

In The Matter Of:

*ARKANSAS DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
STATE BOARD OF EDUCATION*

*VOLUME 1
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ARKANSAS DIVISION OF
ELEMENTARY AND SECONDARY EDUCATION
STATE BOARD OF EDUCATION
DECEMBER 12, 2019
10:00 A.M.

VOLUME 1
AGENDA ITEMS A1-15, B1-7

A P P E A R A N C E S

BOARD MEMBERS:

MS. DIANE ZOOK, Chairman
MS. CHARISSE DEAN, Vice Chairman
MS. SUSAN CHAMBERS
MR. BRETT WILLIAMSON
MS. OUIDA NEWTON
DR. SARAH MOORE
MS. KATHY McFETRIDGE
MR. CHAD PEKRON
DR. FITZGERALD HILL (via telephone)

NON-VOTING BOARD MEMBERS:

MR. JOHNNY KEY, Secretary of Education
MS. STACEY McADOO, Arkansas Teacher of the Year

DESE LEGAL COUNSEL:

MS. LORI FRENO	General Counsel
MS. MARY CLAIRE HYATT	Attorney
MR. TAYLOR DUGAN	Attorney

LOCATION:

ARKANSAS DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
- Auditorium
#4 Capitol Mall
Little Rock, AR 72201

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and/or Supt. Mike Poore

P R O C E E D I N G S

CHAIRMAN ZOOK: I have a statement that I need to read as we start the action agenda. We'll read this this morning and then we will read it again this afternoon.

The Arkansas State Board of Education welcomes public comment. Public comment enables the State Board to learn the thoughts of the public and other education stakeholders. However, the public comment period is not a time to ask questions to the State Board, to single out a particular member or members for ridicule or harassment, or to disrupt the State Board's proceedings. Members of the public may not speak unless they are recognized by the Chair. If it becomes necessary to maintain order, individuals may be removed from the auditorium. In the event that the State Board is unable to conduct business due to disruption by the public the auditorium will be cleared of all persons, except ADE Division of Secondary and Elementary Education staff and members of the media. In the unlikely event that this becomes necessary the public may view the meeting via livestream from the lobby of the Arch Ford education building or in the overflow room down the hallway from the lobby.

1 Concerning agenda item Roman Numeral VII, B-9,
2 Little Rock School District Reconstitution, the
3 following procedure will be followed:

4 The State Board will discuss matters related to
5 this item which may include but are not limited to
6 the discussion points listed on the State Board
7 agenda. Following this discussion public comment
8 will be accepted. Individuals making public comment
9 may do so upon being recognized by the Chair. Each
10 commenter will be limited to three (3) minutes,
11 unless the Chair allows otherwise. Repetitive
12 presentations may be restricted by the Chair.

13 Following this opportunity for public comment
14 the State Board may take action concerning any of
15 these matters discussed.

16 A-1: RESOLUTION: ARKANSAS SCHOOL BOARD MEMBER MONTH

17 CHAIRMAN ZOOK: Okay. First item on the agenda
18 -- on the action agenda is Resolution by the Arkansas
19 School Boards Association.

20 That's you, Dan. We did get to you before you
21 had to leave.

22 They've got their State School Boards
23 Association meeting going on yesterday, today and
24 tomorrow.

25 MR. JORDAN: Yes, ma'am. Am I to read it or --

1 I'll read it. Thank you.

2 SECRETARY KEY: If you just -- if you want to
3 preface it any, Mr. Jordan --

4 MR. JORDAN: Well, I would just -- I would say
5 that, again, I'm here because our executive director
6 is at a family funeral. And we are very pleased that
7 the State Board recognizes the school board members,
8 the elected officials that aren't compensated to come
9 and actually be -- basically provide the service
10 because they care about schools and the public
11 schools and charter schools in our state. And we're
12 very pleased that you've chosen to recognize them.

13 And I'm pleased to represent ASBA to be here to
14 accept whatever you're about to share.

15 CHAIRMAN ZOOK: And we are pleased to have Ms.
16 McFetridge who was a local school board member for 27
17 years in the Springdale School District and I
18 understand she was recognized maybe a couple of times
19 by your organization as an outstanding member.

20 MR. JORDAN: Yes, ma'am, she was.

21 SECRETARY KEY: So just before I read the
22 resolution I would like to express appreciation of
23 the Division for the strength in partnership that
24 we've had over the last several years with ASBA.
25 This is the second year that we at the Division have

1 been invited to participate in the regional board
2 member meetings. And we have been able to
3 communicate a lot of information about the Every
4 Student Succeeds Act, the tools -- data tools that we
5 have, and appreciate -- really appreciate the
6 invitation and the willingness by the ASBA to let us
7 participate in those sessions.

