

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

January 10, 2019

*Sharon Hill Court Reporting
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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION

JANUARY 10, 2019
10:00 A.M.

A P P E A R A N C E S

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

ADE LEGAL COUNSEL:

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

LOCATION:

Arkansas Department of Education
#1 Capitol Mall - Auditorium
Little Rock, AR

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

2 A-1: REVIEW OF BOND APPLICATION - PULASKI COUNTY SPECIAL
3 SCHOOL DISTRICT

4 CHAIRMAN BARTH: Now let's go down to the Action
5 Agenda this morning, and we start out with a review
6 of a bond application from the Pulaski County Special
7 School District. This is more the kind of thing that
8 would normally be on the Consent Agenda, but
9 obviously because of the nature of this and size of
10 this request it is an action.

11 And Ms. Sacrey I believe is here. Welcome. If
12 you'll come on up and introduce this item -- or Mr.
13 Rogers, whoever is coming up today.

14 MS. SACREY: Good morning. Anita Sacrey. I'm
15 the coordinator of State LEA funds and loans and
16 bonds. And this item was presented to the Loans and
17 Bonds Committee for discussion in our November -- our
18 regular November meeting, and the Committee tabled
19 the application due to concerns about this district
20 using fund balances during this school year. And
21 just -- we wanted to make sure that they were going
22 to be able to handle the second lien bond with no
23 additional revenue, and so we asked the District to
24 come in and meet with us as a committee in December,
25 which they did and presented a five-year budget

1 projection on how they would handle these bond
2 payments. And the Committee, in December, met and
3 was satisfied with the plan that was presented. The
4 District took into account their declining
5 enrollment; they projected a 2% increase in
6 assessment, presented a plan for reducing
7 expenditures by 3%, and reducing staff through
8 attrition. And the committee was satisfied enough to
9 recommend approval of this application to the Board.

10 CHAIRMAN BARTH: Great. Thank you, Ms. Sacrey.

11 I'll start over here. Any questions on this
12 side?

13 Ms. Zook.

14 MS. ZOOK: If I'm recalling correctly, Pulaski
15 County Special School District passed a millage that
16 is for a new high school in Sylvan Hills. Can that
17 money be used in any other way, other than to fund
18 the building of that school? Does that play into
19 their abilities here?

20 MS. SACREY: I would have to defer. We have
21 some Pulaski County --

22 COMMISSIONER KEY: Yeah. I think that question
23 is probably best deferred to the County or to, you
24 know, Mr. Trumper or any of his team that are here as
25 well. So with y'all's permission, we can --

1 CHAIRMAN BARTH: Of course.

2 COMMISSIONER KEY: -- ask them to come on up --
3 or the superintendent.

4 CHAIRMAN BARTH: Welcome.

5 SUPT. McNULTY: Good morning. Great question.
6 No, it cannot.

7 CHAIRMAN BARTH: If you'll just introduce
8 yourself for the record.

9 SUPT. McNULTY: Oh. Dr. Charles McNulty,
10 superintendent, Pulaski County School District.

11 CHAIRMAN BARTH: Welcome.

12 SUPT. McNULTY: No. It's tied to the Sylvan
13 Hills construction.

14 CHAIRMAN BARTH: Okay.

15 MS. ZOOK: I move that we --

16 CHAIRMAN BARTH: Let me see if there are any
17 questions over here. Any --

18 Yeah, Dr. Hill?

19 DR. HILL: No, I didn't have any.

20 CHAIRMAN BARTH: Okay. Any other questions?

21 All right. Ms. Zook.

22 MS. ZOOK: I move that we approve the use of
23 second lien bonds or the issuance of second lien
24 bonds for the Pulaski County Special School District,
25 based on the ADE's recommendation.

1 DR. HILL: Second.

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

4 All in favor say "aye."

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRMAN BARTH: Opposed, same sign.

7 Thank you.

8 MS. SACREY: Thank you.

9 CHAIRMAN BARTH: Thank y'all for being here this
10 morning.

11 A-2: PETITION FOR MINIMUM SCHOOL DISTRICT SIZE WAIVERS -
12 ARKANSAS CODE ANNOTATED §6-13-1613

13 CHAIRMAN BARTH: Okay. We now move down to two
14 minimum size district -- Minimum School District Size
15 waivers, and Ms. Freno is going to walk us through.
16 We see these every once-in-a-while and we're here
17 again.

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

20 This month the Board is going to be considering
21 two Minimum School District Size waivers. The first
22 will be the Strong-Huttig School District and the
23 second will be the Lead Hill School District.

24 Just as a way of explanation a little bit, if a
25 school district is below 350 students according to

1 the District's average daily membership for two years
2 immediately preceding the current school year they
3 are placed on what's called the Consolidation List,
4 and this is under the law. And I gave you like a
5 little summary with the packet, with the agenda
6 packet, and it lists the code section. And if a
7 school district is placed on a Consolidation List
8 they can -- they either must consolidate or annex
9 with another school district or they can file a
10 petition for a Minimum School District Size waiver.
11 And to seek a waiver the district must file a
12 petition with the State Board, and according to the
13 law that governs these waivers, which is Arkansas
14 Code Annotated §6-13-1613, the State Board shall
15 grant a petition if the district demonstrates those
16 items set forth in subsection (b)(2)(a)(2)(d) of that
17 law. And you all should have a copy of that law as
18 well.

19 a) STRONG-HUTTIG SCHOOL DISTRICT

20 MS. FRENO: The first case that's going to come
21 before you -- or the first matter is going to be the
22 Strong-Huttig School District. Concerning the
23 factors that are required for granting a Minimum
24 School District Size waiver with Strong-Huttig, they
25 are not classified in Level 5 intensive support, nor

1 are they classified in fiscal distress, nor are they
2 classified in facilities distress, and they are not
3 on probationary status for a violation of the
4 Standards for Accreditation. The school district's
5 facilities are adequate as evidenced by the school
6 district's master plan. And in fact the Division of
7 Academic Facilities and Transportation went out and
8 did a walk-through of the school district last year
9 and can attest -- and Brad Montgomery is here from
10 that division -- can attest to the fact that their
11 facilities are adequate. And the local board of
12 directors of the Strong-Huttig School District passed
13 a resolution in support of seeking the waiver for
14 Minimum School District Size.

15 So unless any of you have questions for me, I'll
16 be happy to turn the floor over to Superintendent
17 Jeff Alphin who can talk with you about his school
18 district.

19 CHAIRMAN BARTH: Great. Thank you.

20 MS. McFETRIDGE: How long was the waiver for?
21 I'm sorry.

22 MS. FRENO: The waiver is for one year, and the
23 school district will have to come back every year
24 that they remain on the Consolidation List to seek
25 the waiver again. This is Strong-Huttig's third year

1 that they are seeking a waiver.

2 CHAIRMAN BARTH: And, Ms. Freno, there is no cap
3 on the number of years that a district can come back?

4 MS. FRENO: That is correct. No cap.

5 CHAIRMAN BARTH: Okay. All right.

6 Any questions?

7 On the Standards for Accreditation, when was the
8 most recent analysis of that?

9 COMMISSIONER KEY: If you would allow me to
10 speak to that -- that's a great question. Because
11 that is one of the elements for y'all's consideration
12 and because we have just recently changed the process
13 for Standards for Accreditation, we actually -- I
14 actually requested the team to go down and do onsite
15 reviews just recently. So I think that happened over
16 December -- back in December so that we could have a
17 full accounting of those elements for your
18 consideration; you wouldn't be working with old data
19 or anything like that. So, last month was when we
20 did both of these districts and then a third one that
21 will be coming before you I think next month.

22 CHAIRMAN BARTH: Okay. And on that piece there
23 were absolutely no hiccups or --

24 COMMISSIONER KEY: Well, we could -- I could get
25 Ms. Coffman or the right member of the team to come

1 and walk you through what -- there were no findings
2 that warranted immediate probationary status. There
3 are findings that we have asked them for corrective
4 actions. Ms. Coffman can walk you through those.

5 CHAIRMAN BARTH: Great.

6 MS. COFFMAN: Good morning. Deborah Coffman,
7 Public School Accountability.

8 With me today is Tracy Webb, our director of
9 monitoring.

10 CHAIRMAN BARTH: Welcome.

11 MS. COFFMAN: And Ms. Webb oversaw the state and
12 federal monitoring, and so she can give you a
13 complete report of those findings and the status at
14 this time.

15 CHAIRMAN BARTH: Okay.

16 MS. WEBB: All right. They had a few things
17 that they needed to correct for this year to remain
18 in compliance with the standards and accreditation.
19 Do you want me to list those for you?

20 CHAIRMAN BARTH: Yeah, that would be great.

21 MS. WEBB: There are --

22 CHAIRMAN BARTH: And if you would pull your
23 microphone just a little closer; I'm sorry.

24 MS. WEBB: There are nine of them.

25 CHAIRMAN BARTH: Okay.

1 MS. WEBB: They needed to offer a civics and
2 economics course for their students in the spring
3 semester. All their seniors will need to pass the
4 Arkansas civics exam. They had not done that to this
5 -- at this point.

6 The student success plans, which are required --
7 this will be the first year -- they had not completed
8 those. But they will have those finished before the
9 end of the year, is what they reported.

10 Their student services plan needed to be
11 updated, but they needed to work with the guidance
12 department here at ADE to make sure that was all in
13 compliance.

14 Inventory tags needed to be permanent and placed
15 on federal purchases, equipment.

16 A needs assessment that guides their federal
17 funding needs to be in writing each year. They did
18 do one, but it wasn't -- they didn't have it recorded
19 in writing.

20 And there was an issue with -- when you spend
21 federal funds and people are paid from two different
22 funds, there's a different personal activity report
23 to record that time certification than there was if
24 they only work for one fund. So they just used the
25 wrong form, so they're going to correct those for

1 this year so they'll be in compliance for their audit
2 next year.

3 They also calculated a couple of salaries wrong
4 for last year's funds. It was Title 1 funds. They
5 have some -- a federal programs coordinator and a
6 parent facilitation that also coach. And so when
7 they figured their salary -- when you're paying that
8 with federal funds you must use that on their base
9 salary; you can't pay a portion of those athletic
10 stipends with Title 1 funds. So they repaid that
11 amount from last year and that will go back into
12 their actual Title 1 money this year because the
13 funds have not expired. But they had to pay that
14 back out of local and that total was \$8200 -- \$8280.
15 For this year they are able to correct that. So they
16 will move those funds to local and just pay the part
17 of their salary that's allowable out of Title 1.

18 CHAIRMAN BARTH: Thank you.

19 MS. COFFMAN: So in our process we have not
20 closed this monitoring visit yet until all of these
21 items have been corrected and then we have evidence
22 of that correction. So we will continue to work with
23 the district until either those things are corrected
24 or we come back to you for classification of
25 probation or a citation.

1 CHAIRMAN BARTH: Okay.

2 MS. COFFMAN: So they still have time to correct

3 --

4 CHAIRMAN BARTH: Right.

5 MS. COFFMAN: -- before the timeline finishes in
6 June.

7 CHAIRMAN BARTH: Okay. And just on this -- this
8 may be a Ms. Freno question. In a case --

9 Thank you so much for that report.

10 In a case like this where there are still some
11 outstanding issues, they all sound imminently
12 correctable. But if something was not corrected, for
13 instance, then it would really be next year before
14 the Board revisited this case; correct?

15 MS. FRENO: Dr. Barth, that is accurate with
16 regard to Standards for Accreditation violations.
17 The law does provide that a waiver can be revoked if
18 the school district is placed in Level 5 intensive
19 support, facilities distress, or fiscal distress.
20 But you are correct with regard to the Standards for
21 Accreditation.

22 CHAIRMAN BARTH: Okay. Thank y'all.

23 Any questions over here?

24 Okay. All right. Everybody understand?

25 Okay. Then I would entertain a motion on

1 something that we shall do.

2 MS. NEWTON: I move that we approve the waiver.

3 MS. DEAN: Second.

4 CHAIRMAN BARTH: All right. Motion by Ms.

5 Newton, second by Ms. Dean.

6 All those in favor say "aye."

7 (MAJORITY CHORUS OF AYES)

8 CHAIRMAN BARTH: Opposed same sign.

9 MS. ZOOK: Abstain.

10 CHAIRMAN BARTH: Okay. Thank you.

11 So seven in favor, one abstention by Ms. Zook.

12 b) LEAD HILL SCHOOL DISTRICT

13 CHAIRMAN BARTH: All right. Ms. Freno, the
14 second item is the -- second case, the Lead Hill
15 case.

16 MS. FRENO: That is correct, Dr. Barth. And all
17 the requirements are the same; I won't go over them
18 again with regard to seeking the waiver. But the
19 Lead Hill School District was placed on the
20 Consolidation List this year and it is seeking a
21 waiver. The Lead Hill School District, concerning
22 the factors that are required for the waiver, it is
23 not classified in Level 5 intensive support, nor in
24 fiscal distress or facilities distress; it is not on
25 probationary status for violation of Standards for

1 Accreditation. The school district facilities are
2 adequate as evidenced by the school district's
3 facilities master plan. And also Brad Montgomery and
4 the Division of Academic Facilities and
5 Transportation just very recently went out and did a
6 walk-through of the facilities and they can attest to
7 the fact that they are adequate. And, again, the
8 local school board of directors passed a resolution
9 supporting this waiver.

10 CHAIRMAN BARTH: All right. Any questions over
11 here?

12 I'll ask my same questions of these folks.

13 MS. WEBB: Tracy Webb, director of Monitoring.

14 For the Lead Hill School District, a few things
15 that they needed to correct for this year were:

16 They were paying a parent involvement
17 facilitator, that was required by law, out of Title 1
18 funds and that is not allowable. So they'll just
19 have to move that expenditure to operating, which can
20 be done before the end of the year.

21 Same thing with the time certifications -- they
22 have employees that work from multiple funds but they
23 just used the wrong time certification. So that's
24 just a matter of correcting those before the end of
25 the year so that they'll be in compliance with audit.

1 They had to make a transfer. We have a -- Federal
2 Programs uses Indistar for their federal
3 applications, so they just had to make a transfer.
4 They're going to transfer federal Title 1 funds --
5 Title 4 funds to Title 1, but they haven't made the
6 transfer yet -- but they had noted it in their
7 application. So that's an easy fix.

8 Several items needed to be posted to the website
9 and those have already been corrected.

10 And they had two issues where they paid for
11 previous years -- 17-18 where they paid parental
12 involvement stipends out of federal, last year as
13 well as this year. This year can be corrected
14 easily. They had to repay last year's, but it's
15 already been done. I have copies of the checks and
16 all corrections that have been made. So she is in
17 compliance.

18 CHAIRMAN BARTH: Thank you.

19 MS. COFFMAN: In addition, our school districts
20 across the state are working through our new
21 Standards for Accreditation tool, our online tool
22 that is reading all of our systems. I've given you a
23 brief overview of that previously. But I just have
24 to really brag on our schools and brag on the team
25 that our new Standards for Accreditation system is

1 thorough, and so it's causing us to have to really
2 look at our business rules carefully about how all of
3 our systems are talking to each other in our
4 Standards for Accreditation system. And our school
5 districts have been so patient to work alongside us
6 and help us figure out what those issues are. That
7 work has caused us all to be better. Our school
8 districts are being -- are better for how they're
9 coding their information. We're better because we
10 can go in and really examine what is and is not
11 working and identify issues very quickly.

12 So both of the school districts, Lead Hill and
13 Strong-Huttig, are working through some remaining red
14 flags in the ESSA phase system, but so are the
15 majority of our school districts in the state. So we
16 don't see that as a concern at this time. Later on
17 in the spring, if those issues persist we'll come
18 back to visit to say, "Okay, now we're concerned."
19 But at this time we're not.

20 CHAIRMAN BARTH: Okay. Great.

21 Any additional questions?

22 Ms. Zook.

23 MS. ZOOK: Am I correct that this year's number
24 is 360 students?

25 MS. COFFMAN: (Nodding head up and down.)

1 SUPT. VAN DYKE: Yes.

2 MS. ZOOK: Okay. I got a yes from the audience.

3 SUPT. VAN DYKE: 366.

4 MS. ZOOK: 366. Okay. Thank you.

5 CHAIRMAN BARTH: But the average is -- this is
6 based on a three-year -- the three-year average;
7 right?

8 MS. ZOOK: Yeah, I knew that.

9 CHAIRMAN BARTH: Yeah.

10 MS. ZOOK: They're not moving down.

11 COMMISSIONER KEY: And let me just say too, just
12 for newer members to keep in mind, that once --
13 whether it's Lead Hill, whether it's Strong-Huttig,
14 or Kirby, which will be next month, once they hit 350
15 or higher then the clock resets -- okay -- so then
16 they don't have to come and seek that waiver anymore.
17 So in this case if they certify that number for going
18 into next year above 350, then that two-year clock
19 resets for them regarding the need for a waiver.

20 CHAIRMAN BARTH: Ms. Chambers.

21 MS. CHAMBERS: My question was related. Is this
22 the first year Lead Hill has asked for this waiver?

23 SUPT. VAN DYKE: (Nodding head up and down.)

24 CHAIRMAN BARTH: Okay. All right. I would
25 entertain a motion on the Lead Hill --

1 MS. McFETRIDGE: So moved.

2 CHAIRMAN BARTH: Okay. All right. Motion by
3 Ms. McFetridge.

4 Is there a second?

5 MS. CHAMBERS: Second.

6 CHAIRMAN BARTH: Okay. Second by Ms. Chambers.
7 All those in favor say "aye."

8 (UNANIMOUS CHORUS OF AYES)

9 CHAIRMAN BARTH: Any opposed? Any abstentions?
10 All right. Okay. Thank y'all so much for both
11 those districts for being here this morning. We'll
12 let y'all scoot on out.

13 And we are about to transition into a number of
14 PLSB issues.

15 A-3: STATE BOARD REVIEW OF PLSB ETHICS SUBCOMMITTEE
16 RECOMMENDATION - PLSB CASE NO. 18-108 - DAVID WILSON

17 CHAIRMAN BARTH: And we start -- Number 3 is the
18 case of David Wilson. And so I'm going to turn it
19 over to Ms. Freno.

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

22 Just to quickly go over the procedural history
23 of this situation -- this matter appeared before the
24 State Board of Education on its agenda on November 8,
25 2018, and there was on the Consent Agenda a PLSB

1 Ethics Subcommittee recommendation that Mr. Wilson's
2 license -- educator license be revoked. It was that
3 decision that was on the Consent Agenda for the State
4 Board in November and the State Board voted to remove
5 that matter from the Consent Agenda and to set it for
6 a full State Board review. So that is what we are
7 here for today. We're on the full State Board
8 review.

9 Mr. Wilson is here to present, as is Ms. Simone'
10 Blagg, and she is here to present on behalf of PLSB.

11 And just quickly, if I may, I'll go over the
12 procedures for this review. Mr. Wilson first may
13 make a statement to the State Board for up to 10
14 minutes, and then Ms. Blagg for the PLSB may also
15 have up to 10 minutes. Additional time, of course,
16 may be granted at the Chair's discretion. And the
17 board members may ask any questions of any party at
18 any time during the proceedings.

19 And if there's no questions from the Board for
20 me at this point, I will turn it over to Mr. Wilson.

21 CHAIRMAN BARTH: And if we could -- and then at
22 the end of the process we will need to make three
23 decisions; right?

24 MS. FRENO: That is correct. Yes.

25 CHAIRMAN BARTH: Correct, okay. If you could

1 just run through those for everyone?

2 MS. FRENO: Sure.

3 The first is you will need to determine -- make
4 a Finding of Fact. You'll need to determine
5 basically whether you agree with the Ethics
6 Subcommittee's decision with regard to the facts of
7 this case.

8 Second, if you do agree with the facts you'll
9 have to make a determination as to whether you feel
10 those facts accepted as true violated Standards 1 and
11 2.

12 And then your third decision will be if you do
13 find that there was a violation of Standards 1 and 2
14 or Standards 1 or 2, then you have to make a decision
15 as to whether you agree with the sanction that we
16 imposed in this case, which is revocation.

17 CHAIRMAN BARTH: And on the third piece, if
18 there was a decision for a lesser -- or in a case
19 like this if there was a decision for a lesser
20 sanction that could happen at that third stage?

21 MS. FRENO: Yes, it can. Absolutely.

22 CHAIRMAN BARTH: Okay. All right. And so last
23 time we did this I think we did it as three separate
24 motions. We can do it either as one single motion or
25 three separate motions. I think it probably works a

1 little more tidily to do it as three separate
2 motions. So, just as people are thinking about what
3 motions you might make I wanted to kind of get that
4 clear.

5 Thank you, Ms. Freno.

6 MS. FRENO: Thank you.

7 CHAIRMAN BARTH: And so I will swear Mr. Wilson.

8 If you will stand, and anybody else who might
9 testify in this case, and if you will raise your
10 right hand? Do you swear or affirm that the
11 testimony you're about to give shall be the truth,
12 the whole truth, and nothing but the truth?

13 MR. WILSON: I do.

14 CHAIRMAN BARTH: All right. And so you have up
15 to 10 minutes. And we will try to keep it
16 uninterrupted as much as possible, but then we will
17 likely have some questions along the way or
18 afterwards.

19 MR. WILSON: First of all, thank you so much for
20 allowing me to present my side of this. I deeply
21 appreciate it.

22 CHAIRMAN BARTH: And, Mr. Wilson, if you can get
23 really close to the microphone.

24 MR. WILSON: I also deeply appreciate the work
25 that you're doing and I'm glad I don't have to sit in

1 one of your chairs. Thank you so much. And I want
2 to thank Ms. Simone' for her hard work in helping
3 with me; a very good person.

4 I want to say, first of all, that the young
5 child that was part of this, that helped me look on
6 my bus -- I just want to say the children like me;
7 you're going to find that out as I go through this.
8 And this guy and other kids fight over who's going
9 to, you know, go through the bus and find lunchboxes
10 and stuff like that. And I'll be honest with you; I
11 wound up depending on that that morning.

12 I failed. I did wrong. I left a child on the
13 bus and I endangered that child. I know that. It
14 has hurt me emotionally; it has cost me over \$50,000
15 of lost salary and expenses of other kinds. In my
16 defense, as David said in Psalm 51, "In sin did my
17 mother conceive me." I am human. I have taught
18 almost 4,000 students in 20 years as an activity
19 teacher. Some years I have taught as many as 954
20 students a week. I have had -- I was looking, trying
21 to come over -- 500 different students driving a bus,
22 probably in way excess of that, as many years as I've
23 been driving. And when you're exposed to that many
24 opportunities and that many students the ability to
25 make a mistake is just easy.

1 So rather than just sit down and try and
2 justify, I'm just going to read you some letters.

3 Elementary: "You are the best music teacher,
4 Mr. Wilson." "To Mr. Wilson: Keep calm. Love." And
5 I've got a box of these. "Mr. Wilson, thank you for
6 teaching me music. I like music." "Mr. Wilson,
7 you're the best music teacher ever." And then I've
8 got a kid went through a rage on a computer, giving
9 me something one time. This is -- has to be a
10 kindergartner, "Mr. Wilson, take" -- t-a-k-e -- "you
11 for" -- b-e-y-e -- "my music -- my teacher. You are
12 the fun ever. Chandler."

13 And this is from a parent. I didn't solicit it;
14 she just mailed it in to school one day. "Mr.
15 Wilson, my daughter is Shelby Estelle and she is in
16 the 4th grade at EEI. She came home from school one
17 day and told me that she had heard the greatest CD
18 she had ever heard in her life. She asked me if we
19 could go buy it, and it was John Denver. She put
20 John Denver's CDs on her Christmas list. I never
21 thought I would be buying John Denver for my 9-year
22 old for Christmas. I just wanted to tell you thank
23 you for opening her mind to different kinds of music.
24 You have more influence over her music choices than
25 you might think. You really -- she really enjoys

1 your class. You have given her the opportunity to
2 hear and enjoy different kinds of music, and for that
3 we are grateful."

4 "Dear Mr. Wilson, I don't know if you remember
5 me but your class was always my favorite. I miss the
6 familiar smell of coffee in your room. I'm in band
7 this year and I have been since 6th grade. I started
8 out playing trumpet and then switched to French horn.
9 I have a flute and I'm learning how to play it. I
10 sometimes play guitar and piano. Jazz band is my
11 favorite. I play trumpet in there. I'm in the 7th
12 grade this year and I just wish I could go back into
13 being in your class. Learning all of the composers
14 in your class has helped me a lot in quiz bowls. All
15 of the music questions I generally answer. Learning
16 how to read music helped me a lot in band. When I
17 first started playing I just loved music so, so, so
18 much. I hope that when some of the band students
19 come to play for the 6th graders this year, well, in
20 a few weeks, that I can see you. Love, Chaney."

21 "Mr. Wilson, it's hard to choose a favorite
22 teacher, but you're the best. You're amazing because
23 I like riding your bus, I love music class, and
24 you're always funny. I like riding your bus because
25 you never get mad at us, if we follow your rules. I

1 love the way you teach music every Friday. You make
2 me like music even more. The last thing is you're
3 really funny. It's hard to make music -- to make me
4 laugh, especially when I am mad, but you can. This
5 is why you will always be my favorite teacher. And
6 when I say 'always' I mean always, until I leave.
7 Sincerely, Lauren."

8 "Mr. Wilson, well, today is our Valentine party
9 and I'm taking this time now to tell you thank-you so
10 much for being the best music teacher ever and for
11 helping me with things I didn't understand. Also,
12 thank you for teaching me how to read music, for
13 putting confidence in me, and for you letting me show
14 you what I can do. Yes, sadly this is my last year
15 at East End. I have chosen to go to Sheridan for the
16 6th grade. I am going to miss you dearly. I love
17 you so much and thank you for being the best music
18 teacher ever. Your student, Allison."

19 "Ever since kindergarten you have made such an
20 impact on my life. I wish you were not leaving. You
21 have encouraged me to be the best musician I can ever
22 be. I play the piano, and have been for four years.
23 This will be my fifth year playing it. I also play
24 guitar and will be playing the trombone in band. Who
25 knows, I might switch to trumpet. I will miss you

1 so, so, so, so, so much. Just come back and visit
2 soon. Kylie."

3 This one, the girl went to a lot of trouble. I
4 mean, she drew one of the best pictures and that's
5 exactly what she looks like. "Dear Mr. Wilson, my
6 name is Melissa Lawrence. I am in Coach Shoptaw's
7 8th grade career class. Our assignment is to pick
8 our favorite teacher and write to them to tell them
9 why you are so special. I picked you. When I moved
10 to Benton after the 5th grade, probably the person I
11 missed the most was you. I always loved your class,
12 your jokes, the way that you laugh at us and taught
13 us and the songs we sang. I'm in advanced band now.
14 I'm percussion, currently playing the fourth bass
15 drum. I am getting good grades too, straight A's. I
16 miss you a lot. I don't think I'll ever forget you
17 and your music class. Sincerely, Mikyla Lawrence.
18 And you used to call me Mikura. That picture -- this
19 is a picture intended to draw myself. Rock on." And
20 that's what she did.

21 The last two things I want to show you are some
22 of the biggest trophies I have. And not any plaque
23 in the world -- this is a Life Impact Award that
24 seniors give -- and these aren't musical students, by
25 the way.

1 This one right here is Andrew. Andrew rode my
2 bus for seven years, kindergarten through 6th grade,
3 and he just talked with me down through the years --
4 just talked to me. He said one time in class he was
5 -- he had some professor here at Pulaski Vo-Tech that
6 played a Beethoven piece, Fur Elise, and said, "None
7 of you know who this is but you've heard it, and none
8 of you know who wrote it." And he said, "Beethoven,
9 Fur Elise." And he embarrassed the professor. I was
10 proud of that kid, 'cause most people would have
11 written him off but he was -- I knew he was smart. I
12 worked with him. I drove him on my bus. I loved
13 that guy.

14 The last one is a young man named Brandon
15 Johnson. Brandon is a great singer; went on and
16 really did some -- he's in college right now.
17 Brandon gave this to me. I baptized his mother; his
18 grandfather and I were fishing buddies. And when he
19 walked out on the playground, when I was doing duty,
20 he gave this to me. Man.

21 You have the responsibility of making the
22 decision. You can suspend my license and I would
23 understand and would not be angry at all.

24 (THE TIMER RINGS)

25 CHAIRMAN BARTH: Thank you, sir. Thank you.

1 And we likely will have questions.

2 Would y'all like to ask questions now or wait
3 for Ms. Blagg's presentation?

4 I think we'll wait for Ms. Blagg -- go ahead and
5 listen to Ms. Blagg, and then we'll likely have you
6 back up to answer questions.

7 MR. WILSON: Real quick, one other thing. That
8 morning I had two schools to teach at. I was late on
9 my bus and I just -- I had to move my bus to a
10 different area, then I had car duty. And I go from
11 bus to car duty to straight to teaching class. And I
12 just messed up that day.

13 CHAIRMAN BARTH: Thank you, sir.

14 MR. WILSON: Thank you for your time and thank
15 you for listening to me.

16 CHAIRMAN BARTH: Thank you.

17 Ms. Blagg.

18 MS. BLAGG: Good morning.

19 CHAIRMAN BARTH: Morning.

20 MS. BLAGG: Simone Blagg, attorney for PLSB.

21 I've already provided you guys some documents.
22 I'm going to reference them here, but I don't expect
23 you to search for them because I know that you've
24 already taken that time. I'd also just like to give
25 you an outline of how I'm going to proceed. I'm

1 going to start with a review of the facts of the
2 case, then discuss PLSB's position that this is a
3 violation of the Code of Ethics; and then the
4 rationale behind the PLSB Ethics Subcommittee's
5 initial determination and recommendation to revoke
6 Educator Wilson's license; and then, finally, I'm
7 going to respond directly to Educator Wilson's
8 statement that you just heard.

9 So, first, the facts: Educator Wilson holds a
10 standard teaching license that expires on December
11 31, 2020. A copy of his license was already
12 provided. The Arkansas Department of Education
13 received a complaint on January 29, 2018, which
14 alleged that the Educator failed to conduct a post-
15 route bus inspection which left a male kindergarten
16 student on the bus. The student exited the bus and
17 started walking around the dumpster area on Learning
18 Lane, which is a road that connects East End
19 Elementary School and East End Intermediate School.
20 The student approached a vehicle and told the parent
21 of another student he wanted his mom. That adult
22 brought the child to the office. The complaint is
23 provided to you in PLSB Exhibit Number One (1), page
24 1. On page 3 of that same exhibit a letter dated
25 December 14, 2017, stating that Educator Wilson was

1 suspended with pay from his employment contract as a
2 bus driver, is found. His resignation as a bus
3 driver is found on page 5. On page 6 of that, you
4 will find that Educator -- find Educator Wilson's
5 statement regarding this incident to the District.
6 In it, Educator Wilson states that he -- and I quote
7 -- "had a child, S-2, in Ms. Hicks' second grade to
8 check the seats. He said the bus was clear. I
9 bumped hands with him to recognize him telling me it
10 was clear. I drove to the other campus. I did not
11 check the bus. I thought everyone was off. I was
12 more concerned about walking to my car," end-quote.

13 MR. WILSON: I did.

14 MS. BLAGG: Educator Wilson did attend training
15 within the district on July 28, 2017, where one of
16 the topics covered was pre- and post-trip checks,
17 looking for kids. That's on page 13 of PLSB Exhibit
18 One (1). His signature on the sign-in sheet is found
19 on the following page. Educator Wilson also had two
20 previous incidents, in 2017, where he violated the
21 District's transportation policy. Evidence of these
22 offenses is found on pages 1 and 3 of PLSB Exhibit
23 Three (3).

24 The investigation revealed that Educator Wilson
25 had a true finding from the Arkansas Department of

1 Human Services regarding the report for inadequate
2 supervision based on this incident. PLSB Ethics
3 Subcommittee's initial recommendation and
4 determination was to recommend revocation of Educator
5 Wilson's license. Notice of the PLSB's Ethics
6 Subcommittee initial determination and recommendation
7 was sent on August 6, 2018, and received by the
8 Educator on August 16, 2018. Educator Wilson did not
9 reply to this notice.

10 Notice of this review was sent on December 6,
11 2018, and received by the Educator on December 8th.
12 He replied via email on December 10th.

