

1 there.

2 So for attendance purposes, as well as academic
3 purposes, we feel like that an early-start on the
4 13th would be beneficial to us. Thank you.

5 CHAIRMAN BARTH: Thank you very much.

6 Any questions before we move on?

7 All right. Did you have any -- are you good?

8 Okay. All right. I see no opposition, Ms.

9 McLaughlin, on this item?

10 MS. McLAUGHLIN: No, sir.

11 CHAIRMAN BARTH: All right. We're ready to move
12 to a motion.

13 MR. WILLIAMSON: Move we grant the waiver.

14 MS. CHAMBERS: Second.

15 CHAIRMAN BARTH: Motion by Mr. Williamson,
16 second by Ms. Chambers.

17 All in favor say "aye."

18 (UNANIMOUS CHORUS OF AYES)

19 CHAIRMAN BARTH: Opposed, same sign.

20 Fantastic. Okay.

21 So we're through the Act 1240 waivers. Thank
22 y'all so much for being here today and sitting
23 through a long meeting.

24 **A-5: CONSIDERATION OF CHARTER AUTHORIZING PANEL DECISIONS -**
25 **SUMMARY INFORMATION**

1 **b) CONSIDERATION OF CHARTER AUTHORIZING PANEL DECISION**
2 **ON OPEN ENROLLMENT CHARTER SCHOOL AMENDMENT: eStem**
3 **PUBLIC CHARTER SCHOOLS**

4 CHAIRMAN BARTH: We'll now move down to -- back
5 down to the Charter Authorizing Panel decisions and
6 get through as many of those as we can before the
7 special Charter Authorizing Panel meeting in about 40
8 minutes. And so I'll turn it over to Mr. Ballard for
9 the Capital City Lighthouse issue.

10 MR. BALLARD: All right. So we have the
11 Consideration for --

12 CHAIRMAN BARTH: Oh, I apologize.

13 MR. BALLARD: Were you wanting to -- okay.

14 CHAIRMAN BARTH: I apologize. I just skipped
15 over eStem. It got marked off when I was dealing
16 with Covenant Keepers earlier. eStem -- and we do
17 have -- let's slow-walk this one a little bit because
18 Mr. Bacon was going to call in.

19 MS. McLAUGHLIN: Mr. Bacon, are you on the
20 phone?

21 DR. BACON: Yeah, I'm on the phone. It's kind
22 of hard to hear, but I'm here.

23 MS. McLAUGHLIN: Okay.

24 CHAIRMAN BARTH: Mr. Bacon, can you hear me?

25 DR. BACON: Yeah, I can hear you.

1 CHAIRMAN BARTH: I mean Dr. Bacon.

2 DR. BACON: Yes, I can hear you, Dr. Barth.

3 CHAIRMAN BARTH: All right. All right. Thank
4 you.

5 All right. Mr. Ballard, so this is the -- we
6 are on the eStem case at this point.

7 MR. BALLARD: Yes. All right. So the
8 Consideration for the Charter Authorizing Panel
9 Decision on Open-Enrollment Charter School Amendment
10 for eStem Public School --

11 On January 15, 2019, the representatives of
12 eStem Public Charter School appeared before the
13 Charter Authorizing Panel requesting an amendment to
14 their charter. By a unanimous vote, the Panel
15 approved the request. No request for the State Board
16 of Education to review the decision was made by the
17 Panel. The State Board may exercise a right to
18 review and conduct a hearing on the Charter
19 Authorizing Panel's determination at the State
20 Board's next meeting.

21 CHAIRMAN BARTH: All right. So Dr. Bacon is on
22 the phone, if there are any questions. Does anyone
23 to my right have any questions on this item?

24 MS. ZOOK: I do.

25 CHAIRMAN BARTH: Okay. Ms. Zook.

1 MS. ZOOK: Okay. Good afternoon, Dr. Bacon.

2 CHAIRMAN BARTH: Can you hear okay, John?

3 DR. BACON: Yeah.

4 MS. ZOOK: Can you hear me?

5 DR. BACON: Yeah.

6 CHAIRMAN BARTH: Okay.

7 MS. ZOOK: Okay.

8 DR. BACON: I can.

9 MS. ZOOK: I noticed that your growth was below
10 ready and you had these waivers last year. So how do
11 you account for the fact that this waiver is being
12 helpful for the students you're teaching?

13 DR. BACON: So after we -- we aren't asking for
14 any -- to do anything differently than what we have
15 done. We were advised by ADE Legal that some of the
16 waivers that we had held, accreditation standards in
17 the past, we needed some additional -- another waiver
18 from the Arkansas code or perhaps from the ADE rules
19 and regs. And so in a lot of ways this is really
20 just a clean-up to let us continue to do things that
21 we've had waivers from from the very beginning, when
22 the charter was approved in 2007.

23 MS. ZOOK: Right. I guess that's what I
24 understand. But it doesn't seem to be accomplishing
25 what we hoped the waivers would do, which is to

1 increase achievement and/or growth.

2 DR. BACON: Right. And so we -- as you know,
3 during the first round of the report cards we had
4 straight A's for all three of our schools. And then
5 last year we started our expansion, and so probably
6 about 40 to 45 percent of the students that we got
7 last year are new to eStem. And so we definitely
8 went through quite a transition of just kind of -- we
9 moved our high school to the UA-Little Rock campus
10 and we expanded enrollment in the elementary and the
11 junior high and restructured the grades. And so I do
12 think that, you know, with time -- what we were doing
13 was working for students for seven, eight years. And
14 I think that part of the thing is we need to stay the
15 course with our program, but it's just the
16 transitioning of new students and getting them
17 established at eStem. I think we'll see that as we
18 go on down the line.

19 MS. ZOOK: Okay. Thank you.

20 And where are you -- and are you fully
21 implementing the laws surrounding dyslexia and the
22 screening of your students K-12?

23 DR. BACON: Yes, ma'am. We have -- we created a
24 position this year for dyslexia coordinator for our
25 charter school system, and she has helped in making

1 sure that we have our screeners in place. We've
2 added additional dyslexia interventionists only to
3 provide support for the students who do exhibit the
4 markers. This year we started using the Wilson
5 reading program, based on the recommendation of some
6 of the dyslexia experts in the state. And so that's
7 what we're using as our basic phonics -- you know,
8 phonetically-based reading instruction in the lower
9 grades and then we're still using Connections as our
10 intervention model.

11 MS. ZOOK: Well, I do commend you for using a
12 program that requires little, if any, adapting by the
13 newly-trained teachers. So I commend you for that.
14 Thank you.

15 DR. BACON: Thank you.

16 CHAIRMAN BARTH: All right. Okay. Any
17 questions on this side?

18 All right. Then the proper motion in this case
19 is to review or not to review the decision of the
20 Charter Authorizing Panel.

21 MS. ZOOK: I move that we not review.

22 MS. DEAN: Second.

23 MR. WILLIAMSON: Second.

24 CHAIRMAN BARTH: Okay. Motion by Ms. Zook,
25 second by Ms. Dean.

1 Any further discussion?

2 All in favor say "aye."

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRMAN BARTH: Opposed, same sign.

5 All right. Thank you, Dr. Bacon, for taking
6 time to join us today.

7 DR. BACON: Thank you.

8 **c) CONSIDERATION OF CHARTER AUTHORIZING PANEL DECISION ON**
9 **REVIEW OF CAPITAL CITY LIGHTHOUSE ACADEMY**

10 CHAIRMAN BARTH: All right. Now we are at
11 Capital City Lighthouse Academy.

12 MR. BALLARD: So the Capital City -- it's
13 consideration of the Charter Authorizing Panel
14 Decision to Review Capital City Lighthouse Academies.

15 On January 15, 2019, representatives of Capital
16 City Lighthouse Academy appeared before the Panel to
17 report on the charter's academic performance. By a
18 unanimous vote, the Panel voted to accept the report.
19 No request for the State Board of Education to review
20 the decision made by the Panel was submitted. The
21 State Board may exercise a right to review and
22 conduct a hearing on the Charter Authorizing Panel's
23 determination at the State Board's next meeting.

24 CHAIRMAN BARTH: All right. Thank you.

25 I'll start on my left. Are there any questions

1 on this side on this item?

2 Okay. Anyone over here?

3 All right. Then the motion is to review or not
4 to review.

5 MS. DEAN: I move to not review.

6 MS. ZOOK: Second.

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

9 All in favor say "aye."

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRMAN BARTH: Opposed, same sign.

12 All right. Thank you.

13 **d) CONSIDERATION OF CHARTER AUTHORIZING PANEL DECISION**
14 **ON REVIEW OF BLYTHEVILLE NEW TECH HIGH SCHOOL**

15 CHAIRMAN BARTH: Now we are to Blytheville New
16 Tech High School conversion charter.

17 MR. BALLARD: All right. So this is the
18 Consideration of Charter Authorizing Panel Decision
19 to Review on the Blytheville New Tech High School.

20 On January 14, 2019, representatives of
21 Blytheville New Tech High School appeared before the
22 Panel to report on the charter's academic
23 performance. By a unanimous vote, the Panel voted to
24 accept the report. No request for the State Board of
25 Education to review the decision was made by the

1 Panel. The State Board may exercise a right to
2 review or conduct a hearing on the Charter
3 Authorizing Panel's determination at the State
4 Board's next meeting.

5 CHAIRMAN BARTH: Okay. Any questions to my
6 right?

7 MS. ZOOK: I noticed that they are going to
8 return in December at the Charter Panel's request for
9 a status report.

10 CHAIRMAN BARTH: Okay. Any comments, questions
11 to my left?

12 Ms. Newton.

13 MS. NEWTON: My only comment would be that, you
14 know, this is not the level of performance that I
15 would expect from a conversion charter. I would
16 expect it to be higher. So I'm very interested to
17 see what happens in December because I really expect
18 to see -- I hope to see some improvements by then.

19 CHAIRMAN BARTH: On that, they're having some
20 trouble hearing you although you're talking right
21 into your microphone. So I think we're -- we may
22 have some mic issues going on.

23 The comment was that they will return in
24 December and Ms. Newton voiced her expectations and
25 concerns that there be heightened performance shown

1 at that time.

2 My follow-up question is: will -- that will come
3 -- will that come back to us as a report or will that
4 simply stop at the Charter Authorizing Panel unless
5 there are flags raised?

