went out from Mr. Ballard? Or is it
11 best to simply say this wasn't what we asked for and
12 therefore we need another report at whatever time?

13 MS. HYATT: Mary Claire Hyatt, Arkansas
14 Department of Education.

15 In terms of effects that it would have, I think
16 probably both would have the same effect.

17 CHAIRMAN BARTH: Okay.

18 MS. HYATT: I don't really think it makes a
19 difference how you choose to do it. If you want to
20 have additional information in addition to this
21 report, I would say probably table it and have the
22 list of information you want. If you want to reject
23 this report and have them come with an entirely new
24 report, then that might be the distinction. But just
25 realistically in terms of process it's going to

1 operate the same way.

2 CHAIRMAN BARTH: Okay. Thank you very much.

3 DR. MOORE: I did have a question.

4 CHAIRMAN BARTH: Dr. Moore.

5 DR. MOORE: Was this -- this was not in front of
6 the Charter Authorizing Panel; is that correct?

7 CHAIRMAN BARTH: Correct. It was not.

8 DR. MOORE: Okay. And are any of these charters
9 up in front of the Charter Authorizing Panel any time
10 this year or next?

11 MS. HYATT: None of them in February or March,
12 and that's as far as we know, so --

13 DR. MOORE: Okay. Thank you.

14 CHAIRMAN BARTH: But that does raise an issue in
15 terms of who could be asked to do additional legwork
16 on this issue, so -- or the Department itself, if the
17 Board wants to go that way.

18 MS. NEWTON: Since we have the questions that we
19 wanted the Department to look into, would it be more
20 appropriate to ask the Charter Panel to review it
21 rather than us to review it?

22 CHAIRMAN BARTH: I think the Board has taken on
23 this issue over --

24 MS. NEWTON: Okay.

25 CHAIRMAN BARTH: -- going back a while. I think

1 anything that would come from the Charter Authorizing
2 would come back up --

3 COMMISSIONER KEY: Come here.

4 CHAIRMAN BARTH: -- to us anyway. So if you
5 want them to take a first look at it, I think that
6 would be an appropriate process, rather than -- so
7 that -- but I think it would probably wind up right
8 back here, in all likelihood, with the same players
9 in the room.

10 COMMISSIONER KEY: I agree.

11 CHAIRMAN BARTH: Okay. And I think the Charter
12 Authorizing Panel is going to have some heavy work to
13 do in the coming couple of months.

14 MS. NEWTON: Okay.

15 CHAIRMAN BARTH: Any other -- Ms. Zook, Mr.
16 Williamson, do y'all have anything?

17 MR. WILLIAMSON: I don't have anything.

18 CHAIRMAN BARTH: Okay. Thank y'all very much.

19 So I am waiting on a motion. I'm hearing some
20 ideas, but I haven't heard a motion.

21 MS. ZOOK: I think with regard to the special
22 education part I'll speak to that because, you know,
23 that's my expertise primarily. Often if parents are
24 very pleased with the service they're getting where
25 they are they may not choose -- because this is

1 parent choice -- they may not choose to switch to
2 another school and take a chance that the student's
3 needs might not be getting met. And also the
4 percentages at the 7-12 are often much smaller than
5 they are K-6. So taking the K-12 numbers of any
6 school wouldn't -- those percentages wouldn't
7 necessarily jump to the 7-12.

8 I think the question I would have is: are they
9 in fact doing the screening for dyslexia markers?
10 And I know often you have teachers who say, "Well,
11 they're making an A or a B," so they don't. But that
12 doesn't mean -- many of the students who have markers
13 of dyslexia are in fact very bright, and they might
14 be performing even better if those needs were being
15 met.

16 So if we do not approve what is before us today,
17 and ask for more, I'd like to know about their
18 screening process for markers of dyslexia.

19 CHAIRMAN BARTH: And so, Ms. Zook, that's -- if
20 this is rejected I think we would need to get a good
21 list of those things that the Board needs to feel
22 good about this issue moving forward. So that's -- I
23 hear that one on your list, if we go there.