13 The Professional Licensure Standards Board take
14 the position that the Educator violated the Code of
15 Ethics, specifically Standard 1, "An Educator
16 maintains a professional relationship with each
17 student, both in and outside the classroom," and
18 Standard 2, "An Educator maintains competence
19 regarding his or her professional practice, inclusive
20 of skills, knowledge, disposition, and
21 responsibilities relating to his or her
22 organizational position."

23 Educator Wilson violated Standards 1 and 2 by
24 failing to conduct a post-route inspection,
25 delegating responsibility to a second grader of

1 approximately age 7 to 8, and endangering the safety
2 and welfare of a minor child, just 5 at that time.
3 Evidence supports that this includes but is not
4 limited -- evidence supports -- evidence that
5 supports this includes but is not limited to the
6 video. Though not provided to you or the PLSB Ethics
7 Subcommittee, it was described by the District's
8 administration and provided a detailed description by
9 the investigator, the final report that you have.
10 The video shows Educator Wilson leaving the bus, then
11 the student exiting approximately 23 minutes after
12 Educator Wilson left the bus. The Educator's own
13 admission that he rarely performed a post-route
14 inspection, found on page 11 of the PLSB exhibit and
15 something he just told you all, he let the other
16 students do this -- yes, it's something they enjoy,
17 but as an educator his duty is to go back and check
18 after them. The Educator's written statement to the
19 District contained an admission that he delegated the
20 responsibility of the post-route check to a second
21 grader. And the principal's written statement that
22 Educator Wilson told him that he knew S-1 often fell
23 asleep on the bus.

24 The recommendation and rationale: the PLSB
25 Ethics Subcommittee recommended revocation based on

1 several factors. Those with the highest level of
2 impact due to increased danger that the child may
3 suffer harm are that the student was left on the bus
4 during December; the student was found wandering near
5 a busy road; and the amount of time that the student
6 was left alone. He was on the bus for approximately
7 20 minutes and then he wandered around for 11 more
8 minutes. Other factors considered were that the
9 student was not discovered until S-1 approached a
10 passerby that was traveling along that road, as well
11 as the fact that this was potentially a criminal
12 offense.

13 Now in response to Educator Wilson's statement
14 -- we're not denying the fact that he's made an
15 impact on several students' lives. He stated that;
16 he provided you those letters. But the impact on
17 this student, on those that are with him, that's
18 pretty significant. This is a kindergarten student
19 who's now been left on the bus.

20 In conclusion, based on the evidence provided
21 and recently discussed you have sufficient evidence
22 to find by a preponderance of the evidence that the
23 Educator violated the Code of Ethics, and by doing so
24 this Board has the power to impose a sanction in line
25 with that conclusion.

1 CHAIRMAN BARTH: All right. Thank you, Ms.
2 Blagg.

3 So I'll start over here. Any questions, Dr.
4 Moore? Mr. Williamson? Ms. Zook? Ms. Newton?

5 MS. NEWTON: Mr. Wilson --

6 MR. WILSON: Yes.

7 CHAIRMAN BARTH: If you could come forward,
8 please.

9 MR. WILSON: Yes, ma'am.

10 MS. NEWTON: I noticed in the packet that you've
11 been an Educator for over 20 years.

12 MR. WILSON: Yes, ma'am.

13 MS. NEWTON: And you -- depending on the outcome
14 of this, you could potentially be back in a
15 classroom.

16 MR. WILSON: I may or I may not. I do not know.

17 MS. NEWTON: Okay. All right. If you --

18 MR. WILSON: I mean, this is -- you know, maybe
19 someone may not want to hire me again. I mean --

20 MS. NEWTON: Right. I understand that.

21 MR. WILSON: Yes, ma'am.

22 MS. NEWTON: I'm going to ask you a question
23 that I really want you to examine your heart and
24 think about. If you were given the opportunity to be
25 in charge of a classroom or be responsible for a

1 child, would you make sure that you take that
2 responsibility seriously -- that you, above all, no
3 matter what your time schedule was, no matter what,
4 that if you were in charge of a student that you
5 would be sure that that student was taken care of?

6 MR. WILSON: Yes, ma'am. I would, with all my
7 heart. Yes, ma'am.

8 CHAIRMAN BARTH: Ms. McFetridge, anything?

9 MS. McFETRIDGE: Huh-uh.

10 CHAIRMAN BARTH: Okay. All right. Any
11 additional questions?

12 Okay. Thank y'all both for your presentations.

13 As stated earlier, we need to do three things.
14 First is Finding of Fact, whether we affirm the
15 PLSB's Finding of Fact or not. That would be the
16 first thing. The second thing is the Conclusion of
17 Law, and the PLSB has found that there's a violation
18 of Standards 1 and 2 of the Code of Ethics. And then
19 item three would be the appropriate sanction, whether
20 to affirm the PLSB's finding or to alter that
21 sanction in some way. And you have been provided
22 access to the matrix of typical sanctions that are
23 laid out in the rules.

24 FINDING OF FACT

25 CHAIRMAN BARTH: Okay. And so I would entertain

1 a motion regarding the Finding of Fact first.

2 MS. ZOOK: Based on the information we've been
3 provided, it is my understanding that neither the
4 Educator nor those reporting have denied the facts of
5 the case. So I therefore find that -- or move that
6 we do find the Educator in violation of the Findings
7 of Fact.

8 MS. NEWTON: Second.

9 MS. ZOOK: Or accept the Finding of Fact.

10 CHAIRMAN BARTH: Accept the Finding of Fact.

11 MS. NEWTON: Second.

12 CHAIRMAN BARTH: Okay. Any other comment there?
13 Motion by Ms. Zook, second by Ms. Newton.

14 All in favor say "aye."

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRMAN BARTH: Any opposed?

17 Okay.

18 CONCLUSION OF LAW

19 CHAIRMAN BARTH: Okay. Second, Conclusion of
20 Law. And the two standards, Standard 1, which is
21 Educator maintains a professional relationship with
22 each student, both in and outside the classroom, and
23 then Standard 2, an Educator maintains competence
24 regarding his or her professional practice is
25 Standard 2.

1 MS. NEWTON: I move that the Educator be found
2 in violation of Standard 1 and Standard 2.

3 MR. WILLIAMSON: Second.

4 CHAIRMAN BARTH: Okay. Ms. Zook, comment?

5 MS. ZOOK: I guess my question at this point --

6 CHAIRMAN BARTH: So, I apologize.

7 MS. ZOOK: Okay.

8 CHAIRMAN BARTH: Motion by Ms. Newton, second by
9 Mr. Williamson, just for the record.

10 Ms. Zook.

11 MS. ZOOK: Okay. The question is: would the bus
12 be considered the Educator's classroom in regard to
13 these two items?

14 MS. NEWTON: If you look at Standard 1, it says
15 the relationship, both in and outside the classroom.

16 MS. ZOOK: Thank you.

17 MS. NEWTON: And then the Standard 2 is even
18 more specific. It actually talks about
19 transportation.

20 CHAIRMAN BARTH: Thanks, Ms. Zook.

21 Okay. Any further conversation?

22 Okay. All those in favor of the -- on the
23 Conclusion of Law issue say "aye."

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRMAN BARTH: Opposed, same sign.

1 Okay. So that is unanimous as well.

2 SANCTION

3 CHAIRMAN BARTH: We are now down to the
4 sanction.

5 MS. ZOOK: I move that the Educator be put on
6 probation for a period of two (2) years and the
7 appropriate fine that goes along with that. They've
8 changed the fine numbers at this point, so I'm not
9 sure exactly if it's \$100, \$200.

10 Two, okay. That there will be a fine and two-
11 year probation.

12 CHAIRMAN BARTH: Okay. Any additional training
13 or --

14 MS. ZOOK: Yes. As -- there are several types
15 of training --

16 MS. NEWTON: Ms. Zook, can I interject something
17 on the training part?

18 MS. ZOOK: Please.

19 MS. NEWTON: Okay. I had found a book that
20 would be a book study that the Educator could read
21 and then write a summary and get it back to the
22 Department. It's "QBQ: the Question Behind the
23 Question, Practicing Personal Accountability at Work
24 and Life."

25 MS. ZOOK: Okay. Then I move that that be a

1 part of the probationary period. And I don't know to
2 whom -- since he is not currently employed, to whom
3 does -- would that report be given?

4 MS. NEWTON: I think the PLSB.

5 MS. ZOOK: Okay, the PLSB.

6 CHAIRMAN BARTH: To Ms. Blagg.

7 MS. ZOOK: Okay.

8 CHAIRMAN BARTH: Yeah, Ms. Blagg.

9 MS. ZOOK: Okay. Should I restate that for the
10 --

11 CHAIRMAN BARTH: Yeah, please.

12 MS. ZOOK: Okay. I move that two-year
13 probation, the \$200 fine, and then the reading of
14 this book, and then a summary of like -- not so much
15 a book report but things I learned and reflected on
16 as a result of the reading of this book.

17 Thank you, Ms. Newton.

18 CHAIRMAN BARTH: Okay. Is there a second to
19 that motion? And then I'll restate it.

20 MS. NEWTON: Second.

21 CHAIRMAN BARTH: Okay. So the motion is
22 probation for two years, the accompanying \$200 fine,
23 and a reflective analysis on the part of the Educator
24 of the material, "Q --

25 MS. NEWTON: "QBQ."

1 CHAIRMAN BARTH: "QBQ."

2 MS. NEWTON: "The Question Behind the Question."

3 CHAIRMAN BARTH: "The Question Behind the
4 Question."

5 All right. Is everybody -- is that clear?

6 MS. ZOOK: The question -- I mean, the other
7 thing that I wonder about is within this motion can
8 we say while on probation that the Educator can teach
9 but not drive a bus? I don't know if that becomes a
10 decision of the local board and the local
11 superintendent or if that's something that we should
12 do. I'm asking for clarification here. I don't
13 know.

14 CHAIRMAN BARTH: Ms. Blagg.

15 MS. BLAGG: That is an option available to you.

16 CHAIRMAN BARTH: Okay. And did you have -- I
17 saw some --

18 MS. BLAGG: Yes.

19 CHAIRMAN BARTH: -- comments on the first piece
20 as well.

21 MS. BLAGG: Well, when you are -- since you've
22 -- if you're going to go with probation I need to
23 know your rationale, just a little bit of how you got
24 there. We usually just have a little bit of
25 discussion of what led you to probation. Also, as a

1 side note, to save Educator Wilson some time if he
2 does have this true finding of the child maltreatment
3 registry, then we would need a waiver so that if he
4 renews his license then that would also be taken care
5 of.

6 CHAIRMAN BARTH: Okay. Would it be best as a
7 separate motion?

8 MS. BLAGG: As a separate motion, yes.

9 CHAIRMAN BARTH: Okay. Thank you.

10 Okay. So we have -- so we have several things
11 going on here. I think the first question is whether
12 you wanted to alter your original motion with the
13 limitation on no bus driving during that period?

14 MS. ZOOK: Yes, I do.

15 CHAIRMAN BARTH: And that is agreed to by the
16 original second?

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

18 CHAIRMAN BARTH: Okay. So that is now in place.

19 Now I think for the full board, if -- those of
20 you who plan to vote for this motion, what would be
21 the basis of a finding of probation rather than
22 suspension?

23 MS. ZOOK: I think it was revocation.

24 CHAIRMAN BARTH: Excuse me; probation rather
25 than revocation. Thank you.

1 MS. NEWTON: My reasoning was the Educator's
2 findings were on the bus and not in the classroom.
3 And so that was -- to me, the revocation of the
4 classroom part was separate. So that was my
5 reasoning.

6 CHAIRMAN BARTH: Okay. All right. So the fact
7 that the bus driving would not be taking place is a
8 key --

9 MS. NEWTON: Uh-huh.

10 CHAIRMAN BARTH: So, in essence, it is a two-
11 year suspension of the --

12 MS. NEWTON: Bus driving.

13 CHAIRMAN BARTH: -- the bus driving, but not
14 classroom teaching.

15 MS. ZOOK: That would be my rationale as well.

16 CHAIRMAN BARTH: All right. Ms. Blagg, is that
17 appropriate?

18 MS. BLAGG: Yes.

19 CHAIRMAN BARTH: Okay. All right. Is there
20 further discussion of the motion? Any other comments
21 over here?

22 Okay. Voice vote okay?

23 Okay. All those in favor say "aye."

24 (MAJORITY CHORUS OF AYES)

25 CHAIRMAN BARTH: Opposed, same sign.

1 MR. WILLIAMSON: Aye.

2 CHAIRMAN BARTH: Okay. So seven -- all in
3 favor, except for Mr. Williamson who voted no.

4 Okay. All right. Then, congratulations for a
5 reduced sanction.

6 WAIVER ISSUE

7 CHAIRMAN BARTH: This would -- we now need to
8 move to the waiver issue. And I'll let Ms. Freno
9 speak to what we're doing here, just to get everybody
10 on the same page.

11 MS. FRENO: Thank you, Dr. Barth. The only
12 comment I want to make about a waiver is usually
13 that's not handled in conjunction with a PLSB case.
14 Under the law the Educator would have the opportunity
15 to file a brief and argue it and so-forth. I mean,
16 so I just want to make sure that the Educator is
17 onboard with the waiver going forward today.

18 CHAIRMAN BARTH: Uh-huh.

19 MS. FRENO: And if he was, and if Ms. Blagg was,
20 there would be no problem with it. But I would just
21 want to make sure that the Educator is okay with the
22 waiver going forward today.

23 CHAIRMAN BARTH: Very good point. And if you'll
24 just stay there.

25 So this would come back up when he attempted to

1 renew his license; right? That's when this issue
2 would arise? Typically that's when --

3 MS. FRENO: Typically, that is correct.

4 CHAIRMAN BARTH: Okay.

5 MS. FRENO: Or if it's -- if it is in some other
6 way detected that it was an issue. But, generally,
7 it's a license -- licensure --

8 CHAIRMAN BARTH: All right. And I'll lay out
9 kind of my -- the pros and cons as I see it. The
10 cons -- the obvious con, as Ms. Freno says, you don't
11 have time to think through the process. On the pro
12 side, you have this board that has heard this case
13 and has an understanding of it, if it were to come up
14 in the future the composition of this board might be
15 different and would be hearing the case de novo.
16 Right? So those are the pros and cons.

17 I don't know if you -- do you have questions
18 about --

19 MR. WILSON: No, sir.

20 CHAIRMAN BARTH: Okay. So would you like to
21 proceed with that --

22 MR. WILSON: Yes.

23 CHAIRMAN BARTH: -- waiver request at this time?

24 MR. WILSON: Yes, sir.

25 CHAIRMAN BARTH: Okay. And if you could just

1 lay out what we're -- what the -- how we would phrase
2 the request?

3 MS. FRENO: Taylor, could you -- since we have
4 this --

5 MR. DUGAN: Yes, ma'am.

6 What was the question? I'm sorry.

7 MS. FRENO: Could you repeat the question, Dr.
8 Barth?

9 CHAIRMAN BARTH: Yeah. I think we just need to
10 get clear on what -- exactly what motion we need to
11 make related to the registry issue, which would be
12 normally a barrier to renewal of a license. But I
13 think the point well-taken was we might as well
14 consider that issue now because that would be a bar
15 in the future to employment potentially.

16 MR. DUGAN: I mean, it's my understanding --
17 and, Ms. Blagg, correct me if I'm wrong -- is usually
18 how the process would work is that the person would
19 have a true finding on the Child Maltreatment
20 Registry, and then we give them notice that there is
21 that true finding and then give them the ability to
22 request a hearing in front of the Board to get that
23 waiver. And so my understanding is they would do
24 that, since he had -- this would be notice, but there
25 isn't that true finding yet is my concern.

1 MS. FRENO: My understanding was there is a true
2 finding.

3 MR. DUGAN: There is a true finding?

4 MS. FRENO: Yes.

5 MR. DUGAN: So it would be a motion to waive the
6 disqualification.

7 MS. FRENO: Uh-huh.

8 CHAIRMAN BARTH: Okay.

9 MS. FRENO: And if I could clarify, Dr. Barth,
10 with Ms. Blagg -- there is a true finding?

11 MS. BLAGG: (Nodding head up and down.)

12 MS. FRENO: And if I can clarify with Mr.
13 Wilson, the true finding was not appealed?

14 MR. WILSON: Okay.

15 MS. FRENO: Is that true?

16 MR. WILSON: Okay. Hang on. Are you talking
17 about the finding involving the reckless endangerment
18 of a child -- I mean, the list that the state has?

19 MS. FRENO: Yes, the Maltreatment.

20 MR. WILSON: They have not made a finding on
21 that.

22 CHAIRMAN BARTH: Okay.

23 MR. WILSON: I'm still waiting on that.

24 CHAIRMAN BARTH: Okay.

25 MR. WILSON: They haven't. I have waited month

1 after month after month to have a finding and they --

2 CHAIRMAN BARTH: Mr. Wilson, please come
3 forward. We can't hear you.

4 MR. WILSON: Okay. There is no finding at
5 present. Did I not tell you that?

6 Okay. We have been waiting and waiting and
7 waiting for that particular group to make a finding,
8 to have me come and present my case, and that has
9 been put off many, many, many times. It's been over
10 a year. And my lawyer is very frustrated right now.

11 CHAIRMAN BARTH: Okay.

12 MR. WILSON: So that's all I can say.

13 MS. ZOOK: May I interject something here?

14 CHAIRMAN BARTH: Ms. Zook.

15 MS. ZOOK: Because I'm familiar with the list
16 and the getting on the list and getting off the list
17 and all the red tape, as I will phrase it, that
18 happens with regard to that, with regard to juvenile
19 courts. It is not unusual for them to take a year or
20 two or three to decide if you're going to be on the
21 list. And then if you may an appeal, it may be a
22 year or two or three to get off the list. So if we
23 --

24 CHAIRMAN BARTH: I think we can't act until
25 there is a true finding because we have -- there's

1 nothing to waive at this point. We know --

2 MS. ZOOK: There seems to be some confusion
3 between the attorneys and the person about whether it
4 is or isn't, and I don't know.

5 MS. FRENO: I'll ask Ms. Blagg to tell you what
6 her understanding is based upon the investigative
7 file. And also we have Eric James here, who is the
8 investigator -- the chief investigator for PLSB.

9 CHAIRMAN BARTH: Great. All right. Thanks, Ms.
10 Blagg.

11 MS. BLAGG: Based on my understanding and from
12 the investigative file, there was a true finding by
13 the preponderance of the evidence that Educator
14 Wilson was -- there was a true finding, so he could
15 be placed on the Child Maltreatment Central Registry.
16 I have no objection. I was just trying to get that
17 all taken care of to save everybody a little bit of
18 time. But we can pull that and just bring him back
19 when we get that for sure.

20 MS. ZOOK: Yes. Yes.

21 CHAIRMAN BARTH: Okay. Is everybody -- I mean
22 --

23 MS. BLAGG: I was just trying to help the
24 process along.

25 CHAIRMAN BARTH: And I really appreciate that.

1 MS. ZOOK: Yes.

2 CHAIRMAN BARTH: Because it would be -- I think
3 it would've been helpful to this entire process to
4 get it all tidied up today, but we can't do that
5 because of the frustration that you've voiced related
6 to the delays.

7 So if there's no other action on this, then we
8 are through with this case. And we appreciate you
9 being here, Mr. Wilson.

10 MR. WILSON: Depending upon the finding, then I
11 can --

12 CHAIRMAN BARTH: I think just stay in touch with
13 Ms. Blagg regarding that issue. That is the
14 lingering issue, which we cannot deal with today.
15 But we have taken care of the PLSB's decision and
16 that is the piece we could -- that was on the agenda
17 and that we dealt with today.

18 MS. ZOOK: Mr. Chairman --

19 CHAIRMAN BARTH: Yes, Ms. Zook.

20 MS. ZOOK: Do we need to table that to bring it
21 back or can we just bring it back in isolation?

22 COMMISSIONER KEY: I would recommend that --
23 that's a different process. So let's let that
24 process play out and just call this part of the
25 process ending and then pick it up when it comes

1 back.

2 CHAIRMAN BARTH: Yeah. If it comes back.

3 COMMISSIONER KEY: If it comes back.

4 CHAIRMAN BARTH: If it comes back.

5 Okay. All right. Thank y'all very much.

6 MR. WILSON: I want to thank you for your time.

7 Thank you.

8 CHAIRMAN BARTH: Thank you. Thank you, sir.

9 Okay. Everybody good? Need a break?

10 Everybody good. Okay. All right.

11 A-4: CONSIDERATION OF WAIVER REQUEST FOR TEACHING LICENSE -

12 LICENSURE ACTION CASE NO. 18-019 - JOHN PENNINGTON

13 CHAIRMAN BARTH: We are now down to item 4, and
14 this is the Pennington case. And I'll turn it over
15 to Mr. Dugan.

16 MR. DUGAN: Good morning. Taylor Dugan,
17 attorney for Legal Services.

18 I'm here today in front of you guys to ask that
19 the Board revoke the license of Educator John
20 Pennington because he was found guilty of a
21 disqualifying offense. I'm going to keep it pretty
22 brief, and so if you guys would like me to review the
23 rules I can. Mr. Pennington is here today.

24 So, Mr. Pennington, if you could come on
25 forward?

1 And under the rules the Department of Education
2 gets to make an opening statement. We can speak for
3 5 minutes, and then Mr. Pennington can make an
4 opening statement and he'll get to speak for 5
5 minutes. After that each side has 15 minutes to
6 present their case, starting with the Department, and
7 then 10 minutes can be reserved for closing.

8 And so with that, if there's no questions on the
9 rules, I'll proceed with my opening.

10 CHAIRMAN BARTH: Could I go ahead and swear --

11 MR. DUGAN: Yes, sir.

12 CHAIRMAN BARTH: -- Mr. Pennington?

13 Mr. Pennington, if you can rise and raise your
14 right hand. Do you swear or affirm that the
15 testimony you're about to give shall be the truth,
16 the whole truth, and nothing but the truth?

17 MR. PENNINGTON: I do.

18 CHAIRMAN BARTH: And no one else is going to
19 testify on your behalf, just you?

20 MR. PENNINGTON: No.

21 CHAIRMAN BARTH: Okay. Thank you.

22 Mr. Dugan, you have 5 minutes to open.

23 MR. DUGAN: Thank you. And since the -- I'll
24 just go ahead and kind of jump in to kind of mix in
25 the opening and the presentation.

1 Mr. Pennington is a licensed educator here in
2 the state of Arkansas. When I go through the
3 presentation I'll go through the exhibits. He was
4 found guilty of a disqualifying offense, which is
5 listed under Section 4-17-410, and we gave him notice
6 that he was disqualified from that offense. Mr.
7 Pennington requested a waiver of that
8 disqualification so he can continue to have his
9 teaching license. And we gave him notice of the
10 hearing and so that's why we're here today. And so
11 I'm just going to kind of keep it to the elements,
12 going through the law, when I present the exhibits.

13 So with that I'm going to leave the floor to Mr.
14 Pennington.

15 CHAIRMAN BARTH: Great.

16 Mr. Pennington, you have 5 minutes to start.

17 MR. PENNINGTON: Yes, sir.

18 CHAIRMAN BARTH: And then you will have a second
19 chance, of course.

20 MR. PENNINGTON: Yes, sir. I'm John Pennington.
21 I am currently the Re-entry Coordinator at Southeast
22 Arkansas College under the Department of Adult
23 Education. I'm not here to make any denials or any
24 excuses. I own this. I was -- I've been an educator
25 in Arkansas for almost 30 years, public school

1 educator. And I had a sterling reputation and I
2 threw all that away with one bad decision and I'll
3 forever have to regret that. Currently, I'm working
4 with the -- but they say the Lord works in mysterious
5 ways, and had it not been for that I wouldn't have
6 gone to rehab; I would've still been fooling people.
7 I made it to rehab at Covenant Recovery in Pine
8 Bluff, where I was hired by the owner, Jeremy
9 McKenzie, to work with the re-entry program. And for
10 -- to all the parolees in Pine Bluff I'm John the
11 Teacher. So I work with those guys and I've got the
12 best job I've ever had in my life. I work with the
13 re-entry program. I currently have 33 students, all
14 in re-entry, and we're putting in another 30-seat
15 classroom at the Ester Unit, the prison in Pine
16 Bluff. That's what I do now and something I'm very
17 -- extremely proud of.

18 This is the Pine Bluff Commercial Appeal from
19 this summer. That's my-self and a guy named Chris
20 Tate. Chris got his GED while he was in there. He'd
21 done five years for a distribution charge at Cummins,
22 and after -- during the program -- he was in re-entry
23 and got his GED. He called me over Christmas and
24 he's going to college, and I'm real proud of that --
25 proud that I could be a part of that.

1 You know, like I say, I make no excuses. I own
2 this and I'll live with it. But if the Board could
3 see to give me another chance, I've got the best job
4 I've ever had working with adult education there at
5 SEARK. And that's -- I'll leave it at that. Thank
6 you.

7 CHAIRMAN BARTH: Thank you, Mr. Pennington.

8 All right. Mr. Dugan.

9 And just for board members, you have -- you
10 should have a packet in front of you.

11 MR. DUGAN: Is there anyone that does not have
12 one of the exhibit lists?

13 And so I'm just going to go through this exhibit
14 list with you guys. I know that you guys just got
15 this this morning. And so, like I said, I just want
16 to kind of lay out the elements of the statute and go
17 in order through these.

18 So, first of all, is Mr. Pennington a licensed
19 educator? I've marked that as ADE Exhibit Number One
20 (1). That's a copy of his license. If a licensed
21 educator has a disqualifying offense under 6-17-410,
22 then the State Board of Education has the authority
23 to revoke that license.

24 And so I attached as ADE Exhibit Number Two (2)
25 -- that's a copy of the Sentencing Order. And if you

1 guys look at the Sentencing Order you can see that
2 about halfway down the Sentencing Order it shows the
3 offense that Mr. Pennington was ultimately charged
4 with and then later convicted of. If you look on the
5 last page of ADE Exhibit Number Two (2), which would
6 be page 3 and 4, those show that they were signed by
7 a Judge. And so that right there, that's the
8 disqualifying offense.

9 He's a licensed educator; there is a
10 disqualifying offense on the record.

11 Did we provide him notice? You guys can look at
12 ADE Exhibit Number Three (3) that we did give him
13 notice of the disqualifying offense.

14 And so after receiving that notice Mr.
15 Pennington had the right to ask for this hearing, and
16 so he did request a waiver, which is marked as ADE
17 Exhibit Number Four (4). And so we did provide the
18 notice of the hearing and that's why we're here
19 today.

20 And so under this statute, like I said, it's are
21 they licensed, do they have a disqualifying offense;
22 and if they do have a disqualifying offense the Board
23 can take the action that they want with that.

24 And so we're just here trying to show by a
25 preponderance of the evidence that he does have a

1 disqualifying offense on his record. And for
2 consistency purposes, we ask that you revoke his
3 license because he has been found guilty of a
4 disqualifying offense.

5 And if there are any questions, I would love to
6 entertain those. But that's how I kind of laid out
7 my presentation, just trying to show you guys the
8 elements under the law.

9 CHAIRMAN BARTH: Okay. Are there any questions
10 at this time?

11 You have 12 minutes left on this piece.

12 MR. DUGAN: (Shaking head from side to side.)

13 CHAIRMAN BARTH: Okay. Thank you, Mr. Dugan.

14 Mr. Pennington, you now have up to 15 minutes.

15 MR. PENNINGTON: Well, I'll be brief. I'd just
16 like to point out to the Board that I was charged
17 under Act 346, which when I finish my probation in
18 another year it will be expunged from my record. I'm
19 currently working for the Department of Education as
20 a -- in the auspices of the Adult Education at SEARK
21 College, and I think they're very pleased with my
22 work. As I say, it's the best job I've ever had.

23 I've suffered a lot from this. My reputation
24 was tarnished. I was 30 years an educator in the
25 Little Rock School -- almost 30 years in the Little

1 Rock School District, both the Cloverdale Middle
2 School and the alternative school. I prided myself
3 on working on the frontlines, as we used to call it,
4 and I did that for a long time. I had a sterling
5 reputation. I was a Pathwise mentor and I threw all
6 that away -- but I'm trying to regain it now. And I
7 thank you.

8 CHAIRMAN BARTH: Thank you, Mr. Pennington.

9 All right. And then we have 10 minutes for
10 closure.

11 MR. DUGAN: That's correct. And just like Mr.
12 Pennington said, on the Sentencing Order it does show
13 that Mr. Pennington was sentenced under Act 346. And
14 Act 346 is like the First-Time Offender Act as far as
15 if the person completes their probation it's
16 considered a dismissal. Like even on the actual
17 order, when you look at an Act 346 order that's been
18 signed by the Judge, the last little sentence there
19 shows that it is a dismissal of the charges. So I
20 just wanted to make sure that the Board was aware of
21 that.

22 And one thing I did leave out during my
23 presentation was that the level of felony of this
24 charge is a Class "D" felony, which is the lowest
25 level felony here in the state of Arkansas, which is

1 to be punishable by up to six years in prison, but
2 most of the time it's through alternative sanctions
3 such as probation. And so I just wanted to reiterate
4 that, when Mr. Pennington brought up that. It is Act
5 346 and I wanted you guys to understand what that
6 meant.

7 CHAIRMAN BARTH: Okay. Mr. Dugan, a quick
8 question on the expungement piece: how does that
9 intersect -- if expungement were to happen, how does
10 that intersect with the disqualification?

11 MR. DUGAN: So the way the statute reads is "if
12 the person has been found guilty of a disqualifying
13 offense." And so when you look at the Sentencing
14 Order it does state that -- you know, he was here in
15 front of a judge, he did go ahead and plead guilty --
16 but it doesn't matter if it's been sealed or
17 expunged. And this is kind of like a little -- itchy
18 little issue here, a tricky issue because even in the
19 law it says if a thing has been sealed or expunged
20 it's still disqualifying for up to 10 years as long
21 as it doesn't involve mistreatment of another, things
22 like that -- which this would not because this is not
23 a charge that is a crime against a person; it's a
24 crime against the community, since it is a drug-
25 related charge. But in all other purposes that

1 dismissal -- Act 346, you know, gets firearms, you
2 know, restored, those types of things; it gets all
3 their other rights restored to that person. But
4 under this statute it does count as a disqualifying
5 offense.

6 CHAIRMAN BARTH: All right. For up to 10 years?

7 MR. DUGAN: Correct.

8 CHAIRMAN BARTH: Okay. Great. Thank you very
9 much.

10 MR. DUGAN: Yes, sir.

11 CHAIRMAN BARTH: Mr. Pennington, you have 10
12 minutes, if you wish?

13 MR. PENNINGTON: No.

14 CHAIRMAN BARTH: Okay. I think we -- all right
15 -- are very clear on the facts here.

16 Any questions?

17 Ms. McFetridge.

18 MS. McFETRIDGE: Was this offense -- did this
19 happen on the school grounds or was this outside of
20 employment?

21 CHAIRMAN BARTH: Mr. Pennington, I know it's
22 difficult to come forward but --

23 MR. PENNINGTON: That's okay. It happened in
24 North Little Rock. It was not on school grounds; not
25 on school time, period. I was caught in a traffic

1 stop with some -- made some poor choices with who I
2 was associating with and I was caught in a traffic
3 stop in North Little Rock.

4 CHAIRMAN BARTH: Ms. Newton, anything?

5 MS. NEWTON: Did you complete your rehab?

6 MR. PENNINGTON: Yes, ma'am. Yes, ma'am. I was
7 hired by the owner to work with the re-entry guys and
8 I'm still a part of that, Covenant Recovery. That
9 makes up the bulk of my students there.

10 MS. NEWTON: Are you still getting support, I
11 guess is my question?

12 MR. PENNINGTON: Yes, ma'am. I'm still involved
13 with the recovery program. I go to AA meetings.
14 I've spoken several times. It's been a busy time
15 right now. We're getting -- we have a new director
16 and we're establishing more -- we're growing at the
17 adult education department at SEARK. And so I've
18 been -- haven't been going as much as I should go,
19 but I still participate and still a part of that.