6 MS. HYATT: So I -- Mary Claire Hyatt, Arkansas
7 Department of Education.

8 I believe that it was a voluntary report on
9 behalf of Blytheville New Tech. And so if we did it
10 as an action agenda item where the Charter Panel
11 accepted their report, then it would come to you, as
12 this item is coming to you, to review or not to
13 review.

14 CHAIRMAN BARTH: Okay.

15 MS. NEWTON: That would be a preference, I
16 think.

17 CHAIRMAN BARTH: Okay.

18 MS. NEWTON: I would like to see --

19 MS. HYATT: Absolutely.

20 CHAIRMAN BARTH: Okay. So that will be the
21 process.

22 All right. Anything else on this item?

23 Then the motion is to review or not to review
24 the Charter Authorizing Panel's decision.

25 MS. CHAMBERS: I move to not review.

1 MR. WILLIAMSON: Second.

2 CHAIRMAN BARTH: Motion by Ms. Chambers, second
3 by Mr. Williamson.

4 All in favor say "aye."

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRMAN BARTH: Opposed, same sign.

7 Okay. Great. That gets us through all of the
8 charter issues and it gets us to 1:00, even though
9 it's 2:31.

10 **B-1: FORDYCE SCHOOL DISTRICT REQUEST TO TRANSFER EDUCATIONAL**
11 **COOPERATIVES**

12 CHAIRMAN BARTH: And so we pick up with the
13 request by the Fordyce School District to transfer to
14 a separate educational cooperative -- a different
15 educational cooperative. And I'll turn it over to
16 Ms. Freno. We see these from time to time.

17 MS. FRENO: Thank you, Dr. Barth.

18 Lori Freno, Department of Education.

19 The Fordyce School District would like to switch
20 the educational service coop that it is a member of.
21 It would like to move from the South Central
22 Education Service Co-op in Camden to the Southeast
23 Arkansas Educational Service Co-op in Monticello.

24 You'll see in the agenda packet the reasons why
25 the school district wishes to transfer. And neither

1 of the co-ops at issue have any -- they have not
2 questioned or objected to the Fordyce School District
3 moving. And the Fordyce School District board of
4 directors also has approved this transfer.

5 And Dr. Hubbell, the superintendent of the
6 Fordyce School District, is here in case you have any
7 questions for her.

8 CHAIRMAN BARTH: Okay. But we don't have a
9 formal presentation typically; we just go straight to
10 the decision?

11 MS. FRENO: That is correct, I mean, unless you
12 have questions.

13 CHAIRMAN BARTH: Okay. Great. Thank you.
14 Are there any questions about this request?
15 Ms. Newton.

16 MS. NEWTON: Dr. Hubbell --

17 SUPT. HUBBELL: Yes, ma'am.

18 CHAIRMAN BARTH: If you'll just state your name
19 for the record.

20 SUPT. HUBBELL: Judy Hubbell.

21 CHAIRMAN BARTH: Thank you.

22 MS. NEWTON: Dr. Hubbell, teachers rely on co-
23 ops for quite a bit of their professional
24 development.

25 SUPT. HUBBELL: Yes, ma'am.

1 MS. NEWTON: And sometimes they make connections
2 at co-ops with people that they feel comfortable
3 working with. Have you talked to your staff about
4 the move and what is their feelings on the move?

5 SUPT. HUBBELL: Yes, ma'am, I have. The vast
6 majority of them are in favor of it. We use the
7 Monticello co-op quite a bit because we can't get a
8 particular training or service at Camden. And I find
9 that I'm paying for the Camden services and then I'm
10 having to pay for more services at Monticello. So
11 that's my thought in it. And I think that the vast
12 majority of my faculty and staff prefer the
13 Monticello co-op.

14 MS. NEWTON: Okay. That was my only question.

15 SUPT. HUBBELL: Yes, ma'am.

16 CHAIRMAN BARTH: Okay. Any additional
17 questions, Ms. Newton?

18 Ms. Zook? Anybody else?

19 Okay. All right. So you have -- you hear the
20 request.

21 Thank you.

22 SUPT. HUBBELL: Yes, sir. Thank you.

23 CHAIRMAN BARTH: The proper motion is to accept
24 the request for a move to a different co-op by this
25 district.

1 MS. CHAMBERS: I move to approve the requested
2 transfer.

3 MS. DEAN: Second.

4 CHAIRMAN BARTH: Motion by Ms. Chambers, second
5 by Ms. Dean.

6 All those in favor say "aye."

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN BARTH: Opposed, same sign.

9 All right. Congratulations. Thank you.

10 SUPT. HUBBELL: Thank you.

11 CHAIRMAN BARTH: Good luck with your work.

12 **B-2: ENHANCEMENTS FOR ARKANSAS BETTER CHANCE PROGRAM**

13 CHAIRMAN BARTH: We're now down to Enhancements
14 for the Arkansas Better Chance Program, and our
15 friends from the ABC program are here.

16 Welcome.

17 MS. UNDERWOOD: Good afternoon. Susan Underwood
18 with the ABC program and Audrey Freshwater with the
19 ABC program.

20 We are -- we have the opportunity to present the
21 program year 2018-19 distribution of the \$3,000,000
22 committed by Governor Hutchinson to improve the
23 quality of the Arkansas Better Chance program. On
24 your attached spreadsheet you'll see that there are
25 over 90% -- 90.2% of the funding that's going to be

1 distributed to the ABC programs according to the
2 child enrollment thresholds. Each of these ABC
3 programs will receive a one-time \$116.22 per child
4 according to their accomplishments on their current
5 enrollment as outlined on the ABC grant renewal.
6 Then there will be -- 9.8% of the funding will be
7 distributed to assist the competitive ABC Innovation
8 grantees to continue implementing their final plans
9 in the different areas that they were awarded, which
10 are social/emotional, STEM, outdoor economic friendly
11 learning environments, the natural playgrounds, and
12 the literacy support.

13 Then there is -- we're also asking that you
14 approve a one-time payment differential to the Ozark
15 Opportunities, Incorporated in the amount of \$8,748.

16 CHAIRMAN BARTH: Okay. Any questions about
17 these proposed --

18 Dr. Moore.

19 DR. MOORE: Yes, I have a few questions, if you
20 don't mind.

21 MS. UNDERWOOD: Yes, ma'am.

22 DR. MOORE: Could you describe how the
23 innovation grant awards were determined?

24 MS. UNDERWOOD: Yes. It was a competitive
25 grant. We had the different areas that would help to

1 enhance their programs, they wrote according to that.
2 They had to align it with the early childhood
3 standards and tell us how they would utilize it, how
4 it would enhance the learning of the children, and
5 how they would make sure that the teachers were
6 trained in order to accomplish those goals.

7 DR. MOORE: That's great. Do you know how many
8 applications y'all received?

9 MS. UNDERWOOD: Yes, ma'am. We had those -- we
10 had probably over about 75 applications in the
11 different areas.

12 DR. MOORE: Okay.

13 MS. UNDERWOOD: And then because of our
14 restraints we weren't able to fund everybody.

15 DR. MOORE: Right. The continuous quality, are
16 those -- does every program get continuous quality
17 funds?

18 MS. UNDERWOOD: Yes, ma'am.

19 DR. MOORE: Okay. On the per-pupil basis?

20 MS. UNDERWOOD: Yes. Last year it was focused
21 on the teachers' qualifications. This year we wanted
22 to provide it to the programs to continue to enhance
23 their programs.

24 DR. MOORE: Is there any reporting as to how
25 they're using the funds or any restrictions, or is it

1 all --

2 MS. UNDERWOOD: Yes. There -- at the -- we have
3 a midyear and a final year report that they will
4 report all that, and they will show us exactly what
5 areas that they're doing.

6 DR. MOORE: Okay.

7 MS. UNDERWOOD: And also on the -- and on the
8 innovation grants they have provided us an update as
9 to what their goals were, how they met those goals,
10 and what was -- what areas that they needed to
11 accomplish next.

12 DR. MOORE: That's great. Hopefully that will
13 continue to guide y'all's decision-making in the
14 future for funding as well. Thank you.

15 MS. UNDERWOOD: Yes.

16 CHAIRMAN BARTH: All right. Ms. Zook, anything?
17 Mr. Williamson?

18 MS. ZOOK: Yes. I think I'm still concerned --
19 and I don't think you were here yet last year when I
20 was concerned, so -- that the grants are being given
21 based on how well the person writes a grant as
22 opposed to the actual quality of the program or the
23 concrete objective data that can be presented to show
24 the money was awarded to improve quality. The
25 continuous quality -- I don't see any data, objective

1 data that shows me that all of these in fact did
2 improve the quality of their programs. I don't see
3 all of them that have done anything with regard to
4 pre-testing on dyslexia. I don't see anything that
5 tells me that you all are working with the
6 kindergarten programs in the districts where they are
7 that show that you're trying to align the pre-k
8 programs with the Science of Reading that will be
9 started in kindergarten.

10 And so in the future I'd like to see some
11 objective data that says this is what we looked at
12 and this is how we decided who got the money.
13 Because this just looks like you took the number of
14 things, divided it by the amount of -- divided it
15 into the amount of dollars, and distributed it
16 accordingly. And unless pre-K in Arkansas is unique
17 in the world, then everybody did not have the growth
18 and improve the quality that in fact that \$3,000,000
19 was intended for.

20 MS. UNDERWOOD: Okay.

21 MS. ZOOK: So if you can do that for me --

22 MS. UNDERWOOD: Thank you.

23 MS. ZOOK: -- in the future.

24 And do you do any comparison to the children --
25 for example, you mentioned to me just a few minutes

1 ago about the number of children in Pine Bluff that
2 are in pre-K programs. And those -- obviously, it's
3 not all of them. And do you do anything where you
4 work with the kindergarten in the districts or the
5 charters to find out how did they perform once they
6 got there, how did they compare to the children who
7 were not in pre-K? Because I think if we're going to
8 ever make the case for additional funding or the need
9 for or -- then we can't rely on a hundred-and-
10 something-kid survey that was done in Michigan 25
11 years ago that had total wraparound services, and
12 therefore it showed that pre-K did make a difference
13 long-term. But there's never been any research since
14 then that shows that pre-K makes the difference in
15 the prison pipeline, in the achievement at 4th, 5th
16 and 6th grade.