8 Arkansas State Board of Education Resolution

9 WHEREAS, More than 478,000 students attend
10 public and charter schools in Arkansas; and

11 WHEREAS, The Arkansas State Board of Education
12 acknowledges the importance of public education and
13 its impact on our communities today and in the
14 future; and

15 WHEREAS, The Arkansas State Board of Education
16 recognizes the vital role of more than 1,500 elected
17 local school board members who establish the mission
18 and direction for their local school districts and
19 approve policies to guide their school systems; and

20 WHEREAS, School board members must make key
21 decisions regarding the curriculum, instruction,
22 finance and facilities of our public schools; and

23 WHEREAS, School board members employ and
24 evaluate the superintendent, who has the daily
25 responsibility for the operation of the school

1 district; and

2 WHEREAS, School board members must participate
3 in professional development every year in order to
4 enhance their knowledge and skills related to their
5 responsibilities;

6 NOW, THEREFORE, BE IT RESOLVED

7 That the Arkansas State Board of Education
8 recognizes and salutes the members of local boards of
9 education by proclaiming the month of January, 2020,
10 as Arkansas School Board Member Recognition Month.

11 CHAIRMAN ZOOK: Very good.

12 SECRETARY KEY: We need a motion to adopt.

13 CHAIRMAN ZOOK: Do I have a motion to adopt this
14 resolution?

15 MR. WILLIAMSON: So moved.

16 CHAIRMAN ZOOK: Okay. Moved by Mr. Williamson,
17 second by --

18 MR. PEKRON: Second.

19 CHAIRMAN ZOOK: -- Mr. Pekron.

20 All in favor?

21 (UNANIMOUS CHORUS OF AYES)

22 CHAIRMAN ZOOK: Opposed?

23 If you'll wait just a second, we'd like to get a
24 picture.

25 MR. JORDAN: Thank you.

1 (WHEREUPON, a photograph was taken.)

2 CHAIRMAN ZOOK: We deliberately changed so y'all
3 didn't have to all move, but you anticipated it.

4 That's all right. We did too. That's all right.

5 A-2: RECOGNITION - THE GILDER LEHRMAN INSTITUTE OF AMERICAN
6 HISTORY

7 CHAIRMAN ZOOK: Okay. Next we have the
8 recognition of the History Teacher of the Year and
9 Jessica Brown.

10 MS. STARKEY: Hi. I'm Melissa Starkey with
11 Learning Services and I'm excited to be able to
12 present this award today.

13 A little bit about it -- the Gilder Lehrman
14 Institute of American History is a nonprofit
15 organization whose primary goal is to improve history
16 education. Started in 2004, the History Teacher of
17 the Year award highlights the crucial importance of
18 history education by honoring exceptional American
19 History teachers from elementary school through high
20 school. The award honors one K-12 teacher from each
21 state, the District of Columbia, Department of
22 Defense schools, and U.S. territories.

23 This year's winner for Arkansas is Ms. Jessica
24 Brown. Jessica Brown has been a teacher at Parkers
25 Chapel High School for the past 13 years. She

1 currently teaches psychology, AP U.S. History, and AP
2 psychology. She recently participated in the
3 Arkansas Declaration of Learning Program through the
4 U.S. Department of State. The program places primary
5 source documents in the hands of teachers so that
6 they can create source-based lessons tied to a civic
7 engagement project. And as her student civic
8 engagement project her, they produced a documentary
9 on the Japanese Internment camps in Arkansas entitled
10 Forgetting Ourselves -- which if you would like to
11 see it I can send you a link to it. It's amazing.
12 You would love it. You should pass it on. It's
13 great. They've also taken on many civic engagement
14 projects around the school, such as the creation of a
15 future community garden and outdoor classroom for
16 their campus. In addition, she's also the director
17 of her high school's Makerspace, a lab where students
18 go to create projects for their classes using a
19 variety of techniques, such as 3D modeling and
20 printing, textile manufacture, graphic design, sewing
21 and embroidery, robotics, videography, and drone
22 piloting.

23 As an Arkansas Gilder Lehrman History Teacher of
24 the Year, Ms. Brown will receive a \$1,000 honorarium
25 and her school library will receive a core archive of

1 history books and educational materials from the
2 Gilder Lehrman Institute of American History. Ms.
3 Brown will also be invited to a 2020 Gilder Lehrman
4 teachers' seminar, a weeklong program which offers
5 teachers daily discussions with imminent historians,
6 visits to historic sites, and hands-on work with
7 primary sources in different locations across the
8 United States.