20 MS. NEWTON: Okay. Thank you.

21 MR. PENNINGTON: It's my family there, so --

22 CHAIRMAN BARTH: Thank you.

23 Dr. Hill?

24 DR. HILL: Yeah. Is a teaching license required
25 for the work you're doing right now?

1 MR. PENNINGTON: Yes, sir.

2 DR. HILL: In adult education --

3 MR. PENNINGTON: Yes, sir.

4 DR. HILL: -- you have to have the teaching
5 license?

6 MR. PENNINGTON: As Re-Entry Coordinator, yes.
7 I've gotten a waiver this year to be -- they got me a
8 waiver at SEARK so I could do this.

9 DR. HILL: Okay.

10 MR. PENNINGTON: Yes, sir.

11 CHAIRMAN BARTH: Thank you.

12 Ms. Chambers?

13 MS. CHAMBERS: I've been trying to do -- connect
14 dots that you were just speaking to, Dr. Barth.

15 So to the question that Dr. Hill just posed to
16 you, if you don't have this -- I don't even know what
17 terminology to use. If we agree with not granting
18 the request for a waiver, will you discontinue
19 teaching in adult education?

20 MR. PENNINGTON: I won't be allowed to.

21 MS. CHAMBERS: Okay. And the disqualifying
22 event is a matter of record; is that true? Whatever
23 we render today doesn't change that determination?

24 MR. DUGAN: I should have been more clear. So
25 what's going on --

1 CHAIRMAN BARTH: Mr. Dugan, if you can get
2 closer --

3 MR. DUGAN: Right here?

4 CHAIRMAN BARTH: Yeah. Thank you.

5 MR. DUGAN: And I should have been more clear
6 earlier. So kind of like -- kind of why we're here
7 today is Mr. Pennington, he had this disqualifying
8 offense on his record. And what we're asking the
9 Department is that you guys revoke his license and
10 then, therefore, he cannot teach anymore, because
11 once that -- that is permanent. However, the Board
12 has the authority to suspend it, put him on
13 probation, do those types of things, or can totally
14 deny our recommendation -- our recommendation to
15 revoke it. You guys can say, you know, we have no
16 problem with Mr. Pennington continuing to have his
17 license. So you guys can completely deny our
18 request.

19 COMMISSIONER KEY: Mr. Chair, can we pause just
20 for a second and have a little huddle to clear up
21 this issue? Because I'm confused now. So --

22 CHAIRMAN BARTH: Well, let's -- why don't we
23 take a -- if you're willing, let's take a 3-minute,
24 4-minute break and then give the Department time to
25 huddle, and then we'll come right back.

1 MR. DUGAN: Thank you.

2 CHAIRMAN BARTH: Okay. We'll just take a time-
3 out.

4 (BREAK: 11:20 - 11:27 A.M.)

5 CHAIRMAN BARTH: All right. We'll come back to
6 order. And thanks, everybody, for taking a break and
7 I think allowed it everybody to get on the same page.

8 I'll turn it back over to Mr. Dugan to kind of
9 explain where we are in the process.

10 MR. DUGAN: Taylor Dugan, attorney for the
11 Department, Legal Services.

12 And so I spoke with my colleagues and that --
13 what we're just here for today is whether to grant
14 the waiver or deny the waiver. And so what's going
15 on today is Mr. Pennington is asking that you guys
16 either -- grant his waiver for a disqualifying
17 offense, and we're asking that you guys deny that
18 waiver.

19 CHAIRMAN BARTH: Okay.

20 MR. DUGAN: Does that clarify?

21 CHAIRMAN BARTH: So the conversation about the
22 differing sanctions and all that, that's off the
23 table at this point?

24 MR. DUGAN: Correct.

25 CHAIRMAN BARTH: It really is a yes or no

1 question?

2 MR. DUGAN: Yes or no. And you guys can grant
3 the waiver, but with conditions. Correct?

4 MS. BLAGG: (Nodding head up and down.)

5 MR. DUGAN: There you go.

6 CHAIRMAN BARTH: Okay. We can put --

7 MR. DUGAN: Grant the waiver but put conditions
8 on it. So we can give a waiver but -- yes, so those
9 conditions would be the sanctions.

10 CHAIRMAN BARTH: Correct. Okay.

11 Everybody good? Everybody on the same page at
12 this point?

13 Okay. Any additional questions for either the
14 Department or Mr. Pennington?

15 Ms. Chambers.

16 MS. CHAMBERS: So is it possible, back to -- if
17 we -- so the Department is recommending or
18 respectfully requests that the State not grant the
19 request. If we were to grant the request with
20 conditions specific to where he's currently teaching
21 and say that's the -- that environment makes perfect
22 sense, not opening it up to say a grade school, just
23 as an example, is that feasible?

24 MR. DUGAN: I do not know the answer to that.

25 But Ms. Blagg is telling me yes, that is a

1 possibility.

2 MS. CHAMBERS: Okay. So we could tailor it to
3 that extent if we chose?

4 MR. DUGAN: Yes, ma'am.

5 CHAIRMAN BARTH: And on that front, although it
6 would not deny the possibility of him coming back in
7 the future to ask for a loosening of those sanctions,
8 of those conditions -- or is it -- once they're
9 locked in, is that a permanent condition?

10 MR. DUGAN: We recommend that what would be best
11 is to put like a timeline in there. Then just
12 throwing an example out there, maybe once Mr.
13 Pennington pleads his probation then this is -- we
14 get a letter from his probation officer -- just
15 thinking, you know, off the top of my head here --
16 that this is finalized. Does that make sense? Like
17 you can work here at this school for this long, once
18 your -- until your probation is completed and get a
19 letter from your probationary -- probation officer.

20 CHAIRMAN BARTH: Okay.

21 Dr. Hill.

22 DR. HILL: How long before his record is
23 expunged? How much more time is that?

24 MR. PENNINGTON: A year -- a little over a year.

25 DR. HILL: And then you'll be clear of

1 everything?

2 MR. PENNINGTON: Yes.

3 DR. HILL: Okay.

4 CHAIRMAN BARTH: Except on this issue.

5 DR. HILL: Yes. Yes. Right.

6 CHAIRMAN BARTH: Right.

7 DR. HILL: Then he can come back?

8 CHAIRMAN BARTH: I think he would -- in that
9 case, he would not come back.

10 MR. DUGAN: Yeah. He could -- for example, if
11 the order said that this is just for the duration of
12 his probation, and his probationary officer, you
13 know, provides a letter, it's my understanding once
14 we got that letter then he would be good to go.

15 DR. HILL: Well, I guess my question was: he
16 would have to come back to see us before he'd ever go
17 back into the classroom?

18 MR. DUGAN: No, sir. No. Once that -- once he
19 complied with the qualifications of the order he
20 would be okay.

21 DR. HILL: Okay.

22 MR. DUGAN: Yeah.

23 CHAIRMAN BARTH: Does that make sense?

24 DR. HILL: Yes.

25 CHAIRMAN BARTH: Okay.

1 Mr. Williamson?

2 MR. WILLIAMSON: I'm fine. I'm ready for a
3 motion.

4 CHAIRMAN BARTH: All right. Well, I will --

5 MR. WILLIAMSON: I think we need to help him.

6 CHAIRMAN BARTH: Okay.

7 MR. WILLIAMSON: So I move that we grant the
8 waiver for Mr. Pennington.

9 Like I said, this is -- we need more people like
10 you helping our sick communities and I really
11 appreciate what you do.

12 But I guess my motion is that -- I move that we
13 grant the waiver.

14 CHAIRMAN BARTH: Okay. With no conditions?

15 MR. WILLIAMSON: I don't have any conditions
16 that I'd like to impose on him.

17 CHAIRMAN BARTH: Okay.

18 MR. WILLIAMSON: I think he's in the best spot
19 though, if that matters.

20 CHAIRMAN BARTH: Okay. All right.

21 Is there a second to that motion?

22 MS. ZOOK: Second.

23 CHAIRMAN BARTH: All right. So, motion by Mr.
24 Williamson, second by Ms. Zook.

25 I want to do a roll-call on this, if that's all

1 right.

2 DR. HILL: Are there any questions?

3 CHAIRMAN BARTH: Oh, yeah. Sure. Of course.

4 DR. HILL: All right. So I'm in agreement that
5 I think he's in his sweet spot where he's serving
6 right now.

7 And I'm sure you work with restorative justice
8 and I admire -- I'm 100% behind you; I'll do
9 everything I can.

10 But I guess I'm still confused with the law on
11 the schools -- Cloverdale and the other things. So
12 I'm saying I want to get him back out there working
13 with the rehabilitation tomorrow. We're wasting his
14 time, like he said, right now.

15 MR. WILLIAMSON: Right, exactly.

16 DR. HILL: He should be out there mentoring
17 those. But at the same time I want to make sure, as
18 a board and our responsibilities, if he ever wanted
19 to go back into the classroom that he's going to be
20 monitored appropriately if he was in Cloverdale
21 Middle School, where he's from. Is that what we're
22 saying, that doesn't have to come back? I'm
23 confused.

24 MS. ZOOK: I'm wondering if we -- if a motion --
25 depending on how this one goes or whether he keeps it

1 or withdraws it -- if we just say we grant the waiver
2 and to continue teaching where he is; and once he
3 completes probation, at that point he could then go
4 back into other kinds of classrooms. But I don't
5 even know legally if that's too convoluted.

6 DR. HILL: Well, that's why I was asking about
7 when his record was clear --

8 MS. ZOOK: Yeah.

9 DR. HILL: -- for the expungement, because then
10 there's all sorts of --

11 CHAIRMAN BARTH: So this motion has no
12 conditions on it at all. It really is
13 straightforward and could lead to that, I mean, if he
14 was able to --

15 DR. HILL: So -- okay.

16 CHAIRMAN BARTH: So are you clear on what we're
17 doing right now?

18 DR. HILL: Yes, I am.

19 CHAIRMAN BARTH: But if this motion were voted
20 down it would be perfectly appropriate to come back
21 with another motion that places some conditions --

22 DR. HILL: Oh, okay.

23 CHAIRMAN BARTH: -- on it.

24 Ms. Newton.

25 MS. NEWTON: Could I ask Mr. Pennington a

1 question?

2 CHAIRMAN BARTH: Yes, sure.

3 I want to apologize for you having to get up and
4 down.

5 MS. NEWTON: I'm sorry you're having to get up.
6 I'm sorry.

7 Is it your intention to stay with adult
8 education?

9 MR. PENNINGTON: Yes, ma'am. I've done my time
10 in middle school.

11 MS. NEWTON: Okay.

12 MR. PENNINGTON: I'm almost 60 years old, so I'm
13 not --

14 MS. NEWTON: You have no intention of going back
15 to the --

16 MR. PENNINGTON: No. I'm very happy working in
17 the prison system as opposed to middle school.

18 MS. NEWTON: Okay. That's all I have.

19 MR. PENNINGTON: It's a little easier.

20 MS. NEWTON: Thank you.

21 CHAIRMAN BARTH: All right. Let's go ahead and
22 do a roll-call on this. And if it fails, we'll come
23 back and kind of talk about conditions.

24 COMMISSIONER KEY: Okay. Ms. Zook.

25 MS. ZOOK: Yes.

1 COMMISSIONER KEY: Dr. Hill.

2 DR. HILL: Yes.

3 COMMISSIONER KEY: Mr. Williamson.

4 MR. WILLIAMSON: Yes.

5 COMMISSIONER KEY: Ms. Chambers.

6 MS. CHAMBERS: No.

7 COMMISSIONER KEY: Ms. McFetridge.

8 MS. McFETRIDGE: Yes.

9 COMMISSIONER KEY: Dr. Moore.

10 DR. MOORE: Yes.

11 COMMISSIONER KEY: Ms. Newton.

12 MS. NEWTON: Yes.

13 COMMISSIONER KEY: Ms. Dean.

14 MS. DEAN: Yes.

15 CHAIRMAN BARTH: All right. So that motion
16 passes, 7-to-1.

17 So, congratulations and thank you for your
18 service, as Mr. Williamson said very eloquently.

19 Ms. Chambers.

20 MS. CHAMBERS: I just -- I would've added a
21 condition, just as soon as you were expunged that
22 this would go away but --

23 CHAIRMAN BARTH: All right. Fantastic.

24 A-5: CONSIDERATION OF THE OBJECTION, BRIEF AND MOTION FOR
25 EXTENSION FOR PLSB CASE NO. 18-011 - JACOB CONRAD DE LA PAZ

1 CHAIRMAN BARTH: Okay. Next up is the de la Paz
2 case. And this is Ms. Blagg.

3 Ms. Blagg.

4 Yeah, I'm sorry.

5 MS. BLAGG: Sorry. I wasn't sure if you wanted
6 to take a lunch break now or a little bit later.

7 CHAIRMAN BARTH: Oh, no, no, no. No, we're
8 just getting started.

9 MS. BLAGG: Simone Blagg again, attorney for
10 PLSB.

11 I'm here today to talk to you about considering
12 Educator de la Paz's motion to extend time in PLSB
13 Case 18-011. By and through his attorney, Educator
14 de la Paz submitted an objection brief and motion for
15 extension of time that was received by PLSB on
16 December 13, 2018. PLSB submitted a response on
17 January 4, 2019. In his objection brief and motion
18 for extension of time, Educator de la Paz requested
19 an extension of time to file further objections and a
20 more thorough brief after receipt of the transcript
21 of the evidentiary hearing. In the cover letter with
22 his motion, Educator de la Paz requested an extension
23 of at least 60 days. Educator de la Paz's attorney
24 did not receive the transcript until December 28,
25 2018. Educator's attorney and PLSB attorney have

1 signed a stipulated agreement saying that the facts
2 of the case present are that the transcript --
3 evidentiary hearing transcript was received December
4 28th and that that would extend his deadline to reply
5 to February 26, 2019, and that his brief would be due
6 at that time.

7 The motion, the response, and the stipulated
8 agreement were provided to the Board earlier this
9 week, and the PLSB has no objections.

10 So we would just need a motion to grant or deny
11 that motion to extend time.

12 CHAIRMAN BARTH: All right. Everybody clear?

13 So the motion is to extend until February 26,
14 2018 [sic], which might bring it back to our agenda
15 in the future. Correct?

16 MS. BLAGG: Yes.

17 CHAIRMAN BARTH: He could?

18 MS. BLAGG: Yes.

19 CHAIRMAN BARTH: Either consent or --

20 MS. BLAGG: This is a full board one.

21 CHAIRMAN BARTH: So it would be a full board?

22 MS. BLAGG: It's a full board review.

23 CHAIRMAN BARTH: It's definitely going to come
24 back?

25 MS. BLAGG: Yes.

1 CHAIRMAN BARTH: Okay. All right.

2 MS. NEWTON: But it's 2019.

3 CHAIRMAN BARTH: 2019. Thank you, Ms. Newton.

4 Okay. Is there a motion to -- for the
5 extension?

6 MR. WILLIAMSON: So moved.

7 MS. DEAN: Second.

8 CHAIRMAN BARTH: Motion by Mr. Williamson,
9 second by Ms. Dean.

10 All those in favor say "aye."

11 (UNANIMOUS CHORUS OF AYES)

12 CHAIRMAN BARTH: Opposed, same sign.

13 Okay.

14 MS. BLAGG: Thank you.

15 CHAIRMAN BARTH: Thank you.

16 A-6: CONSIDERATION OF REVOCATION OF TEACHING LICENSE -
17 LICENSURE ACTION CASE NO. 18-017 - JOSHUA CAMERON

18 CHAIRMAN BARTH: And next up is the Cameron
19 case, and now we're back to Mr. Dugan.

20 MR. DUGAN: Good morning. Good to see you guys
21 again. Taylor Dugan, attorney for Legal Services.

22 Is Mr. Cameron here, Joshua Cameron?

23 [A MOMENT OF SILENCE]

24 MR. DUGAN: And so on this one I just wanted to
25 kind of go through on the last one just to kind of

1 hit the elements here, since Mr. Cameron is not here.

2 Is Mr. Cameron a licensed educator? He is, and
3 we have that marked as ADE Exhibit Number One (1).

4 Unfortunately, since this is one that deals with
5 the Maltreatment Registry we are not allowed to put
6 into the actual packet that there is a true finding,
7 but there was a true finding on the Child
8 Maltreatment Registry. And we gave him notice that
9 this was a disqualifying factor for Mr. Cameron, back
10 on July 17, 2018, and that's marked as ADE Exhibit
11 Number Two (2). We gave him notice of the hearing
12 for this one to be here today, and he is not here.

13 And so since he is not present and since he does
14 have a true finding, a disqualifying offense there on
15 his record, that we go ahead and grant the
16 Department's motion.

17 CHAIRMAN BARTH: Okay. All right. Everybody
18 understand?

19 I'd entertain a motion on this item.

20 MS. ZOOK: Move to accept the Department's
21 recommendation.

22 MS. CHAMBERS: Second.

23 CHAIRMAN BARTH: All right. Motion by Ms. Zook,
24 second by Ms. Chambers.

25 All those in favor say "aye."

1 (UNANIMOUS CHORUS OF AYES)

2 CHAIRMAN BARTH: Opposed, same sign.

3 Okay. Thank you, Mr. Dugan.

4 A-7: CONSIDERATION OF REVOCATION OF TEACHING LICENSE -
5 LICENSURE ACTION CASE NO. 18-021 - MARK SMITH

6 CHAIRMAN BARTH: And you are up next with the
7 case of Mark Smith.

8 MR. DUGAN: Mr. Mark Smith, similar situation.

9 Taylor Dugan, attorney for Legal Services.

10 I'd ask if Mr. Mark Smith is here? Is he
11 present?

12 [MOMENT OF SILENCE]

13 MR. DUGAN: And Mr. Mark Smith also is a
14 licensed educator. We have his license marked as ADE
15 Exhibit Number One (1).

16 I've attached as ADE Exhibit Number Two (2) his
17 Sentencing Order from where he was found guilty of a
18 disqualifying offense. On page 1 of ADE Exhibit
19 Number Two (2) you can see what that offense was. He
20 was also -- so he was found guilty of two offenses,
21 which both are disqualifying offenses. The second
22 disqualifying offense is on ADE Exhibit Two (2), page
23 3 of 4, if you guys would like to look at what that
24 offense is.

25 We sent Mr. Smith notice of this on September

1 26, 2018. He did not request a hearing -- or did not
2 request a waiver, excuse me, on this. So we
3 proceeded and sent him Notice of Hearing on December
4 3rd.

5 And since Mr. Smith is not here, we would ask
6 that you go ahead and move forward with the
7 Department's motion --

8 CHAIRMAN BARTH: Okay. So --

9 MR. DUGAN: -- unless there are questions.

10 CHAIRMAN BARTH: Everybody understands the
11 recommendation from the Department?

12 I would entertain a motion.

13 MR. WILLIAMSON: I move that we revoke Mark
14 Smith's teaching license.

15 MS. CHAMBERS: Second.

16 CHAIRMAN BARTH: All right. Motion by Mr.
17 Williamson, second by Ms. Chambers.

18 All those in favor say "aye."

19 MS. BLAGG: Hold on, please.

20 CHAIRMAN BARTH: Ms. --

21 (COURT REPORTER'S NOTE: Ms. Blagg and Mr. Dugan
22 speak quietly together.)

23 MR. DUGAN: Yes. Because since they didn't ask
24 for a waiver -- yes, that's correct.

25 CHAIRMAN BARTH: All right. So we have a motion

1 by Mr. Williamson, a second by -- Ms. Chambers?

2 MS. CHAMBERS: Yes.

3 CHAIRMAN BARTH: Okay. All those in favor of
4 accepting the Department's recommendation of
5 revocation say "aye."

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRMAN BARTH: Opposed, same sign.

8 All right. Thank you.

9 MR. DUGAN: Yes, sir. Thank you.

10 A-8: CONSIDERATION OF REVOCATION OF TEACHING LICENSE -
11 LICENSURE ACTION CASE NO. 18-026 - KYLE SMITH

12 CHAIRMAN BARTH: You've got one last one?

13 MR. DUGAN: That's correct.

14 CHAIRMAN BARTH: And this is Kyle Smith.

15 MR. DUGAN: That's correct. So, separate from
16 Mr. Mark Smith. And, again, Mr. Kyle Smith has an
17 educator's license here in Arkansas, and he -- we
18 have marked as ADE Exhibit Number One (1).

19 And he was also found guilty of a disqualifying
20 offense, which we have marked as ADE Exhibit Number
21 Two (2) and ADE Exhibit Number Three (3). He was
22 actually sentenced federally and also in the state of
23 Missouri. If you look at ADE Exhibit Two (2), page 1
24 of 7, if you look kind of down there in the middle
25 you can see what the two charges were as far as on

1 the federal offenses. I went ahead and also attached
2 the Sentencing Order from Missouri, and if you guys
3 take a look at that one you can -- you know, you can
4 start on page 1 of 5 and see what -- the offenses he
5 was charged with.

6 We provided notice to Mr. Kyle Smith that he had
7 these disqualifying offenses on September 28, 2018,
8 and then we gave him notice of this hearing. And so
9 since he's not -- he did not request a waiver.

10 And so since he did not request a waiver we
11 would ask that the Department revoke Mr. Smith's
12 license. If there's any questions --

13 CHAIRMAN BARTH: Okay. Any questions?

14 All right. I would entertain a motion.

15 MS. ZOOK: I move that we revoke his license
16 permanently.

17 MR. WILLIAMSON: Second.

18 MS. DEAN: Second.

19 CHAIRMAN BARTH: All right. Motion by Ms. Zook
20 to accept the Department's recommendation for
21 revocation, second by Ms. Dean.

22 All those in favor say "aye."

23 (UNANIMOUS CHORUS OF AYES)

24 CHAIRMAN BARTH: Opposed, same sign.

25 All right. Now --

1 MR. DUGAN: Thank you.

2 CHAIRMAN BARTH: -- we're done. Thank y'all,
3 all the attorneys, for their hard work this morning.

4 A-9: CONSIDERATION OF CHARTER AUTHORIZING PANEL DECISIONS -
5 SUMMARY INFORMATION

6 CHAIRMAN BARTH: Okay. We are now down to a
7 long list of Charter Authorizing Panel decisions.
8 And I will turn things over to Mr. Ballard to talk us
9 through the procedure and the cases.

10 MR. BALLARD: Reginald Ballard, Department of
11 Education.

12 So, item 9 is Consideration for Charter
13 Authorizing Panel Decisions and Summary Information.
14 For each one of these decisions you've been provided
15 with the voting sheets, as well as the supporting
16 documents for your review.

17 a) EXALT ACADEMY OF SOUTHWEST LITTLE ROCK

18 MR. BALLARD: We're going to start with our
19 first decision, which states on December -- which was
20 rendered -- excuse me -- on December 18, 2018.

21 Representatives of the Exalt Academy of Southwest
22 Little Rock appeared before the Charter Authorizing
23 Panel requesting a renewal of their charter. By a
24 unanimous vote, the Panel approved the application
25 request. No request for the State Board of Education

1 to review the decision made by the Panel was
2 submitted. The State Board may exercise a right of
3 review and conduct a hearing of the Charter
4 Authorizing Panel's determination of -- at the State
5 Board's next meeting.

6 CHAIRMAN BARTH: Okay. So the motion will be to
7 review or not to review the decision of the Charter
8 Authorizing Panel.

9 I'll see -- start with Ms. McFetridge; any
10 questions here? Ms. Newton? Dr. Hill, any
11 questions? Ms. Zook? Mr. Williamson? Anybody else
12 over here?

13 All right. Then the motion is -- the proper
14 motion is to review or not to review.

15 MS. NEWTON: I move not to review.

16 MS. DEAN: Second.

17 CHAIRMAN BARTH: All right. Motion by Ms.
18 Newton, second by Ms. Dean.

19 All those in favor say "aye."

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN BARTH: Opposed, same sign.

22 Okay. Thank you.

23 b) PINE BLUFF LIGHTHOUSE ACADEMY

24 CHAIRMAN BARTH: Next up is item -- sub-item (b)
25 which is the Pine Bluff Lighthouse Academy.

1 MR. BALLARD: Correct. This is again a
2 consideration. On December 18, 2018 --

3 (COURT REPORTER'S NOTE: The lights in the room
4 began to dim, due to someone leaning against the
5 light switch; then they come back up.)

6 MR. BALLARD: There we go.

7 CHAIRMAN BARTH: All right. Great. Sorry, Reg.

8 MR. BALLARD: No worries.

9 On December 18, 2018, representatives of Pine
10 Bluff Lighthouse Academy appeared before the Charter
11 Authorizing Panel requesting a renewal of their
12 charter. By a vote of 3-2 vote, the Panel denied the
13 application request. Pine Bluff Lighthouse Academy
14 has submitted a request that the State Board of
15 Education review the decision made by the Panel. The
16 State Board may exercise a right of review and
17 conduct a hearing of the Charter Authorizing Panel's
18 determination at the State Board's next meeting.

19 We do have representatives from Pine Bluff
20 Lighthouse at this time.

21 CHAIRMAN BARTH: All right. Okay. And in terms
22 of procedure here, how long do they have for a
23 presentation?

24 MR. BALLARD: I'll defer to Mary Claire.

25 MS. HYATT: Mary Claire Hyatt, Arkansas

1 Department of Education.

2 So there's no presentation. It's just they are
3 allowed to answer questions. You're allowed to ask
4 questions of them and of the Department, as
5 necessary.

6 CHAIRMAN BARTH: Okay. And so we would not
7 swear them at this time. If there was a full
8 hearing, then we would do that at the -- in the
9 future?

10 MS. HYATT: That's correct. But today is just
11 to review or not to review. And if you vote to
12 review, then you will have the presentation and go
13 through the full process.

14 CHAIRMAN BARTH: Okay. Great.

15 Are there questions of either the Department or
16 of Lighthouse?

17 MR. BALLARD: I would like to let the Board know
18 that Pine Bluff Lighthouse Academy does have
19 handouts. If you would like to review them, we can
20 distribute them for you.

21 CHAIRMAN BARTH: Sure.

22 MR. BALLARD: All right. Dr. Boyd is going to
23 distribute those handouts.

24 (WHEREUPON, A-9(b) Exhibits One (1) and Two (2)
25 were marked for identification and entered into the

1 record.)

2 MR. BALLARD: Would you like to take public
3 comment --

4 CHAIRMAN BARTH: Is there public comment?

5 MR. BALLARD: -- at this time?

6 MS. FRENO: Dr. Barth, there's no one signed up
7 for public comment.

8 CHAIRMAN BARTH: Okay. No one has signed up for
9 public comment at this time. I think we did get --

10 MR. BALLARD: Yeah.

11 CHAIRMAN BARTH: -- a letter from Representative
12 Flowers.

13 MR. BALLARD: Representative Flowers. Correct.

14 CHAIRMAN BARTH: She has a competing issue
15 affecting her district today and could not be here,
16 but she did send a letter that was at our desk and
17 she also asked that it be read. So, Mr. Ballard, do
18 you have that?

19 MR. BALLARD: Absolutely. I'll read that
20 letter.

21 "Dear Dr. Barth: I am writing in support of
22 renewing Pine Bluff Lighthouse Academy's state
23 charter. I believe closing Pine Bluff Lighthouse
24 Academy would be premature. Allowing the school to
25 remain in operation will give them the time necessary

1 to expand on the progress they have made -- they have
2 already made. The students need stability, and a
3 premature closing would not only be an inconvenience
4 but would hinder their potential growth.

5 "While Pine Bluff Lighthouse Academy received an
6 F grade from the state, so did all of the other
7 elementary schools in the district. While these
8 grades point to challenges, they are not indicative
9 of student and teacher progress or success.
10 Moreover, this closure would amount to punishment
11 during a critical transition to a new testing model,
12 which Arkansas schools were promised would not happen
13 at this time.

14 "The school has experienced better attendance
15 rates and behavior in students. It has three years
16 of improvements in academic performance, along with
17 literacy rates that have improved, with a higher
18 number of students reading at grade level in all
19 grades except eighth.

20 "Pine Bluff Lighthouse Academy has also gone out
21 of their way to help their students. They obtained a
22 healthy lunch grant and have worked with the
23 Jefferson County Boys and Girls Club to offer
24 afterschool and summer programs to better serve their
25 students.

1 "For these reasons, I ask that the State Board
2 of Education renew Pine Bluff Lighthouse Academy's
3 state charter. If I may offer additional testimony,
4 please do not hesitate to contact me."

5 CHAIRMAN BARTH: Great. Thanks.

6 Are there any other questions?

7 I think we do -- have had a request for public
8 comment from one person on this issue. But I want to
9 see if there are any questions of the Board before we
10 go into public comment.

11 Ms. McFetridge.

12 MS. McFETRIDGE: If we decide to review today,
13 do we do that right now?

14 CHAIRMAN BARTH: It would be next month.

15 MS. McFETRIDGE: Okay.

16 CHAIRMAN BARTH: We'd have a full hearing next
17 month.

18 MS. McFETRIDGE: Okay.

19 CHAIRMAN BARTH: Any questions?

20 Ms. Hyatt.

21 MS. HYATT: I just thought I would point out you
22 can also schedule a special meeting to have the
23 hearing, in the interest of time.

24 CHAIRMAN BARTH: Okay.

25 MS. HYATT: Because I think right now if it's

1 not renewed then it would end June 30th. So in the
2 interest of students knowing you may wish to have it
3 earlier, or have it at the next meeting.

4 CHAIRMAN BARTH: Right. No later than.
5 Correct?

6 MS. HYATT: (Nodding head up and down.)

7 CHAIRMAN BARTH: Okay.

8 MS. McFETRIDGE: Dr. Barth, also, if we decide
9 to renew does it have to be the five years that
10 they've requested or can we put another year in
11 there?

12 MR. BALLARD: It's up to the Board's discretion.

13 MS. McFETRIDGE: Okay.

14 CHAIRMAN BARTH: For any length of time.
15 Okay.

16 MS. ZOOK: I move that we accept public comment.

17 CHAIRMAN BARTH: Thank you, Ms. Zook; read my
18 mind.

19 MS. DEAN: Second.

20 MR. WILLIAMSON: Second.

21 CHAIRMAN BARTH: Okay. Motion by Ms. Zook,
22 second by Ms. Dean.

23 All in favor of accepting public comment please
24 say "aye."

25 (UNANIMOUS CHORUS OF AYES)

1 CHAIRMAN BARTH: Opposed, same sign.

2 And I believe Tommy May is here.

3 COMMISSIONER KEY: Mr. Ballard. Mr. Ballard,
4 could you help with the microphone please?

5 CHAIRMAN BARTH: Thank you.

6 MR. MAY: I hope that this works going up.

7 CHAIRMAN BARTH: Thanks.

8 MR. MAY: My name is Tommy May and I'm a citizen
9 of Pine Bluff. And as you know, we have a lot of
10 challenges in our educational system there and I
11 believe that we have been very proactive in wanting
12 to make sure that we're doing what's right -- and
13 that's the kids. And several of us came together and
14 we talked about the issue of the Lighthouse. We did
15 not want to blindly support the group in re-
16 evaluating the decision to not renew the charter. We
17 asked lots of questions; we asked questions about the
18 parent company and its involvement; we asked
19 questions about what the problems are; and we asked
20 questions about what the solutions are. And as a
21 result of that I believe that the group was pretty
22 unanimous in wanting to extend time, allowing the
23 opportunity to get it right.

24 No question, the Panel's decision was well
25 thought-out and articulated, and we don't disagree

1 with that. We just simply say we've got 270-
2 something students and right now those students --
3 it's not the right time for those students to be put
4 in an environment that they came from. And I think
5 we were very unanimous in that concern,
6 notwithstanding that we are very confident that the
7 administration has put forth some remedies that will
8 be presented to you at the appropriate time.

9 And as a result of that, we just respectfully
10 request that you provide them time, give them this
11 opportunity. And if it doesn't work, then the Pine
12 Bluff School District at that time -- and Dr. Owoh,
13 who's doing an absolutely great job -- will have some
14 opportunities. So thank you very much for your
15 consideration and allowing me to speak.

16 CHAIRMAN BARTH: Thank you, Mr. May. Great.

17 All right. Mr. Williamson?

18 MR. WILLIAMSON: I move that we review the
19 Charter Panel's decision, for a host of reasons.
20 I'll just leave it there for now.