17 So I think because Arkansas is a leader in so
18 many new areas now, I think that that would be a
19 great thing for us to show how we are going to lead
20 with pre-K and make it the high quality that we in
21 fact are. I mean, \$114,000,000 -- \$111,000,000 is a
22 lot of dollars. And if we show that it's making a
23 difference I think that that in fact is worthy and
24 great and I'd be willing to, you know, give my input
25 to my Representatives and Senators to say "yeah, more

1 money." But at this point, without any objective
2 data I just can't feel encouraged to say that to my
3 Representative and Senator.

4 MS. UNDERWOOD: Okay. We do have a longitudinal
5 study. I'll be glad to send that to the Board for
6 your viewing. That would be great.

7 MS. ZOOK: Thank you.

8 MS. UNDERWOOD: And as we have more components
9 I'll be glad to provide that for you.

10 MS. ZOOK: Terrific. Thanks.

11 CHAIRMAN BARTH: Okay. Any questions or
12 comments over here?

13 Okay. So the question before the Board is
14 whether to accept these enhancements for the ABC
15 program.

16 MS. NEWTON: Move approval.

17 MS. CHAMBERS: Second.

18 CHAIRMAN BARTH: Motion by Ms. Newton, second by
19 Ms. Chambers.

20 All in favor say "aye."

21 (MAJORITY CHORUS OF AYES)

22 CHAIRMAN BARTH: Opposed, same sign.

23 MS. ZOOK: No.

24 CHAIRMAN BARTH: Okay. So the vote is 7-to-1 in
25 favor.

1 And thank y'all so much for being here. Thanks
2 for all you do.

3 **B-3: PRAXIS FUNDAMENTAL SUBJECTS: CONTENT KNOWLEDGE (5511) FOR**
4 **ALTERNATIVE LEARNING K-12 ENDORSEMENT**

5 CHAIRMAN BARTH: All right. We now move to the
6 Praxis Fundamental Subjects: Content Knowledge for
7 Alternative Learning K-12 Endorsement. And I see Ms.
8 Luneau.

9 MS. LUNEAU: Joan Luneau, Educator Preparation
10 here at the Department of Ed.

11 I've got two tests today for your approval. I
12 want to just quickly explain the two new endorsement
13 areas that we have. These were approved in the 2018
14 licensure rules, and they are the alternative
15 learning K-12 endorsement and the online teaching K-
16 12 endorsement. Both of these are exception areas,
17 which mean they will require coursework and an
18 assessment. We anticipate that this will be graduate
19 level coursework. We've been working with Higher Ed.
20 to get competencies written, so those are ready to
21 go. So we just need a test before we can move
22 forward.

23 Both of these are similar in that they prepare
24 teachers to work in teaching different environments,
25 and so that's kind of the approach we've taken with

1 them. There's not a specific test for either area.

2 And I'm going to do these individually. I'll
3 start with the alternative learning -- and this is
4 Agenda Item 3 -- and we have -- we are recommending
5 the Fundamental Subjects test. We're already using
6 that for AQT for this licensure area -- or for
7 teachers who work in an ALE, but for this licensure
8 area we'd keep that as the licensure assessment.

9 So we are asking to adopt the Praxis Fundamental
10 Subjects Content Knowledge with a cut score of 148 to
11 be used for the Arkansas Learning -- Alternative
12 Learning Educator licensure content assessment.

13 CHAIRMAN BARTH: All right. You've heard the
14 proposal.

15 Dr. Moore.

16 DR. MOORE: Yes. For both this one and the next
17 one, is this -- will this be a requirement for ALE
18 teachers?

19 MS. LUNEAU: It will not be a required --

20 DR. MOORE: Can districts require their teacher
21 to have this?

22 MS. LUNEAU: The district could do that, but it
23 will not be a state requirement. Uh-huh.

24 DR. MOORE: So why would a teacher -- a teacher
25 would probably go through this if their district

1 required it?

2 MS. LUNEAU: If their district -- but with it
3 being graduate level -- and they -- probably 15-hour
4 graduate level credits. So if they're already
5 working in that environment and they want to go up on
6 the pay-scale -- there's lots of reasons. But we
7 would anticipate districts recommending that their
8 teachers in those environments use this.

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

10 MS. LUNEAU: Okay.

11 CHAIRMAN BARTH: Okay. Any additional
12 questions?

13 Ms. Newton.

14 MS. NEWTON: My question had to do with the
15 second one. Are you --

16 MS. LUNEAU: I'm going to do that separately.

17 MS. NEWTON: Okay. I'll wait then.

18 CHAIRMAN BARTH: Okay. Any more questions on
19 this first proposal from the Department?

20 If not, I would entertain a motion.

21 MS. ZOOK: Move approval.

22 MS. CHAMBERS: Second.

23 CHAIRMAN BARTH: Motion by Ms. Zook, second by
24 Ms. Chambers for approval.

25 All in favor say "aye."

1 (UNANIMOUS CHORUS OF AYES)

2 CHAIRMAN BARTH: Opposed, same sign.

3 All right. And now the -- on to the second
4 item, Online Testing -- Online Teaching K-12
5 endorsement.

6 MS. LUNEAU: Okay. Online Teaching K-12 --
7 again, there's not a specific test for this one and
8 we do have a provision in licensure rules that if a
9 test is not available for a licensure area we can use
10 a current PLT. We want to use this kind of as a
11 temporary measure because we're already working to
12 develop a performance assessment for this endorsement
13 and we've started that process. So we just need a
14 test on the books until we can get that done.

15 And so what we're asking for is recommending
16 that current PLT or other pedagogy assessment be
17 adopted immediately to be used for this endorsement
18 area.

19 CHAIRMAN BARTH: Okay. I know Ms. Newton has a
20 question.

21 MS. NEWTON: My question was with the PLT.
22 Would there be teachers that have already taken this?
23 And so would they be -- if they applied, could they
24 get this endorsement if they'd already taken this?

25 MS. LUNEAU: Once they get the coursework.

1 MS. NEWTON: Okay. So they have to have
2 coursework --

3 MS. LUNEAU: And the test.

4 MS. NEWTON: -- and the PLT?

5 MS. LUNEAU: Uh-huh.

6 CHAIRMAN BARTH: Okay. Dr. Moore.

7 DR. MOORE: Yes. Just on the idea of online
8 teaching K-12 in general, is there any PD offered by
9 the Department for online teachers and/or do any of
10 the higher ed. institutions provide training in
11 teaching online, as we're seeing more districts and
12 charters move to having online teachers?

13 MS. LUNEAU: I can't answer the professional
14 development.

15 COMMISSIONER KEY: No, the Department does not
16 offer that.

17 Does Team Digital?

18 MS. STACY SMITH: (Nodding head up and down.)

19 COMMISSIONER KEY: Okay. So Team Digital does
20 and they're funded through a grant from the
21 Department.

22 DR. MOORE: And they probably work with the
23 districts that are now housing their own online
24 schools?

25 COMMISSIONER KEY: Yes. I -- yes. That's -- I

1 don't know that all of them go through Team Digital
2 for that, but that is something they do have access
3 to. And I know Team Digital is -- especially if they
4 are using, you know, Virtual Arkansas, those
5 services, then that's something that's available to
6 schools.

7 DR. MOORE: It's important, as online teaching
8 is different from face-to-face.

9 MS. LUNEAU: It's very different. We do have
10 three universities in the state that already have
11 certificate programs for online teaching and so
12 they're already approved through ADHE. So what this
13 would allow them to do is to seek approval for it to
14 be a licensure program. So there are three that are
15 probably ready to go right now.

16 DR. MOORE: Okay. Thank you.

17 CHAIRMAN BARTH: Any additional questions or
18 comments?

19 All right. Then just like the previous item, it
20 comes from the Department with a recommendation to
21 accept it.

22 MS. NEWTON: Move to approve.

23 DR. MOORE: Second.

24 CHAIRMAN BARTH: All right. Motion by Ms.
25 Newton, second by Dr. Moore.

1 All in favor say "aye."

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIRMAN BARTH: Opposed, same sign.

4 Great. Thank you, Ms. Luneau.

5 MS. LUNEAU: Thank you.

6 **B-5: 2018 STUDENT SERVICES REPORT**

7 CHAIRMAN BARTH: We're now down to item 5, which
8 is the 2018 Student Services Report. And, Ms.
9 Knowles, welcome back.

10 MS. KNOWLES: Thank you. Love being here two
11 times in one day.

12 I'm Suzanne Knowles, Guidance and School
13 Counseling. And I'm here today really just to give
14 you an opportunity to ask questions more than
15 anything, because you already have the student
16 services annual report that we provide every year
17 that's required by Arkansas Code 6-18-1007.

18 That being said, let me just say this -- and I'm
19 very excited to say that we have a school counselor
20 bill out right now that would take away this
21 requirement; so no longer would there be a compliance
22 report if this bill -- it has passed the Senate and
23 the House Education Committee today. So, you know,
24 you don't really see me cheering, but I am.

25 But moving from this type of report, which is

1 kind of compliance after-the-fact to having schools
2 actually identify the services and supports they
3 provide students and posting that on their website so
4 that their students can see, their parents can see,
5 their community members can see, and we can see what
6 services they're providing, which is a lot more
7 present and in the future kind of thinking --
8 forward-thinking, as opposed to kind of, you know,
9 what we did before.

10 So anyway, does anybody have any questions that
11 I could answer for you or attempt to answer?

12 CHAIRMAN BARTH: So anybody to my left?

13 Ms. Newton.

14 MS. NEWTON: If a district is not meeting the
15 requirement that a counselor spends at least 75% of
16 their time in direct counseling, is there any -- are
17 there any measures instead of after the fact, after
18 the year is over? Are there any measures to find
19 that out, what you're talking about, on the front-
20 end? And then also are there any -- is there any
21 teeth to it?

22 MS. KNOWLES: Well, I will say that that's one
23 of the things that we've tried to address going
24 forward -- being a little bit more present as opposed
25 to past-tense. From this report, and historically,

1 when a counselor isn't meeting the 75/25 ratio then
2 the superintendent receives a letter from our office
3 -- but we also give that information to Standards.
4 But then -- and the superintendent -- we do offer to
5 provide support to the school counselors; we offer to
6 provide support to the district if they have
7 questions. So we offer a lot of technical assistance
8 and guidance and things like that. But if they don't
9 want it, they don't. Very rarely do the counselors
10 not want it, but I don't always have the
11 superintendents who want us to come and work with
12 their counselors -- I mean, they don't always request
13 that, but the counselors often do. Let me just say
14 that.