24 MS. ZOOK: Right. And I think too a point that
25 we need to consider is, based on the report that we

1 got and that we will have later today, these issues
2 are not necessarily unique to Haas Hall. These are
3 -- these issues come up in traditional public
4 schools, they come up in charter schools and, you
5 know, private and homeschool and all sorts of things
6 like that. So I recognize they probably feel put on
7 the spot today because we asked for something and we
8 believe the report was incomplete. But Haas Hall
9 just happens to be the one in front of us today, but
10 it doesn't mean they're the only one in the state
11 that have some of these issues.

12 CHAIRMAN BARTH: Okay. Ms. McFetridge?

13 MS. McFETRIDGE: Dr. Barth, since they're in the
14 middle of their lottery time would it be appropriate
15 for the Department oversee the lottery process at
16 this point since there are so many questions about
17 the lottery?

18 CHAIRMAN BARTH: Okay. We -- the Department
19 does -- I'm seeing -- I think, Mr. Ballard, if you
20 could just put folks up here at ease, I think, about
21 the lottery this year since it is imminent?

22 MR. BALLARD: So we are -- we will be in
23 attendance for the lottery, as well as --

24 MS. McFETRIDGE: I'm sorry, can you speak up
25 please?

1 MR. BALLARD: Yes, I'm sorry. We'll be there
2 for the lottery, as well as kind of viewing the
3 lottery. Did you have specific questions on what
4 that oversight or view was like?

5 MS. CHAMBERS: I will have questions about
6 things I would like to see in response relative to
7 the lottery specifically. I can't articulate it
8 right now, but that's an area of concern that I have.

9 MR. BALLARD: Okay.

10 COMMISSIONER KEY: Yes, Ms. McFetridge was
11 asking a question.

12 MR. BALLARD: Yeah, that's all right.

13 CHAIRMAN BARTH: Ms. McFetridge, did you have --

14 MS. McFETRIDGE: Just a general oversight of
15 their process and how they select these students.

16 MR. BALLARD: We are. We're involved and
17 providing oversight, as well as making sure --

18 MS. McFETRIDGE: Are you physically there?

19 MR. BALLARD: Physically there, yes.

20 MS. McFETRIDGE: Okay.

21 MR. BALLARD: We will have a presence from the
22 Public School Accountability physically there to
23 provide a presence physically in there, as well as
24 providing oversight for that lottery system.

25 Ms. Perry.

1 MS. PERRY: Good morning. Virginia Perry,
2 Program Advisor, Public School Accountability and the
3 Charter Schools.

4 Typically, I visit the lotteries. And generally
5 what happens is -- it depends on how the schools
6 actually conduct the lotteries. Haas Hall has been
7 doing theirs electronically as long as I've actually
8 been with the Department. And what they do is they
9 have a random list; it's computer generated and it is
10 displayed so that everyone can actually see. They
11 also face-timed the entire lottery process last year
12 so anyone -- even if you were not present, you can
13 still view the actual process. But the students'
14 names, no. The students' names are listed so the
15 parents can see and check off and make sure that
16 their kids are actually there, and there's a random
17 number that's assigned. They do a trial-run; then
18 they actually do the randomized lottery. It's an
19 anonymous lottery in that there's no identifying
20 information, no demographic information as far as
21 race, ethnicity -- I'm sorry -- race or socioeconomic
22 status or anything that has to do with special ed. or
23 ESL when the students are initially identified. At
24 the conclusion of the lottery they actually give the
25 Department -- they'll send us a list of all the

1 information for all the students that were actually
2 -- well, received a spot.

3 CHAIRMAN BARTH: Ms. Chambers.

4 MS. CHAMBERS: One of the things I'd like to
5 make sure -- and maybe it's available historically --
6 is the applicant -- excuse me -- the diversity
7 percentages or the mix or the makeup of the lottery
8 pool. I don't know if we maintain that over a period
9 of time to look at trends.

10 MS. PERRY: We don't have that information
11 because it is anonymous, and honestly we don't want
12 that information. When the applicants complete the
13 application it basically has the name and the contact
14 number of the parents. We don't want them to ask for
15 special ed. status or race. We want it to be
16 anonymous in that manner. So when they do the
17 lottery they're not aware of any of that until after
18 the student is selected and the parents come back in
19 and actually fill out the enrollment application.