21 CHAIRMAN BARTH: Okay.

22 MS. NEWTON: Second.

23 CHAIRMAN BARTH: All right. So the motion is --
24 by Mr. Williamson is to review, and seconded by Ms.
25 Dean. And --

1 MS. DEAN: Ms. Newton.

2 CHAIRMAN BARTH: Oh, Ms. Newton.

3 DR. HILL: Yes.

4 CHAIRMAN BARTH: I heard about three voices over
5 here, so --

6 MS. NEWTON: I seconded.

7 CHAIRMAN BARTH: So, Ms. Newton seconded.

8 Okay. Let's do a roll-call on this motion to
9 review.

10 COMMISSIONER KEY: Any discussion?

11 CHAIRMAN BARTH: Any motion -- yeah, any
12 discussion.

13 Any discussion?

14 DR. HILL: As we're looking at this current
15 situation -- and I want to echo some things I heard.
16 I know Dr. Owoh is doing a great job. And when I
17 read the letter from the Representative I think this
18 is important we take this into consideration of all
19 our actions as we move forward, because sometimes the
20 intensive care that you can get in a smaller
21 environment is critical. And when I looked at the
22 fact attendance is up, literacy is moving -- I mean,
23 I support the efforts of trying to do this. And I
24 think these are elements that we can continue to be
25 supportive of, you know, in a smaller classroom where

1 we know that there are challenges, but we can get
2 intensive support in this situation and support these
3 efforts rather than displacing students and then
4 putting them in a larger environment and then they
5 get lost. And so I support this and I just wanted to
6 state that for the record. I support intensive
7 therapy with a lot of attention, because we all know
8 the number one predictor for academic achievement is
9 relationships, and this very well speaks to a
10 relationship.

11 CHAIRMAN BARTH: Okay. And I'd just remind the
12 Board the question -- it's not the merits of the case
13 but instead, the decision to review or not to review.

14 Any other comments?

15 All right. Then I think we are ready for a
16 roll-call.

17 COMMISSIONER KEY: All right. Dr. Hill.

18 DR. HILL: Yes.

19 COMMISSIONER KEY: Mr. Williamson.

20 MR. WILLIAMSON: Yes.

21 COMMISSIONER KEY: Ms. Chambers.

22 MS. CHAMBERS: Yes.

23 COMMISSIONER KEY: Ms. McFetridge.

24 MS. McFETRIDGE: Yes.

25 COMMISSIONER KEY: Dr. Moore.

1 DR. MOORE: Yes.

2 COMMISSIONER KEY: Ms. Newton.

3 MS. NEWTON: Yes.

4 COMMISSIONER KEY: Ms. Dean.

5 MS. DEAN: Yes.

6 COMMISSIONER KEY: Ms. Zook.

7 MS. ZOOK: Yes.

8 CHAIRMAN BARTH: Okay. All right. So unanimous
9 to review.

10 I think we now need comments on what information
11 you need to -- for the purposes of the review; and so
12 what additional data or other information is
13 appropriate. And we do need to voice that to the
14 Department so that Lighthouse and the Department can
15 provide us that information.

16 And so I will -- I'll go -- I'll start -- Ms.
17 McFetridge, is there anything you need for --
18 additional information you need? And we can come
19 back around.

20 MS. McFETRIDGE: Just real quickly I'd like to
21 know if these students are displaced where their
22 options would be, what schools, and what that would
23 do to the Pine Bluff School District if most of them
24 were to re-enter the Pine Bluff School District.

25 CHAIRMAN BARTH: Okay. Thank you.

1 Ms. Newton?

2 MS. NEWTON: For Lighthouse, I would just --
3 they heard the -- I listened to the Charter
4 Authorizing -- they heard the concerns that the Panel
5 had. What have you done since the Panel to address
6 those concerns? And what are your plans for the
7 future, going forward?

8 CHAIRMAN BARTH: Dr. Hill?

9 DR. HILL: No.

10 MS. CHAMBERS: To the question Ms. McFetridge
11 was asking, I'd like to know where those students
12 came from; so back to the point, most likely where
13 they would return to. And the scores, explicit
14 performance information for the schools that they
15 would go back into in their neighborhoods. That's
16 one point.

17 Another is in terms of determining the length of
18 time it would be appropriate to demonstrate the kind
19 of growth we expect. My own thinking right now, not
20 based on fact, is granting an extension, but less
21 than a five-year -- but trying to figure out what is
22 -- is a year -- can they show the -- can they
23 demonstrate the kind of improvement in a year. It's
24 more like two years. And so, asking the school to
25 provide facts and plans that would help us land on a

1 time.

2 MS. DEAN: I'd like to know what their plan is
3 for family and parental engagement, what it has been
4 in the future -- I mean, in the past and what it will
5 be in the future, and if they have any data as far as
6 growth in parental involvement.

7 CHAIRMAN BARTH: A couple of things I have. I
8 would appreciate if the A-to-F score were broken into
9 different elements, not just achievement but what
10 were the scores kind of in the different components
11 to identify where the real challenges are that were
12 -- that made up the A-to-F.

13 I would in particular -- we're seeing some -- I
14 think we're seeing some data here that suggests a
15 real focus on reading and ELL, but -- ELA, but I
16 would also like to see a similar analysis of math
17 scores. And then I would also appreciate data on
18 teacher attendance, teacher stability across time,
19 and the number of substitute teachers, both short-
20 and long-term, that are being used.

21 Ms. Zook?

22 MS. ZOOK: Yes. I'd like the achievement and
23 growth scores of the students that they've had for at
24 least three years. I too would like the student and
25 teacher attendance/absentee rate. And I'd like to

1 know where they are with the full implementation of
2 the Governor's initiative on RISE, the Science of
3 Reading, and if their curriculum is in alignment K-8
4 in accordance with the standards that the State has.

5 CHAIRMAN BARTH: Mr. Williamson, anything?

6 MR. WILLIAMSON: No.

7 CHAIRMAN BARTH: Dr. Moore?

8 DR. MOORE: Yes. And my question is more maybe
9 for Mr. Ballard or Commissioner Key. Is there a way
10 that the Department or a third-party could look at
11 their data and provide us a perspective over time of
12 their achievement? I know I wasn't at the charter
13 hearings, but there can be a tendency to just cherry-
14 pick the lowest to the highest, to the best. And is
15 there a way for someone else to do that at all?

16 COMMISSIONER KEY: We'll look at that.

17 DR. MOORE: Okay. Thank you.

18 CHAIRMAN BARTH: Okay. Anything else?

19 DR. MOORE: No.

20 CHAIRMAN BARTH: Okay.

21 Ms. Chambers.

22 MS. CHAMBERS: Timing-wise, can this go to the
23 next meeting or does it require something sooner?

24 CHAIRMAN BARTH: Well, I think we're -- it can
25 take place at any point. Correct? The things we are

1 balancing are: we've asked for a lot of data and it
2 will take some time to get that data; on the other
3 hand, there is the very real interest of parents in
4 knowing what school options are available next year.

5 So those are the -- I think those are the
6 balances, as well as, of course, our own schedules
7 and the challenges that come with special meetings.
8 So the norm would be -- unless we hear otherwise, the
9 norm would be that it would take place at next
10 month's regular State Board meeting, but we could
11 entertain a motion to have an earlier meeting.

12 COMMISSIONER KEY: You know, I would simply
13 remind you that we have legislative session starting
14 Monday as well.

15 CHAIRMAN BARTH: Oh yeah, there's that.

16 COMMISSIONER KEY: That will be -- yeah.

17 MR. WILLIAMSON: We can't get this together
18 tomorrow?

19 CHAIRMAN BARTH: Ms. Newton?

20 MS. NEWTON: Dr. Barth, is the -- the charter is
21 not at capacity; is that correct?

22 CHAIRMAN BARTH: Mr. Ballard.

23 MR. BALLARD: We'd have to review the allotted
24 amount for the charter to answer that, but we can get
25 that.

1 MS. NEWTON: Okay. I didn't know if they are --
2 I didn't know if they have a lottery process, because
3 they're not at capacity.

4 MR. BALLARD: There is a lottery process. If
5 you were to do the hearing in the February meeting,
6 it would still be before.

7 MS. NEWTON: Okay. That was my question.

8 MR. WILLIAMSON: They are not anywhere near
9 capacity.

10 MS. NEWTON: Okay. I didn't think so. Okay.

11 CHAIRMAN BARTH: Okay. All right. Is there any
12 other information that folks need to make a better
13 decision?

14 MS. ZOOK: I think relative to the lottery and
15 the charter -- I think at this point the district --
16 if that is where the child chooses to go or to do
17 school-choice to another district, I think those
18 kinds of signing up now things are going on. So it's
19 not just the lottery and whether they're going to get
20 to go there next year, but if -- should we decide to
21 uphold the Panel's decision those parents and
22 families are going to have to be signing their child
23 up so that the districts can then arrange for the
24 number of teachers they need and support staff.

25 CHAIRMAN BARTH: Okay. All right. Okay. I'm

1 not hearing any motion for -- in fact, I'm hearing
2 some concerns about a meeting before next -- our
3 February regular board meeting. So we will assume
4 that that will be the time. And we appreciate you
5 bringing back all that information and we'll have a
6 full-fledged hearing at that point.

7 MS. ZOOK: Okay. I didn't know we were there.
8 I was going to say typically the House and the Senate
9 doesn't meet on Friday. So a week from Friday would
10 be an option, if the Board so chose. But, you know
11 --

12 CHAIRMAN BARTH: So anyway, is there interest?
13 If not --

14 MS. NEWTON: Can we ask the people from
15 Lighthouse -- because they would be the ones that
16 would have to get most of the data -- and someone
17 from the Department what the preference would be?

18 MR. BALLARD: I believe the consensus is to wait
19 for the February meeting.

20 MS. NEWTON: Okay.

21 CHAIRMAN BARTH: All right. Okay. Thank you
22 very much. We will see you and others in February,
23 and we appreciate your being here today.

24 All right. We'll let the room clear.

25 Lunch is here, so now seems like a natural break

1 time. We'll pick up with the SIATech right after
2 lunch. Why don't we plan to return at 12:45? We can
3 come back a little bit early since -- and try to get
4 back on track.

5 (LUNCH BREAK: 12:06 - 12:48 p.m.)

6 c) SCHOOL FOR INTEGRATED ACADEMIES AND TECHNOLOGIES
7 (SIATech)

8 CHAIRMAN BARTH: All right. We are back and we
9 are on item (c) -- subsection (c) of item 9; so we'll
10 hopefully get caught-up before 1:00. I'll turn it
11 over to Mr. Ballard for the SIATech case.

12 MR. BALLARD: All right. Reginald Ballard,
13 Arkansas Department of Education.

14 On December 18, 2018, representatives of SIATech
15 appeared before the Charter Authorizing Panel
16 requesting a renewal of their charter. By unanimous
17 vote, the Panel approved the application request. No
18 request for the State Board of Education to review
19 the decision made by the Panel was submitted. The
20 Panel's determination at the -- excuse me -- by a
21 unanimous vote, excuse me, the Panel approved the
22 application request. No request -- the State Board
23 may exercise a right of review and conduct a hearing
24 of the Charter Authorizing Panel's determination at
25 the State Board's next meeting.

1 I want to remind the State Board that the voting
2 sheets for the determination of that is supplied, as
3 well as other supporting documents.

4 CHAIRMAN BARTH: Great.

5 Are there any questions over -- to my left?

6 Any questions to my right?

7 All right. I'll entertain a motion on this
8 case.

9 MS. ZOOK: Move not to review.

10 MS. DEAN: Second.

11 CHAIRMAN BARTH: All right. Motion by Ms. Zook,
12 second by Ms. Dean.

13 All in favor say "aye."

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRMAN BARTH: Opposed, same sign.

16 Okay. Great.

17 d) KIPP DELTA PUBLIC SCHOOLS

18 CHAIRMAN BARTH: Mr. Ballard, we are now at an
19 amendment for KIPP Delta.

20 MR. BALLARD: All right. For consideration, the
21 same. On December 18, 2018, representatives of KIPP
22 Delta Public Schools appeared before the Charter
23 Authorizing Panel requesting an amendment to their
24 charter. By a unanimous vote, the Panel approved the
25 request. No request for the State Board of Education

1 to review the decision made by the Panel was
2 submitted. The State Board may exercise a right of
3 review and conduct a hearing on the Charter
4 Authorizing Panel's determination at the next State
5 Board meeting.

6 CHAIRMAN BARTH: Any questions or comments to my
7 right?

8 To my left?

9 Okay. Then the proper motion is to review or
10 not to review.

11 MS. CHAMBERS: I move to not review.

12 MS. DEAN: Second.

13 CHAIRMAN BARTH: Motion by Ms. Chambers, second
14 by Ms. Dean.

15 All in favor say "aye."

16 (UNANIMOUS CHORUS OF AYES)

17 CHAIRMAN BARTH: Opposed, same sign.

18 Okay. Thank you, Mr. Ballard.

19 e) STANDARDS FOR ACCREDITATION

20 CHAIRMAN BARTH: Dr. Boyd, we're now to
21 Standards for Accreditation on a couple of schools.

22 DR. BOYD: Thank you, Dr. Barth. Alexandra
23 Boyd, Public School Accountability.

24 We are still cleaning up the transition of the
25 Standards for Accreditation and these are a couple of

1 fixes that we needed to make; so that's what you're
2 seeing before you on (e). And we just -- we would
3 like to know if you would like to review those
4 decisions or not review those decisions.

5 CHAIRMAN BARTH: Okay. We've seen these before
6 that -- we usually have seen long lists. These are
7 just a couple more; correct?

8 DR. BOYD: Yes.

9 CHAIRMAN BARTH: Any questions or concerns?
10 Then, again, the proper motion is to review or
11 not to review.

12 Ms. Hyatt.

13 MS. HYATT: I was just going to ask Dr. Boyd or
14 you if you would like an update kind of on where we
15 are in this process, because I know you've asked
16 about that in the past. So if you would like just a
17 little bit of information on where we are, I'd be
18 happy to give it to you.

19 CHAIRMAN BARTH: That would be great.

20 MS. HYATT: Okay. In terms of the actual
21 Standards, which is what this one is, we are -- I
22 think if there is anything left it is only if we
23 discover that we accidentally made a mistake. This
24 should be the last round except for 1240 waivers,
25 which you'll see later this afternoon. Also, because

1 of the Standards transition the Class Size and
2 Teaching Load components of the standards were
3 promulgated as an individual rule, meaning that all
4 of those schools had to get a waiver of that new
5 rule. We're beginning that process in February, so
6 you'll see that in March, and then that will be
7 hopefully the end of this kind of lengthy process,
8 getting everyone moved over.

9 CHAIRMAN BARTH: Great. Okay.

10 Any questions?

11 Okay. So this is the Standards for
12 Accreditation amendments for eStem and KIPP. So a
13 motion to --

14 MS. DEAN: I move to not review.

15 CHAIRMAN BARTH: Okay.

16 MS. CHAMBERS: Second.

17 CHAIRMAN BARTH: Motion by Ms. Dean to not
18 review, second by Ms. Chambers.

19 All in favor say "aye."

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN BARTH: Opposed?

22 Okay.

23 f) CLASS SIZE AND TEACHING LOAD

24 CHAIRMAN BARTH: And now, similarly, down to
25 Class Size and Teaching Load.

1 DR. BOYD: Right. As Ms. Hyatt just explained,
2 there are schools that, because the Class Size and
3 Teaching Load rules were just promulgated, have
4 requested those. So these two schools, KIPP and
5 eStem, reached out on their own ahead of the group
6 and asked to have a waiver of the Class Size and
7 Teaching Load rules.

8 CHAIRMAN BARTH: So we'll see probably a flurry
9 of these?

10 DR. BOYD: You will -- they'll go before the
11 Panel in February, and so you'll see them in March.

12 CHAIRMAN BARTH: Okay. All right.

13 Is there a motion to review or not to review?

14 MS. NEWTON: Move not to review.

15 MR. WILLIAMSON: Second.

16 CHAIRMAN BARTH: Motion by Ms. Newton, second by
17 Mr. Williamson.

18 All in favor say "aye."

19 (UNANIMOUS CHORUS OF AYES)

20 CHAIRMAN BARTH: Opposed, same sign.

21 All right. Thanks, Ms. Boyd.

22 DR. BOYD: Thank you.

23 g) FOUNTAIN LAKE MIDDLE SCHOOL COBRA DIGITAL PREP
24 ACADEMY

25 CHAIRMAN BARTH: Now we're back to Mr.

1 Ballard and these are the conversion charter schools.

2 MR. BALLARD: Correct. Reginald Ballard,
3 Arkansas Department of Education.

4 So I'll be reading the consideration of the
5 Charter Authorizing Panel decisions for the district
6 conversion schools, starting with Fountain Lake
7 Middle School Cobra Digital Academy -- Cobra Digital
8 Prep Academy.

9 On December 19, 2018, representatives from
10 Fountain Lake Middle School Cobra Digital Prep
11 Academy appeared before the Charter Authorizing Panel
12 requesting the renewal of their charter. By
13 unanimous vote, the Panel approved the application
14 request. No request for the State Board of Education
15 to review the decision was made by the Panel. The
16 State Board may exercise a right of review and
17 conduct a hearing on the Charter Authorizing Panel's
18 determination at the State Board's next meeting.

19 CHAIRMAN BARTH: All right. Any questions to my
20 left?

21 Any questions over here?

22 All right. You know the drill.

23 MS. DEAN: I move to not review.

24 CHAIRMAN BARTH: Motion by Ms. Dean.

25 MR. WILLIAMSON: Second.

1 CHAIRMAN BARTH: Second by Mr. Williamson.

2 Any discussion?

3 All in favor on the Fountain Lake case say

4 "aye."

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRMAN BARTH: Opposed, same sign.

7 Okay.

8 h) WARREN MIDDLE SCHOOL

9 CHAIRMAN BARTH: We're now down to (h), which is
10 the Warren Middle School, a district conversion
11 charter.

12 MR. BALLARD: So on December 19, 2018, Warren
13 Middle School also appeared before the Charter
14 Authorizing Panel requesting a renewal of their
15 charter. By a unanimous -- excuse me -- by a vote of
16 4-1 the Panel approved the application request. No
17 request for the State Board of Education to review
18 the decision made by the Panel was submitted. The
19 State Board may exercise a right of review and
20 conduct a hearing on the Charter Authorizing Panel
21 determination at the State Board's next meeting.

22 CHAIRMAN BARTH: All right. Are there
23 questions?

24 Ms. Newton.

25 MS. NEWTON: It's not really a question; I guess

1 it's more of a preference. Both of these next two
2 conversion charters have lower achievement than what
3 I would like to see in a conversion charter, and both
4 of these were renewed for five years. And to me, a
5 conversion charter is one that is maybe doing
6 something innovative, doing something different, and
7 the waivers allow that and hopefully we see great
8 results. Well, I didn't see great results. In fact,
9 I was disappointed with both of those. And so, to
10 me, I don't know that it gets to the point of doing a
11 review; I'm not saying that. But I guess for future
12 reference I would really like to see if a charter --
13 conversion charter especially -- is not giving us
14 good results maybe let's look at reviewing -- or not
15 reviewing, but renewing for a shorter period of time,
16 pulling them back in, and then maybe discussing, you
17 know, what are you doing that's working, what are you
18 doing that's not working, do we need to make
19 adjustments, what needs to be done.

20 So that's just a preference on my part.

21 MS. ZOOK: I wonder -- I know a charter -- an
22 open-enrollment charter can be pulled in at any time
23 by the Charter Authorizing Panel, whether it's for --
24 on schedule or not. Is that also true for a --

25 MR. BALLARD: (Nodding head up and down.)

1 MS. ZOOK: Okay, if that's also true for a
2 conversion charter that might ease our concern a bit.

3 CHAIRMAN BARTH: Any other comments?

4 I share Ms. Newton's concern on the length.

5 I will entertain a motion to review or not to
6 review.

7 MS. CHAMBERS: May I ask a question --

8 CHAIRMAN BARTH: Sure.

9 MS. CHAMBERS: -- before you do that?

10 CHAIRMAN BARTH: Sure.

11 MS. CHAMBERS: So to that point is there a
12 recommendation from the Department -- are we better
13 served to look at -- and I assume this is within our
14 purview -- to have a standard practice where it is a
15 shorter renewal period of time if there's been a drop
16 in letter grade? Is that a preferred method? Or is
17 there a trigger that can be acted on by the
18 Department when a district conversion has dropped a
19 letter grade they go on a list and they're brought
20 forward so that we can review? Is there a preferred
21 approach?

22 CHAIRMAN BARTH: Dr. Boyd.

23 MR. BALLARD: I'm going to defer to Dr. Boyd.

24 DR. BOYD: Alexandra Boyd, Public School
25 Accountability.

1 It has been the practice of the Charter
2 Authorizing Panel to do a work session on all charter
3 schools once the accountability results have come
4 out. So I believe it was in November the Charter
5 Authorizing Panel reviewed all of the achievement
6 scores for all charter schools, district conversion
7 and open-enrollment; they looked at change from last
8 year to this year. And they have called in schools
9 that currently hold an F letter grade to come in and,
10 you know, present their case and see if any action
11 may need to be taken for those schools. And so that
12 is something that the Panel sort of by its protocol
13 does annually.

14 MS. CHAMBERS: So does the Panel have a
15 preference or a point of view on this timeframe that
16 we wait before we go back and review ourselves the
17 performance of the school or the district?

18 DR. BOYD: I don't know that I have a firm
19 answer for that. I don't know that as the entire
20 Panel that they have expressed a particular
21 preference one way or the other. I think perhaps
22 panel members may differ and have differing opinions
23 on that.

24 COMMISSIONER KEY: Yeah. I'd just say I think
25 the purpose of that is so they could determine if

1 there's a need to bring someone in for further
2 scrutiny in order to make a recommendation to you-
3 all. So because each of those situations, each of
4 those charters, the waivers that are encompassed in
5 there are so unique from situation to situation I
6 really don't think that there is a blanket preference
7 one way or the other. And the fact that they're all
8 dealing with different types of populations -- you
9 know, the population of Warren Middle School is going
10 to be far different than the population of Cobra
11 Fountain -- or Fountain Lake -- Fountain Lake Middle
12 School Cobra Digital -- that is way too long of a
13 title for them. Bring them in just because of that,
14 Reggie.

15 But, you know, you see what I'm saying, I mean,
16 because they are targeting through a charter such
17 different types of delivery that I'm not sure that a
18 preference really can be ascertained across the
19 board.

20 MS. CHAMBERS: And that makes perfect sense.
21 Maybe a better request would be -- because I think
22 this is another indication of the maturity of where
23 -- we're a ways down the path in terms of number of
24 schools and number of years. And, finally, as we get
25 to this point do we realize there are different

1 things that maybe cause us to look at this and to
2 review how we're doing. And we may not know -- to
3 your point, these are so unique it's maybe not fair
4 to ask today. But my guess is something is going to
5 emerge as a pattern that's going to be the preference
6 of how we approach these and look at them, and I
7 would love to hear your opinion when you're ready to
8 give it.

9 DR. BOYD: Yeah. I think there is also another
10 layer added to this with the Charter Unit moving to
11 the Public School Accountability Division. We're
12 having more input in terms of protocols for
13 monitoring and review just, you know, from Public
14 School Accountability. So there are risk assessments
15 in place for all schools across the state and there
16 could be something that comes up in those reviews and
17 those monitorings that could trigger a more in-depth
18 review of a school outside of the renewal on the
19 schedule. So I think that that's something that
20 might help and speak to the idea of uncovering
21 patterns.

22 MS. CHAMBERS: Thank you.

23 DR. BOYD: Uh-huh.

24 CHAIRMAN BARTH: Okay. Any further comments or
25 questions?

1 All right. Then, again, proper motion is to
2 review or not review this five-year renewal.

3 MS. CHAMBERS: I move to not review.

4 CHAIRMAN BARTH: Motion by Ms. Chambers.

5 MS. McFETRIDGE: Second.

6 CHAIRMAN BARTH: Second by Ms. McFetridge.

7 Okay. Any further discussion?

8 All in favor say "aye."

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRMAN BARTH: Any opposed?

11 Okay. All right.

12 i) ACADEMIES OF WEST MEMPHIS

13 CHAIRMAN BARTH: Mr. Ballard, now down to the
14 Academies of West Memphis.

15 MR. BALLARD: All right. On December 19, 2018,
16 representatives from the Academies of West Memphis
17 appeared before the Charter Authorizing Panel
18 requesting a renewal of their charter. By a vote of
19 4-1, the Panel approved the application request. No
20 request by the State Board of Education to review
21 that decision made by the Panel was submitted. The
22 State Board may exercise a right of review and
23 conduct a hearing of the Charter Authorizing Panel's
24 determination at the State Board's next meeting.

25 CHAIRMAN BARTH: All right. Similar case.

1 Is there a motion on -- any question, first, on
2 this? Any questions or comments over here?

3 I'd just reiterate the same comment that Ms.
4 Newton had on the previous case. And I think maybe
5 some -- not a formal signal back to the Charter
6 Authorizing Panel, but ask that the board might have
7 some preference for shorter renewals. But that's
8 obviously their call at the end of the day.

9 Okay. All right. I'll entertain a motion to
10 review or not to review the West Memphis case.

11 MS. McFETRIDGE: I move to not review.

12 CHAIRMAN BARTH: Is there a second?

13 MS. DEAN: Second.

14 CHAIRMAN BARTH: Motion by Ms. McFetridge,
15 second by Ms. Dean.

16 All in favor say "aye."

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIRMAN BARTH: Opposed, same sign.

19 MS. NEWTON: Dr. Barth, can I ask one question

20 --

21 CHAIRMAN BARTH: Yes.

22 MS. NEWTON: -- before we move on?

23 CHAIRMAN BARTH: You may.

24 MS. NEWTON: This would, I guess, be for Dr.

25 Boyd. Whenever they come in and start their

1 application process for renewal does the Department
2 give them any guidance on how long to apply for?

3 DR. BOYD: Informally, yes, ma'am, we do. So
4 what usually happens -- so just for background,
5 district conversions can only ask for up to five
6 years for renewal; so zero to five years. And for
7 open-enrollment it can zero to twenty years. A lot
8 do call and say "I'm thinking about requesting X
9 number of years in a renewal," and we provide them
10 with feedback based on previous action of the Panel.
11 If they don't call, we don't advise. If they call
12 and ask, then we give them what we know to have been
13 the case in the past.

14 MS. NEWTON: Could it be a practice of your
15 advising -- that if they have an achievement score
16 that is maybe concerning that we maybe advise them to
17 ask for maybe a shorter period of time?

18 DR. BOYD: Yes, ma'am. We can do that.

19 MS. NEWTON: Okay. Thank you.

20 CHAIRMAN BARTH: Okay. All right. We did vote;
21 correct?

22 Okay. These are starting to run together a bit.

23 j) CROSS COUNTY NEW TECH HIGH SCHOOL

24 CHAIRMAN BARTH: Okay. We are now down to the
25 Cross County New Tech High School, and Ms.

1 McLaughlin.

2 MS. McLAUGHLIN: Kelly McLaughlin, ADE Charter
3 School Office.

4 On December 19, 2018, representatives of Cross
5 County New Tech High School appeared before the
6 Charter Authorizing Panel requesting an amendment
7 request. By unanimous vote, the Panel approved the
8 amendment request. No request for the State Board of
9 Education to review the decision made by the Panel
10 was submitted. The State Board may exercise a right
11 of review and conduct a hearing on the Charter
12 Authorizing Panel's determination at the State
13 Board's next meeting. We do have Steven Prince, the
14 high school principal, on the phone for any questions
15 that you have.

16 CHAIRMAN BARTH: Okay. Welcome, Mr. Prince.

17 Are there any questions to my right, or
18 comments, on this case?

19 To my left?

20 Okay. All right. Then I would entertain a
21 motion on this item, to review or not to review.

22 MS. CHAMBERS: I move not to review.

23 MS. DEAN: Second.

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

1 Other discussion?

2 All in favor say "aye."

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRMAN BARTH: Opposed, same sign.

5 All right. Unanimous on that case.

6 And thank you for joining us by phone.

7 ACTION AGENDA B

8 CHAIRMAN BARTH: Okay. Just for folks following
9 along, we are now caught up. We're eight minutes
10 late, but we're starting our 1:00 action agenda
11 section.

12 B-1: CONSIDERATION FOR FINAL APPROVAL: ARKANSAS DEPARTMENT OF
13 EDUCATION SPECIAL EDUCATION AND RELATED SERVICES RULE, SECTION
14 2.00 (DEFINITIONS) AND SECTION 5.00 (FREE APPROPRIATE PUBLIC
15 EDUCATION)

16 CHAIRMAN BARTH: And we have the rule first up.
17 Ms. Hyatt. These are some free appropriate public
18 education definitions.

19 MS. HYATT: Thank you, Dr. Barth. Mary Claire
20 Hyatt, Arkansas Department of Education.

21 This is in consideration for final approval to
22 the ADE Special Education and Related Services rules,
23 Sections 2.00 and 5.00. Section 2.00 is the
24 definition section; Section 5.00 is the free
25 appropriate public education section.

1 You approved these for public comment in August.
2 We went through one public comment period and made a
3 substantive change to Section 2.00, which was just
4 that we decided not to go forward with the original
5 suggested change and revert back to the definition
6 that exists currently in the rules. We put them out
7 for a second public comment; no substantive changes
8 were made. And no changes were made to Section 5.00
9 since you released them for public comment. And so,
10 requesting final approval for these two sections of
11 this rule.

12 CHAIRMAN BARTH: Okay. Any questions to my
13 right?

14 Ms. Zook.

15 MS. ZOOK: Just a statement. I do appreciate
16 the fact that you're making the definitions
17 consistent, so -- it's confusing enough without
18 further making an effort to confuse. Thank you.

19 CHAIRMAN BARTH: Any comments or questions?

20 All right. Then I would -- the recommendation
21 from the Department is for final approval. And I
22 would invite a motion.

23 MS. ZOOK: So moved.

24 MS. CHAMBERS: Second.

25 CHAIRMAN BARTH: All right. Motion by Ms. Zook

1 for final approval on these rules, second by Ms.
2 Chambers.

3 Any further discussion?

4 All in favor say "aye."

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRMAN BARTH: Opposed, same sign.

7 All right. Thanks, Ms. Hyatt.

8 B-2: APPROVAL OF LEAD AND MASTER PROFESSIONAL EDUCATOR
9 STANDARDS AS A PART OF THE CAREER CONTINUUM

10 CHAIRMAN BARTH: We are next up to the Lead and
11 Master Professional Educator Standards as a Part of
12 the Career Continuum, and this is Ms. Ables.
13 Welcome.

14 MS. ABLES: Hello. Good afternoon. Meghan
15 Ables, Public Information Manager in Educator
16 Effectiveness.

17 With your permission, Chair, I'd like to hand
18 out a copy of the Teacher Model Standards.

19 (WHEREUPON, B-2 Exhibit One (1) was marked for
20 identification and entered into the record.)

21 MS. ABLES: And I want to start by letting you
22 all know that I'm just here representing a team in
23 the Educator Effectiveness Division that is working
24 diligently on this work, and I'm excited to be here
25 and present this to you today. We will be asking

1 your approval of the Teacher Leader Model Standards
2 to help us move forward with the career continuum.

3 Because we have a few new board members, we
4 wanted to review with you the reasons why we are
5 doing this career continuum in Arkansas. To start
6 with, I'd like to say that this work aligns directly
7 with our Arkansas ESSA plan; they support each other
8 beautifully. A lot of our districts are using
9 teacher leaders informally and this will provide a
10 lot of guidance and structure to them to use more
11 formal roles for teacher leaders across the state.
12 And I know all of you will appreciate this,
13 especially Ms. Dean, that this was created for
14 teachers by our teachers through a pretty long
15 process, over a year process.

16 Now let's get to the heart of the matter. What
17 -- how does this impact our students? First of all,
18 this is going to provide equitable access to
19 effective teachers. When you use lead teachers it
20 extends their reach beyond their own classroom, into
21 the other classrooms. It also will help improve
22 student outcomes and achievement. And it's going to
23 promote collaboration which supports our PLC program
24 that we already have going in the state. We want our
25 teachers to stay in the classroom and lead from it,

1 not leave it, and this will promote that. Also, if
2 you look into the research -- and I'll say this again
3 because it's so important -- a lot of our teachers
4 leave the profession because of lack of support. And
5 this is going to really allow our lead and master
6 teachers to take that support out of their classrooms
7 across their buildings and their districts, and
8 that's exciting. And, of course, we'll do anything
9 to elevate the profession and this career continuum
10 will help us do that.