15 MS. NEWTON: Okay. Are there any consequences
16 to a school not providing the required minimum time?

17 MS. KNOWLES: Well, that's why Standards gets
18 that as well, because it is in the Standards for
19 Accreditation that they provide a comprehensive
20 counseling program. But the 75/25 is in this act; it
21 doesn't spell that out in Standards. So that's one
22 of the things we've addressed going forward is really
23 being a lot more -- we want to provide more clarity
24 on what that 25/75 means, you know. So now, going
25 forward, hopefully we'll have direct and indirect --

1 which we've never had indirect counseling in the
2 state, so you were either directly with the student
3 or you were doing paperwork. I mean, there wasn't
4 any in-between. So we've created a more -- a system
5 that would be more aligned with the national
6 standards so that we would have direct -- working
7 directly with students; we would have indirect, which
8 is sort of on the path of the student and so that
9 could be a lot of different things. And then
10 administrative, which is way more well-defined and is
11 really about kind of duty and paperwork and things
12 like that. They're really more like duties as
13 opposed to working with students.

14 So I think in that sense part of the student
15 services plan, which has actually been required since
16 1991 -- but part of that going forward is to have a
17 better plan because now, particularly when it's
18 posted on your website -- and one of the messages
19 we've been already sharing with counselors is, you
20 know, you have to make sure that plan reflects what
21 you actually do. Because the first time you don't do
22 something and you say you do and something happens to
23 a child -- which, you know, we hope never happens
24 but, you know, we do live in the real world -- then
25 you've just said something -- you know, you're saying

1 you're providing services that you're really not. So
2 we've got to be really careful about that and how we
3 show that information.

4 But what I really like about it is this report
5 -- I think it's -- you know, it definitely has its
6 purpose. But I think going forward being able to see
7 what services a district provides and come back and
8 say, okay, how can you -- and it will require them to
9 be more reflective. I don't think the report has
10 required them to be reflective, but this will require
11 them to be a lot more reflective about what they're
12 offering. We also have a checklist that we've been
13 sharing the last couple of years that we're working
14 on and revising it. So it says, you know, here are
15 things that you really should be doing based upon
16 legislation, but also just a comprehensive school
17 counseling program. And it's a way for the school,
18 the district, the counselor, whoever it is, to look
19 at it and determine whether or not they're offering
20 the things they should be offering. So, instead of
21 just saying "we do it," how do you do it, what
22 exactly are you doing, and being a lot more
23 reflective and thoughtful about that process.

24 CHAIRMAN BARTH: So --

25 MS. NEWTON: I just know that over my career,

1 even as a teacher, from the very beginning to the end
2 -- the role of the counselor in the last few years
3 has been vital to my success as a teacher; you know,
4 not just in the career choices, but just the
5 everyday, you know, dealing with students and helping
6 them through their life challenges. It just -- it's
7 just -- it's vital that they have that time to be
8 able to work with students every day. And it's just
9 -- it's night-and-day of what it used to be as far as
10 the counselor. When I first started it was mainly
11 focused on career and helping them make those choices
12 for after K-12, but now it's not that way. And I
13 cannot over-emphasize the need for counselors in our
14 schools today and for them to have the time that they
15 need.

16 MS. KNOWLES: Well, and I really appreciate
17 that. And we feel that way as well, which is one of
18 the reasons why -- I mean, that and the
19 recommendations of the School Safety Commission and
20 just really kind of -- really every stakeholder in
21 the state, I think, says a counselor should be
22 working with the students more on career things, on
23 mental health, safety, those things. And so, you
24 know, we're really -- really -- I say hopeful -- but
25 not hopeful in a sense that I don't think it can

1 happen, but hopeful in the sense that I really feel
2 like we are making some differences.

3 And we're doing some things here at the
4 Department with the Guide for Life and just
5 supporting, you know, those skills students need for
6 success just outside of academics as well -- that
7 other, you know, non-cognitive stuff. A lot of that
8 will all fit well together.

9 So I think, you know, in terms of providing
10 services to kids I really like the direction we're
11 going in -- not that my opinion is, you know, the one
12 that matters, but I want to share it with you anyway
13 because I really do feel that way.

14 Any other questions?

15 CHAIRMAN BARTH: Well, I'll just follow-up on
16 this line.

17 So in terms of the standards, which is where the
18 hammer is -- right -- in terms of really pushing
19 schools to move on these issues, it really -- is the
20 ratio really the one -- is that really the one place
21 that there's an explicit standard? Is that right?

22 MS. KNOWLES: The 450 by district -- so 450
23 students per counselor by district, which doesn't
24 mean 450 by counselor; it means -- you know, it could
25 be 600 with one and 200 with another, or whatever.

1 But that's explicit, the fact that they have a plan
2 and that the plan addresses the requirements that
3 we've provided from the Department of Ed., which we
4 have become more and more clear about, not saying
5 that you have to do these things but really clear
6 about what a comprehensive school counseling program
7 has been for probably the last four -- but I would
8 say really heavily the last two, you know. And some
9 of that -- I mean, we do that in our office all the
10 time and it's constant, but part of that is not just
11 that we say we have a program. But, number one, it's
12 good for kids; and number two, when you say "I can't
13 do this because I'm doing something else," if you
14 don't have data to show that you're really taking too
15 much time doing that, and if you don't have any way
16 to advocate for your own program -- I mean, I can't
17 go to every superintendent and say, "Come on, let's
18 have a talk." The counselors have to do that. So we
19 really want there to be conversation. We really
20 want, you know, some of that conversation before
21 decision-making so that we're providing the best we
22 can for our kids.

23 CHAIRMAN BARTH: So it's that third piece where
24 some of that more proactive or thoughtful reflective
25 work --

1 MS. KNOWLES: Yes.

2 CHAIRMAN BARTH: -- is going on?

3 MS. KNOWLES: Yes.

4 CHAIRMAN BARTH: I'm seeing Ms. Smith. Are you
5 wanting to hop in?

6 MS. STACY SMITH: Only because she said it, I
7 just want to take a moment to say this morning when I
8 showed you Guide for Life and I was saying names,
9 this is one of those people who's put in a lot of
10 time on that and has done a great job. So I just
11 wanted to acknowledge you to them.

12 MS. KNOWLES: Thank you.

13 CHAIRMAN BARTH: Great.

14 MS. STACY SMITH: Thank you.

15 MS. KNOWLES: I thought I did something wrong
16 here.

17 MS. STACY SMITH: No, you didn't.

18 MS. KNOWLES: I must've missed something really
19 important.

20 MS. ZOOK: Spoken like a true counselor.

21 So --

22 CHAIRMAN BARTH: Ms. Zook.

23 MS. ZOOK: When you all do these reports, do you
24 share them with Standards and Support so when they go
25 into there they will see this is a potential citing

1 or probation item?

2 MS. KNOWLES: Yes. And I will say that last --
3 in this last Standards for Accreditation that was
4 approved in May that was when the requirement first
5 began that districts had to post their plan. Now
6 schools have had plans since 1991 -- and I will be
7 totally honest with you: what we've seen is just a
8 wide range of what they have. Some do a phenomenal
9 job; some I'm not proud to say anything about. But
10 what I will say is this: we -- I -- because I felt
11 like Standards was evaluating the plans, we offer to
12 help support that in our office. So we have a
13 collaborative document and when there's -- so we
14 check them as well to make sure that if -- and if
15 there's something that we see, then we provide
16 assistance directly to the district -- and going
17 forward, that will continue. And actually I've been
18 going to the monitoring meetings so that when the
19 monitoring list comes out I can always -- I can also
20 give feedback, if I have feedback about something
21 that they might want to work on. So we've really I
22 would say combined forces in a better way than I
23 think we've ever had. So I do feel like that's a
24 plus. Initially, probably more work for us, but
25 going forward I don't think so because I think we'll

1 just have better services for kids.

2 MS. ZOOK: Good.

3 CHAIRMAN BARTH: Any additional questions?

4 All right. Thank you very much.

5 And so the motion is to accept the report and
6 that comes from the Department, of course.

7 MS. McFETRIDGE: I move to accept the report.

8 CHAIRMAN BARTH: All right. Motion by Ms.
9 McFetridge.

10 MR. WILLIAMSON: Second.

11 CHAIRMAN BARTH: Second by Mr. Williamson.

12 All in favor say "aye."

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRMAN BARTH: Opposed, same sign.

15 Thank you so much.

16 MS. KNOWLES: Thank you.

17 **B-6: CONSIDERATION OF THE 2017-2018 ANNUAL STATISTICAL REPORT**

18 CHAIRMAN BARTH: All right. We now move to the
19 2017-2018 Annual Statistical Report. And this is Mr.
20 Rogers, who just stepped out. All right. So he had
21 to go to another meeting. Let's --

22 Okay. Great. Thank you. Thanks for stepping
23 in.

24 MS. MOORE: Hi. I'm Alisa Moore; I'm with the
25 Financial Accountability and Reporting Unit here at

1 the Department.

2 CHAIRMAN BARTH: Welcome.

3 MS. MOORE: Thank you. The annual statistical
4 report is a report that is issued every year about
5 this time of year. It has to be issued, by law, by
6 the 15th of February. The Commissioner signs and we
7 present it to the Governor. And it shows mostly the
8 financial information for the schools, co-ops, and
9 charters within the state -- and it will be a lot of
10 expenditures. We give lots of information in what
11 you will see, in what I call lines 1 through 14,
12 which is debt, the assessment, tax millage, and
13 things such as that. And one of the most important
14 things that schools and you as a board are interested
15 in across the state is per-pupil expenditure. So all
16 of those lines come down to a total net expenditure,
17 on line 81, I think, divided by 88 on line 2, and
18 that will give you your per-pupil expenditure for
19 each school district.

20 CHAIRMAN BARTH: Okay. Great.

21 Any questions? Any questions about these
22 numbers?

23 DR. MOORE: No. I just think this is a lot of
24 hard work by the Department, but it's very important
25 to get this information out there. And I wish that

1 parents and school boards and taxpayers could --
2 would access this even more often to better
3 understand how the districts are making decisions.

4 MS. MOORE: Right.

5 DR. MOORE: Thank you.

6 CHAIRMAN BARTH: Great. All right. If there
7 are no other questions, then I would entertain a
8 motion to accept this report.

9 MR. WILLIAMSON: So moved.

10 MS. DEAN: Second.

11 CHAIRMAN BARTH: Motion by Mr. Williamson,
12 second by Ms. Dean.

13 All in favor say "aye."

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRMAN BARTH: Opposed, same sign.