9 So I'd like to congratulate Ms. Brown and thank
10 her for her hard work and dedication to her students.

11 Do you want to say anything?

12 MS. BROWN: I just want to say thank you for the
13 support that this body has shown me and that Ms.
14 Starkey and her department, and Cassandra Barnett,
15 have shown me. And I love my students. So thank you
16 for this honor.

17 CHAIRMAN ZOOK: If you'll wait right there --

18 (WHEREUPON, a photograph was taken as Ms. Brown
19 was presented the award.)

20 A-3: RECOGNITION - SUPERINTENDENT OF THE YEAR, BENNY WESTON

21 CHAIRMAN ZOOK: Next we have recognition of the
22 Superintendent of the Year.

23 Oh, there you are, Dr. Abernathy. I knew I saw
24 you earlier. Good morning.

25 DR. ABERNATHY: Good morning. Thank you, Madam

1 Chair, Mr. Secretary, Members of the Board. Thank
2 you for letting us present this honor to one of our
3 superintendents, and it is certainly an honor to be
4 selected among his peers as the Superintendent of the
5 Year.

6 So, Benny Weston who's the superintendent of
7 Mena -- and actually he's been superintendent for
8 over 20 years. I'm not going to say he's old; I'm
9 just going to say he's a veteran superintendent in
10 the state of Arkansas. But this award is actually a
11 national award that is operated by the National AASA
12 which recognizes superintendents across the nation.
13 And it's based -- selected on leadership,
14 communication, community service, and then his
15 affiliation with his school leadership at the local
16 level. So Mr. Weston serves on several of our
17 committees. He actually serves on the Commissioner's
18 Advisory Committee as well, serves on the Triple-A
19 committee, serves as president of Rural Ed. So you
20 can obviously see he's very much involved and
21 engaged, which is what we need -- because, as you
22 mentioned earlier, what it's about -- what we saw
23 first of this meeting, it's about the kids.

24 CHAIRMAN ZOOK: Right.

25 DR. ABERNATHY: And when I think of

1 Superintendent of the Year I want those that put kids
2 first, and Benny Weston does.

3 So I would like to introduce to you the 2020
4 Arkansas Superintendent, Benny Weston, who will be
5 representing the state in the national conference in
6 San Diego in February. So please welcome Mr. Weston.

7 SUPT. WESTON: Thank you very much.

8 CHAIRMAN ZOOK: You're very welcome.

9 SUPT. WESTON: It was quite a surprise when it
10 was announced, and I had the opportunity to have my
11 family come and be present, and Richard and then
12 several other former Superintendents of the Year. It
13 was just quite an honor and I appreciate you for
14 recognizing that today. Thank you.

15 CHAIRMAN ZOOK: I think -- and I want to thank
16 you personally for -- I know how your district and
17 your board worked with the homeschool people in Mena
18 and -- to work with all of that. And I think that's
19 what it's all about for kids, collaboration.

20 SUPT. WESTON: Yes.

21 CHAIRMAN ZOOK: So thank you for that.

22 If you'll wait just a minute we'll make our way
23 down.

24 SECRETARY KEY: And just to say Mr. Weston --
25 Benny is just one of the steadiest hands at the helm

1 of a district that I've seen and been just a great
2 resource for me and for my team just to call on when
3 issues come up or -- so I couldn't think of a better
4 choice, Dr. Abernathy, for the organization to choose
5 this year. And best of -- best wishes for you as you
6 go on to the national. Maybe this will be the year
7 that Arkansas gets one again, so --

8 SUPT. WESTON: Thank you. You're awful kind.

9 (WHEREUPON, a photograph was taken.)

10 CHAIRMAN ZOOK: Now we have our --

11 Oh, these don't require votes, right -- these
12 that we're doing right now?

13 SECRETARY KEY: They're recognitions.

14 CHAIRMAN ZOOK: Okay. They're just
15 recognitions. Okay.

16 A-4: RECOGNITION - PRESIDENTIAL AWARD FOR EXCELLENCE IN
17 MATHEMATICS AND SCIENCE TEACHING (PAEMST)

18 CHAIRMAN ZOOK: Presidential Awards. And --
19 okay, there you are. I lost you for a minute.

20 MS. SNYDER: Good morning. Thank you for this
21 opportunity. Michelle Snyder. I am the Science
22 Program Coordinator in the STEM Curriculum Support
23 Division.