11 I created a model for you because when I was in
12 the classroom -- I'm visual and so I thought it would
13 be helpful for you. If you look at the top, the
14 early career professional is what we used to call our
15 novice teachers. The teachers that created this were
16 very insistent upon the word "professional" being in
17 every title of the continuum; so that's why you see
18 that. The early career professionals are going to be
19 those teachers that are in years one to three in the
20 classroom. From there we would get our standard
21 license and that will be your career professionals,
22 those that just have what you all know as their
23 standard teaching license. From there we wanted to
24 offer two pathways -- or there are teachers that may
25 want to obtain both -- and that's what we're going to

1 talk about today: the lead professional and the
2 master professional designations.

3 So in order to achieve those -- there is a list
4 of qualifications in the rules, but one of those
5 pathways is a microcredential. Microcredentials are
6 kind of a forward way of professional development
7 that's really starting to sweep the nation. It's
8 really exciting. I wanted to make sure you all
9 understood what a microcredential was. For those of
10 you that were educators, you might not have done
11 those while you were in the classroom. So it is an
12 online platform that provides personalized learning.
13 Teachers can pick what they need to grow in in order
14 to complete their microcredentials. So if you look
15 at the model it's going to start with a teacher, like
16 any normal professional growth plan where teachers
17 are going to look through these standards we're going
18 to present to you today, and decide where do we need
19 to grow as a teacher leader. Then they will be able
20 to go to an online provider and learn action
21 research, conduct action research, learn best
22 practices and strategies to then take to their
23 classroom. They will then go back to the computer,
24 reflect on what they learned, what they didn't learn,
25 what they've mastered, where they need to grow, go

1 back to the classroom and work on it some more.

2 These are all competency-based. So teachers won't be
3 able to go in, complete a certain number of hours to
4 print a certificate and say that they're ready to
5 leave; they will actually have to prove that through
6 competency-based instruction. Once they complete the
7 process, they will be ready to support other teachers
8 and lead other adults.

9 If you look at the bottom, you'll see the two
10 diagrams with networks. I think that's an important
11 piece to these microcredentials. Most
12 microcredentials offer online coaches to help
13 teachers through their struggles that are
14 personalized to what they're doing in their
15 classroom. And there's also an online network of
16 teachers who are also working toward the same goals
17 that you are. So you can get on and talk to other
18 teachers around the nation or wherever that they're
19 working on this to get help and guidance.

20 It is job-embedded professional development,
21 which is, as you all know, Ms. Newton and Ms. Moore
22 and Ms. Zook -- that is so important for our teachers
23 to be able to put it into play in the classroom.

24 All right. Why I'm standing before you today is
25 because in the rules it states that these

1 microcredentials must be aligned with standards that
2 are adopted by the State Board; so that goes for the
3 master designation and the lead designation. So what
4 we did is we went to our Arkansas Exemplary Education
5 Network and our Teacher Leader Advisory Group and we
6 started looking at teacher leader standards that were
7 being used across the nation.

8 These are the main three things that you need to
9 know: these standards were developed by
10 organizations, teachers, state Teachers of the Year,
11 national board certified teachers, and the National
12 Network of State Teachers of the Year, which is one
13 of the biggest teacher leader organizations that uses
14 these standards for all of their programs that they
15 conduct. And we like to work smarter and not harder,
16 so these have actually been mapped and aligned with
17 the INTASC standards that we're already using for new
18 teachers. So this will kind of progress these
19 teachers forward into the profession.

20 The standards are made up of seven domains that
21 you can see on the paper that I handed out or on the
22 screen. Our teachers like that it wasn't too complex
23 and it was well-rounded. And I thought Ms. Dean
24 would love domain six, collaboration with families
25 and community. And if you really look deep into that

1 one, it aligns with a lot of our family engagement
2 work that's already going on in the Agency. And I
3 would say most of these align and weave beautifully
4 with our PLC model as well.

5 So I'm here to answer any questions that you may
6 have. And I want to thank y'all for supporting this
7 work from the very beginning, when we came to you
8 over a year ago and told you about the goals of this.
9 And we would like to ask for your approval of these
10 standards. Thank you.

11 CHAIRMAN BARTH: Great. Thank you. Good
12 presentation.

13 I'll start -- Ms. House, anything?

14 MS. HOUSE: I don't have a question, but I do
15 just want to applaud the efforts as a teacher who
16 does not want to leave the classroom in order to have
17 a leadership role. I love that our state is taking
18 the initiative and leading the nation in these
19 pathways and it's really exciting to be a part of
20 that.

21 MS. ABLES: Thank you.

22 CHAIRMAN BARTH: Dr. Moore, anything?

23 DR. MOORE: Yeah. It's great to see this work.

24 Sort of along those lines, as we are supporting
25 teachers in the classroom, are you all going to be

1 doing development for principals and superintendents
2 with these standards? And what is -- and I guess --
3 I believe we've talked about this before, but is
4 there also being development on the whole program
5 continuum as a whole?

6 MS. ABLES: Yes. As we move this work forward,
7 our full intention is to support principals and
8 superintendents with what some of these roles may
9 look like. But ultimately every district has
10 different needs based on their ESSA indexes or
11 whatever their students' struggles are and that's
12 where we want them to use these teacher leaders to
13 help them grow. So we don't want to really give a
14 set standard and say this is the only way you can do
15 it, but we want to provide guidance on helping them
16 develop that.

17 DR. MOORE: Okay. Thank you.

18 CHAIRMAN BARTH: Great. Anything else?

19 DR. MOORE: No.

20 CHAIRMAN BARTH: Ms. Zook.

21 MS. ZOOK: I appreciate the fact that you're
22 bringing this before the State Board. When I was
23 teaching higher ed., you could -- which I did get
24 Master Teacher and Demonstration Teacher. But at the
25 time the State Board did not take it up, the

1 administrators did not embrace it. And so we had the
2 designation and we were used for student teachers,
3 but there was never any recognition within the
4 building and there was never any financial incentive
5 to go along with it. So I do appreciate the fact
6 that this many years later we're going where I think
7 it should've always been.

8 MS. ABLES: Thank you.

9 CHAIRMAN BARTH: Great.

10 Commissioner.

11 COMMISSIONER KEY: Since Ms. Zook brought up the
12 issue of a financial incentive type situation, I just
13 want to point out -- if you remember when we went
14 over some of the legislative package with you, we
15 talked about flexibility with the use of National
16 School Lunch categorical funds. It was mentioned at
17 -- yesterday at the superintendents' symposium that,
18 you know, this is the kind of thing we want to work
19 with districts who want to create a proposal, create
20 a system that may be unique to their district; but it
21 fits the needs where they can utilize master teachers
22 and they can use teacher leaders in some fashion and
23 create that tier, as a way of implementing the tiered
24 licensure that we passed in 2017.

25 So, you know, I hope you will see a connection

1 when all these things come before us -- that you will
2 see connection to other things that we have showed
3 and presented to you, you know, within the last two
4 to three years. Because we are really trying to be
5 intentional with all of these having a common thread
6 running through them, whether it be the ESSA plan,
7 the teacher leader model standards, or work with
8 microcredentials or work with flexibility -- all
9 those things working together to make sure we're
10 putting the right delivery in the classrooms.

11 MS. ABLES: And the research is so strong in
12 showing the impact of these lead teachers on the
13 school improvement process, and I think that's very
14 important.

15 CHAIRMAN BARTH: Great. Ms. Dean.

16 MS. DEAN: Great presentation, and I'm excited
17 about domain six.

18 MS. CHAMBERS: It's a great presentation. I'm
19 so excited about this laddering that's very
20 intentional developmentally. And to the point that
21 was made about compensation, I so want to see
22 teachers have opportunities as they contribute to be
23 compensated for that, and so I hope -- Commissioner,
24 to your point -- one of the things that used to drive
25 me crazy in my previous life was unfunded mandates,

1 so making sure that as we set these ladders up that
2 we've thought through how they can be funded and help
3 the schools take care of their teachers.

4 DR. HILL: Good job.

5 CHAIRMAN BARTH: Okay. Ms. Newton, anything?

6 MS. NEWTON: Great job and I'm very happy that
7 teachers have this opportunity.

8 As you were presenting, hearing something in
9 words made something click in my mind that I don't
10 know that I ever kind of put together before. But
11 when you were describing the microcredentials and the
12 support and the network and the on-the-job training
13 and all of that it clicked with me the Leadership
14 Academy. That's what -- if you've been through any,
15 you understand that that's what we're doing.

16 MS. ABLES: Yes, ma'am.

17 MS. NEWTON: Is that opportunity available and
18 is the Leadership Academy going to use these same
19 standards?

20 MS. ABLES: So I'm glad you asked that question.
21 Once these standards are approved, if they are
22 approved today, we will be able to send these
23 standards out to any providers who are interested in
24 participating in offering that program for a teacher
25 to go through, like the Leadership Academy. And,

1 yes, they would have to be able to show that their
2 program is aligned to these standards.

3 MS. NEWTON: So if a teacher went through it and
4 the Leadership Academy adopted the standards and was
5 using them, then that could be a pathway that a
6 teacher could use to get a microcredential?

7 MS. ABLES: Down the road our plan is yes.

8 MS. NEWTON: Okay.

9 MS. ABLES: And the criteria will have to be set
10 up and that organization will have to show that
11 they're going to meet these standards and be approved
12 as a provider. And once they're approved as a
13 provider, yes, that will be a pathway.

14 MS. NEWTON: Who would approve that provider?

15 MS. ABLES: There will be a committee from
16 across the Agency, a collaborative committee that
17 will look through those applications and make sure
18 that they meet the criteria that is set.

19 MS. NEWTON: Okay. Has that criteria already
20 been set or is that in process?

21 MS. ABLES: It's in process. And we're using
22 our teacher leader advisory group to help with that.

23 MS. NEWTON: Okay. Thank you. Good job.

24 MS. ABLES: Thank you.

25 CHAIRMAN BARTH: Ms. McFetridge?

1 MS. McFETRIDGE: I just want to tell you what a
2 great job I think this is. And I think retaining our
3 great teachers and giving them the support that they
4 need -- we all know it's a difficult profession and
5 any support we can give them is great. So I
6 appreciate all your work.

7 MS. ABLES: Well, once we have our first
8 designated teachers we'd like to bring them before
9 you all and celebrate them, so --

10 MS. McFETRIDGE: That would be great.

11 CHAIRMAN BARTH: Based on comments, you may have
12 a tough vote here. But I will entertain a motion to
13 approve these new Lead and Master Professional
14 Educator Standards.

15 MS. NEWTON: Move to approve the standards.

16 MS. McFETRIDGE: Second.

17 CHAIRMAN BARTH: Motion by Ms. Newton, second by
18 Ms. McFetridge.

19 All of those in favor say "aye."

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN BARTH: Opposed, same sign.

22 Thank you so much, Ms. Ables, and thanks to the
23 team --

24 MS. ABLES: Thank you so much.

25 CHAIRMAN BARTH: -- thanks to the team that

1 worked on this.

2 MS. ABLES: Yes, we have a great team. Thank
3 you.

4 CHAIRMAN BARTH: And now it's time to implement.

5 B-3: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT
6 CHARTERS: ACT 1240 SUMMARY INFORMATION

7 CHAIRMAN BARTH: Okay. We are now down to the
8 Act 1240 waivers. We have three of those today. And
9 I'll turn it over to Ms. McLaughlin to get us started
10 and remind us of our process.

11 MS. McLAUGHLIN: I know that we were going to
12 start with Clarendon, but I don't believe they are
13 here.

14 CHAIRMAN BARTH: Okay.

15 MS. McLAUGHLIN: I had told them that they might
16 not --

17 CHAIRMAN BARTH: They're here. They're here.

18 MS. McLAUGHLIN: Okay. I had been given some
19 false information, so --

20 CHAIRMAN BARTH: Great.

21 MS. McLAUGHLIN: All right. We'll start with
22 Clarendon.

23 a) CLARENDON SCHOOL DISTRICT

24 MS. McLAUGHLIN: Today we do have Clarendon
25 School District. We have representatives here to

1 present a Teacher Licensure waiver. They will have
2 20 minutes to make their presentation. If there is
3 any opposition, they will have their 20 minutes as
4 well. And the district will then have 5 minutes to
5 respond before the question-and-answer begins.

6 Just as a reminder to everyone, Act 1240 of 2015
7 allows a school district to petition the State Board
8 of Education for all or some of the waivers granted
9 to an open-enrollment public charter school that
10 serves students who reside in the school district.

11 And we do have representatives -- or the
12 representatives that we do have here today is the
13 superintendent, Superintendent Lee Vent; Dr. Ruby
14 Ellis, Federal and Special Programs Coordinator;
15 Sharon Street is the school attorney; and also Tripp
16 Walter, APSRC attorney.

17 Their 90 days will expire on March 18, 2019.
18 They are requesting for three years, which was -- is
19 the date of January 11, 2021, which would be the
20 original ending of their waivers that they had
21 requested when they came before.

22 Just as a matter of explanation, during the
23 transition from the old Standards for Accreditation
24 to the new Standards our office did note that there
25 was a need for cleanup of some of our Act 1240

1 waivers for some districts to insure that their
2 waivers would be fully effectuated. So in order to
3 fully effectuate Clarendon's Teacher Licensure
4 waivers they need a waiver for their elementary
5 school, and so that is what they're coming forward
6 with today.

7 CHAIRMAN BARTH: Okay. And so I would ask
8 anyone who's not an attorney if you would -- who
9 plans to testify, if you would please stand and raise
10 your right hand. Do you swear or affirm that the
11 testimony you're about to give shall be the truth,
12 the whole truth, and nothing but the truth?

13 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

14 CHAIRMAN BARTH: All right. And so, as Ms.
15 McLaughlin said, you have up to 20 minutes for your
16 presentation. And please state your name just for
17 the record -- and welcome.

18 SUPT. VENT: I'm Lee Vent; I'm superintendent of
19 the Clarendon-Holly Grove School District in Monroe
20 County.

21 Bear with me; at my age I have to have a lot of
22 hardware.

23 MS. ZOOK: Would you pull the microphone up just
24 a little --

25 SUPT. VENT: Yes.

1 MS. ZOOK: -- because you're nice and tall.

2 Thank you.

3 SUPT. VENT: Chairman Barth, Commissioner Key,
4 Ladies and Gentlemen of the Board, I want to begin by
5 explaining why we're here and then tell you a little
6 bit about our experiences since we have received the
7 original waivers and what we've done with them, and
8 to hopefully let you be more aware of the hardships
9 we face in finding fully certified teachers to fill
10 our teaching positions. And I also want to
11 articulate to you the very efforts of -- fine efforts
12 we have with our staff, our community, and our
13 administration in finding ways to be proactive in
14 dealing with the teacher shortage in our area.

15 Of course, one of the greatest things that's
16 ever happened in our area of the state is the waiver
17 process. And I know you as a board tonight, when you
18 lay your head on your pillow you can say that one of
19 the greatest things you've ever done is to allow
20 districts, especially districts of high-priority and
21 poverty, to allow us to seek waivers to carry out the
22 instructional process in our districts.

23 I'm going to switch back. I'm diabetic on top
24 of all this.

25 On June 9, 2016, the State Board of Education

1 approved certain waivers, including Teacher Licensure
2 waivers, for the Clarendon-Harmony Grove School
3 District, which applied to both Clarendon Elementary
4 School and Clarendon High School. The waivers were
5 granted until June 30, 2021, or until Clarendon High
6 School received the School of Innovation status. The
7 waivers were used on both campuses to hire and allow
8 licensed teachers to teach core subjects in areas
9 and/or at grade levels not included on their
10 licenses.

11 On September 29th, a great red-letter day in our
12 district, 2018, after the start of the current school
13 year the district received the great news that
14 Clarendon High School had been selected by the
15 Commissioner of Education as a School of Innovation
16 in 2018-19 through 21-22. That designation -- we are
17 the only School of Innovation in what we call -- I
18 know there are several definitions for "Delta," there
19 are several definitions for poverty, but where we are
20 we are what we call "the true Delta." When you cross
21 -- you have to cross the White River going east to be
22 in the true Delta, and I'll allude to that a little
23 bit more. But we are the only School of Innovation
24 at this time. Our neighbor Stuttgart is in -- has
25 one, but they're in the Grand Prairie and we're in

1 the Delta. I think Star City would be the next
2 nearest. And we're also very fond of the fact that
3 our high school principal, Steven Meek, is in the
4 second year of going through the master principal
5 program and he is the only one in the true Delta
6 doing so at this time.

7 The waivers received by the high school as part
8 of the School of Innovation selection allowed the
9 high school to seamlessly transition from the Act
10 1240 waivers to the School of Innovation waivers,
11 especially where Teacher Licensure was concerned.
12 However, the School of Innovation selection also
13 meant that Act 1240 waivers covering the Clarendon
14 Elementary School were no longer valid -- man, it was
15 tough -- leaving the school facing no-compliance as
16 certain Teacher Licensure -- as the -- to certain
17 Teacher Licensure requirements. It jeopardized the
18 status of seven teachers at the elementary school,
19 teachers who the district had contracted based upon
20 the Teacher Licensure waivers and was working with to
21 complete the full teacher licensure process.

22 This is why we're before you today, to allow us
23 to maintain the same Teacher Licensure waivers we
24 have held since 2016, with the same safeguards and
25 assurances, and the time period from 2018-19 through

1 20-21 that we originally presented to the State Board
2 in 2016.

3 I'll tell you a little bit about who we are and
4 what we strive to do. We are a small 2A school,
5 fully Title 1 K-12. Our student population consists
6 of 52% African American, 54% Caucasian -- I'm sorry
7 -- 34% Caucasian, 10% Hispanic, and 4% two or more
8 races. The gender ratio is fairly even: 52% male,
9 48% female. English Language Learners in our
10 district represent 7% of the student body. 12% of
11 our special education students are in special
12 education. Special education is the only area in our
13 district that's growing. We're high-mobility. We
14 have some families that come to us as high as four
15 times a year -- leave the district and come back.
16 That presents also a problem. We have a breakfast
17 and lunch program that's at no cost to the students
18 through the Community Eligibility Provision Program,
19 the old Provision 2 Program. The district also
20 offers gifted and talented services and pre-advanced
21 AP classes and advanced AP courses.

22 The average teacher experience is awfully --
23 we're awfully young as a staff, and I'll go into that
24 a little later -- 7.2 years experience. Clarendon-
25 Holly Grove school represents the southern two-thirds

1 of Monroe County. Now of the students enrolled in
2 the district 92% of the students qualify to receive
3 free-and-reduced lunch. Another interesting
4 statistic that helps define us and who we are, 90% of
5 them are at or below the poverty level. Another eye-
6 opening bit of data: 80% -- 80%, 8 of 10, of our
7 students come from a single-parent home or single-
8 guardian home or a grandparent home. In many
9 instances, that grandparent is old and almost highly
10 -- almost incapable of dealing with young youngsters.
11 That's the story of the real Delta.

12 Clarendon-Holly Grove School District is a small
13 rural low-income district, again situated in Monroe
14 County. We're the county seat. We're one of the
15 poorest counties, five counties in the state. We're
16 neighbor to one of the poorest counties in the United
17 States. Our median income is \$19,421, with the state
18 average income of \$41,371. Our district is really
19 getting large; we cover the entire southern two-
20 thirds of Monroe County, 400 square miles. We're the
21 largest employer in the county; we are the industry.
22 Yet, our economy -- our economic impact on our local
23 community, as we have done studies, is 60%. Without
24 the school, our local -- the southern two-thirds of
25 Monroe County would lose 60% of its economy.

1 Now if you'll turn with me in the handout, I
2 will share some more data I think that will help us
3 -- help you see the reason why we need these waivers.

4 The rationale for the waivers -- Clarendon-Holly
5 Grove School District would like to request these
6 waivers due to the critical shortage of licensed
7 teachers in the Delta. Clarendon-Holly Grove School
8 District needs these waivers due to the limitations
9 of finding licensed personnel that will relocate to
10 our area and stay in our district. We are in a rural
11 area of the state. Our district enrollment has
12 declined as has our population. We were the biggest
13 loser in the 2010 census. These waivers will allow
14 the district to pay knowledgeable four-year degreed
15 instructors for our elementary classrooms. The
16 educators, the ones we have now, have met -- those
17 seven we're talking about have met the requirements
18 and gone through all those items that you see listed
19 there. Clarendon-Holly Grove School District -- we
20 plan to follow State Department guidelines to hire
21 college graduates that have 18 hours in the specified
22 area to teach in our elementary school. And "the
23 specified area," an example is a college graduate
24 with 18 hours in math to teach math in the elementary
25 setting in order to meet the AQT.

1 Many school districts in the core of the
2 Arkansas Delta, including Clarendon-Holly Grove
3 School District, have great difficulty, again, in
4 hiring teachers with the content knowledge and
5 appropriate licensures currently required under state
6 law. These counties include Monroe, Phillips, St.
7 Francis, and portions of Crittenden County. They
8 also make up the Great Rivers Educational Co-op.
9 Clarendon-Holly Grove recognizes that a teacher in
10 the classroom is the single most important thing that
11 influences learning and therefore seeks an
12 appropriate balance to temporary relaxation with
13 appropriate checks to insure adequate teaching
14 quality.

15 The next slide illustrates all the various
16 statutes, standards and rules we try to comply with.

17 On page 5, a three-year waivers request -- the
18 timeframe we request is, as Ms. McLaughlin alluded to
19 earlier, to make it retroactive to address the
20 current cadre of seven teachers to continue their
21 process toward achieving licensure. In a few moments
22 we're going to meet those seven teachers on paper.
23 This will greatly enhance addressing the teacher
24 shortage through Grow Your Own.

25 The next slide, the district process toward

1 adequacy assurances -- we are doing all that. The
2 teachers we have, five of those teachers have been
3 with us for two-and-a-half years. They've gone
4 through the TESS process, have gone through every
5 amount of training we can possibly provide at the
6 local level, at the co-op level, and at the state
7 level. We do not throw a teacher under the bus; we
8 do not throw a teacher into the classroom without any
9 support. We're very strong in supporting our staff
10 and our motto actually is, "We won't let a teacher
11 drown."

12 Clarendon-Holly Grove School District will
13 follow all the State Department rules and school law
14 that's related to Arkansas Qualified Teachers, AQT.

15 On page 8 and on page 9 I want to dwell for a
16 moment. Again, to complete something I said earlier,
17 the 2010 Census, Delta counties experienced
18 accelerated population growth [sic] at varying rates.
19 Monroe County experienced a 20.5% loss. This was the
20 largest population loss in Arkansas. The loss in
21 population continues to affect our school population
22 proportionally.

23 We have advertised in every possible way to
24 attract licensed teachers to our district. This past
25 summer, 2018, we had three apply; one had a

1 background problem, so had to be set aside. We hired
2 then, in essence, 100% of the teachers that were
3 certified that applied to our district -- a young
4 couple who live in our area, got married, and they
5 graduated from Williams Baptist and Arkansas State,
6 and were from the area. So that was a great find for
7 us. Many of our teachers commute long distances.
8 One of our teachers is commuting at this time from
9 Cabot. We've had teachers to commute from
10 Jacksonville, even West Little Rock. What I'm
11 leading up to is actually we're wanting to get more
12 into the Grow Your Own and the waivers is certainly
13 helping us to get there.

14 Let's look at the next slide, Significant
15 Underlying Regional Factors. And, again, the true
16 Delta is when you cross the White River heading east.
17 And we do have some other counties who are our
18 neighbors -- Mississippi County to the north-
19 northeast, of course Desha and Chicot to the south --
20 but they're in different co-op areas.

21 One of the main issues that we deal with is the
22 loss of population off the farms, mechanization. I
23 was raised on a small farm and our advanced
24 technology was a shovel, a hoe and a two-row tractor.
25 Now you see a piece of farm equipment coming down one

1 of our farm-to-market roads and you think you're
2 facing a B52. It's really mechanized. The typical
3 planter, for example, is 12 rows. Again, things
4 shift as you go east.

5 Now an interesting bit of data I think will help
6 you better understand what the exodus has cost us,
7 this population loss -- in 1995, out of the 1982
8 Session which allowed the formation of our co-op
9 areas, we formed the Great Rivers Educational Co-op.
10 I was the youngest superintendent; now I'm by far the
11 oldest. We had at that time -- had 14 school
12 districts in Phillips and Monroe, St. Francis, and
13 West Memphis School District in Crittenden County.
14 We had 28,000 students. As of yesterday, we have
15 12,500. That's a 15,500 loss of students -- and it
16 also means state aid loss and all the things
17 associated with that.

18 Our demographics skew toward the older. To give
19 you a little example of that, the older you get the
20 fewer kids you have; so that then impacts sizes for
21 enrollment. I read a study a couple of years ago
22 talking about native Arkansans. I don't know how
23 many of you are native Arkansans. In northwest
24 Arkansas, it was stated two out of every three were
25 born in Arkansas. But in Monroe County, 85% were

1 born in Arkansas, and we finally ranked number one in
2 something, and that was being part of the oldest
3 county in the state of Arkansas by virtue of the fact
4 that 85% of our people in the district -- in the
5 county did not -- are native Arkansans. I myself am
6 a fifth generation Arkansan; we're proud of it. My
7 grandchildren are seventh generation Arkansans.

8 Smaller taxable base means lower salaries from
9 which we deal with. I'm just going to throw a couple
10 of things out. I am in no way envious of -- I may be
11 a little envious but not jealous of some of our
12 neighbors in different parts of the state. In our
13 district one mill generates \$55,500 -- \$59,500 -- one
14 mill. One mill in Bentonville generates \$2.6
15 million. This district you're sitting in now, Little
16 Rock, generates \$3.7 million. So a little
17 calculation here: we would have to raise -- in order
18 to have the same impact or collect the same amount,
19 you know, of taxes pro rata we would have to raise
20 our millage 34.5 mills to get anywhere close to
21 Bentonville; that would be a total of 73.9 mills.
22 For Little Rock, we'd have to raise it to 62 mills.
23 We would have to have 101 mills to be anywhere close
24 to what the economic -- the resources that one mill
25 brings into these districts, and some of that free of

1 charge.

2 Smaller pool of candidates and, of course,
3 unemployment statewide, we all know about that.
4 Smaller pool of candidates with an education degree
5 -- I don't know how many of you were around in the
6 original days of the first school report card. You
7 remember those things? You know, it was a very
8 complex piece of data; very few parents could
9 understand it and very few educators could understand
10 it. But I picked up something that was very
11 important. It talked about the educational levels of
12 the communities, the educational levels based on the
13 number of people who live in that district, who
14 possess a bachelor's degree or higher. In Monroe
15 County we had 6%, one of the lower in the state. The
16 highest in the state, guess where it was? Conway,
17 26%. That means one out of every four had a
18 bachelor's degree or higher in Conway. We had 6%,
19 and most of those were educators. So you see what
20 the educational level is. So it's -- that has a lot
21 of impact, and especially when you look at people
22 from outside the field of education trying to draw
23 into your community and to your school district to
24 work for us in this alternative way. And trust me,
25 folks, what you have done in that role is remarkable.

1 Retirement -- we also draw on some retirement.
2 We were very fortunate last year. This just -- it
3 just doesn't happen, but we found two special ed.
4 teachers -- brought one out of retirement and one
5 getting ready to retire.

6 Now let's look at what --

7 (THE TIMER RINGS)

8 SUPT. VENT: -- what these teachers are facing
9 with the Praxis testing. When you are brought in
10 from an outside field into the field of education,
11 the Praxis has all the educational jargon and it
12 takes a while to transition a person coming from the
13 field of business or from the field of agriculture to
14 transition into our so-called speak; we have so many
15 acronyms in the south -- actually, alphabet soup.
16 That proposes a problem for some of our teachers
17 under this area.

18 CHAIRMAN BARTH: Sir, if you could finish up in
19 the next minute or so. Okay?

20 SUPT. VENT: Okay. All right. Very quickly,
21 look at page 10. What it shows on the graph, to the
22 right, is the number of teachers we lost -- and this
23 is a small staff of 43, 45 classroom teachers. In
24 2013-14 we lost 10 teachers -- but in 2014-15 we lost
25 20 teachers, almost half the staff. That was the

1 year we had our TFA slots taken away and we had lost
2 the two Arkansas Teacher Corp teachers. But if you
3 will look between 2015-16 and 16-17, that's the year
4 we got the waivers -- and last year we lost only five
5 teachers. That's the first time it has ever
6 happened. That's the lowest turnover we've ever had
7 in the Clarendon school system, and they said mainly
8 because we got the waivers and were able to home-grow
9 our people. Everyone that's in this program, except
10 one, that we have now are all homegrown and will not
11 go anywhere, will stay here.

12 CHAIRMAN BARTH: And so if you could just kind
13 of re-sum-up your request and then we can kind of
14 move to questions.

15 SUPT. VENT: Okay. Basically, what we want to
16 do, Dr. Barth, is ask for an extension retroactive
17 back to when we were told we lost our waivers, the
18 day we received the letter from Dr. -- Mr. Key saying
19 we were a School of Innovation, somewhere around
20 September 30th -- was it? -- through two thousand --
21 June of 2021.

22 CHAIRMAN BARTH: Okay.

23 SUPT. VENT: That's our basis. But we are going
24 to have to continue this because we just aren't
25 getting certified teachers -- and I speak on behalf

1 of most of the true Delta schools.

2 CHAIRMAN BARTH: Thank you, sir.

3 SUPT. VENT: Thank you.

4 CHAIRMAN BARTH: Appreciate it.

5 Are there any questions to my left?

6 Ms. Newton.

7 MS. NEWTON: Thank you for coming today. I just
8 have a couple of questions.

9 On page 16, where you look at the seven teachers
10 that we're looking at --

11 SUPT. VENT: Yes, ma'am. I'm sorry I didn't get
12 into those.

13 MS. NEWTON: Yeah. Those teachers have -- are
14 they pursuing licensure?

15 SUPT. VENT: Yes, ma'am. If you'll notice, each
16 teacher -- I wish I could list them by name but I
17 think HIPPA would prevent that. Teacher A, for
18 example, is in the math program, you see there on the
19 second line.

20 MS. NEWTON: Uh-huh.

21 SUPT. VENT: And they are truly active in these
22 processes, we call them. The next teacher, ABCTE --
23 ABCTE costs about \$1900 to get in; it's very
24 expensive. Teacher C, ABCTE. Teacher D we will
25 probably lose because she's the one that's not local

1 and she's going back to get her masters degree; so
2 we'll probably lose her -- and I did say "her;" I
3 meant "that teacher." The next one is in the -- he
4 was hired late, too late to get into a process this
5 year, but we'll be starting one in June. The next
6 actually is in ABCTE, and then Teacher G is in ABCTE.
7 They're all working hard in these areas. And, folks,
8 these are good people, smart people, young,
9 enthusiastic people. We work with them every way we
10 can. We even provide free -- free childcare on
11 campus for these teachers. And we're trying to
12 figure out some way that we can be proactive and save
13 the day for our district and the Delta.

14 MS. NEWTON: One more question along that line.
15 Of those teachers that are pursuing licensure, how
16 many of them have tried to pass the Praxis but have
17 -- but that's kind of the barrier to --

18 SUPT. VENT: Good question. Technically, every
19 one has taken it once that I know of and gotten real
20 close. But there again, they're having problems.
21 The Praxis provides no feedback, so you don't know
22 where you're strong or where you're weak and --

23 MS. NEWTON: So that has been a barrier?

24 SUPT. VENT: -- and we're working with them. We
25 have our academic coaches working with them; the core

1 area subject specialists with the Co-op are working
2 with them to help them pass the Praxis.

3 MS. NEWTON: Okay.

4 SUPT. VENT: And I feel very confident that they
5 will do that.

6 MS. NEWTON: As far as performance in the
7 classroom, are you seeing a big difference between
8 your waiver teachers and the teachers that are what
9 we would consider traditionally licensed teachers?
10 Are you seeing a big difference?

11 SUPT. VENT: I'm seeing -- they put forth a
12 great effort, as all of our teachers do. I've not
13 seen a great gap in between the quality of the
14 teaching at all.