16 Thanks so much for stepping in.

17 MS. MOORE: Thank you.

18 **B-7: HIGH SCHOOL COURSES AND GRADUATION REQUIREMENTS**

19 CHAIRMAN BARTH: We are now down to where we
20 started the day, which is Graduation Requirements.
21 So I welcome back Ms. Smith.

22 MS. SMITH: So Stacy Smith.

23 So this morning in the work session I shared the
24 38 and the graduation requirements and the
25 alternative pathways to graduation. So if anybody

1 has any questions, I'll be glad to answer any.

2 CHAIRMAN BARTH: Any questions?

3 MS. SMITH: If not, then I'd ask for your
4 approval of the 38 and the graduation requirements.

5 CHAIRMAN BARTH: Okay.

6 MS. ZOOK: Probably something we didn't ask this
7 morning is -- I know we saw this earlier in the year,
8 which we won't see it twice a year in the future.
9 But were there any adjustments from early in the year
10 to this one as far as what you're putting out for the
11 superintendents to know in preparation for the coming
12 year?

13 MS. SMITH: There's no substantive changes.
14 What you see on this sheet was really just some
15 cleaning up.

16 MS. ZOOK: Then I move that we accept the report
17 for graduation requirements for the 19-20 school
18 year.

19 MS. DEAN: Second.

20 CHAIRMAN BARTH: All right. A motion by Ms.
21 Zook, a second by Ms. Dean.

22 All those in favor say "aye."

23 (UNANIMOUS CHORUS OF AYES)

24 CHAIRMAN BARTH: Opposed, same sign.

25 Thank you, Ms. Smith.

1 **B-8: CONSIDERATION FOR ENDORSEMENT OF ENGAGEMENT FRAMEWORK**

2 CHAIRMAN BARTH: And now we're down to the
3 endorsement for -- this is -- the framework has
4 arrived. And so welcome, Ms. Wright, to do this fun
5 and important task.

6 MS. WRIGHT: Thank you so much.

7 Kim Wright, director for Family and Community
8 Engagement.

9 And, yes, I'm finally here today to ask the
10 Board for your endorsement of the essentials to be a
11 part of the Family and Community Engagement
12 Framework. The essentials will serve as the
13 organizational structure for the toolkit which is
14 under development right now.

15 CHAIRMAN BARTH: Okay. All right. We've talked
16 about this in the past. Are there additional
17 questions or comments?

18 MS. NEWTON: I just --

19 CHAIRMAN BARTH: Ms. Newton.

20 MS. NEWTON: -- want to say congratulations. I
21 know it was a lot of hard work.

22 And just a quick question -- any idea on how
23 long before the toolkit will be up and running?

24 MS. WRIGHT: It's going to be completed soon.
25 Yes, soon.

1 MS. NEWTON: Okay.

2 CHAIRMAN BARTH: Okay. "Soon," is that good
3 enough?

4 MS. NEWTON: I guess so.

5 CHAIRMAN BARTH: All right. Ms Dean.

6 MS. DEAN: I move that the State Board of
7 Education endorse the Engagement Framework.

8 MS. CHAMBERS: Second.

9 CHAIRMAN BARTH: All right. Motion by Ms. Dean,
10 second by Ms. Chambers.

11 All in favor say "aye."

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRMAN BARTH: Opposed, same sign.

14 Congratulations to everybody that's been
15 involved in this --

16 MS. WRIGHT: Thank you.

17 CHAIRMAN BARTH: -- and including Ms. Dean. And
18 also we look forward to the continued work, to pick
19 up on Ms. Newton's thread, and even after that this
20 work will never end as we continue to create
21 successful schools in this state.

22 So thank you.

23 MS. WRIGHT: Yes. Thank you.

24 And I would be remiss if I didn't take just a
25 minute -- I didn't win a Grammy or anything, but it

1 kind of feels like it. This is a major milestone for
2 us. So we'd like to take just a minute to say a
3 couple of thank-yous.

4 CHAIRMAN BARTH: That's great.

5 MS. WRIGHT: You know, first of all, a thank-you
6 to the Board and especially Commissioner Key and
7 former chair Ms. Reith that got this started. I want
8 to thank the taskforce, and a special thank-you to
9 Ms. Dean and Dr. Hill who are the chair and co-chair
10 of that; the coalition who just, you know -- I mean,
11 they're the ones that sat side-by-side with us to do
12 this; Ms. Gina Dickey; Arelia Montemayor (ps);
13 stakeholders from across this state. If it wasn't
14 for their participation and them providing feedback
15 throughout the entire process we wouldn't be where we
16 are today and have the document that we're so
17 confident that we have. And last but not least, Ms.
18 Coffman and my colleagues that I've been working with
19 on this whole project and without their support none
20 of this would happen.

21 So I just want to say a great big Valentine's
22 thank-you to everyone.

23 CHAIRMAN BARTH: Thank you as well, to add you
24 to the list.

25 All right. Good deal.

1 B-9: CONSIDERATION OF WAIVER FOR STANDARDS FOR ACCREDITATION -
2 SCRANTON PUBLIC SCHOOLS

3 CHAIRMAN BARTH: We are now down to the -- a
4 Consideration of Waiver for Standards for
5 Accreditation from the Scranton School District. And
6 so, Mr. Barnes, are you going to get us going?

7 MR. BARNES: Good afternoon, Board.

8 CHAIRMAN BARTH: Good afternoon.

9 MR. BARNES: My name is Tim Barnes. I work as a
10 team member that Ms. Coffman talked about in our
11 Standards and Systems Support Unit.

12 CHAIRMAN BARTH: Could you raise your microphone
13 just a nudge?

14 Thank you.

15 MR. BARNES: I've been there a long time; I'll
16 just put it that way. But we're here this afternoon
17 for the Scranton Public Schools. They are requesting
18 a one-year waiver for the Standards of Accreditation
19 in terms of Class Size for grade 6. That's our
20 Standards for Accreditation, which is 1-A-6, which
21 states, "Each public school shall employ -- shall
22 comply with the laws of the state of Arkansas and
23 rules of the Department regarding Class Size and
24 Teaching Load." And in your packet as well you have
25 a letter from the superintendent, Mr. Cook,

1 explaining the situation at the grade level; I
2 believe it's at grade 6. With our new ESSA base
3 system that flagged in December. And I've worked
4 with the elementary principal there and with the
5 superintendent within our compliance issues that we
6 have to see maybe if that wasn't corrected over the
7 holiday break, because we do live in a very mobile
8 society. But it didn't. So my assistance to him was
9 that he needed to go ahead and request this waiver,
10 if the student is probably going to be there for the
11 entire year.

12 We also talked about various other ways to
13 become compliant -- but when we're talking about a
14 school district that's around the 440 to 450 range,
15 facilities was an issue. Also, you know, you can't
16 meet standards by using federal funds or state
17 categorical funds. So this would be something that
18 would've been a hit on their operating budget as
19 well.

20 So they're coming before you today requesting
21 this one-year waiver. And I think when we did the
22 standards and revised them, putting that provision
23 in, this is one of those exceptions that I think
24 meets that requirement. They know and understand
25 this is a one-year thing. We've already looked at

1 their numbers and projections for next year as far as
2 their scheduling is concerned, and it doesn't seem
3 apparent unless they have an increase of enrollment
4 -- and if you've ever been to Scranton and that part
5 of the state, it's -- Arkansas River Valley -- it's
6 beautiful but usually their enrollment has been
7 consistent, at least over the last 13 years that I've
8 worked with them.

9 So I told the superintendent I'd be ready to
10 kind of support for this waiver because I think this
11 is something that, when we looked at it seriously and
12 changed it, that that's what it is. So we're coming
13 before you to ask the Board to grant this one-year
14 waiver for the Scranton School District for that 6th
15 grade for the one student that they're over.

16 CHAIRMAN BARTH: Great. Are there any
17 questions?

18 Ms. Zook.

19 MS. ZOOK: I think what I wonder is of those
20 students -- and you may not know this. I'm sorry; I
21 didn't know the superintendent wouldn't be here. But
22 often there are students who go out to resource room
23 or there are students who go out to gifted and
24 talented or speech therapy or whatever. So I
25 wondered, do you have any idea about what percent of

1 the day there's actually 29 students and one teacher
2 in one room?

3 MR. BARNES: That's a great question, Ms. Zook.
4 And I'm hoping probably Ms. Coffman too -- has she
5 left?

6 MS. COFFMAN: I would never leave you.

7 MR. BARNES: No. If you haven't had an
8 opportunity to walk through our new ESSA-base system,
9 our accreditation system, that you'll have that
10 opportunity. It still has a few little glitches in
11 it, but not major ones. We're actually able --
12 because, as Ms. Coffman said previously, you know, we
13 monitor every day. This is live data. So when we
14 pull up a master schedule and we look at total
15 enrollment counts and we look at teacher counts we
16 know exactly the subject that they're in for that
17 overage. My best guesstimation -- and it's been a
18 couple of weeks since I've looked at it -- probably
19 these are going to be core area classes, and their
20 art, music, and P.E. as well. So it wouldn't
21 necessarily be something that a special ed. student
22 or gifted and talented -- although those course codes
23 would be there and those students would be assigned.
24 But we can really pinpoint with I'd say probably
25 about 99% accuracy where those students are. We can

1 look at those trends so we can help provide the
2 technical assistance for their schedule for next
3 year.

4 So this is nothing that really -- if you look at
5 a larger school district probably, they would have
6 the facilities and the finances to probably be able
7 to do something with those extra students if it were
8 like five or six or ten students. But we're just
9 talking about one student. And I could probably
10 guarantee you and the State Board that that class has
11 probably been more student-focused than ever because
12 Mr. Rhinehart, who's the principal there -- we've had
13 many conversations, and they wanted to be proactive
14 and not wait like in the past. Some of the members
15 that have been here awhile know that this would
16 probably pop up in May, or April at the earliest.
17 They didn't want to, and with this new system we
18 don't have to do that. You can be proactive in your
19 district and take care of these issues as soon as
20 you're made aware of them.

21 MS. ZOOK: Scranton is one of the districts that
22 my husband periodically talks about, "If we can do it
23 in Scranton, surely to goodness we can do it
24 everywhere."