24 This is very exciting. This is actually
25 becoming an annual event for us to celebrate the

1 excellent STEM teachers in the state of Arkansas.
2 This award is the highest that we award to STEM
3 teachers here in Arkansas -- that is, a selection
4 committee of Arkansas educators. And then these
5 finalists go on to a separate national selection
6 committee coordinated by the National Science
7 Foundation and then our awardees are selected.

8 So I'd first like to acknowledge the four 2019
9 State Finalists:

10 Carrie Beach is the Science State Finalist and
11 she represents Bentonville School District.

12 Next, Mary Hatch is the other Science State
13 Finalist from Harrison School District.

14 Next are the two Math Finalists:

15 Kara Lenfestey is the Mathematics State Finalist
16 from Episcopal Collegiate.

17 And Melody Murray is the other Mathematics State
18 Finalist from Pocahontas School District.

19 All right. Thank you. Thank you so much.

20 CHAIRMAN ZOOK: If any of you would like to say
21 something that would be great. If not, we would like
22 to get a picture with you, if that's okay.

23 MS. SNYDER: Okay.

24 CHAIRMAN ZOOK: We're going to do two, okay.

25 MS. SNYDER: So we'll come back for pictures at

1 the end. How about that?

2 Okay. Our next two Arkansas teachers were
3 selected by the White House and honored in October
4 for the 2017 National Awardees:

5 Corey Boby was the Mathematics National Awardee
6 and he represented Benton School District at the time
7 of his award.

8 The Science National Awardee for 2017 is Tiffany
9 Taylor. She represents Rogers School District.

10 Thank you.

11 CHAIRMAN ZOOK: We'll bring you back up in just
12 a minute.

13 MS. SNYDER: We'll bring you back up in a
14 minute. Okay.

15 CHAIRMAN ZOOK: We would not want to take a
16 chance on not taking the picture of you all.

17 MS. SNYDER: Thank you.

18 The two 2018 national awardees:

19 Anna Shaw was the Mathematics National Awardee
20 representing Springdale School District.

21 And Cheri DeSoto is the Science National Awardee
22 representing Fayetteville School District.

23 All right. Thank you.

24 CHAIRMAN ZOOK: We'll test Kevin's skills on how
25 many people he can get in the picture.

1 (WHEREUPON, a photograph was taken of awardees.)

2 CHAIRMAN ZOOK: Thank y'all.

3 Who knew that being Board Chair would be an
4 aerobic exercise.

5 MS. SNYDER: I also want to thank you again.

6 And if you know an excellent STEM teacher -- this is
7 a current K-6 cycle -- nominate that teacher for the
8 Presidential Award. Thank you.

9 CHAIRMAN ZOOK: All right. Great.

10 A-5: STATE BOARD REVIEW OF PLSB 18-128 EVIDENTIARY HEARING
11 RECOMMENDATION - SUNNY ELIZABETH MILLER

12 CHAIRMAN ZOOK: Now, next is the Taylor Dugan
13 show.

14 Ms. Freno.

15 MS. FRENO: Thank you, Ms. Zook. Lori Freno,
16 Division of Elementary and Secondary Education.

17 This is an appeal of an Ethics Hearing
18 Subcommittee's recommendation that Sunny Miller's
19 educator's license be suspended for two years. Ms.
20 Miller is here sitting in the front row, as well as
21 her attorney Jeff Rosenzweig. If I -- and Taylor
22 Dugan will be representing the Professional Licensure
23 Standards Board.

24 And if I may, I'll go over the procedures at
25 this time.

1 CHAIRMAN ZOOK: Please.

2 MS. FRENO: First, Ms. Miller --

3 SECRETARY KEY: Ms. Freno --

4 MS. FRENO: Yes.

5 SECRETARY KEY: -- pull that microphone up just
6 a little bit.

7 MS. FRENO: Oh, I'm sorry.

8 SECRETARY KEY: It's tilted down a little bit
9 too much.

10 MS. FRENO: I'm usually pretty good at that; I'm
11 kind of a showboat.

12 CHAIRMAN ZOOK: That's okay.

13 MS. FRENO: First, Ms. Miller will take a --
14 will have an opportunity to make a statement of up to
15 10 minutes, and then Mr. Dugan will likewise have 10
16 minutes. The Chair at her discretion can give more
17 time if she deems appropriate. The Board may ask
18 questions at any time during the proceedings to the
19 Educator, the attorneys, or to the PLSB
20 investigators. Testimony of non-lawyers must be
21 under oath.