20 COMMISSIONER KEY: Let me clarify. That's not
21 unique to Haas Hall.

22 MS. PERRY: It's not.

23 MS. CHAMBERS: No.

24 COMMISSIONER KEY: That's the charter lottery
25 process.

1 MS. PERRY: It is.

2 COMMISSIONER KEY: Right.

3 MS. CHAMBERS: But we've talked about this with
4 other schools over a period of time. So it's -- you
5 can separate the name from a privacy perspective?

6 MS. PERRY: Uh-huh.

7 MS. CHAMBERS: You could separate a name and
8 individuals and still get a sense of the makeup of
9 the pool. There are ways to go about that so that
10 you get a sense of over time is your lottery pool
11 continuing to be more and more representative of the
12 community that it serves. So I'd be interested --
13 this is probably not the right time to talk about
14 that in detail, but I know you can do it from an
15 employment law perspective; there are ways to go
16 about that --

17 MS. PERRY: Okay.

18 MS. CHAMBERS: -- to know if you're getting
19 better.

20 MS. PERRY: Well, this year Dr. Sarah McKenzie
21 from the U of A, she'll also be attending the lottery
22 with me primarily to have a second set of eyes and to
23 actually view things and to make sure that things are
24 fair.

25 MS. CHAMBERS: But to the point, my comments --

1 we're talking specific about Haas Hall specifically,
2 and that's -- we have interest for that. I realize
3 it's not limited to that or targeted there.

4 MS. PERRY: Gotcha.

5 MS. CHAMBERS: I had a suggestion that maybe
6 turns into a motion.

7 CHAIRMAN BARTH: Great.

8 MS. CHAMBERS: I am so impressed with Haas
9 Hall's performance, so I want to make sure that I
10 acknowledge that. I do think -- and I think the
11 quality of the students that you send into the world
12 is outstanding and, as Dr. Hill said, we just want
13 more of that.

14 I don't think this report is representative of
15 the quality of Haas Hall. It's missing information.
16 And so I would suggest -- and apparently we do have
17 options here in how we approach it -- but that I
18 would -- I'd suggest we not accept this report
19 because there's information that wasn't in the
20 original request that needs to be met, and look at
21 what additional information we would like to see
22 included when you come back with that fulfilled
23 original report. That would be my -- I don't know if
24 that's --

25 CHAIRMAN BARTH: So my --

1 MS. CHAMBERS: -- more of a statement or a
2 motion.

3 CHAIRMAN BARTH: Yeah. So I'd just ask for a
4 little clarification. So your motion is to reject
5 this report. What is the date certain that you would
6 like that report to return to us?

7 MS. CHAMBERS: What is reasonable? Next month?

8 CHAIRMAN BARTH: Is -- so the --

9 MS. CHAMBERS: You don't know our -- the
10 additional information we might ask for.

11 COMMISSIONER KEY: Just a reminder that next
12 month we will be in northwest Arkansas.

13 MS. CHAMBERS: So what about April?

14 MS. NEWTON: If we were already up there next
15 month it might be that we'd be able to get maybe more
16 of their leadership team there to be able to answer
17 questions and take advantage of that.

18 COMMISSIONER KEY: Well, I would just -- that is
19 true -- just to caution that we are already on a
20 pretty tight timeline with that trip. So I don't
21 know. I would need -- I know Gina has been working
22 on that and she is -- I don't know if she's back yet.

23 CHAIRMAN BARTH: She is back.

24 COMMISSIONER KEY: Okay.

25 CHAIRMAN BARTH: I do think it makes some sense

1 for the logistical layout. I do think it's important
2 that --

3 The agenda, Ms. Windle, is posted -- has to be
4 posted when?

5 MS. WINDLE: 10 days before.

6 CHAIRMAN BARTH: Okay. So that would be about
7 March 4th or so, which, you know -- so they would
8 have about three weeks to produce any new data, just
9 to get, you know, just what kind of timeline. So
10 April would put more of a burden in terms of travel,
11 but would give about six weeks for additional data.
12 So it's totally y'all's call -- and specifically it's
13 Ms. Chambers' call as the originator of the motion
14 that I'm asking you to finish.