25 MR. BARNES: It is --

1 MS. ZOOK: So not to take anything away from
2 Scranton, but --

3 MR. BARNES: I can tell the State Board --

4 MS. ZOOK: -- I know y'all have done a lot of
5 great things there.

6 MR. BARNES: -- in the 13 years that I've been
7 there and worked with this district, this district,
8 even with our old system, were impeccable. They were
9 one of the few districts in the state of Arkansas --
10 when we ran an initial accreditation report they were
11 completely clean; they had everything in line and
12 they were in compliance with everything that the
13 state of Arkansas required of them. So that makes it
14 a little bit easier to stand in front of you and say
15 they have taken care of this. They've been
16 proactive. They understand what this means for this
17 year, but they also understand what it means for last
18 year. And we've got the support in place to even
19 help them if they see something trending for next
20 year as far as their enrollment is concerned.

21 CHAIRMAN BARTH: Thank you.

22 Ms. Coffman, do you have anything to add?

23 MS. COFFMAN: I'm good. Thank you.

24 CHAIRMAN BARTH: Okay. All right.

25 MS. McFETRIDGE: I have a --

1 CHAIRMAN BARTH: Yeah, Ms. McFetridge.

2 MS. McFETRIDGE: -- real quick question. It
3 said that you would rectify this before the 2019-2020
4 school year. So I'm just curious why you would need
5 a waiver for a year if it's going to be rectified?

6 MR. BARNES: This waiver is for this year.

7 MS. McFETRIDGE: Just this year?

8 MR. BARNES: The 18-19 school year.

9 CHAIRMAN BARTH: So it's really like one
10 semester, whatever?

11 MR. BARNES: Yeah. It's basically for this
12 semester. Once you're notified and once that system
13 kicks it out and you're out of compliance with a
14 class size issue, you have 30 days. We give them 30
15 days to correct it.

16 Now we've been working with this new system, so
17 we wanted to make sure if there's going to be an
18 error I guess we want an error on our behalf -- give
19 themselves more of a benefit of the doubt, to make
20 sure that within the 30 days that a student didn't
21 transfer out of Scranton, then they would be back in
22 compliance. But once it went through the holidays,
23 in January, when they came back to school, it was
24 like, "No, we want to deal with this right now. We
25 don't want to wait till April or May and -- with the

1 possibility of this still being an issue." Because
2 it might be a little bit more difficult of a decision
3 to make if you know a school district has been out of
4 compliance six months out of nine, rather than
5 basically one-and-a-half months out of the year.

6 CHAIRMAN BARTH: Ms. Newton.

7 MS. NEWTON: I just had a quick question. Are
8 there any other grades that are getting close to the
9 upper limit?

10 MR. BARNES: There are some grade levels in
11 their upcoming -- their 4th and 5th grade classes,
12 but they're in the low 20s to mid 20s.

13 MS. NEWTON: Okay.

14 MR. BARNES: So that's why we will be probably
15 working with them -- or like I said, Mr. Rhinehart
16 will probably give me a call in June and look at
17 those numbers to make sure. We use a semi-
18 departmentalized approach in their upper grades, so
19 it's basically the way they -- the way they have it
20 scheduled is 5th and 6th grade they do the team
21 teaching. Some of you are aware of that. And that's
22 just how it fell, and it's such a good school.

23 MS. NEWTON: Yeah. That's a good --

24 MR. BARNES: They stayed --

25 MS. NEWTON: That's a good thing.

1 MR. BARNES: They stayed --

2 MS. NEWTON: Yes.

3 MS. ZOOK: So, Ms. Coffman, is this something
4 where -- like I know if we go over the 150 the
5 teacher has to agree to do it. Is this the same kind
6 of thing where the teacher has to agree?

7 Thank you.

8 MS. COFFMAN: I would assume that a good leader
9 has talked to their teacher.

10 But I wanted to come back to Ms. Newton's
11 question. In the past, in our accreditation process
12 we looked at Cycle 2 data and then things had to be
13 cleaned up by the end of the school year. And what
14 we realized is that, as Tim was saying, that schools
15 could be out of compliance all yearlong if they
16 weren't out of compliance on Cycle 2 data. So this
17 system looks at it daily and so we can have
18 conversations with schools.

19 The other thing that happened previously is they
20 would come to -- the school districts would come to
21 the State Board in June, when we are ready to make
22 our final presentation, if you recall, and they would
23 say, "Oops, we're out of compliance. Can we have a
24 waiver retroactive for this school year?" And what
25 our new Standards for Accreditation say is if we're

1 really being data-driven we will make our corrections
2 as appropriate to serve kids -- or if we can't make
3 that correction, or in this case if it's not in the
4 best interest of kids to make it right now, then
5 that's where the waiver is really appropriate. Come
6 ask for it right now; declare that "we are over the
7 number but it would be more disruptive to children to
8 split them in February."

9 And so we're encouraging them to make really
10 strong data-driven decisions, and so that's a winner
11 every time.

12 MS. NEWTON: Good.

13 CHAIRMAN BARTH: Okay. Any additional questions
14 over here?

15 All right. Then I'll accept a motion on this
16 waiver request from the Scranton School District.

17 MS. NEWTON: Move to approve.

18 MS. CHAMBERS: Second.

19 CHAIRMAN BARTH: Motion by Ms. Newton, second by
20 Ms. Chambers.

21 All in favor say "aye."

22 (UNANIMOUS CHORUS OF AYES)

23 CHAIRMAN BARTH: Opposed, same sign.

24 Thank y'all so much for walking us through that.

25 MR. BARNES: Thank you. Thank you so much.

1 And, hey, thank you guys for your service as well.

2 CHAIRMAN BARTH: Thank you. Thank you.

3 **B-10: CONSIDERATION FOR RELEASE FOR PUBLIC COMMENT: ADE**
4 **SPECIAL EDUCATION AND RELATED SERVICES, SEC. 24.00 SPECIAL**
5 **EDUCATION CATASTROPHIC OCCURRENCES**

6 CHAIRMAN BARTH: We have a couple of rules to
7 take care of next. One is for public comment and
8 then one is for final approval. And so first up is
9 Ms. Salas-Ford on -- this is the public comment for
10 the Special Ed. and Related Services rule.

11 MS. SALAS-FORD: Actually, this is the
12 Catastrophic Occurrences one -- but yes, Special
13 Education Related Services, Section 24.00.

14 CHAIRMAN BARTH: Yeah, Section 24.00 --

15 MS. SALAS-FORD: Okay.

16 CHAIRMAN BARTH: -- of the Special Education and
17 Related Services.

18 MS. SALAS-FORD: Yes. So, good afternoon.

19 CHAIRMAN BARTH: Yes. I apologize.

20 MS. SALAS-FORD: Courtney Salas-Ford for the
21 Department.

22 So I'm going to give a little bit of background,
23 more so than I usually would on rules. But so for
24 those that aren't familiar, the State has an
25 appropriation of funds that they designate special

1 education catastrophic occurrence funding that they
2 make available to school districts for reimbursement
3 for costs of students with disabilities that rise
4 above a \$15,000 cost threshold. In the past we have
5 looked at different ways of allocating this money and
6 making it a more efficient system of reimbursement to
7 those school districts.

8 So the Department actually formed a committee to
9 look at this, got a lot of stakeholder involvement
10 and feedback, and came up with a proposal to allocate
11 the money differently than we were doing before. And
12 so this proposal is not as a result of legislation,
13 like normal, but is from a Department review of rules
14 for a more efficient way to allocate the funding.

15 And so, in a nutshell, we are proposing that the
16 first \$15,000 of costs that districts would have
17 previously been able to be reimbursed for would not
18 be reimbursable, but any amount above that they would
19 get a greater percentage. Because in the past that
20 percentage was low and then on top of that, because
21 of the number of claims submitted, they would even
22 get a lesser percentage than that on a pro rata
23 basis.

24 And so, again, I will be happy to answer any
25 specific questions. And Matt Sewell, director of

1 Special Ed., is available as well.

2 COMMISSIONER KEY: Let me add to that --

3 CHAIRMAN BARTH: Sure.

4 COMMISSIONER KEY: If I may add to that as well,
5 it goes to something you mentioned on another topic a
6 few minutes ago, Ms. Zook, is we have districts that
7 -- because some districts have staff who are better
8 able to work through the process, fill out the
9 paperwork and that sort of thing. So really this is
10 an equity issue, in our view, that it creates a
11 better model of equitable distribution of these
12 funds. Because there -- you know, it's very top-
13 heavy under the current distribution now just because
14 of the larger districts have staffing that's better
15 able to maneuver through the system.

16 So we believe that this will obviously -- let's
17 just be honest -- there's going to be some winners
18 and losers as with any type of situation; so I'm not
19 going to gloss over that. But as far as serving more
20 students that need it, we believe that this would be
21 a better way to meet those costs around -- all over
22 the state.

23 MS. ZOOK: And not winners and losers of kids.

24 COMMISSIONER KEY: Correct. Yeah. I mean, it's
25 not that the -- you know, I don't want anyone to

1 think that there will be students that go un-served
2 because of this. That's not what we're saying.
3 Those students will still be served. It's just a
4 matter of the distribution of this particular limited
5 pot of funds being distributed more equitably across
6 the state.

7 MS. SALAS-FORD: Yes.

8 CHAIRMAN BARTH: Okay. Ms. Chambers.

9 MS. CHAMBERS: Just a quick question. This
10 almost reads like an insurance policy with a
11 deductible and policy layers. Will these districts
12 be able to -- I was trying to think -- is anybody
13 going to be in a huge disadvantage in meeting their
14 deductible, the \$15,000? Is there a backstop for
15 that?

16 MS. SALAS-FORD: I'm not sure that this exactly
17 will answer your question. But, you know, these
18 districts still have available to them their federal
19 special education funding, they still are eligible to
20 claim Medicaid for a lot of these expenses, and that
21 is all backed out of the \$15,000 when they submit.
22 And so the only amount that they're really eligible
23 for reimbursement is on any state and local funding
24 that they have expended on this child. And so, as
25 Commissioner said, the obligation to provide services

1 doesn't change; it's just the way and the possible
2 amount in which they might get reimbursed is
3 adjusting to be more equitable.

4 CHAIRMAN BARTH: Ms. McFetridge.

5 MS. McFETRIDGE: I'd like to -- I know the
6 reporting is extremely difficult for some districts,
7 and you've said that. How can we make it easier?
8 Because I've heard there's double-reporting on some
9 of this, that they have to do double-reporting. Is
10 that correct?