15 MS. NEWTON: Okay.

16 SUPT. VENT: And Dr. Ellis may want to address
17 that, but --

18 MS. NEWTON: Okay. This waiver is really just
19 an extension of a waiver that you've already been
20 granted?

21 SUPT. VENT: Yes, ma'am.

22 MS. NEWTON: Okay. All right. Thank you.

23 CHAIRMAN BARTH: Ms. Hyatt.

24 MS. HYATT: Mary Claire Hyatt, Arkansas
25 Department of Education.

1 I just kind of wanted to clarify that point
2 because --

3 CHAIRMAN BARTH: Ms. Hyatt, can you get the
4 microphone?

5 MS. HYATT: Mary Claire Hyatt, Arkansas
6 Department of Education.

7 So there was some confusion that kind of came to
8 light during this -- the 1240 transition process,
9 like Kelly mentioned at the beginning. But they
10 didn't ever have a waiver for the elementary school.
11 They did have a Teacher Licensure waiver for the high
12 school; it did not extend to the elementary school,
13 and there was some confusion about that. And I
14 think, you know, we reviewed the transcript, we
15 reviewed the decision letter, we reviewed the initial
16 application, and it wasn't granted for the elementary
17 school, which is why they do need now to ask for the
18 elementary school. But I want to make sure that you
19 know it's not that they had this for the elementary
20 school and it went away and so now they're asking for
21 it; it's that we realized that there was some
22 confusion over how far the waiver extended,
23 necessitating them to come and ask for an extension
24 of an already existing waiver.

25 Does that make -- does that clear that up?

1 CHAIRMAN BARTH: Yes. So was -- Ms. Hyatt, on
2 that issue, was the request just never made or -- I
3 cannot remember. Was there -- was it in the midst of
4 the presentation that there was a limitation
5 inserted? How did that --

6 MS. HYATT: So there was a brief mention of one
7 particular elementary teacher in the initial 1240
8 application. During the presentation to you all, the
9 things that were represented were for very specific
10 uses of the waiver and did not ever discuss using the
11 waiver in an elementary setting but more so using it
12 in the career and tech setting, using it to allow
13 teachers that were already licensed to teach outside
14 of the licensure area and using it in non-core areas.
15 There was never any discussion or approval of a
16 waiver that would extend to the elementary school,
17 particularly in core classes. And so this -- and I
18 think that there was honest confusion on that point;
19 I don't think there was any ill intent. I just think
20 we had some confusion and it came to light during
21 this transition process that we didn't have it as a
22 waiver that extended to the elementary school for
23 Teacher Licensure, and they did believe that they had
24 that. And so it's necessary for them to ask for it
25 as it wasn't previously granted.

1 CHAIRMAN BARTH: Okay.

2 SUPT. VENT: And to the confusion, she's exactly
3 right. Our annual --

4 CHAIRMAN BARTH: If you could just grab the
5 microphone.

6 SUPT. VENT: Our annual adequacy reports --
7 accreditation reports never reflected any problem, so
8 we assumed everything was okay. We were perfectly
9 accredited district-wide without citation for the
10 previous two years, and for many -- actually many
11 years prior to that, but two years we've been under
12 waivers. And also the -- one of the areas of the
13 State Department of Education, My School Info dot-
14 com, it's stated on there that Clarendon Elementary
15 had waivers through 2021 or until the School of
16 Innovation. The high school got the School of
17 Innovation; now we've begun the framework to begin
18 the School of Innovation at the elementary. We've
19 employed -- we've partnered with Arkansas Leadership
20 Academy and they're working with us in that regard.

21 MR. WALTER: Good afternoon, Dr. Barth, Members
22 of the Board, Commissioner Key. I just wanted to
23 take a brief moment, if I could. Tripp Walter, staff
24 attorney, APSRC.

25 I've been very fortunate to work with

1 Superintendent Vent and Dr. Ellis in this process. I
2 just wanted to kind of reiterate some of what's been
3 said about the legal or technical aspect of it and
4 just assure the Board that from my perspective, after
5 reviewing everything, I think -- hopefully it's clear
6 that Clarendon has acted totally in good faith and
7 totally upon the idea and the premise that they did
8 have the ability and were granted the ability to do
9 what they've done.

10 CHAIRMAN BARTH: Great.

11 Ms. Newton.

12 MS. NEWTON: Just one more question. As I look
13 at your scores, I don't think they're exactly what
14 you would hope that they would be.

15 SUPT. VENT: No.

16 MS. NEWTON: And so what kind of professional
17 development are your elementary teachers specifically
18 getting? And as far as RISE, are they getting RISE
19 trained also?

20 SUPT. VENT: Right. They are. And that's a
21 very good question. The first thing a superintendent
22 or any teacher, I think, would do is when the Report
23 Card comes out we turn and do -- then you start
24 comparing to districts around you. Basically, we're
25 not much different than any school in the real Delta.

1 We do not accept D's. We're working -- actually, we
2 got close to C's.

3 MS. NEWTON: Yeah.

4 SUPT. VENT: But we're -- our growth is -- does
5 not show on the Report Card. It's easy to go --
6 while one school district might be growing from a 95
7 to a 96, we're struggling to grow from a 60 to a 65.
8 But our growth is greater. We take our PD seriously.
9 As a matter of fact, we've been very innovative in
10 that regard. We have a long-day schedule that
11 provides us with extra minutes per week that we can
12 afford one day -- one hour each day, each Wednesday
13 we have PLC's at every building level and always with
14 a very profound agenda through the ALA to provide
15 professional development. We have district-wide
16 PLC's the first Wednesday of the month and that's
17 done by me or Dr. Ellis. And then the subsequent
18 Wednesdays are done with the building principals.
19 But we -- through the ALA, the Leadership Academy, we
20 have been able to develop a leadership core of
21 teacher level leaders, not at the school level or the
22 district level. So our teachers are actually
23 teaching teachers in these PLC's and that seems to be
24 very, very acceptable and they're doing us a great
25 job. We have a team of real defined area of

1 specialists at the Co-op that come into our district,
2 conduct those types of trainings. But we have a --
3 we're working really hard at it. And we have a real
4 good staff. Bless their hearts, they work hard; they
5 do so much with so little.

6 MS. NEWTON: Thank you.

7 CHAIRMAN BARTH: Great. Ms. McFetridge, do you
8 have anything?

9 MS. McFETRIDGE: No.

10 CHAIRMAN BARTH: Okay. Dr. Hill?

11 DR. HILL: No, sir.

12 CHAIRMAN BARTH: Ms. Chambers? Ms. Dean?
13 Commissioner, do you have something?

14 COMMISSIONER KEY: No.

15 CHAIRMAN BARTH: Ms. Zook?

16 MS. ZOOK: I noticed you're above the state
17 average for your African American students, your
18 Hispanic students, and your English Learners, and I
19 commend you for that.

20 My question is: do you use the MAP as your
21 interim test or do you use Aspire as your interim?

22 SUPT. VENT: Aspire. Yes, ma'am.

23 MS. ZOOK: Aspire?

24 SUPT. VENT: Yes, ma'am.

25 MS. ZOOK: I don't know if the Aspire interim

1 does the same thing MAP does. But I know with the
2 MAP it really gets down to the student level, this is
3 what they know and this is what's next in line to
4 what they already know. So if the Aspire does that,
5 great. If it doesn't, you may want to think of a way
6 for your lead teachers or those of you who are
7 masters to help those who are teaching out of area or
8 still working on their certification. Because
9 sometimes doing a task analysis for a child is one of
10 the harder things for a teacher.

11 SUPT. VENT: Right.

12 MS. ZOOK: So whatever you can do in that regard
13 -- it's not so much that they don't know how to teach
14 it, they just may not be teaching what the child is
15 ready to learn.

16 SUPT. VENT: One advantage of being a young
17 staff is that we are -- they're more open to new
18 ideas, new thoughts and new --

19 MS. ZOOK: Yeah. And I noticed that your
20 special ed. at elementary is 24.8%. Is that a
21 correctly reported number?

22 SUPT. VENT: Right. And we added a class that
23 brought that into compliance. And, again, it seems
24 like every child we get in has special needs.

25 MS. ZOOK: And you're confident that your

1 evaluations are correctly identifying and they might
2 not just be children who are greatly deprived and
3 therefore testing lower?

4 SUPT. VENT: Right.

5 MS. ZOOK: Okay. All right. Thank you.

6 CHAIRMAN BARTH: Okay. Mr. Williamson?

7 Dr. Moore?

8 DR. MOORE: Yes, I do. As a -- having a
9 background as a nontraditional elementary teacher, I
10 know one of the biggest challenges is teaching
11 reading. Is your elementary school a part of the
12 RISE initiative? And are you all supporting these
13 teachers in teaching reading?

14 SUPT. VENT: We're involved in RISE very
15 diligently. We're working hard in the RISE aspect.

16 DR. MOORE: Are any of these seven teachers
17 teaching kindergarten, first grade?

18 SUPT. VENT: Right. Three are teaching
19 kindergarten.

20 DR. MOORE: Three?

21 SUPT. VENT: Uh-huh.

22 DR. MOORE: And are they getting any additional
23 supports in teaching reading?

24 SUPT. VENT: We, through our categorical funds,
25 are able to have academic coaches, those type of

1 people, and they worked -- and they're experienced
2 teachers. We brought one out of retirement, for
3 example, and she is -- reading is her area and it has
4 really helped these teachers. These teachers are so
5 eager to learn, because they like to teach now that
6 they've gotten their feet wet.

7 DR. MOORE: Thank you.

8 SUPT. VENT: Thank you.

9 CHAIRMAN BARTH: Okay. Ms. House?

10 MS. HOUSE: I would just like to offer to come
11 visit with your kindergarten teachers. As a
12 kindergarten teacher myself, I would love to come and
13 meet these teachers and work with them one-on-one.
14 So I'll give you a business card.

15 SUPT. VENT: I have chatted with Mireya Reith,
16 who used to be on your board -- did I say that right?
17 -- at an ATC gathering, and she suggested coming over
18 to our area for a State Board meeting, and I would
19 welcome you to come to our area for a State Board
20 meeting. But come long enough to stay so I can take
21 you and really show you poverty. We're a generation
22 of poverty, over 200 years, because of where we are.
23 My good friend Jim Rollins, we talk about poverty in
24 northwest Arkansas. I said, "Yours is chicken
25 poverty. You're one generation." We go back over

1 200 years in ours. And that's nothing to brag about,
2 but we -- you'll see and also you'll notice we formed
3 an MCCIT through Arkansas -- Monroe County Community
4 Foundation, Arkansas Community Foundation, plus a big
5 private donation to address all of the psychological,
6 mental, dental, medical, pediatric needs of our
7 students. We just got it kicked off, hired a new
8 coordinator, and it's going great guns. The better
9 we can help a student -- we can put in front of the
10 students are the teachers, the better job they can do
11 teaching, and that's our goal, to break the
12 generational poverty with MCCIT.

13 CHAIRMAN BARTH: Thank you, sir.

14 I see Ms. Hyatt.

15 MS. HYATT: Mary Claire Hyatt, Arkansas
16 Department of Education.

17 Just one quick note: in his kind of restatement
18 of the request it did include a request for a
19 retroactive approval of the waiver, which is
20 something that this board can't grant. So if you do
21 grant the waiver, it would be from today until the
22 proposed expiration date. But you can't grant a
23 retroactive waiver to cure any issue that happened
24 prior to the request.

25 CHAIRMAN BARTH: Okay.

1 MS. HYATT: I just wanted to make sure you're
2 all aware.

3 CHAIRMAN BARTH: Okay. And for -- probably for
4 Ms. McLaughlin, in terms of reporting agreements that
5 are part of this, are there any annual reports or
6 other reports focused on ties to student achievement?

7 MS. McLAUGHLIN: Every school district will
8 receive a request from me, asking for student
9 achievement, school growth, how their Act 1240 waiver
10 is impacting their staff and their students.

11 CHAIRMAN BARTH: Okay.

12 MS. McLAUGHLIN: So -- and I will continue to do
13 so.

14 CHAIRMAN BARTH: All right. But it's not
15 required; it's --

16 MS. McLAUGHLIN: It is not required.

17 CHAIRMAN BARTH: Okay.

18 MS. McLAUGHLIN: But -- and I also will place
19 that information in the decision letter that will go
20 out to the school district, and then, of course, I
21 will send the report out a year from this date. And
22 they aren't required to respond, but I do tell them
23 how very much the State Board would like to hear from
24 them. And many of our districts are responding, as
25 you hear from them.

1 CHAIRMAN BARTH: Great. Thank you.

2 Mr. Walter.

3 MR. WALTER: I'm sorry. Just to clarify that
4 briefly, we should've included that as part of the
5 formal presentation. But on behalf of the Clarendon
6 School District we're happy to provide an annual
7 report to this board and to the Department as to the
8 progress and how the district is utilizing the
9 waivers.

10 CHAIRMAN BARTH: Okay.

11 MR. WALTER: We'd agree to have that as part of
12 the conditions, should the Board decide to grant the
13 waiver.

14 CHAIRMAN BARTH: Thank you, sir.

15 SUPT. VENT: I publicly want to thank Kelly
16 McLaughlin, for all their assistance, and other
17 Department employees. They worked with us through
18 this process and were very, very helpful.

19 CHAIRMAN BARTH: Thank you, sir.

20 All right. Were there -- Ms. Dean, Ms.
21 Chambers, did y'all have questions?

22 Any more questions on this side?

23 Okay. Then are we ready with a motion?

24 Ms. Newton.

25 MS. NEWTON: I move to grant these waivers for

1 three years.

2 DR. HILL: Second.

3 CHAIRMAN BARTH: Okay. With the conditions,
4 reporting conditions --

5 MS. NEWTON: With the conditions for reporting.

6 CHAIRMAN BARTH: -- that have been voiced today?

7 MS. NEWTON: Uh-huh.

8 CHAIRMAN BARTH: Okay. So motion by Ms. Newton,
9 a second by Dr. Hill.

10 Is there further discussion?

11 Ms. McLaughlin.

12 MS. McLAUGHLIN: Ms. Newton, was that three?

13 MS. NEWTON: Isn't that what they asked for?

14 MS. ZOOK: That's two years.

15 SUPT. VENT: June of '21.

16 MS. ZOOK: That's two years.

17 SUPT. VENT: Through June '21.

18 MS. ZOOK: Two-and-a-half.

19 CHAIRMAN BARTH: Yeah, June. So do you want to
20 --

21 MS. NEWTON: Till June of 20 --

22 SUPT. VENT: Three school years, including this
23 one.

24 MS. NEWTON: June of '21. Okay, got it. Okay.
25 Whenever it's supposed to run out that's when it runs

1 out.

2 CHAIRMAN BARTH: But importantly --

3 SUPT. VENT: Well, then that's three years.

4 CHAIRMAN BARTH: But to reiterate Ms. Hyatt's
5 point, it would start at this moment and go until --
6 so it would really be about two-and-a-half years,
7 rather than three years. Is that correct?

8 MS. HYATT: Yes.

9 CHAIRMAN BARTH: Okay. Everybody clear on the
10 motion?

11 All right. All those in favor say "aye."

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRMAN BARTH: Any opposed?

14 Okay.

15 SUPT. VENT: Thank you very, very much.

16 CHAIRMAN BARTH: Yes. Congratulations to the
17 Clarendon-Holly Grove District. Thank you for being
18 here. And I think we have heard the story of many
19 districts like yours and feel your pain as this
20 important work gets done.

21 b) CUTTER MORNING STAR SCHOOL DISTRICT

22 CHAIRMAN BARTH: We are now -- I apologize; I've
23 got too much paper up here. We're now to the Cutting
24 [sic] Morning Star -- Cutter Morning Star District
25 waiver request.

1 MS. McLAUGHLIN: Okay. Kelly McLaughlin, ADE.

2 We have representatives from Cutter Morning Star
3 here to request waivers for Student Guidance
4 Counselor Ratio and Library Media Ratio. Their 90
5 days expire on February 14, 2019. They are
6 requesting for five years, ending on January 11,
7 2024.

8 Today we have Jennifer Gilbert, Federal
9 Programs; Dr. Nancy Anderson, Superintendent; and
10 Jennifer Coates, Counselor -- and which you will want
11 to swear in.

12 They have brought two documents, one being their
13 board resolution, if you would allow that to be
14 passed out to you.

15 CHAIRMAN BARTH: That would be great.

16 MS. McLAUGHLIN: All right.

17 CHAIRMAN BARTH: Thank you.

18 So if everybody from Cutter Morning Star will
19 stand, raise your right hand. Do you swear or affirm
20 that the testimony you're about to give shall be the
21 truth, the whole truth and nothing but the truth?

22 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

23 CHAIRMAN BARTH: All right. Welcome. You have
24 up to 20 minutes to split as you choose. And we'll
25 start the clock when we get our materials, if you

1 want to wait just a second.

2 SUPT. ANDERSON: Thank you, Dr. Barth, Senator
3 Key -- Senator Key, sorry -- Commissioner Key, and
4 the Board for letting us present today.

5 (WHEREUPON, B3(b) Exhibits One (1) and Two (2)
6 were marked for identification and entered into the
7 record.)

8 CHAIRMAN BARTH: All right. We'll let you begin
9 when you want.

10 SUPT. ANDERSON: I'm Nancy Anderson,
11 superintendent at Cutter Morning Star School
12 District. Again, thank you for letting me be here.

13 We'd like to talk about the Student Guidance
14 Counselor waiver and the Library Media Specialist
15 waiver. In the handout that Ms. McLaughlin just
16 shared with you I gave you a few statistics about our
17 enrollment, how it very much fluctuates. And so some
18 of the things, especially with the Library Media
19 Specialist, we have been doing in the past. Because
20 of our enrollment changing, we're now showing upon
21 Standards of Accreditation because of that.

22 So -- but I would really like to start with the
23 Guidance Counselor because it really -- when you read
24 that you see I'm asking for a student teacher
25 reduction but yet, I'm asking for increased

1 involvement with the students with the counselor.
2 And based on the Superintendent Symposium that I just
3 attended, and Commissioner Key and Governor
4 Hutchinson talked today about changing some of the
5 requirements. At Cutter, we're already doing the
6 90/10 that's in his initiative. Ms. Coates, my high
7 school counselor, she has no testing
8 responsibilities; she has no responsibilities for
9 504. Her responsibility is to our students. So why
10 would I be asking for a waiver, you ask.

11 When you look at the Media Specialist, it's kind
12 of the same scenario. What we want to do is actually
13 build on our counseling program by offering, you
14 know, anti-bullying classes, you know, suicide
15 prevention classes. And who better to teach that
16 class than our counselor, because who are those
17 students going to go to? Who are the other students
18 going to go to? The week before Thanksgiving, on
19 that Friday, I had four students that we had to call
20 in and they were actually submitted into mental
21 hospitals because of suicide, not attempts but
22 threats -- they had plans for -- in one day. The sad
23 part about it -- I mean, that's very sad, but the
24 really sad part is we had students that knew about
25 this. It was on social media. They knew about it.

1 They didn't come forward and tell us until the very
2 end of the day. I was up there till 8:00 on that
3 Friday night trying to get transportation to Little
4 Rock for one of my students. So not only would Ms.
5 Coates be able to reach out to those that are
6 potentially suicidal or having bullying issues, but
7 those that are not that are in the classroom that
8 know that their student -- their classmates are and
9 how that they would handle that. It's my opinion
10 that if Ms. Coates is in there with these students
11 and she's talking about whether it be suicide
12 prevention or bullying and she's opening up that
13 dialogue with these students then they're going to
14 come to her and say, you know, "This student is
15 saying this, and this student" -- you know, some of
16 the indicators we look for. Or, if they're having
17 some of those issues themselves they're going to go
18 to her because they know she understands that and
19 she's taught them. So it's my opinion we're going to
20 increase the amount of time in a more formal way. So
21 why would I be asking? Because it sounds like I'm
22 asking her to do what her job is. If we form any
23 sort of class where we tie students to her, it would
24 be just like the Media Specialist and we would have a
25 Standards of Accreditation violation because she

1 would have to be a fulltime counselor. By making her
2 a halftime, the other half-a-day, we'd be able to tie
3 students to her. She would still be acting in the
4 same role as of the counselor.

5 Do you have any questions over that aspect?

6 CHAIRMAN BARTH: Let's see. Any questions?

7 Okay. All right.

8 SUPT. ANDERSON: Okay. We've brought in, you
9 know, groups of people to talk to our students about
10 bullying and suicide in large groups. We just don't
11 find that effective. We truly do not.

12 On to the Media Specialist, we have a very
13 talented and gifted Media Specialist that has been
14 working with our kids, some that we missed in the
15 elementary with some of the indicators of dyslexia
16 and they're in the high school. And I'm very excited
17 about the Science of Reading initiative that we're
18 working on. But when you get to the high school
19 level, if they're past that, it's very hard to find a
20 high school teacher that can work with those kids
21 effectively to catch them up. Our Media Specialist
22 is actually a reading specialist; she has a master's
23 degree in reading, and so we have actually tied some
24 intervention classes to her. Well, when we hit that
25 magic number of 300 we're violating accreditation

1 because we have -- I think now we have like 301. We
2 have one student over. So now she has to be a
3 fulltime media specialist because of one student.
4 And so I'm asking for a waiver for both of those
5 positions to meet the needs of our students at Cutter
6 Morning Star.

7 CHAIRMAN BARTH: Are there questions on the
8 Media Specialist?

9 MS. ZOOK: Yes. I appreciate the fact that she
10 is a reading specialist, but a reading specialist
11 does not make a dyslexia interventionist --

12 SUPT. ANDERSON: Correct.

13 MS. ZOOK: -- as you well know.

14 SUPT. ANDERSON: Correct.

15 MS. ZOOK: And so if this waiver is granted, can
16 you assure us that she in fact knows how to
17 intervene? And, secondly, if she leaves and you get
18 someone else that isn't, can you give us some
19 assurance that --

20 SUPT. ANDERSON: Absolutely. And she has been
21 to some of the dyslexia training. She has some of
22 the Sondag training for dyslexia; she has attended
23 some of those as well, with my elementary
24 interventionist.

25 MS. ZOOK: Okay.

1 SUPT. ANDERSON: But she is not -- I mean, she's
2 -- her licensure, she has a certification of literacy
3 specialist, reading specialist. But, yes, ma'am,
4 absolutely.

5 CHAIRMAN BARTH: Any more questions?

6 Ms. Newton.

7 MS. NEWTON: Just on both the Counselor and the
8 Library Media Specialist, how many classes do you
9 envision tying to the Counselor and how many will you
10 be tying to the Library Media Specialist?

11 SUPT. ANDERSON: With the Library -- I meant
12 with the Counselor, we're just in the initial phases
13 of planning this. We've talked about we have
14 rotations, you know, where they do art or something
15 like that; it may just be for nine weeks on different
16 types of subjects, whether it's nine weeks on suicide
17 prevention and then the next week would be -- or the
18 next nine weeks would be bullying, anti-bullying. We
19 haven't really -- we really haven't gotten to the
20 fine-tunes of developing all of the guidelines how
21 we're going to do that.

22 MS. NEWTON: Okay.

23 SUPT. ANDERSON: I would be working with these
24 ladies.

25 MS. NEWTON: What about the Media Specialist?

1 SUPT. ANDERSON: What has she been teaching?

2 I'm sorry.

3 MS. COATES: We have her -- we have her doing --

4 CHAIRMAN BARTH: Excuse me, if you could come on
5 up to the microphone.

6 MS. COATES: Oh, so sorry. I'm so used to doing
7 that. She has -- oh. Jennifer Coates, I'm the high
8 school counselor at Cutter Morning Star.

9 This year and last year we had her do a class
10 called Reading Development. It's a class that we did
11 with our 7th graders for one semester. The second
12 semester she had Key Code. So she's able to do more
13 hands-on with those kids. I mean, we really looked
14 at the kids, especially the first semester -- putting
15 them the first semester that had in 5th and 6th grade
16 kind of struggled a little bit -- looked at their
17 test scores, and we really tried to place those kids
18 with her first. So it kind of gave them that little
19 bit of extra in 7th grade. So we used her very much
20 with the reading development class. And then, you
21 know, when we hit that 308 and 307, right there at
22 October, we were like, "okay, y'all have got to
23 leave" or "what are we going to do," because -- I
24 mean, it's worked out great. I mean, the kids have
25 talked about it. She also -- we have Ramp-Up. She

1 helps with our Ramp-Up literacy. She pulls in some
2 kids to make it -- that's also another class that we
3 do, Ramp-Up literacy and Ramp-Up math, and she pulls
4 in like five kids. She works with them. They look
5 at those kids, and they're just constantly rotating
6 in that Ramp-Up. Some of them are in band during
7 that time, some of them are in choir; so it's just
8 another class that we have for those kids that might
9 be struggling, and she has helped tremendously. In
10 the past she has done an ACT prep class for me, so --
11 which was very beneficial.

12 MS. NEWTON: So somewhere around three classes
13 is kind of what you're envisioning there?

14 MS. COATES: It has been two, but she has
15 requested to -- she would love to bring back that ACT
16 class. She does not do any of the dyslexia. We
17 actually have Amy Hurst, who has her -- her son is
18 dyslexic, but she has her -- she's special ed. and
19 she has her certification in dyslexia; she does
20 dyslexia. And we have another special ed. teacher
21 that's also being trained in it. She's been trained
22 in the Sonday and she's doing the dyslexia. All that
23 Ms. Furr really does with the dyslexia is helps with
24 the testing -- or --

25 MS. ZOOK: Screening.

1 MS. COATES: -- screening now. She doesn't
2 teach any of those classes, so --

3 MS. NEWTON: So if she is in the classroom the
4 three periods a day who is going to take care of the
5 library media center?

6 MS. COATES: We have library media -- we have
7 students each class period that get a local credit
8 for being an aid in the library.

9 MS. NEWTON: Okay.

10 MS. COATES: And they shelve books, they check-
11 out books. We also have Chromebooks, so if there's
12 anything needed with the Chromebook she notifies her
13 or they go to Ms. Gilbert or they go to Chris
14 Martinez and they help with that, keeping the library
15 clean, you know, books on the shelf and all that. So
16 -- and she's still in there at that time. And we're
17 not talking about 30 kids in a class; we're talking
18 like 15 at the most during those classes. I think in
19 one of them she has 12, so it's not a full class. So
20 she is able -- if there's an emergency with the
21 library, she can kind of step away and help with that
22 library need, if we need it.

23 MS. NEWTON: Okay. And just one more comment.
24 I applaud that you're not weighing down your
25 counselors with testing and 504s so they can actually

1 counsel.

2 MS. COATES: Yeah.

3 MS. NEWTON: So thank you for that.

4 MS. COATES: Thank you.

5 CHAIRMAN BARTH: All right. I'm going to -- Ms.
6 Coffman needs to make a few comments here.

7 MS. COFFMAN: I think our concern is -- and I
8 think you can hopefully address this -- that we would
9 feel more comfortable if we were confident that a
10 paraprofessional or someone were in the library and
11 that students were not left unattended during the
12 time that the Media Specialist is not in there.
13 Because the media center is required to be open all
14 day long.

15 SUPT. ANDERSON: Does Ms. Cody go in there as
16 well?

17 MS. COATES: Ms. Cody does. And her classes are
18 actually held in the library. We have tables. When
19 you walk into our library it's very open, so -- but
20 she is in the library during these classes. And then
21 we have the media table, whatever it's called, where
22 they check out -- the circulation desk -- I can't
23 think -- where they actually check out the books.
24 But she is in the library at that time, so -- that's
25 the only reason why we would do it. We wouldn't

1 leave a kid in the library. And when she is not
2 there the library -- you know, we close down the
3 library. Or if we are able to, Ms. Cody, one of our
4 paras, goes in there for the kids to be able to check
5 out books during -- a few times. So, thank you.

6 CHAIRMAN BARTH: All right. More questions or
7 comments?

8 Ms. McFetridge.

9 MS. McFETRIDGE: I just want to make sure I
10 understand. This is for the high school only --

11 SUPT. ANDERSON: Yes.

12 MS. McFETRIDGE: -- or is it the entire
13 district?

14 SUPT. ANDERSON: The high school only.

15 MS. McFETRIDGE: Okay.

16 SUPT. ANDERSON: I'm -- well, in the curriculum
17 for the elementary, Media Specialist, I think they
18 already do reading classes as part of their plan. Do
19 they not?

20 MS. McFETRIDGE: But the waiver is only for your
21 high school at this point?

22 SUPT. ANDERSON: (Nodding head up and down.)

23 MS. McFETRIDGE: Okay.

24 CHAIRMAN BARTH: Okay. Any --

25 Ms. Newton.

1 MS. NEWTON: These would go to halftime
2 positions then; is that what you're envisioning?

3 SUPT. ANDERSON: Yes. Yes.

4 CHAIRMAN BARTH: All right. Additional
5 questions?

6 I do -- I mean, I do have some concerns --

7 MS. ZOOK: Here comes Ms. Coffman.

8 CHAIRMAN BARTH: Oh. Well, I'll let Ms. Coffman
9 --

10 MS. COFFMAN: I think we need a little more
11 clarification from what you said about closing the
12 library.

13 MS. COATES: Oh, when she hasn't been there.

14 SUPT. ANDERSON: Oh, like when we couldn't get a
15 sub or something?

16 MS. COATES: When we couldn't get a sub. Very
17 rare occasion.

18 SUPT. ANDERSON: Yes.

19 MS. COATES: Very rare.

20 SUPT. ANDERSON: Yes.

21 MS. COATES: It has been open during that time
22 for them to come in and check out books for like one
23 and like six, I think, with an adult in the room.

24 SUPT. ANDERSON: Yes.

25 MS. COATES: I'm sorry.

1 SUPT. ANDERSON: Yes, ma'am.

2 CHAIRMAN BARTH: You know, I think, you know,
3 these ratios, you know, are numbers that are grounded
4 in some connection to need. And in fact, I would
5 argue that both of these ratios are on the liberal
6 side and that they're a little too large, especially
7 on Guidance Counselors. I totally agree with Ms.
8 Newton that I applaud the limitation of duties,
9 taking away many of the duties that counselors do
10 have. I think we need a combination of reduction in
11 non-counseling oriented duties, but we also need to
12 pull that ratio down. And so I am worried about
13 these -- playing with ratios, even though y'all are
14 near the cusp of the dividing line on these. So I do
15 just have worries about us setting some precedence in
16 terms of playing fast-and-loose with some ratios that
17 are already, in my view, a little on the high side.

18 So, Ms. Zook.

19 MS. ZOOK: Okay. Can you tell me how far along
20 your teachers are in their training of the teaching
21 using the Science of Reading? Because your numbers,
22 like across the state, are really low.

23 SUPT. ANDERSON: Yes, ma'am, they are. I know
24 that our elementary has worked very hard. I believe
25 all of our K1-2 have been through the RISE training.

1 We're working on 5-6. And I know that in the high
2 school -- do you know how many of them have gone
3 through and done the certification on Arkansas IDEAS?

4 MS. COATES: I don't know.

5 SUPT. ANDERSON: I do not have all that with me
6 today.

7 MS. ZOOK: Okay.

8 SUPT. ANDERSON: We have sent out the form that
9 the ADE provided on their Pathways on how all of them
10 will be certified. And so we are having those --
11 each individual teacher to fill those out. I know
12 we're ahead in the elementary, very much so, because
13 we have had in the last two years -- if you look at
14 our test data for the last five years, we were way up
15 in the 90th percentile, and we had some change in
16 administration. I'm proud to say those 90s were when
17 I was elementary principal. But we had some change
18 in administration and we dropped, you know, a few
19 points, and then we had another change at the
20 principal level and we had significant drops there.
21 One year we dropped 30% and the next year we dropped
22 I think it was 17% or 18% in a two-year period. That
23 principal is no longer with my district, and so --

24 MS. ZOOK: So you have one that's an
25 instructional leader now?

1 SUPT. ANDERSON: Yes, ma'am, we do, very much.

2 MS. ZOOK: And you can look at growth and then
3 see if that translates to achievement?

4 SUPT. ANDERSON: Yes, ma'am.

5 MS. ZOOK: And you can look at your K-2 to see
6 if that begins to show up in your 3-4?

7 SUPT. ANDERSON: Yes, ma'am. They use --
8 they're using the MAP and they're using ACT Aspire.
9 They're using the MAP at K-2.