15 Would you -- do you want March or April?

16 MS. CHAMBERS: I think April is more appropriate
17 just given we also are -- we have a sense of but
18 haven't fully articulated what else we're looking
19 for.

20 CHAIRMAN BARTH: Yeah.

21 MS. CHAMBERS: And we owe you that and
22 sufficient time to respond to it.

23 CHAIRMAN BARTH: So the motion is to reject this
24 report and to return with a more fulsome report, and
25 we would then move to the items we would want in that

1 report by the April meeting.

2 Is there a second to that motion?

3 MS. NEWTON: Second.

4 MS. McFETRIDGE: Second.

5 CHAIRMAN BARTH: Okay. So a motion by Ms.
6 Chambers, second by Ms. McFetridge.

7 I'm going to kind of get this done -- this
8 motion done, and then we would go through the list of
9 things that we would want on that report, if we do
10 reject it.

11 So all in favor of rejecting this report today
12 please say "aye."

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRMAN BARTH: Any opposed?

15 Okay. Now we'll just go down the line, and
16 maybe if everybody could kind of capture what's going
17 to be on the list.

18 Dr. Moore, do you have --

19 DR. MOORE: Not yet.

20 CHAIRMAN BARTH: Not yet. Okay.

21 Do we need to -- this is a little bit different
22 process than our normal charter process. Do we have
23 to do this at this meeting or can we take a little
24 time?

25 MS. HYATT: Mary Claire Hyatt, Arkansas

1 Department of Education.

2 You don't have to do it right now. I would
3 suggest doing it very quickly so that they have time
4 to prepare the information. But it might make more
5 sense for you to send what you want to Reggie so that
6 you can have time to think about what you want to
7 request rather than be rushed now.

8 CHAIRMAN BARTH: Okay. I'm going to set a
9 deadline of noon on Monday for emails to Mr. Ballard
10 with a list of items that you would want to be
11 included in the next report.

12 Does that sound fair? Is that good?

13 MR. HENRY: Yes.

14 CHAIRMAN BARTH: All right. Thank y'all so much
15 for being here and safe travels back to northwest
16 Arkansas.

17 MR. HENRY: Thank you, Board.

18 CHAIRMAN BARTH: All right. Thank y'all.

19 Okay. I'm going to ask the Board to do a little
20 rearrangement of the agenda. We have an item that is
21 pretty crucial for us to get done this morning and I
22 think we need to therefore move it up to this
23 morning. I apologize to folks who are in between.
24 But down on action item 5, specifically the first
25 item, 5(a), I would ask that we move issue 5(a) --

1 item 5(a) up and take it up next on the agenda. This
2 is the Covenant Keepers issue.

3 Is there a motion to adjust the agenda in that
4 way?

5 MS. NEWTON: So moved.

6 MS. CHAMBERS: Second.

7 CHAIRMAN BARTH: All right. Motion by Ms.
8 Newton, second by Ms. Chambers.

9 All in favor say "aye."

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRMAN BARTH: Opposed, same sign.

12 Okay. Ms. Hyatt?

13 MS. HYATT: Could we have just a second to get
14 them in the room?

15 CHAIRMAN BARTH: We can have 5 minutes to take a
16 quick break.

17 (BREAK: 11:49 - 11:55 A.M.)

18 CHAIRMAN BARTH: All right. Thanks, everybody.

19 I just want to let the Board know we've got a
20 lot of moving parts today and a lot of people who
21 have to be in a lot of places, legislators and
22 others. So we're going to probably have to do some
23 adjustment of our agenda. We've got more flexibility
24 than some others. We're not going anywhere; we're
25 here for the day. So, and my game plan is to deal

1 with this item and then I'm going to -- if there is
2 not objection -- is that appropriate for me is just
3 to do these without objection?