11 MS. SALAS-FORD: Yeah, I'll let Stacy answer
12 that.

13 COMMISSIONER KEY: Matt is coming too.

14 MS. SMITH: Stacy Smith.

15 So right now they're having to give every detail
16 report that they have up to that \$15,000. And so we
17 want to get to the point where we're really looking
18 at the students who are most in need and those items
19 that are high-cost items that are costing those
20 districts up to \$65,000, \$100,000 items -- full-time
21 nursing care, equipment, big-ticket items. Right now
22 we're doing a lot of paperwork on little-bitty pieces
23 trying to account for that \$15,000, and the paperwork
24 is tedious. And so that's something that our Special
25 Education Unit -- as we are revising these rules,

1 we're going to try to move this shift towards those
2 big high-cost items.

3 MS. McFETRIDGE: How can we get more funding for
4 these children in this catastrophic situation?
5 Because when you look at the reports it's just really
6 not being funded where it needs to be.

7 MS. SMITH: So currently there's over \$30
8 million that is funded for catastrophic and that's --
9 when -- the ask for more funding is really what drove
10 us to start looking at how the funds were being
11 dispersed.

12 COMMISSIONER KEY: Hey, let's back up a little
13 bit. I think that's not the funded amount; it's
14 funded at Thirteen.

15 MS. SMITH: Thirteen.

16 COMMISSIONER KEY: Yeah.

17 MS. SMITH: Sorry, \$13 million. Sorry.

18 COMMISSIONER KEY: Okay.

19 MS. SMITH: It's funded at \$13 million --

20 COMMISSIONER KEY: Thank you.

21 MS. SMITH: -- and we're asking for \$30 million
22 at this point --

23 MS. McFETRIDGE: Right.

24 MS. SMITH: -- in the way we currently fund.

25 Okay. When we change our rules -- okay -- we would

1 have -- the \$13 million would actually cover the
2 cost. If we used the same formula, the same
3 students, the same reimbursements we would have had
4 enough funds to cover it. Right now the way that the
5 system and the funding piece is set up we're
6 reimbursing that first \$15,000 no matter what. Okay.
7 So districts are already receiving some funding for
8 that \$15,000. But once you hit that \$15,000
9 threshold you're being reimbursed for that entire
10 amount. So we're doing a percentage amount then
11 where we're not necessarily paying the most high
12 needed -- high-cost items. So this -- these rule
13 changes would actually make that first \$15,000 the
14 district's responsibility, and then it would be 100%
15 of the cost from that \$15,000 mark all the way up to
16 \$65,000. So now you're really talking about students
17 who have high-cost needs in a district and districts
18 getting reimbursed for those needs.

19 MS. McFETRIDGE: So if the districts -- they're
20 not able to report now because it's difficult, are
21 they going to be able to report when that figure goes
22 up above the \$15,000? Am I making sense?

23 MS. SMITH: No, you are making sense. And we're
24 aware of that. So that is the process that we're
25 going to have to change on making that more

1 streamlined so that the paperwork and the process is
2 not as difficult as it is now. But right now what's
3 happening is we're chasing every little ticket item
4 because districts are just trying to get above the
5 \$15,000 so they can get reimbursed.

6 MS. McFETRIDGE: Sure.

7 MS. SMITH: It's like -- so if you've got the
8 district personnel to be able to hire someone to do
9 paperwork, and you've spent \$13,000, \$14,000, it's in
10 my best interest to spend \$15,000 on you because I'm
11 going to get a reimbursement.

12 MS. McFETRIDGE: Some of these districts are
13 losing quite a bit of money. So is there any way
14 that you can do it different, kind of slow that
15 process down so they don't feel that loss of revenue
16 immediately?

17 MS. SMITH: So we looked at carryover fund
18 amounts for lots of those districts as far as their
19 federal carryover, their state carryover. A lot of
20 those districts have federal fund carryover. So they
21 have funding. They are losing an amount in the
22 catastrophic for state funding, but they still have
23 federal special education funding.

24 MS. NEWTON: And what --

25 MS. SALAS-FORD: Well, I'm just going to add --

1 when the committee met, you know, the committee
2 looked at different funding models from different
3 states, as well as how it would affect districts
4 within our own state. And the consensus of the
5 committee was that this was the most equitable
6 distribution. And so, as the Commissioner said, you
7 know, there are going to be some that are affected
8 more negatively and some more positively. But the
9 committee as a whole felt that this was the most
10 equitable way to do it and still have kids getting
11 the services that they need.

12 CHAIRMAN BARTH: I don't need names, but who
13 were the -- who are the stakeholders, the types of
14 stakeholders who were involved in this work?

15 MS. SALAS-FORD: I could get a list. I don't
16 have that -- oh, do you have it? Okay.

17 MR. SEWELL: Yeah. I don't -- Matt Sewell,
18 Arkansas Department of Education, Special Ed. Unit.

19 I don't have a list of the names of the people
20 who did participate in the meetings, but it was a mix
21 of superintendents, LEA supervisors, and school
22 teachers who participated in the stakeholder
23 meetings.

24 CHAIRMAN BARTH: Okay. Thank you.

25 Ms. Chambers.

1 MS. CHAMBERS: There is a little bit of a
2 correlation as you go from a first layer coverage
3 healthcare plan to a catastrophic plan, and there are
4 pros and cons in terms of how they both work. But to
5 the questions that you're getting from Ms. McFetridge
6 -- I do think and believe you probably are very
7 prepared for the communication that goes with how to
8 do this, because you participate differently, you
9 think differently; certainly the way you go through
10 the paperwork is different, and it's quite a shift.
11 And just anything you can do to make that easy so
12 they're still taking care of their students would be
13 appreciated.

14 CHAIRMAN BARTH: So obviously if y'all vote
15 today this will go out for public comment.

16 MS. SALAS-FORD: Yes.

17 CHAIRMAN BARTH: And I anticipate there will
18 probably be fairly extensive public comment on this
19 issue for some of the reasons that were raised today.
20 And I would also encourage my fellow board members to
21 participate in that public comment. Y'all certainly
22 have a voice in that.

23 So the ask today is to send this out for public
24 comment.

25 MS. NEWTON: Move to release for public comment.

1 MS. DEAN: Second.

2 CHAIRMAN BARTH: Motion by Ms. Newton, second by
3 Ms. Dean.

4 All in favor say "aye."

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRMAN BARTH: Opposed, same sign.

7 Thank you.

8 **B-11: CONSIDERATION FOR FINAL APPROVAL: ADE SPECIAL EDUCATION**
9 **AND RELATED SERVICES RULES, SECTIONS 2.00 (DEFINITIONS) AND**
10 **5.00 (FREE APPROPRIATE PUBLIC EDUCATION)**

11 CHAIRMAN BARTH: And are you going to take the
12 next one?

13 MS. SALAS-FORD: Yes.

14 CHAIRMAN BARTH: Okay.

15 MS. SALAS-FORD: I'm going to fill in for Ms.
16 Hyatt who is with the Charter Panel meeting.

17 So we're asking for final approval of Sections
18 2.00 and 5.00 of the Special Education and Related
19 Services rules. The Board actually gave final
20 approval to these exact rules in January; however,
21 before we sent it to the legislative committee for
22 review we noticed that there was an error in one of
23 the definitions for Child with a Disability and that
24 it still referred -- used the term "mental
25 retardation," which should have been changed to

1 "intellectual disability," in accordance with federal
2 and state law. So we made that correction. It's not
3 necessary to take it out for -- back out for public
4 comment; however, we do need you all to rescind your
5 vote from January and then re-vote for final approval
6 on these rules.

7 CHAIRMAN BARTH: Okay. Are we good?

8 I'd entertain a motion to rescind our January
9 vote.

10 MR. WILLIAMSON: So moved.

11 MS. CHAMBERS: Second.

12 CHAIRMAN BARTH: Motion by Mr. Williamson,
13 second by Ms. Chambers.

14 All in favor say "aye."

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRMAN BARTH: Opposed, same sign.

17 Okay.

18 MS. SALAS-FORD: And now we would ask for final
19 approval of these rules as amended.

20 MR. WILLIAMSON: Move final approval.

21 MS. DEAN: Second.

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

24 All in favor say "aye."

25 (UNANIMOUS CHORUS OF AYES)

1 CHAIRMAN BARTH: Opposed, same sign.

2 Thank you very much.

3 MS. SALAS-FORD: Thank you very much.

4 CHAIRMAN BARTH: All right. Thanks for catching
5 that.

6 **B-12: APPOINTMENT OF LITTLE ROCK SCHOOL DISTRICT COMMUNITY**
7 **ADVISORY BOARD MEMBER**

8 CHAIRMAN BARTH: Okay. Next up is Ms. Freno.
9 We have a proposal for membership on the Little Rock
10 Community Advisory Board.

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

13 There's a vacancy -- there's a vacant position
14 on the Community Advisory Board for the Little Rock
15 School District. There is an applicant; her name is
16 Jocelyn Craig. She has applied, she's well-
17 qualified, and ADE requests that the State Board
18 approve her for -- approve her to sit on the
19 Community Advisory Board.

20 CHAIRMAN BARTH: And the Commissioner has a
21 comment as well.

22 COMMISSIONER KEY: Yes. Just to add to that --
23 you know, this position came open I believe in
24 November; so it's been awhile. We were having
25 trouble getting applicants for this one. Some who

1 had applied actually did not live in that particular
2 zone. Ms. Craig does live in the zone and she is
3 active in the PTA at Fulbright. She has two children
4 at Fulbright, she has a child at Pinnacle View, and
5 by all accounts she'd be a very -- a good member for
6 the Community Advisory Board. And Mr. Poore has met
7 with her and so she's kind of started to get
8 accustomed or acquainted with what the duties and
9 everything would be. So we'd appreciate your
10 approval of this.

11 MS. ZOOK: I have a couple of questions.

12 CHAIRMAN BARTH: All right. Ms. Zook.

13 MS. ZOOK: I think -- I guess I wondered how
14 much training she will get. Because she said she did
15 not feel qualified to hear student discipline and
16 personnel cases, and that is two of the primary
17 responsibilities of the CAB. And I'm also concerned
18 because she only had one reference.

19 COMMISSIONER KEY: In the -- and I called
20 another reference, so I found out more information
21 from one of her coworkers, someone that I knew from
22 the PTA; and so that was -- I filled in the gap
23 there. And, yeah, training is always an issue. And
24 so Mr. Poore and Dr. Hernandez will be asking -- make
25 sure she gets trained so that they do have -- that

1 she is prepared for those types of hearings that the
2 CAB takes care of.