10 MS. ZOOK: All right.

11 SUPT. ANDERSON: And they're using ACT Aspire at
12 3-4. And then in 5-6 we're a Summit Platform school
13 and so we're using ACT Aspire there as well. And we
14 have numerous RTI meetings and data decision-making
15 meetings. We're also using a lot of, you know,
16 DIBELS and the 98-percent program; I'm not sure if
17 you're familiar with that. But we have implemented a
18 lot of strategies, a lot of different programs. What
19 we've found, to be honest with you, when you start
20 looking at your RTI and how many students were
21 actually at, you know, Tier 1, 2 and 3, you know, if
22 you have a -- and I don't know the percentage -- but
23 research says if you have a certain percent at 2 or 3
24 what the problem really is is your core. And so we
25 went through a very difficult time for a couple of

1 years where the core was not developed completely.
2 So not only are we doing those interventions
3 regularly at the elementary, we have two math
4 intervention specialists -- one certified teacher and
5 one a parapro. We have a certified literacy
6 intervention and a parapro at the elementary. So we
7 have four interventions working with them each day.
8 Plus, we're pushing in and pulling out. We are
9 working very, very hard to get those test scores back
10 where they were. But again, when we started aligning
11 our curriculum and looking at what we were doing,
12 there were so many gaps -- and, quite frankly, we did
13 not have a core curriculum. I'm just going to be
14 honest with you. And so we built that back and we
15 went back with a very research-based phonetic program
16 and reading program, very comprehensive.

17 MS. ZOOK: Okay. And you are in full compliance
18 with the dyslexia law?

19 SUPT. ANDERSON: Yes, ma'am.

20 MS. ZOOK: Okay. So that should help.

21 SUPT. ANDERSON: Yes, ma'am.

22 MS. ZOOK: And you feel comfortable with the
23 people who are doing the screening and the markers
24 showing up in early grades?

25 SUPT. ANDERSON: Yes. Like we're using the

1 Sonday program. We're also -- and I'd forgotten
2 about Ms. Hurst, and I apologize for that. She was
3 -- she's at the high school, but we actually are
4 using her for a lot -- I guess a lot of the dyslexia.
5 But she also uses the Take Flight program. I'm not
6 sure if you're familiar with that.

7 MS. ZOOK: Yes, I am.

8 SUPT. ANDERSON: It's a very strong -- we've
9 found that certain programs work better with certain
10 kids, and so -- but when she started working for us,
11 she -- her son had been at a different school and
12 they were using Take Flight and he has dyslexia
13 markers. And so we brought that in solely for him,
14 actually, and we started using it with some of our
15 other kids and we saw a lot of success with it, so --

16 MS. ZOOK: Thank you for those efforts.

17 SUPT. ANDERSON: Thank you.

18 CHAIRMAN BARTH: Dr. Moore, did you have
19 something?

20 DR. MOORE: Yes, I did have a question that came
21 to mind when you were talking about ratios. Do you
22 all have a career coach or counselor or anyone that
23 works with your high school students?

24 SUPT. ANDERSON: We have -- we are very
25 fortunate to work with our local college, our two-

1 year college, and so we have -- actually, she's
2 alumni of our district. And she comes out every
3 Wednesday and she sits down and kind of serves as our
4 career coach unofficially -- but yes. And Ms.
5 Gilbert and Ms. Coates, both, are on that.

6 DR. MOORE: Okay. Thank you.

7 CHAIRMAN BARTH: Okay. Ms. McFetridge, I think
8 I'm seeing a question?

9 MS. McFETRIDGE: No.

10 CHAIRMAN BARTH: Okay. Any other questions or
11 comments?

12 Okay. Do we want to take these separately or
13 together?

14 MR. WILLIAMSON: Separately.

15 CHAIRMAN BARTH: Okay. So we'll take them
16 separately. Thank you.

17 We have two different waivers, one is the waiver
18 on the Student Guidance Counselor Ratio. And so I'll
19 entertain a motion to approve or deny that waiver.

20 MS. CHAMBERS: Move to approve the waiver.

21 MS. DEAN: Second.

22 CHAIRMAN BARTH: So a motion by Ms. Chambers,
23 second by Ms. Dean.

24 Any further discussion on the Guidance Counselor
25 Ratio waiver?

1 All right. All those in favor say "aye."

2 (MAJORITY CHORUS OF AYES)

3 CHAIRMAN BARTH: Any opposed?

4 I'd like to be noted as opposed on that. And,
5 again, not -- I think it's a problematic precedent.

6 And then the second is the waiver on the Library
7 Media Specialist Ratio. Is there a motion to approve
8 or deny?

9 MS. DEAN: I move to approve.

10 MS. CHAMBERS: Second.

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

13 All those in favor say "aye."

14 (MAJORITY CHORUS OF AYES)

15 CHAIRMAN BARTH: Any opposed?

16 MS. McFETRIDGE: Aye.

17 CHAIRMAN BARTH: And Ms. McFetridge -- and I
18 would also like to be noted as in opposition, but
19 that passes 7-to-2.

20 So congratulations and thank you.

21 SUPT. ANDERSON: Thank you.

22 CHAIRMAN BARTH: And we look forward to hearing
23 about how things work.

24 SUPT. ANDERSON: Absolutely. Thank you, Dr.
25 Barth. Thank you --

1 CHAIRMAN BARTH: Great.

2 SUPT. ANDERSON: -- Commissioner Key. And thank
3 you, Ms. McLaughlin.

4 c) LEE COUNTY SCHOOL DISTRICT

5 CHAIRMAN BARTH: Okay. Our final Act 1240 of
6 the day is Lee County School District and --

7 All right. Oh, I know you're trying to do
8 several things at once.

9 MS. McLAUGHLIN: I apologize.

10 CHAIRMAN BARTH: That's fine.

11 MS. McLAUGHLIN: Okay. Next on the agenda is
12 Action Item B3(c) and we have Lee County School
13 District. We do have Elizabeth Johnson,
14 superintendent, and Mary Hayden, Federal Programs
15 Coordinator. They are here to request waivers for
16 Library Media and Classroom Teacher Licensure. Their
17 90 days will expire on February 14, 2019, and they
18 are requesting for three years, ending on January 11,
19 2022. And you will wish to swear those two in as
20 well.

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

1 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

2 CHAIRMAN BARTH: Thank you.

3 And so however you wish to divide it, you have
4 up to 20 minutes.

5 SUPT. JOHNSON: Good afternoon.

6 CHAIRMAN BARTH: And if you'll --

7 SUPT. JOHNSON: I hardly think we'll do 20
8 minutes because these are relatively simple waivers.
9 Everyone in our area has those waivers and we are in
10 need of them. We have tried to work with the ADE,
11 which have been very, very helpful, because of our
12 immediate need for a library person. So we are
13 saying Media Specialist at this time.

14 I think you might know the demographics of Lee
15 County. We are the -- probably the lowest, poorest
16 county in Arkansas. We have the lowest millage in
17 the state. Therefore, our pay scale has to be pushed
18 through the state saying that we have to do it. We
19 don't have that kind of support in our area. So
20 therefore we look for all the teachers we can,
21 particularly those who are certified.

22 This year what happened is the lady that was in
23 the library retired and -- in both libraries. One
24 library -- we are left -- we had very -- not any
25 applications. So what happened, two young ladies who

1 live in Lee County, each having above a master's
2 degree -- one has -- yeah, one has a master's degree,
3 the other one has above, almost a Ph.D. So we were
4 trying to find some way for them to make sure they
5 would stay there, because they wanted to be the --
6 become the librarian. So after working with the
7 persons from here, they told us -- and I mean work
8 with everything -- we tried to see -- they asked us
9 not to get the 1240 if we didn't have to. But it
10 would take them three years to become licensed in
11 that area; so that's why we're here, to try to get
12 the 1240 for those two young ladies, one with almost
13 a Ph.D.; the other one was the master's degree. And
14 of course, why? Our library has to remain open. I
15 think you can see on My School Info why we actually
16 need someone there, elementary people, all the time.
17 Our reading scores are low and so we have a plan for
18 that and we're working it this year. Our high school
19 is the same way; we need to develop research skills,
20 study skills, and of course go back and attack the
21 reading problem there. So we're doing all of that.
22 And what we need to do is have some way that this
23 will not affect our Standards of Accreditation. We
24 have found that we are cited many times since the new
25 Standards of Accreditation system has begun.

1 So the other part of this has to do with the
2 1240 for teachers. It's been very difficult to get
3 areas -- teachers in areas that we need, particularly
4 science and math. We are doing virtual, but what
5 happens with students who are not exemplifying the
6 needed skills -- they need a real person to ask
7 questions to. It's very difficult for those
8 children, even the ones who are in the highest
9 quartile. So we're trying to make certain we can get
10 someone in there, maybe not those who are certified
11 but someone who has knowledge-base, the skill-base
12 that can help a student along so they will not fail.
13 We just did geometry in virtual this semester. So
14 far, we have about two to three students and we don't
15 have a teacher; they're on virtual. So we have a
16 person in there with them; she's not certified. It's
17 a young lady who was from Lee County. And so we need
18 to be able to move those persons into an area where
19 they are certified maybe for a lower area. I think
20 she's at 4-8, but she can't answer those questions
21 when the children need them in math. We are looking
22 to make certain we can -- we work with Teach for
23 America, Arkansas Teacher Corp, and I think you know
24 that math teachers are not easy to come by. So we
25 intend to look and keep looking. And so if we have

1 those persons ready to address those areas without
2 being cited, we would like to do that; so the 1240s
3 would do that for us.

4 I don't think you -- I can't tell you too much
5 other than we are planning -- we have changed our
6 waiver. We can make certain that they are going to
7 get the correct staff development. And we, the two
8 of us, are certified to do those kinds of things
9 also. We've attracted those persons who -- outside
10 source persons to help us in that area to make
11 certain that continued staff development is targeted
12 to the area, and that person will do that. We have a
13 teacher who is -- a person who comes into the
14 classroom who has not had a lot of background; we --
15 of course we have to work with something like
16 classroom management, those kinds of issues. But
17 that's what we're doing.

18 Ms. Hayden might tell you a little bit more
19 about the staff development that we have done and
20 what we -- what the plan we have -- that we are
21 working on and that we have already begun.

22 Ms. Hayden.

23 MS. HAYDEN: Good afternoon. My name is Mary
24 Hayden; I'm Federal Programs District Coordinator for
25 Lee County School District.

1 At this time we are working diligently with
2 those teachers who are non-licensed by providing
3 professional development. Actually, they get the
4 same professional development as the other teachers;
5 they are in there with those other teachers, getting
6 the same training. We want to provide the mentoring
7 for them. We have collaborative planning meetings so
8 they're not out alone just trying to do things on
9 their own. We're also looking to bring in outside
10 consultants who will help those teachers, especially
11 in the area of science, where we've have one of our
12 paraprofessionals who was willing to take on that
13 position to teach those students, and so she's
14 looking for extra support there; we want to give that
15 to her. We have teachers who are, I believe, in art
16 and music -- and some of these people have come out
17 of retirement. And so they have applied for
18 licensure, lifetime licensure, and they just need a
19 little bit more time to get that pushed through. And
20 so if we can get that in for them, then our students
21 have the expertise on their side, as well as those
22 experiences from those teachers who worked in the
23 past. And they're willing to come back, and I really
24 appreciate that.

25 For the professional development, we do have

1 training. We have several teachers who are going
2 through the APPEL program, those who are Teach for
3 America and Arkansas Teacher Corp -- and they're
4 young people. Some of our students have said to us,
5 "We need more young teachers who are willing to
6 teach." So there are young people coming in and
7 they're energetic, they're excited to teach, and they
8 bring that with them and the students are excited to
9 learn from them. So they do get that extra support
10 as well with the novice training. And actually, you
11 know, TFA and ATC provide really good training as
12 well for those teachers, so our students are getting
13 that. They are going through the RISE training at
14 all levels. We have some who are farther along than
15 others, but we have provided them with the RISE
16 training. They also get -- iReady is a new program
17 that we've brought in for math and literacy; so we
18 get the support from that particular group as well.

19 CHAIRMAN BARTH: Okay. Thank y'all.

20 So questions starting with Ms. House?

21 Dr. Moore?

22 DR. MOORE: Yes, I do. So has Lee County held
23 any of these waivers before? That might be an ADE
24 question.

25 MS. McLAUGHLIN: No.

1 DR. MOORE: Okay.

2 MS. McLAUGHLIN: They have not ever -- they have
3 never held Act 1240 waivers prior to this request.

4 DR. MOORE: Okay. And this teacher licensure is
5 for K-12 teachers?

6 MS. McLAUGHLIN: Yes, K-12, according to the
7 rationale.

8 SUPT. JOHNSON: We are asking for it K-12.

9 MS. McLAUGHLIN: According to the rationale, it
10 appears to be for K-12. Yes.

11 DR. MOORE: Okay. Well, teachers that you -- if
12 you were to receive this and hire teachers without a
13 license, do you all have plans to put them on a
14 licensure path or how would you deal with that?

15 SUPT. JOHNSON: Yes. They are on -- all that
16 we've hired have always gone on the licensure path.
17 And generally, with Teach for America and several,
18 everybody has taken the Praxis test before they
19 actually are hired. We know they're coming, but they
20 already -- they've taken the test. For instance, we
21 have a Spanish teacher this year which we had not had
22 in the -- forever. And anyway, she did pass the
23 test. She's from Teach for America. And the problem
24 with that, if it's called a problem, is that they
25 come and stay two years; then they leave. So we're

1 still trying to grow teachers from in our area.
2 We've done that for years. I've been there over 30-
3 something years and -- but people keep leaving. What
4 happened is, when I went there, we had 3300 students
5 in that district; now we have 700 and it's because
6 there's no industry, there's nothing to keep people
7 there. So we're trying to keep the ones who are
8 already there and make sure -- once they get there we
9 are going to demand they have license, if we can.
10 And we've been fortunate; we've had that done where
11 they're actually on a path like that APPEL program,
12 as she said -- several different pathways -- and they
13 do that. And as a teacher who's been in the business
14 a little bit -- long time, I believe in that, the
15 licensure piece.

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

17 You spoke at your high school level you offer
18 virtual courses. How many of the core courses are
19 taught virtually?

20 SUPT. JOHNSON: Usually, they're in the math and
21 science areas. So I'd say four, five courses. That
22 would be algebra, geometry, algebra II, physical
23 science, biology -- well, biology is with a person;
24 he's with Teach for America. But AP biology, those
25 kind of things, that's a real person there. But in

1 the math area, no, everything is kind of virtual.

2 DR. MOORE: So if I was -- a high school student
3 probably has at least two courses a year, it sounds
4 like, through virtual instruction?

5 SUPT. JOHNSON: That's right.

6 DR. MOORE: Okay.

7 CHAIRMAN BARTH: Mr. Williamson?

8 MR. WILLIAMSON: No.

9 CHAIRMAN BARTH: Oh --

10 MS. McLAUGHLIN: Just as a point of
11 clarification, you asked if they did hold any Act
12 1240 waivers previously. And they do hold the Early
13 Start Date/Flexible Schedule waiver that came
14 through, as many of the school districts did, through
15 the co-ops.

16 CHAIRMAN BARTH: Okay. Great.

17 Ms. Zook.

18 MS. ZOOK: I don't know where to start. I
19 understand -- let me start with this: you did not
20 list a charter school that -- it says name the
21 charter school that your students attend. It's my
22 assumption it's KIPP. Is that correct?

23 SUPT. JOHNSON: Yes.

24 MS. ZOOK: Okay. So I filled in my own blank.

25 I don't know any more about your district than

1 you do. I know that the students don't know how to
2 read, or at least on a test they can't demonstrate
3 they do. I know that 70% of them are graduating and
4 that's a miracle in itself. I don't know the answer
5 for the Delta. I understand your need for this
6 request. I appreciate the fact that the State offers
7 opportunities. But for children who are in such
8 desperate need, you know -- I do appreciate what both
9 of you are doing, but not even 20% can note that they
10 achieve and you're behind the state average in all
11 the areas. And I know I'm not saying anything to you
12 that you don't know. But please know that I do feel
13 for you and the students that are attending there,
14 and I appreciate the fact that you're trying to do
15 the best you can within the parameters that you have.

16 SUPT. JOHNSON: I have to give you a comment.
17 Things aren't as bad as they seem, and that's a fact,
18 although testing -- standardized testing means one
19 thing, but we have students who actually can do this.
20 Part of this has to do with where you live and how
21 you operate when testing comes. Now, we're dealing
22 with that aspect now. We have done this before.
23 We've never been in academic distress until later on.
24 I've been in that school district -- I was a board
25 member for 10 years, I've worked in that district,

1 and we had -- we did not have this problem. We had
2 an industry there that people worked in; so
3 therefore, working was an ethical thing to do. Now
4 we have nothing. But we also have come back to some
5 strategies we know work, particularly with reading.
6 We're doing an afterschool program, headed by us --
7 and we are both reading specialists, both of us, by
8 trade. My master's degree came from ASU. And I
9 think we have an idea of what we can do. The thing
10 is that we don't have many people coming out of
11 college wanting to teach school. They have degrees
12 but they don't have -- don't want to teach. But when
13 they want to come back to Marianna, then they want a
14 job, and the job is working -- could be working with
15 teachers. We can train them to do that. We know
16 that.

17 MS. ZOOK: Are the two of you going through the
18 RISE training?

19 SUPT. JOHNSON: We're not doing it but the co-op
20 is doing it for us. But we're in there with them.

21 MS. ZOOK: Well, I was just thinking if you're
22 doing the tutoring after school then it might be
23 helpful if you could carry through on the way the
24 students are being taught.

25 SUPT. JOHNSON: It is.

1 MS. ZOOK: You've started?

2 SUPT. JOHNSON: Yes.

3 MS. ZOOK: Okay. Hurry up.

4 SUPT. JOHNSON: Both of us. So, yeah, we are
5 there. We are there going all the way through the
6 Science of Reading. We are making certain that
7 everyone has gone through it and doing what they're
8 supposed to do. I think we can kind of make a
9 difference here and just -- with the way we feel
10 about this. The school culture has changed; we're
11 trying to bring it back, so -- and I really think our
12 children work hard when they're expected to, and we
13 expect them to learn because we know we can teach
14 them. They just decided to go to KIPP because it was
15 cute. They had uniforms, so they went there. I
16 worked at KIPP too.

17 Any other questions?

18 CHAIRMAN BARTH: I do have a question on the --
19 more specific question on the Library Media
20 Specialist. The credentials of the two individuals
21 that you are promoting, what is their library media
22 background? Are they preparing for -- do they have
23 library degrees but just not school librarian
24 degrees? What -- I was fuzzy on what the credentials
25 are. I know they have advanced degrees, but what

1 exactly is that training?

2 SUPT. JOHNSON: The training they have is in the
3 health and psychological field. Now what is -- they
4 did a lot of research them-selves, they had to do
5 because a lot of that came from online. Now to be in
6 the library, they know how to use it. We're going to
7 have someone -- I have a person -- retired, like
8 everybody else in this game right now -- and she's
9 going to come back and she is helping them to
10 establish how our library should be and the things
11 that they should do, while they would still be taking
12 courses. They're not just there; they are ready to
13 begin courses right now. We just didn't have a
14 waiver for that and we couldn't pay them that way.
15 We're paying them as long-term subs right now. So
16 they told us the best way was to come and get a 1240
17 so they could go ahead and be assured maybe, until
18 they get that licensure piece done, they would have a
19 job and would be able to do that. But they both are
20 doing well, I'll have to admit that, as far as having
21 classes.

22 CHAIRMAN BARTH: So how long do you anticipate
23 it taking them to get their certification in Library?

24 SUPT. JOHNSON: They told us three years.
25 That's why we're asking for this.

1 CHAIRMAN BARTH: Okay.

2 SUPT. JOHNSON: Because there was no other way
3 we could do it. We thought we could go and get
4 reciprocity. We've tried everything.

5 CHAIRMAN BARTH: Okay.

6 SUPT. JOHNSON: And so -- and Arkansas doesn't
7 have a lot of ways to get Library Science.

8 CHAIRMAN BARTH: Okay.

9 SUPT. JOHNSON: I'd just like to mention that.

10 CHAIRMAN BARTH: I'll pick up on the other --
11 the broader issue here which obviously we've seen it
12 now in two cases today -- the Clarendon case and
13 here. You know, the challenges facing the Delta are
14 severe; we all know that. As Commissioner reminded
15 us last -- at our last meeting, you know, this is
16 ultimately a state responsibility to be sure that
17 every kid, no matter where they're living in the
18 state, where they accidentally happen to be born,
19 that they have an adequate education. And it isn't
20 happening in, you know, a number of districts in this
21 state. And one of the key issues is teaching,
22 because of the importance of having a real live
23 person in front of classrooms, except in exceptional
24 cases. And it's -- we're -- I mean, the crisis just
25 gets worse and worse and worse, and I still have this

1 gut feeling that lessening, lowering the standards
2 for what it takes to be a teacher is just not the
3 path to go. I just -- it doesn't feel like the right
4 thing. And I know that everybody else -- all the
5 districts around you have made this request, most of
6 them have, as well. I get it. It just feels like
7 we're taking a shortcut when it is ultimately a state
8 responsibility to be sure that we don't take a short
9 -- take shortcuts when it comes to kids' education
10 but do something more.

11 SUPT. JOHNSON: I agree with you. But let me
12 tell you what happens: we are now taking them -- we
13 have Hippy Steel visiting home. So we have a program
14 -- we have a preschool that we have students in with
15 teachers. Now that area is pretty much certified;
16 you have areas over there with teachers. Now you
17 come to elementary, we've been lucky enough to have
18 teachers licensed -- you know, teachers who are
19 licensed there. Now this has just become a problem
20 this year where we had no way to get a couple of
21 people. And as I said, math and science -- that's
22 for real. They need -- I don't think you need to
23 take science in virtual. That's --

24 CHAIRMAN BARTH: I agree.

25 SUPT. JOHNSON: You don't need physical science,

1 as far as I'm concerned, I don't care how smart you
2 are, on virtual, unless you just acclimate to TV.
3 But now the point -- we're not trying to lower the
4 standard. We don't want that because we actually
5 believe in certified teachers. We do believe -- and
6 I would be one of those because --

7 CHAIRMAN BARTH: Sure.

8 SUPT. JOHNSON: -- I've been a certified teacher
9 for a lot of years.

10 CHAIRMAN BARTH: Sure.

11 SUPT. JOHNSON: You know, a whole lot of years.
12 So we're trying to put in a gap right now and fill
13 that gap for the future, because they will do the
14 library piece and we will assist them. We hope they
15 can get the media thing, and I believe they can take
16 care of it. We have had -- this year, in fact, one
17 gentleman came from -- who is from there, lives
18 there, but he came from the college piece back down
19 to teach, but he didn't have a teacher's license. So
20 he went through the APPEL program and now he's a
21 social studies teacher doing AP. Because the fact is
22 that he has that background but he didn't have a
23 license. And the way I'm kind of seeing this is that
24 I believe -- you know, more than us, other people who
25 need to be looked at as far as their licensure thing

1 goes -- because if I have to be certified I would
2 like them to be also. And my way that I see that is
3 they will get certified; it's just taking a few
4 years. We do not want to not be able to pay them.
5 We're already the lowest -- the pay is low. But you
6 wouldn't want to come in and become a sub. Somebody
7 has to take care of the children, and that's where I
8 am with that. We're not trying to down -- go below.
9 But when you hire someone too there should be some
10 idea that you know what they can do. Some of these
11 children I taught.

12 CHAIRMAN BARTH: Ms. Dean?

13 MS. DEAN: Thank you for your years of service
14 to the children and the families of Lee County School
15 District.

16 SUPT. JOHNSON: Yes.

17 MS. DEAN: It's obvious that you love those
18 children and you love the community and you're doing
19 everything that you can to make sure that those
20 children are getting everything that they need, and
21 it's apparent that you've tried every avenue. So
22 thank you for exhausting all avenues and just doing
23 whatever is necessary to make sure that the children
24 are getting what they need. So, thank you.

25 SUPT. JOHNSON: Thank you.

1 One caveat here, the people who come in and you
2 hire a sub, which Lee County has had many -- we
3 haven't had a music teacher for four years, or five;
4 art teacher, elementary, four or five years. And we
5 have called -- I called back some students I had; I
6 called back some retired teachers, like myself. They
7 came back. They get a lifetime certificate to work
8 with these students. We understand that they're not
9 getting the best, but when you don't have the money
10 sometimes you cannot buy the best -- but we're doing
11 the best we can with what we have. And I promise you
12 I'll be there no matter what. As I said, I served on
13 that school board 10 years to try to make it go, but
14 people had to leave; they had no job, they had no
15 money. You can't -- you just can't do anything with
16 that. I'm just appealing for now because, like I
17 said, I will still be looking for licensed people all
18 the time. Thank you.

19 CHAIRMAN BARTH: Ms. Chambers?

20 MS. CHAMBERS: I just want to give my thanks.
21 You obviously are doing the very best with every
22 resource that you can garner. And I think Dr. Barth
23 is calling us to our responsibility --

24 CHAIRMAN BARTH: Yes.

25 MS. CHAMBERS: -- to support you and not

1 diminishing what you're doing, but calling us to do
2 better.

3 Is there anything legislatively or otherwise in
4 play that acknowledges these issues that go so much
5 beyond education, that go to the economy and the
6 opportunities in the Delta, in particular? But
7 certainly not the only area. Are there things coming
8 that we can look forward to or anticipate that we
9 need to bridge to as a board?

10 COMMISSIONER KEY: There have been things every
11 session for the 12 years that I served. There were
12 efforts through this -- certainly this Governor's
13 administration, through the previous Governor's
14 administration for the Delta. So, you know, like Ms.
15 Zook, I don't think anybody -- there's not a silver
16 bullet. It's just continuous focus to try to bring
17 economic growth, educational growth, all the elements
18 of -- you know, all the elements of a strong
19 community. And so it's -- I mean, I don't -- off the
20 top of my head I can't give you the -- well, I know
21 there is a list of all the things that have been
22 attempted and efforts that have been made and
23 economic development recruitment that has taken place
24 locally, regionally, statewide that would go to the
25 issues that you were -- that you're talking about.

1 One thing that I do want to discuss or at least
2 bring up is the fact that the Department has been
3 engaged -- I mean, we've -- through the Office of
4 Coordinated Support and Service, most recently, and
5 other units and divisions within the Agency have been
6 on-site and trying to assist there. You know, the
7 standards -- the new standards system that we have,
8 you know, it's apparent when you look at it -- I
9 think there's 74, Ms. Coffman, exceptions currently
10 that -- for licensure alone for that district. And
11 so I don't know if y'all want to, you know, kind of
12 -- I don't know how much you want to delve into that.
13 But it's -- I don't know any other way to describe it
14 than a crisis. And the state responsibility, as we
15 have talked about, you know, the -- that was a
16 district that I believe was maybe the first district
17 that had state intervention because of academic
18 distress back under the old system. It hit the 49.5
19 -- like 49.53, I think, that particular year; met the
20 --

21 SUPT. JOHNSON: 49.5. And was a few years back.

22 COMMISSIONER KEY: Well, but you went over it by
23 like three-tenths, I think, or something.

24 SUPT. JOHNSON: I don't think they went over.

25 COMMISSIONER KEY: It was just over.

1 SUPT. JOHNSON: I think it was half-and-half.

2 COMMISSIONER KEY: It may have been just barely,
3 but you hit that mark and so it was released. But I
4 think that showed the fallacy of that old system,
5 that that -- you know, that did not change the
6 underlying conditions of what was causing the lack of
7 student success. So, you know, I know that there are
8 a lot of folks trying to deal with it, Ms. Chambers.
9 And I wish I had a better answer for you to directly
10 say this is -- these are the things we could do to
11 fix it, but I just don't have that.

12 MS. CHAMBERS: I very much appreciate your
13 response, and would just ask -- there's a pattern in
14 our response to these waivers. You can feel our
15 anxiety, not -- we want to support the communities in
16 doing what's right by the communities, but make sure
17 that in our own responsibilities we're not
18 diminishing the quality of education that every child
19 deserves. And that's -- we're acknowledging what's
20 on us. And maybe we can use the waivers and the
21 patterns that we're starting to see to continue to
22 lift up facts to individuals that can help us make a
23 bigger adjustment in how we're supporting.

24 DR. HILL: I echo that. And kudos to your
25 efforts you're putting in and the environmental

1 challenges you have, you know. And I think this is
2 the first thing I voted on as a board member two
3 years ago, and I do hope that there's something that
4 we can do strategically. Because it's real simple to
5 me when I see it because -- when it comes forward
6 because the alternative is a substitute. So if we
7 don't -- if we sit here as a board and say no, we
8 don't approve, then we're saying just put a person, a
9 substitute in the classroom. I just -- you know, to
10 me, we've spent a lot of time going over this for two
11 years and knowing that this is -- we're going to say
12 no, you can't do it and then we'll have a substitute
13 in there. And, okay, we know that person is going to
14 get a check, you know, and they're helping, but
15 they're not -- I don't mean to say that negatively,
16 but they're not there to go through the mentoring and
17 the certification program that you have to do. So I
18 think we spend a lot of time discussing and I think,
19 you know, we have a responsibility as a board to do
20 that. But when you consider the alternatives --
21 these are the hard choices; not for me as a board
22 member, it's not. And I'll vote -- and unless there
23 is a better alternative, then I don't know the
24 discussion. But I do respect the profession, which I
25 went on the block and did that at Ouachita Baptist.

1 So I respect it, you know, and went through the whole
2 process, and admire it. But -- and when we have that
3 option to do that, we definitely want to do that.
4 But if you don't -- and we're saying, you know, it's
5 like a multiple choice test: (a) you want a teacher
6 that's (a) certified? Yes. (b) wanting to be
7 certified? Yes. Or (c) substitute. We want (a),
8 but if (a) is not possible we want (b). If (b) is
9 not possible, then we have to take what we have. But
10 right now we want you to do, I'm thinking as a board
11 member, (b) until you get (a). And so -- but we want
12 you to get (a). I want to make that -- I want to
13 make -- I want to be very, very clear about that with
14 this board. But I understand. I've recruited all
15 down in the Delta, Clarendon -- what he just said. I
16 remember some of the greatest running backs that we
17 signed out there and recruited. I've been all -- you
18 know, I got that. Go to church there. So I know
19 what you do. All right. But we want -- you know,
20 and we have to get, you know, innovative. You know,
21 we've got to -- we've got innovation everywhere else,
22 so, you know, we've got to start innovating in how
23 we're going to produce educators, you know, that want
24 to be there. I mean, what you're saying -- I mean,
25 and it's unfortunate of what has taken place. And,

1 you know, I'm just sitting here processing a lot of
2 things from today when we said -- when a school drops
3 below, we consolidate. But then -- I mean, there's a
4 lot of factors going on here that I'm processing in a
5 lot of different ways, that I'm learning as a, you
6 know, two-year -- I guess I'm a sophomore board
7 member now. Dr. Barth is a grad level board member.
8 You know, so I'm just listening.

9 So I feel your pain and I want everything you
10 do. But you know we want that standard -- but at the
11 same time, it's better than a substitute.

12 SUPT. JOHNSON: Thank you, Coach. You kind of
13 understand what I'm talking about. My preference
14 would be a licensed teacher.

15 DR. HILL: Yes.

16 SUPT. JOHNSON: But where I am now, I have some
17 ladies who can become that way. And I've never --
18 we've never done this before. This is our first time
19 asking for it. And, of course, we had assistance
20 from the ADE and they were telling me the way to keep
21 the young ladies -- because I know that, like I said
22 -- and we have been low and maybe distressed, and we
23 are now -- which I can't spell F. It doesn't
24 resonate with me, F. So I believe we can get out of
25 the F game. It's just the way we do it. We can do

1 it. We just need a little time.

2 CHAIRMAN BARTH: Yes.

3 MS. HAYDEN: I just would like to add that this
4 was not an easy decision that the district came to
5 because -- we actually have our school board
6 president here with us today. The district's past
7 superintendents had to come to the board to ask that
8 we do a waiver and our school board had voted it down
9 several times. This is the first year that they have
10 agreed to allow us to come and make a waiver. So it
11 was not an easy decision. So I would like for you to
12 consider that.