4 So if there's not objection then the next item
5 up will be Item 4, which will be the hearing on the
6 Pine Bluff Lighthouse Academy. If any -- we would
7 then deal with that case and any public comment. We
8 would hear the final public comment from Mr. Vines;
9 then we would go to lunch and return 30 minutes
10 after.

11 So anyone who does not have -- who is not
12 associated with Pine Bluff Lighthouse, Covenant
13 Keepers, or has -- or Mr. Vines, then you will -- we
14 will not be back here before probably 1:15 or so. So
15 if you do want to go ahead and go to lunch, you've
16 got an hour and 15 minutes. But we're going to get
17 these two cases out of the way and then move on.
18 Okay?

19 **A-5: CONSIDERATION OF CHARTER AUTHORIZING PANEL DECISIONS -**
20 **SUMMARY INFORMATION**

21 **a) CONSIDERATION OF CHARTER AUTHORIZING PANEL ACTION ON**
22 **OPEN-ENROLLMENT CHARTER SCHOOL RENEWAL: COVENANT**
23 **KEEPERS CHARTER SCHOOL**

24 CHAIRMAN BARTH: All right. So, Mr. Ballard,
25 Covenant Keepers.

1 MR. BALLARD: All right. So, item number 5 is
2 Consideration of the Charter Authorizing Panel
3 Decisions from the most recent panel meeting, and
4 item (a) is Consideration of the Charter Authorizing
5 Panel Action on Open-Enrollment Charter School
6 Renewal for Covenant Keepers Charter School.

7 On January 15, 2019, the Charter Authorizing
8 Panel met and accepted the Covenant Keepers Charter
9 School's voluntary nonrenewal. And so this is (a) --
10 item (a), excuse me. 5(a) is Consideration by the
11 State Board on that ruling.

12 CHAIRMAN BARTH: Okay. So the proper motion
13 would be to review or not to review that action by
14 the Charter Authorizing Panel; correct?

15 MR. BALLARD: Yes.

16 COMMISSIONER KEY: Yes. And if I may, Dr.
17 Barth, as events of the last few days have changed
18 considerably the Department now has concern about
19 some fiscal integrity issues, not dealing with the
20 current team that's operating. But there are some
21 significant issues that have changed, and we would
22 ask that you review this. And we just need y'all to
23 review it and then we'll talk through the process,
24 depending on y'all's decision on that.

25 CHAIRMAN BARTH: You've heard the request from

1 the Department. Are there questions? Is everybody
2 clear on where we are?

3 Okay. Then the proper motion is to review or
4 not to review.

5 MS. ZOOK: I move to review.

6 MR. WILLIAMSON: Second.

7 CHAIRMAN BARTH: All right. Motion by Ms. Zook,
8 second by Mr. Williamson.

9 Any further discussion?

10 All in favor say "aye."

11 (UNANIMOUS CHORUS OF AYES)

12 CHAIRMAN BARTH: Opposed, same sign?

13 Okay. Now we'll talk through next steps;
14 correct?

15 COMMISSIONER KEY: Yeah. Go ahead, Reggie.

16 MR. BALLARD: All right. So, Pine Bluff
17 Lighthouse?

18 CHAIRMAN BARTH: No, we're going to deal with
19 this, the issue on Covenant Keepers --

20 COMMISSIONER KEY: Yeah.

21 CHAIRMAN BARTH: -- in its entirety; then we'll
22 go to --

23 COMMISSIONER KEY: So, Ms. Hyatt --

24 CHAIRMAN BARTH: -- Pine Bluff Lighthouse.

25 COMMISSIONER KEY: Ms. Hyatt can also come and

1 help --

2 CHAIRMAN BARTH: Yeah.

3 COMMISSIONER KEY: -- because Mr. Ballard and
4 Ms. Hyatt have been working on this.

5 But here's the situation: with the urgency that
6 we have we will need you all to meet again in a
7 special meeting tomorrow afternoon to consider what
8 we will seek -- revocation at this point. And then,
9 you know, there are some things working in parallel.
10 We're having to call a special Charter Panel meeting
11 this afternoon for consideration of an amendment that
12 the Friendship team will be bringing. The issue is
13 if we revoke you have 104 students that in essence
14 would be in limbo for the rest of the year, unless we
15 take some expedited actions to deal with the
16 situation.