3 CHAIRMAN BARTH: Any additional questions?

4 I'd entertain a motion to approve.

5 MS. McFETRIDGE: So moved.

6 MS. CHAMBERS: Second.

7 CHAIRMAN BARTH: Motion by Ms. McFetridge,
8 second by Ms. Chambers.

9 All in favor say "aye."

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRMAN BARTH: Opposed, same sign.

12 Okay. Unanimous on that. Thanks.

13 **B-13: REPORT ON LRSD SPECIAL EDUCATION PROGRAM**

14 CHAIRMAN BARTH: Now we return to a couple of
15 items that come from our special meeting in December,
16 and the first is Little Rock School District Special
17 Education Program monitoring.

18 MS. SMITH: All right. Good afternoon again.

19 First, I want to introduce Matt Sewell; you guys
20 know him as our Special Education Unit director. And
21 then Yvonne Greene --

22 Yvonne, come on up.

23 Yvonne Greene is over monitoring for the State.

24 This was a huge undertaking to go in and do a
25 monitoring visit in the Little Rock School District

1 in a very short turnaround time, and we took the job
2 very seriously and made sure that we did an in-depth
3 monitoring visit. The monitoring reports are still
4 in the works. The ability for the district to be
5 able to respond to the reports and have 90 days to
6 correct, that's still -- those timelines are still in
7 place. Okay.

8 But an overview kind of what was -- what
9 occurred with the special education monitoring report
10 -- first off, when I say we did an in-depth study, we
11 went further than we were required to and we did that
12 on the fact that we wanted to make sure that we
13 really did an in-depth report. Okay. We increased
14 the number of folders; we increased the number of
15 classroom visits that we did. There was over 130
16 folders reviewed. And the way that those folders
17 were chosen was three folders from the A, D and F
18 schools and one folder from the B and C schools. We
19 had 177 classroom walk-thru observations that were
20 done in 10-minute segments; and so 177 different
21 classrooms that we went in and made observations and
22 made anecdotal notes on what was happening in the
23 classroom at that time. I also conducted over 400 --
24 close to 450 teacher surveys of the special education
25 teachers and of classroom teachers at the school. So

1 I feel like as far as standard monitoring protocol
2 the Department and this group over here and the
3 entire Special Education Unit went above and beyond
4 in doing what was asked.

5 I also want to at this time recognize the Little
6 Rock School District's special education staff and
7 administration. They were very cooperative in
8 providing the extra folders we were requesting,
9 providing us a space; very accommodating when we
10 needed something else -- access to the buildings.
11 Buildings and teachers were all open to us as we were
12 going in, and accommodating and allowing us to see
13 everything that we needed to see and providing all
14 the folders that were requested. So we very much
15 appreciate them. Had they not been, we would not
16 have been able to do the monitoring that we did in
17 the short amount of time that we did.

18 So from those results, there is a very
19 comprehensive detailed monitoring checklist that has
20 over 100 specific items that when you're reviewing
21 folders that you're looking at those specific items.
22 All right. And so for a report you want to find no
23 errors, okay, in a folder; that's what the
24 expectation is from the federal government and
25 special education that everything is perfect. All

1 right. So when we looked at this, of the 100 items
2 we found 24 areas that were -- had 20% or more of the
3 folders with something that wasn't correct. Okay.
4 So we tried to classify and group what some of those
5 areas of concerns were so that the Little Rock School
6 District could begin addressing those quickly. They
7 really hit into kind of five areas. And the Little
8 Rock School District will get a very, very detailed
9 report. At this point we've had a verbal meeting to
10 kind of discuss some of the points and they received
11 the same summary that you have, but they have not
12 received their comprehensive detailed thing of every
13 folder. Okay. So they haven't received that yet and
14 they haven't had the opportunity to say "let me tell
15 you how we're going to fix this" or "let me tell you
16 why that was that way." Okay. So they've not had
17 the opportunity to do that yet. But on some of their
18 pieces that we had noticed on the three-year re-eval
19 on IEP folders -- they had switched this year to a
20 different software for writing their IEPs and so
21 several of the folders had reoccurring things that
22 you saw over and over again. And a lot of times it
23 was how an IEP statement was written or a goal was
24 written that was not in the manner -- the format that
25 caused it as an error. Okay. That's something that

1 is in software; they can work with their vendor. And
2 those are some things that are going to be easy fixes
3 and they're going to have 90 days to be able to
4 correct those things. Okay. They've already started
5 that process just on our communication and talking to
6 them. All right.

7 Other things that were kind of on the list to
8 note were things that they can do within professional
9 development support of teachers. Ms. Steele already
10 has a day planned where she's already addressing some
11 of the issues that we had discussed verbally in their
12 findings, and areas that they themselves knew about.

13 Transition planning for students was another
14 area that kind of kept popping up -- and, again, some
15 of that was specific to how the goal was written and
16 how the student response was reported within the
17 actual IEP folder. Okay. So, again, those are
18 folder processing pieces there. Okay.

19 Graduate dismissal was an area that we were also
20 looking at and the manifestation destination -- make
21 sure I said that correctly -- review -- MDR -- how's
22 that.

23 So those were kind of some high areas that we
24 were looking at. The special Education Unit from the
25 Department within the next two weeks expects to have

1 the entire comprehensive report to Little Rock. And
2 once that report is given to the Little Rock School
3 District that's when their timeline of 90 days will
4 begin to begin addressing those concerns.

5 Okay. So that's kind of where we are right now
6 as far as where we're at in our steps.

7 Now the second phase that I want to mention to
8 you -- when we were asked to go in and do this report
9 or do this monitoring we were asked to do things in
10 addition to what is normal standards monitoring. And
11 so in -- to be -- in fairness, I guess -- I don't
12 know if "fairness" is the correct word -- we wanted
13 to make sure that we followed the same protocol for
14 monitoring that we followed for every district in the
15 state, except we did go further with more folders and
16 more observations. Okay.

17 And then on the second phase we were asked to
18 look at other things -- interviews, what you -- be
19 more in-depth in classroom observations, being able
20 to talk to students. What we've done is we're
21 actually -- we hired a consultant to assist us who's
22 going to work out of Mike Hernandez's office. She's
23 a former LEA supervisor. She's already met with
24 Cassandra Steele. We want this to just be another
25 set of eyes that's not beholden to the Department or

1 to Little Rock School District and that this is seen
2 as a support; that this person actually gets to go
3 into the school for the day, go sit in classrooms,
4 visit with kids, look at folders, interview the
5 principals -- really, really get in and talk to
6 teachers and just make some third-party observations
7 on things that maybe need to happen to help tighten
8 some things up. Ms. Steele and Mr. Poore were very
9 accepting of this, have already met with our
10 consultant, and that person is already in buildings
11 getting that going. We'll be receiving reports and
12 recommendations from that consultant. So, we also
13 have that piece going on as well, okay, and that is
14 just now starting. So I'm hoping by the time we have
15 our complete comprehensive special education report
16 we'll also have some of those more in-depth
17 consultant pieces going on as a support. And this
18 was an opportunity for our consultant to sit down
19 with Ms. Steele and say, "What do you see?" "What
20 are some things that you want me to go in and look
21 for?" You know, "What are areas that you think you
22 might need support with or your schools are
23 struggling with?" And so we get to go in and kind of
24 really get in-depth in some of those pieces and
25 provide more support than we've ever done before.

1 Okay. So do you have any specific questions?

2 This is still in -- the work has been done as far as
3 going in, but there is still a lot of work as far as
4 processing and determining next steps.

5 CHAIRMAN BARTH: I'll look to my left to see if
6 there are any questions about the report?

7 Dr. Moore.

8 DR. MOORE: I'm not an expert in this field like
9 Ms. Zook is and many of you all. But reading over
10 this last night was very disappointing. And so I
11 think, if possible, I'd like to hear from the
12 District.

13 MS. SMITH: On the special ed. report or the
14 dyslexia report?

15 DR. MOORE: Both.

16 MS. SMITH: Both.

17 CHAIRMAN BARTH: Okay. Why don't we --

18 DR. MOORE: Or do you want to wait and do the
19 dyslexia --

20 CHAIRMAN BARTH: I think we probably do want to
21 treat them as somewhat separate --

22 DR. MOORE: Okay.

23 CHAIRMAN BARTH: -- issues. And so I think the
24 monitorings were separate.

25 DR. MOORE: All right. We can wait.

1 CHAIRMAN BARTH: We can -- so we can go one of
2 two ways. We could go ahead and get an overview from
3 the Department on dyslexia and then ask questions on
4 both, or are there things specific to this report
5 that we want to get questions -- any questions
6 answered?

7 Ms. Zook, do you have anything on this report?

8 MS. ZOOK: Yes. And I do apologize -- I do
9 apologize because since we did not get the report
10 until late last night, which I understand was y'all
11 did the very best you could -- but I had formulated
12 some questions, some of which the report did respond
13 to, as I stayed up late last night looking, and some
14 which did not. I think what I would like to know is
15 did you -- when you looked at the students' folders,
16 did you look to see if the folders at Central Office
17 and the folders in the building matched?

18 MS. SMITH: I want to let Matt and Yvonne -- I
19 really think there's only --

20 I'll let you guys address that.

21 MR. SEWELL: As far as we know -- and you can
22 correct me on this -- there was not two separate
23 files. We met at Central Office and those files were
24 brought from the schools to us at Central Office.

25 MS. ZOOK: Okay. But Central Office is not

1 maintaining a file on every child?

2 MR. SEWELL: To my knowledge, they do not.

3 MS. ZOOK: Well, that used to be required. I
4 don't know if it still is. You can check into that.

5 MR. SEWELL: Yes.

6 MS. ZOOK: I think the frustration I have is
7 this law, in federal and Arkansas, was passed through
8 the '78 and up to 1980. It was revised in 2004. And
9 we have the largest district or close to the largest
10 district in the state who is finally being monitored
11 and looked at to the point that there really is no
12 excuse why they're not in full compliance, all 100
13 items. So my question is: do you -- did you have
14 anyone on the monitoring or an audit team that were
15 trained psychological examiners?

16 MR. SEWELL: On our monitoring team --

17 MS. ZOOK: Yes.

18 MR. SEWELL: -- we did not have anyone who is a
19 trained psychological examiner.

20 MS. ZOOK: Okay. So how did you look to see
21 when a referral was made and a decision was made that
22 it was a legitimate referral and the student needed
23 to be evaluation? How did you as non-psychological
24 examiners determine that the correct battery of tests
25 was given based on the suspected handicap?