13 And as Commissioner Key mentioned about the 77
14 violations that we have, please understand that we
15 don't have 77 teachers who are not certified. Okay.
16 It would be like one teacher, because we have self-
17 contained classrooms -- and if they're teaching
18 science, social studies, literacy, you know, all
19 those different classes, then they're being hit every
20 -- with every class that they're teaching. And
21 they're this close -- I want you to remember how
22 close they are to being certified; they just need a
23 little more time to get that certification in. Okay.
24 So please consider that as you make your decision.

25 COMMISSIONER KEY: How many teachers do you have

1 total?

2 MS. HAYDEN: We have 51.

3 COMMISSIONER KEY: Okay. I thought that 74 was
4 probably more than your total number of faculty. So
5 thank you for clarifying that. I didn't mean to
6 imply that you had that many individual teachers that
7 were non-licensed.

8 MS. HAYDEN: Yes. It's only about six teachers
9 that's caused it.

10 COMMISSIONER KEY: Yeah. I was just talking
11 about the exceptions that were listed.

12 MS. HAYDEN: Yes.

13 COMMISSIONER KEY: So thank you for clarifying
14 that.

15 CHAIRMAN BARTH: Ms. --

16 DR. MOORE: Can I ask a clarifying question on
17 that --

18 CHAIRMAN BARTH: Oh, yeah.

19 DR. MOORE: -- since we're on the subject? How
20 many long-term subs do y'all have employed right now?

21 MS. HAYDEN: Long-term subs, I believe we have
22 actually the librarian at the high school and one at
23 the elementary school, and then the science teacher
24 also at the high school. But there have been some
25 other violations that have cropped up since then.

1 And we're starting a new semester and so we've gotten
2 hit with those since January -- I guess December
3 31st.

4 DR. MOORE: What have you-all done -- and you
5 spoke that in the past you haven't had an elementary
6 music or art teacher. What have you done in those
7 instances?

8 MS. HAYDEN: Well, we have subs in place, long-
9 term subs is what we have to do. And because we
10 didn't have the Act 1240 waiver we had to, you know,
11 make individual applications for those teachers and
12 that's how we got them. And then we actually had
13 Teach for America, and after they did their two years
14 they moved on.

15 DR. MOORE: Okay. Thank you.

16 And, Commissioner Key, I don't know if Dr.
17 Hernandez or Ms. Coffman wanted to elaborate on those
18 or could elaborate? I think I'm a little bit
19 confused about what that means.

20 COMMISSIONER KEY: For the exceptions?

21 DR. MOORE: Yes.

22 COMMISSIONER KEY: Yeah. Either Ms. Coffman or
23 Mr. Causbie can probably come help -- either one of
24 them help with that, or both. I'll leave it up to
25 them.

1 MS. ZOOK: While they're coming to the
2 microphone, may I ask -- the incentives that are
3 given to teach in a high-poverty area, do you have to
4 be licensed or on your way to licensing to get the
5 \$5,000 and \$10,000 financial incentives to teach
6 there?

7 COMMISSIONER KEY: I think Ms. Jacks can
8 probably come and --

9 CHAIRMAN BARTH: Ms. Jacks, do you want to come
10 on up?

11 COMMISSIONER KEY: She can prepare to answer
12 that question maybe while they're --

13 CHAIRMAN BARTH: Okay. Why don't we -- Ms.
14 Jacks, why don't we hold on you for a second. We'll
15 get this question answered, the initial question, but
16 we'll --

17 MS. JACKS: I believe so.

18 CHAIRMAN BARTH: Okay. We believe so.

19 MS. JACKS: I will check.

20 CHAIRMAN BARTH: We'll verify it. All right.

21 MS. Coffman.

22 MS. COFFMAN: All right. Debbie Coffman, Public
23 School Accountability.

24 Dr. Moore, will you ask your question again?

25 DR. MOORE: Yeah. I think I'm just confused as

1 to what that means, that they have the standards
2 violations for some of their teachers.

3 MS. COFFMAN: Okay. So in the rules for
4 Standards for Accreditation, if you recall in those
5 rules we outlined what the standards are for
6 accreditation. Our team has built a new system that
7 goes in and reads all of our data systems to insure
8 that those standards are being met to the best of our
9 ability, and then some we have to put eyes on or
10 hands on to make sure that it happens. In the
11 majority of those standards we can -- for instance,
12 teacher licensure, we run through our L-system to --
13 and our eSchool and eFinance systems to compare to
14 make sure that the teacher has a license that matches
15 the course code for that class. And so, as Ms.
16 Hayden explained, there may be multiple exceptions,
17 because a teacher that was not licensed to teach
18 social studies first period is not licensed to teach
19 social studies second period. And so it just -- the
20 system shows for each course if that teacher is
21 licensed, and so that's a set of kids every time.

22 DR. MOORE: That makes sense. And now is that
23 something where your division is going out to the
24 district to support them with that or how are these
25 -- how is that resolved?

1 MS. COFFMAN: So in Lee County's particular
2 situation, we were -- well, there's a couple of
3 things going on. You're going to on the next item
4 review school districts in the transition from the
5 old accountability system to the new Standards for
6 Accreditation system. So once you've reviewed that,
7 all the schools that are on that list, that data will
8 get put into this system -- and we expect that we'll
9 have many updates to our system. If you notice on
10 that list, Lee County is not on there. And so then
11 it would be determined today, based on this waiver,
12 if any of these would be cleared off, and then,
13 depending on how many remain, whether or not we would
14 go and provide support to them. Right now they're
15 not trending as one of the districts with the highest
16 need but they are on our high-risk list. And so we
17 already have them on our list to make visits and, as
18 Commissioner Key said previously, our Office of
19 Coordinated Support and Service are already in
20 collaboration with them.

21 COMMISSIONER KEY: And they're here if you want
22 to hear from Sheila or Dr. Hernandez, either one, to,
23 you know, what type of supports they are bringing.

24 I don't want the perception to be that the 1240
25 waivers is simply a way to clear the exceptions, and

1 I don't think our friends from Lee County are asking
2 that. But I do want y'all to have an understanding
3 of, when we have a situation like this, what are
4 these supports that are going out. These folks have
5 one set of supports that they're bringing. But then
6 the more intensive, you know, how do we solve this
7 problem long-term, Ms. Whitlow and Dr. Hernandez,
8 they're the ones that are out there trying to help
9 provide that.

10 So, you know, I don't want to extend the time on
11 the conversation. I think I know what y'all want to
12 do, but I do want y'all to understand the level of
13 support that we are putting into districts like this
14 that need this type of help.

15 DR. MOORE: Thank you.

16 CHAIRMAN BARTH: Ms. Newton?

17 MS. NEWTON: Just a couple more questions. I
18 know you're getting tired, but just a couple more.
19 Specifically, how many teachers at the elementary
20 school are with the -- under this waiver?

21 SUPT. JOHNSON: We have some that have been
22 basically two years maybe, like one girl is in APPEL.
23 Who else? But this -- at the elementary it's only
24 really the library. We have two people who have gone
25 through the APPEL program, but they're in year one,

1 two, whatever. So that's where this young lady is.
2 In fact, she's a very young girl.

3 MS. NEWTON: So other than --

4 SUPT. JOHNSON: About three. I'm going to say
5 three at the most.

6 MS. NEWTON: Other than the librarian, others
7 are going through the APPEL, and have they tried to
8 pass the Praxis?

9 SUPT. JOHNSON: These girls cannot go through
10 APPEL, they told me, because they could not do like a
11 reciprocity thing.

12 MS. NEWTON: Not the librarian; the others that
13 you're talking about.

14 SUPT. JOHNSON: It's a protocol. It's where you
15 go in and learn the strategies to take the test to
16 become -- licensure.

17 MS. NEWTON: So they are classroom teachers that
18 are doing this?

19 SUPT. JOHNSON: Yes.

20 MS. NEWTON: Okay. And you have --

21 SUPT. JOHNSON: Two, I believe.

22 MS. NEWTON: Two?

23 SUPT. JOHNSON: I know one is a math teacher in
24 the elementary. I can't remember anybody else. Ms.
25 Hayden would have to -- and she's talking, but anyway

1 --

2 Ms. Hayden, can you remember, besides -- because
3 I can't remember the names right now, the persons who
4 are in the program that need -- the novice teachers?
5 I just -- for elementary only?

6 I think it's four -- or three or four. They
7 just sent us the names. We're sorry. About three,
8 that's what I'm thinking. They sent us -- I'm sorry.
9 They sent us those names yesterday. They go to
10 training. They go to the co-op and they are trained.
11 Although they're not certified yet fully, they've got
12 a provisional to do that. And so then -- but they
13 are being trained as teachers.

14 MS. NEWTON: Okay. And then you have how many
15 long-term subs at the elementary? The art and music,
16 is that --

17 SUPT. JOHNSON: We don't have any anymore. The
18 art teacher -- I got a young man that's here, in
19 fact, but -- he went to school in Marianna, and so
20 he's -- he came back and he's staying there. In
21 fact, he's our basketball coach. So anyway -- and so
22 then we've got -- the music teacher was a retired
23 teacher who had worked there, but she came back.
24 She's getting a lifetime license.

25 MS. NEWTON: Okay. And then at high school

1 about how many teachers are going to be under the
2 waiver are you looking at?

3 SUPT. JOHNSON: One, I think.

4 MS. NEWTON: Just one?

5 SUPT. JOHNSON: One. Because the others are
6 Teach for America, so that means they already have a
7 provisional license.

8 MS. NEWTON: Yeah. And --

9 SUPT. JOHNSON: Yeah, just one, the science
10 teacher.

11 MS. NEWTON: Do you have any plans -- and you
12 talked about your math and your science. Just
13 because it -- you know, it's very difficult to -- you
14 stated yourself to learn that curriculum and to learn
15 it well and to get the skills that you know that you
16 need in those core classes virtually. I've been in
17 those virtual classrooms and it's very, very
18 difficult for -- there are some students that can do
19 it, but most kids need that teacher in the classroom.
20 And to me, you know, reading is important, math is
21 right up there with it, if you want -- you know, we
22 talked about the economic part of the county and
23 making sure that -- you know, you want to see
24 businesses come in and you want to see prosperity
25 with your community. And if those kids are not

1 getting those skills that they need in those classes,
2 that cycle is going to be really hard to break. And
3 so, you know, anything that you can do to get someone
4 in there that has that background -- I know if
5 there's nobody there, there's nobody there. But, you
6 know, it just breaks my heart to think about those
7 kids not having a teacher. You know, it just -- it
8 just -- you know, I don't know what to do. I wish I
9 had the answer, but I don't. I just wanted to
10 publicly say that, you know, I wish we had an answer.

11 SUPT. JOHNSON: There is only -- there are only
12 a few people getting out of college. But right now
13 we're going to -- we've already put down money to go
14 to UCA. They said they had aids or whatever that's
15 graduating now. We're going to go there and we'll be
16 some of the first people to come, because we've
17 already told them we need to be there. And Pine
18 Bluff is the same way; we're going to go there to
19 look for them. We do have a partnership with the ACC
20 and some of the upper courses can be taught by their
21 math person, because we have that. We are sending
22 children to try to become -- dual track, you know,
23 where they have an associate as well as the regular
24 diploma. We have I think it's two children who will
25 graduate this year with almost all of those college

1 hours, because they've gone there. So we are not
2 looking that way. In fact, I'm going to put up
3 something here -- excuse me, but I have a
4 granddaughter that does not go to school in this
5 state and she's in the 9th grade. She's taking all
6 AP. She's already taken geometry, 9th grade. So my
7 sight for the future, this is how our children can
8 compete with that. She's no more smarter than anyone
9 else. She made all A's. But anyway, that's the
10 grandma in me. But anyway, I want our children to
11 have this same opportunity --

12 MS. NEWTON: Me too.

13 SUPT. JOHNSON: -- so they can do it.

14 MS. NEWTON: Me too.

15 SUPT. JOHNSON: It's just they don't have it.
16 So thank you for -- but we're looking. I'm looking
17 every place I can to make sure that we can fill in.
18 And by having that partnership with EACC, because we
19 are probably the only county over there -- little
20 county with no education -- other higher education
21 system there. So we're looking at that, asking them
22 to let us use some of those people that we're
23 partnered with. They'll come down there and provide
24 this.

25 MS. NEWTON: Okay.

1 SUPT. JOHNSON: So we're doing that too -- yes,
2 ma'am -- especially for the higher level course in
3 math and science.

4 MS. NEWTON: Okay. Thank you.

5 CHAIRMAN BARTH: Ms. McFetridge?

6 MS. McFETRIDGE: Yes. I do have a question. I
7 can't help but notice your average class size is 13
8 and your student-to-teacher ratio is 8-to-1. Have
9 you ever considered combining classes to up your
10 average class size and kind of free-up teachers that
11 you may not have or you might need?

12 SUPT. JOHNSON: Well, we have, and -- but that
13 one and two and three and whatever, that's probably
14 not the way that should be. We're working on that --

15 MS. McFETRIDGE: Okay.

16 SUPT. JOHNSON: -- as far as student/teacher.

17 MS. McFETRIDGE: Well, I've seen it done.
18 Right.

19 SUPT. JOHNSON: Yeah.

20 MS. McFETRIDGE: In fact, my son was in a
21 three/four split and it worked very well. Of course,
22 it depends on an experienced teacher and being able
23 to handle that. I understand that. But it also
24 helps if you get into a bind where you don't have a
25 certified teacher.

1 SUPT. JOHNSON: Yeah. See, we actually don't
2 have one, so that's our problem there. We actually
3 do not. In fact, the young man is really an English
4 teacher, but he -- in another area because he applied
5 for it. So that's why math to me is one of the areas
6 that we are searching for, for sure, and we're going
7 to make certain we partner -- we are partnering with
8 EACC, 16 now, so they can -- we do that with the
9 career thing. They go there -- our children go up
10 there, as well as in the regular field. But we will
11 -- we are -- I didn't realize some of this. Okay.
12 So now I'm getting a full picture of what it is, and
13 I didn't know that.

14 CHAIRMAN BARTH: Thank you.

15 Ms. Coffman, do you have anything else before we
16 --

17 MS. COFFMAN: No.

18 CHAIRMAN BARTH: Okay. Are there any other
19 questions or comments on this item?

20 DR. MOORE: I do, actually.

21 CHAIRMAN BARTH: Yeah, Dr. Moore.

22 DR. MOORE: I think -- so this waiver for the
23 teacher licensure, in particular, is -- how many
24 years are you asking for?

25 SUPT. JOHNSON: Three years -- you know, one,

1 two, three -- because that's for those other people.
2 I think we can do a little bit better with the math.
3 I really do. And we are going to -- but, you know,
4 but the total had to be three years for the Library
5 Media Specialist.

6 CHAIRMAN BARTH: Okay. Is that -- so it's three
7 years for both waivers, both the Library --

8 SUPT. JOHNSON: Yes, sir. Yes, sir.

9 CHAIRMAN BARTH: -- and then the broader --

10 SUPT. JOHNSON: Uh-huh. Yeah.

11 CHAIRMAN BARTH: -- licensure waiver as well?

12 DR. MOORE: So if you had this waiver and you
13 were hiring next year, do you have or will you create
14 solid plans in place for those new teachers without a
15 license?

16 SUPT. JOHNSON: Yes.

17 DR. MOORE: What would that look like?

18 SUPT. JOHNSON: Well, it would look like --

19 CHAIRMAN BARTH: If you could come back to the
20 microphone, ma'am.

21 SUPT. JOHNSON: Oh, I'm sorry.

22 CHAIRMAN BARTH: I'm sorry.

23 SUPT. JOHNSON: It would look like the mentoring
24 piece, because we have people who can do that. It
25 would also look like the -- making sure they have the

1 correct staff development. Usually where we're
2 getting those people from, like I told you, was Teach
3 for America. But they already attend school before
4 they come there at Delta State in Mississippi.
5 That's every summer. And then they come. And we may
6 come here to continue that, all on Saturdays and
7 night, at their expense, not ours. And then, of
8 course, they come in and do whatever training we're
9 doing there, as well as the co-op is a partner too.
10 They provide that same kind of mentoring and training
11 with those people in the area. So we have a plan.
12 It's maybe not written out here today, but we have
13 steps that they do in order to be supportive and
14 hopefully help them stay there a year -- at least a
15 year.

16 DR. MOORE: Thank you.

17 CHAIRMAN BARTH: Great. All right. I think we
18 know the issue.

19 MS. ZOOK: Do we have an answer from Ms. Jacks?

20 CHAIRMAN BARTH: Oh.

21 MS. ZOOK: Did she answer while I was gone?

22 CHAIRMAN BARTH: She did not.

23 And the question here is -- it's been awhile,
24 but the question is whether the \$5,000 bonuses apply
25 to individuals on the path.

1 MS. JACKS: I believe you do have to have a
2 license in order to get that. Ms. Pfeffer is back in
3 the room -- and it comes out of --

4 CHAIRMAN BARTH: Yes.

5 MS. JACKS: -- that office, but she --

6 In order to get the \$5,000 bonus for high-
7 priority schools you have to be a licensed teacher?

8 DR. PFEFFER: (Nodding head up and down.)

9 CHAIRMAN BARTH: Great.

10 MS. ZOOK: That might be an incentive for them
11 to go ahead and finish their license, if they know --
12 if they're already in the district, they become
13 licensed, can they get the \$5,000?

14 MS. JACKS: Yes, ma'am.

15 MS. ZOOK: Okay. Well --

16 MS. JACKS: If they're licensed at the time --

17 MS. ZOOK: -- spread the word.

18 MS. JACKS: -- they're issuing those bonuses.

19 MS. ZOOK: Okay.

20 MS. JACKS: Yes.

21 CHAIRMAN BARTH: Okay.

22 Okay. We have two separate issues on this item.
23 We have the Library Media Specialist issue and then
24 we have the broader Teacher Licensure issue. Why
25 don't we take them one-by-one.

1 On the Teacher Licensure issue, again, a three-
2 year waiver request from the district, is there a
3 motion?

4 MS. DEAN: I move to approve the waiver.

5 MS. CHAMBERS: Second.

6 CHAIRMAN BARTH: Okay. On that issue there's a
7 motion by Ms. Dean, second by Ms. Chambers.

8 Is there discussion on that item?

9 Ms. McFetridge?

10 MS. McFETRIDGE: No, I'm good.

11 CHAIRMAN BARTH: Okay. All right.

12 All those in favor say "aye."

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRMAN BARTH: Opposed?

15 Okay. That is unanimous.

16 On the broader issue, Teacher Licensure issue,
17 again, a three-year waiver, is there a motion to
18 approve or not approve?

19 MS. DEAN: I move to approve.

20 DR. HILL: Second.

21 CHAIRMAN BARTH: All right. A motion by Ms.
22 Dean, second by Dr. Hill.

23 All those in favor say "aye."

24 (MAJORITY CHORUS OF AYES)

25 CHAIRMAN BARTH: Opposed?

1 DR. MOORE: No.

2 CHAIRMAN BARTH: Ms. -- Dr. Moore votes no on
3 the broader issue. Okay. So that's 7-to-1.

4 Okay. So thank y'all. Good luck. We know it
5 is a challenging work.

6 Dr. Boyd.

7 Do we need a --

8 MS. ZOOK: It's the last one.

9 CHAIRMAN BARTH: It's the last item. All right.
10 Okay. I know, we all -- we need a break but we'll be
11 all right.

12 d) STANDARDS FOR ACCREDITATION

13 CHAIRMAN BARTH: Dr. Boyd.

14 DR. BOYD: Thank you, Dr. Barth. Alexandra
15 Boyd, Public School Accountability.

16 So this is the transition for Standards for
17 Accreditation for Act 1240 waivers. Now that we have
18 the open-enrollment charters transferred for the
19 Standards for Accreditation we're starting to do Act
20 1240. So you'll see these maybe for the next two
21 months as we contact every single district that has a
22 waiver of Standards for Accreditation under Act 1240.

23 CHAIRMAN BARTH: Okay. Everybody clear? This
24 is similar to what we have done on charters, but now
25 --

1 DR. BOYD: Yes.

2 CHAIRMAN BARTH: -- of course the waivers that
3 are connected to charters.

4 DR. BOYD: So the vote is to approve or not
5 approve.

6 CHAIRMAN BARTH: Okay. Any questions or
7 comments to my left?

8 Okay. To my right?

9 COMMISSIONER KEY: I just want to brag on the
10 team. I know you're going to see more of these, but
11 we've cycled through the open-enrollment, we've
12 cycled through the conversions, now we're cycling
13 through the 1240s. I hope y'all can see the amount
14 of work that went into this. So these ladies and
15 gentlemen, you know, with Reginald coming onboard and
16 others that's supported and helped with this, I just
17 want to publicly say how much I appreciate the
18 dedication to getting this right, because it has been
19 -- at times it's been difficult. That's about the
20 only word I can use to describe it accurately. But
21 thank you.

22 DR. BOYD: Thank you. And I'd just like to
23 thank on record Alyse Mattox. I would not be who I
24 am without Elise and these things would not have
25 gotten done without her. So I just want to say thank

1 you. And thank you, Commissioner, for the
2 recognition.

3 CHAIRMAN BARTH: Okay.

4 Dr. Moore.

5 DR. MOORE: I do have a question. This doesn't
6 change the timeline for the expiration date of any of
7 the waivers?

8 DR. BOYD: No, ma'am, it does not.

9 DR. MOORE: Okay. Thank you.

10 CHAIRMAN BARTH: Ms. Zook.

11 MS. ZOOK: Mine is more of an expression of
12 concern than it is -- and I do appreciate all the
13 hard work. I understand that. But the charters have
14 been in effect long enough now that the waivers they
15 have they're either showing that these are good
16 waivers because the kids do better or they're showing
17 that they're not. And when a district uses a charter
18 as the one holding the waiver and that waiver -- that
19 charter that has the waiver maybe has a lower grade
20 or is not doing as well as they, I think that it
21 gives me pause as an educator to say -- I understand
22 the teacher licensure in the Delta. I get that. But
23 I think going forward, once we get through the
24 transition and all that, that those are things that
25 we really need to think about, like "hey, you've had

1 this waiver for X number of years" or they come up
2 for renewal and you're still a D or you're an F, and
3 really make them realize you're getting this waiver
4 to benefit kids; you're not getting this waiver to
5 make your life easier.

6 So I just wanted to express that as a concern
7 that I have. This isn't the early days of charters,
8 this isn't the early days of conversions, and this
9 isn't the early days, other than ESSA -- it's the
10 real early days. But that does bother me. I agree
11 that a lot of the things that we have may or may not
12 benefit kids. But at the same time, we're not
13 showing that it benefits them to not have them
14 either. So that's -- but I do appreciate the hard
15 work that's gone into it. I totally get it.

16 CHAIRMAN BARTH: I do want to pick up on
17 something because -- something else I was going to
18 say that's related; I mean -- and it goes back to Ms.
19 Blankenship's public comment last month, I guess,
20 about that we really are -- we need to be asking more
21 challenging questions related to the waivers. And
22 I'm -- you know, I tend to be a little more dubious
23 about waivers. But if they can be shown to really
24 have an impact on improved performance, then that's
25 great. But we don't have a system in place that --

1 for the 1240s the way that we do for the original
2 charter waivers. And I feel like we do need to -- of
3 course, we don't have rule-making authority now,
4 right, related to 1240s.

5 MS. ZOOK: Right.

6 CHAIRMAN BARTH: And if that is granted by the
7 Legislature -- and I certainly hope it is -- I hope
8 the Board will consider moving towards some kind of
9 systemization of thinking about not only the original
10 charter, whether it's actually paying off in terms of
11 that waiver, and then whether it still makes sense
12 for this other -- for this public school.

13 So I think you're right and I think we've got to
14 do something there to be sure, more confident.
15 Because I feel like we're still doing a lot of
16 throwing things at the wall in this area.

17 MS. ZOOK: But I think to Dr. Hill's earlier
18 point, we may want (a) but we don't want (c). So
19 sometimes (b), which winds up being the waiver on
20 Teacher Licensure -- you know, I think as a board we
21 have a fuller and deeper understanding of what's
22 going on and why the waivers and why they're
23 requesting them in the area of the state than maybe
24 on the outside looking in, for people who don't
25 actually have that responsibility might see. They

1 might just see that we're just willy-nilly making
2 decisions as opposed to the fact that -- I mean, if
3 you don't have these in Lee County, what are you
4 going to do? You know, because if you said, "Okay,
5 consolidate," then you have kids that are on the bus
6 an hour and 10, 20 minutes. And if they want to do
7 that to go to a charter school, that's the parents'
8 choice. But the ones who don't want to do that to go
9 to a charter, do we want to force them to have to
10 ride a bus just to get in front of a certified
11 teacher?

12 CHAIRMAN BARTH: Dr. Moore.

13 DR. MOORE: Just in looking at the list, I think
14 we all know that a lot of the renewals are going to
15 come up in 2020, 2021. If there is rule-making
16 authority, can there be maybe a better process for
17 getting their feedback and their evaluation of that
18 original waiver? I think we've all been pretty
19 disappointed in their responses on there.

20 MS. McLAUGHLIN: We are developing and -- we are
21 developing a process and we will be monitoring an
22 expiration process. So we will be building a
23 timeline and a team for that.

24 DR. MOORE: Okay.

25 MS. McLAUGHLIN: So as these waivers are

1 expiring we hope to get on that process for the
2 schools. Because we do have an extension form that
3 is relatively shorter than the actual waiver request
4 form. Something that I've noticed with some of the
5 co-ops that came through with that extension, it did
6 not go in as much detail as the original request. So
7 as always, any suggestions that any of you have for
8 adjustments or additions, as you've given me in the
9 past, I am happy to add that just so that we get that
10 better feedback moving forward.

11 MS. ZOOK: And also, thinking in terms of like
12 they're so busy having school that they may not be
13 aware that, say, the Southeast Co-op is working with
14 the school in Monticello to get the teachers out to
15 -- you know, in their final semester. And maybe
16 we'll say, "Hey, are you close enough to the college
17 that, you know, the person might want to do that,"
18 or, you know, just sharing with them the ideas of
19 what other people have done. And I'm sure you do.
20 But --

21 MS. McLAUGHLIN: Ms. Oaf has a team that will be
22 presenting at our summit this summer, so we are
23 always trying to provide avenues and we're also
24 working on webinars as well to provide that
25 information.

1 MS. ZOOK: Thank you.

2 CHAIRMAN BARTH: A final comment I wanted to
3 make on this -- it's a long time since we've seen
4 this long list -- and the number that are now tied to
5 virtuals is problematic to me, especially on issues
6 that really aren't -- it's a brick-and-mortar issue
7 versus a virtual issue. And I think virtuals are
8 being used sometimes as a way of bypassing some
9 issues that I think any brick-and-mortar school
10 should abide by. So that's another point, and I'll
11 stop. Soon you won't have to listen to me grouching
12 about waivers.

13 All right. Thank you again for your great work
14 on this.

15 And I will entertain a motion to approve this
16 list.

17 MS. NEWTON: Move to approve.

18 MS. CHAMBERS: Second.

19 MS. DEAN: Second.

20 CHAIRMAN BARTH: All right. Motion by Ms.
21 Newton, second by Ms. Dean.

22 All in favor say "aye."

23 (UNANIMOUS CHORUS OF AYES)

24 CHAIRMAN BARTH: Opposed, same sign.

25 Great.

1 MISCELLANEOUS BOARD MEMBER QUESTION

2 MS. ZOOK: Mr. Chairman --

3 CHAIRMAN BARTH: Yes.

4 MS. ZOOK: -- I have a question, and I don't
5 know if we need to adjourn before I ask it, because
6 it's not on the thing and it's not anything that's
7 going to result in a motion. But I -- since -- I
8 just don't know which way to handle my question.

9 CHAIRMAN BARTH: Go ahead and ask it and we'll
10 --

11 MS. ZOOK: Decide.

12 CHAIRMAN BARTH: -- we'll deal with it.

13 MS. ZOOK: Okay. As you well know, it made the
14 news and the paper about districts who are doing out-
15 of-school suspensions for kids that are truant. Now
16 I know that that is -- there's a law that says
17 they're not supposed to do that. What I don't know
18 is if there is authority within that law given to ADE
19 or who is -- you know, sometimes there's laws that
20 are passed that have teeth, as we call it, and
21 sometimes there are laws that are passed that have no
22 teeth. So if a school board and a superintendent are
23 not following that law, is there anything that this
24 board or ADE can do or should do about that? Or is
25 it just, well, here it is and maybe a word to the

1 wise from the local board and the local
2 superintendent would take care of it?

3 COMMISSIONER KEY: May I tackle that?

4 CHAIRMAN BARTH: You may.

5 COMMISSIONER KEY: Yeah. So there are no teeth.
6 That law is -- it just says shall not impose out-of-
7 school suspension for truancy. It does not make it
8 -- that law does not make it, as many of the laws do,
9 to say that it's a violation of Standards for
10 Accreditation or any other penalty. Which I didn't
11 watch the report, so I don't know, but I think I said
12 that in the course of the interview, which was about
13 a 45-minute interview that gets condensed --

14 MS. ZOOK: Right. Yes, I understand.

15 COMMISSIONER KEY: -- to a short period of time.
16 So I -- yeah, Kim says -- she was standing there, so
17 she can confirm, yeah, I did mention that.

18 But what we've also found out -- and Mr. Benton
19 has done some research on this -- is that a lot of
20 those 70 or so districts -- what we learned was they
21 were coding errors so that it may have appeared to be
22 truant -- out-of-school suspension for truancy, when
23 in reality either the offense or the discipline may
24 be -- may have been miscoded in some way.

25 MS. ZOOK: Right.

1 COMMISSIONER KEY: So what we have done to try
2 to -- you know, remember, this issue went back to
3 when Ms. Reith was here -- we issued communication
4 back then, two years ago, and then we followed up on
5 that. This past fall, as we were going to the School
6 Board's Association regional meetings we addressed it
7 very specifically with the school boards that were in
8 attendance. We believe that with the work that we
9 have done and reinforcement that we'll continue to do
10 that those occurrences and focusing on correct data
11 entry those incidences will be minimal to zero in the
12 future.

13 MS. ZOOK: Okay. Great. Thank you.

14 I just felt like when something is out in the
15 public that it only behooves us to address it
16 publicly.

17 CHAIRMAN BARTH: Yeah. And just on that note,
18 you know, we have our new rules of procedure. And
19 there is a new business section on tomorrow and that
20 would've been -- I think on items like this --

21 MS. ZOOK: I just wanted to bring it up.

22 CHAIRMAN BARTH: I think this -- it's great, but
23 that is kind of the time --

24 MS. ZOOK: Okay.

25 CHAIRMAN BARTH: -- that is set aside --

1 MS. ZOOK: Great.

2 CHAIRMAN BARTH: -- for exactly those kinds of
3 -- those issues that need to be discussed and may
4 need future action but aren't on the action agenda
5 for this meeting.

6 MS. ZOOK: Okay. Thank you --

7 CHAIRMAN BARTH: Sound good?

8 MS. ZOOK: -- Ms. Chair.

9 CHAIRMAN BARTH: All right.

10 ADJOURNMENT

11 CHAIRMAN BARTH: Is there a motion to adjourn?

12 MS. ZOOK: Please.

13 MR. WILLIAMSON: I'll second that.

14 CHAIRMAN BARTH: I'll take that as a motion.

15 Is there a second?

16 MS. DEAN: Second.

17 CHAIRMAN BARTH: All in favor say "aye."

18 (UNANIMOUS CHORUS OF AYES)

19 CHAIRMAN BARTH: Opposed, same sign.

20 Thank y'all for a good meeting. We'll see you
21 tomorrow.

22

23

24 (The meeting was concluded at 3:43 p.m.)

25

C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.
COUNTY OF SALINE)

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter and Notary Public before whom the foregoing proceedings was taken, do hereby certify that the same is a true and correct transcription before the Arkansas State Department of Education, State Board of Education, in Little Rock, Arkansas, on January 10, 2019, that the said proceedings was reduced to typewritten form by me or under my direction and supervision; and that the foregoing pages constitute a true and correct transcription of all proceedings had in said matter.

I FURTHER CERTIFY that I am neither counsel for, related to, nor employed by any of the parties to this action.

I FURTHER CERTIFY that I have no contract with any parties within this action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial agency, or that requires me to provide any service not made available to all parties to the action.

WITNESS, MY HAND AND SEAL, THIS DATE: January 20, 2019.

SHARON K. HILL, CCR
Certified Court Reporter
Certificate No. 670

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