17 And Ms. Hyatt has the legal details, if you will
18 care to ask more about it, or we can get into those
19 tomorrow at the special meeting.

20 CHAIRMAN BARTH: And to be specific about when
21 the special meeting would take place, our plan
22 tomorrow -- we have a reports meeting at 9 a.m., then
23 we were immediately going to go into a work session
24 on Level 5 supports and timelines; we would then hold
25 this special meeting -- plan to hold this special

1 meeting immediately upon the completion of that
2 meeting. So it might not be until the afternoon,
3 just for folks who are worried about their day
4 tomorrow. We will try to get it done, you know,
5 within the lunch hour possibly. We can hopefully get
6 it done by 1 p.m. at the latest. Does that sound --

7 MS. ZOOK: Before or after the afternoon work
8 session?

9 CHAIRMAN BARTH: Well, the work session is not
10 in the afternoon. It was immediately upon completion
11 of the reports agenda.

12 MS. ZOOK: Oh, okay.

13 CHAIRMAN BARTH: Which is a very -- if you've
14 looked at it, it's a pretty short reports agenda,
15 probably maybe an hour. Then we go straight to that
16 work session and then we come straight back into the
17 special meeting --

18 MS. ZOOK: Okay.

19 CHAIRMAN BARTH: -- tomorrow.

20 MS. ZOOK: All right. Because I didn't know --
21 I was thinking I was hearing you say the work session
22 would only last an hour.

23 CHAIRMAN BARTH: No, no, no.

24 MS. ZOOK: I apologize. I misunderstood.

25 CHAIRMAN BARTH: I don't want to put time limits

1 on those meetings. We don't want to rush them. But
2 just -- I didn't want y'all to freak out or stress
3 out that you were going to be here for another full
4 day. We will try to expedite that in the morning to
5 get it done by -- as close to 1 p.m. as possible.
6 Does that sound appropriate?

7 COMMISSIONER KEY: Yes. We will --

8 CHAIRMAN BARTH: Okay.

9 MS. HYATT: Dr. Barth, can I just say one thing?

10 The operating procedures do say that for a
11 special board meeting you have to have 24 hours
12 notice to the board members. That's not the FOI
13 notice to the public. So if you are going to hear it
14 -- and I don't know the exact time right now, but
15 before --

16 CHAIRMAN BARTH: It's 12:01.

17 MS. HYATT: If you're going to hear it before
18 12:01 tomorrow, then I would just say that you make a
19 motion to waive that 24-hour notice to the board
20 members. We're still going to give proper notice to
21 the public, but in anticipation that you might hear
22 it before 12:01 tomorrow, since you're all here.

23 CHAIRMAN BARTH: Yeah, I think that makes
24 perfect sense. And so that's up next. Should we go
25 ahead and waive that now?

1 MS. HYATT: Yes, please.

2 CHAIRMAN BARTH: Okay. Mr. Williamson --

3 MR. WILLIAMSON: Yeah.

4 CHAIRMAN BARTH: -- move to waive that?

5 Is there a second?

6 MS. CHAMBERS: Second.

7 CHAIRMAN BARTH: Motion by Mr. Williamson,
8 second by Ms. Chambers to waive the 24-hour notice
9 for this board and meet on completion of our work
10 session tomorrow morning.

11 All those in favor say "aye."

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRMAN BARTH: Opposed, same sign.

14 So we'll have a short -- a one-item special
15 meeting tomorrow, in the morning. Sound good?

16 MS. HYATT: Dr. Barth, I think it might be a
17 two-item, if you will consider anything that comes
18 from the special Charter Authorizing Panel meeting
19 today.

20 CHAIRMAN BARTH: Okay.

21 MS. HYATT: So it might be two items, but --

22 CHAIRMAN BARTH: One topic but two --

23 MS. HYATT: Yes.

24 CHAIRMAN BARTH: Okay.

25 MS. HYATT: One topic.