22 Following the hearing the State Board will have
23 to make three decisions. And the first will be
24 making Findings of Fact, and what that means is that
25 you will need to determine whether you agree with the

1 Ethics Subcommittee's decision concerning the facts
2 of this case. Second, if you agree with the
3 underlying facts your next -- you'll next need to
4 determine whether based upon those facts Ms. Miller
5 violated Standards 1, 2, or 4, or any combination
6 thereof, of the Code of Ethics for Arkansas
7 Educators. And, third, if you find that there was a
8 violation then you will decide whether you agree with
9 the sanction that was imposed by the Professional
10 Licensure Standards Board, which again was a two-year
11 suspension of her teaching license. If you do not
12 agree with the decision, you may modify it. And as
13 you're going through these questions it's best if you
14 do this in three separate motions -- one for Findings
15 of Fact, one for Conclusion of Law, and one for
16 sanctions.

17 And unless you have any questions, I'll turn the
18 floor over at this point to Mr. Rosenzweig who is Ms.
19 Miller's attorney.

20 CHAIRMAN ZOOK: Okay. Will your client be
21 testifying?

22 MR. ROSENZWEIG: Yes.

23 CHAIRMAN ZOOK: Okay. Would you please stand
24 and raise your right hand? Do you swear or affirm
25 that the testimony you're about to give shall be the

1 truth, the whole truth and nothing but the truth?

2 MS. MILLER: I do.

3 CHAIRMAN ZOOK: Thank you. You may proceed.

4 MR. ROSENZWEIG: Members of the Board, I'm Jeff
5 Rosenzweig; I'm a lawyer here in Little Rock and I
6 represent Sunny Miller who is going to testify in a
7 minute.

8 In summary, we're going to ask the Board to
9 significantly modify or dismiss the proposed
10 sanction, or it would be also proper for the Board to
11 remand it back to the Committee for another hearing
12 with proper definitions.

13 If you have had a chance to read the materials,
14 you will find that the allegations are of
15 inappropriate music, inappropriate this,
16 inappropriate that. And we asked -- repeatedly asked
17 the Department, asked the board to define what they
18 meant by inappropriate, which can run the gamut of
19 anything from bad table manners to a crime, and they
20 explicitly refused to identify -- to assign any sort
21 of definition to it. We don't know what they thought
22 inappropriate was. We don't know if they all
23 assigned individual definitions to it. My friend Mr.
24 Dugan -- and he is a friend -- came up with a
25 definition which is -- if I can use the term

1 inappropriate, which is "I know it when I see it,"
2 which is a term from a concurring opinion of Justice
3 Stewart with regard to pornography a number of years
4 ago, and it is simply -- it is simply not an adequate
5 definition. And so we would be fine with the Board
6 remanding it back for a hearing with a definition or
7 instructing them to come up with a definition so that
8 we could know exactly what it is that she is accused
9 of.

10 In the hearing they adopted -- appeared to adopt
11 -- said they adopted certain, quote, findings from
12 the -- that had been previously in writing. And I
13 point out in my brief that with regard to those
14 findings they were merely a recitation that someone
15 said this, someone said that, not necessarily a
16 finding that it was true. But if we're going to deal
17 with the merits of this thing -- and Ms. Miller will
18 deal extensively in her testimony here that she had
19 -- what she was faced with was a very difficult,
20 hard-to-reach population. She was a teacher at the
21 alternative school in Hot Springs with a population
22 full of professed gang members, full of people who
23 were on release from DYS, all of whom had had serious
24 disciplinary problems. She was trying to reach them;
25 she was trying to be more than a babysitter or be

1 more than a security guard. And, consequently,
2 because of those things she thought at all times that
3 she was doing the right thing in attempting to reach
4 this particular population. And, for instance, she
5 thought that maybe they would listen to music that
6 was more of their -- the genre that they liked, but
7 she wanted to avoid inappropriate words or curse
8 words, that type of thing. And so if something --
9 she looked for the clean version and if something
10 sounded bad she moved on to the next thing and shut
11 it off. And this actually was established in the
12 hearing that there were eight songs played in a two-
13 minute period.

14 Some of the allegations are simply false and she
15 just disputes them entirely of anything involving
16 touching. They had to wand the students with metal
17 detectors to get into the school. That's obviously a
18 situation different from a lot of other schools. She
19 explicitly denies doing anything wrong in that
20 regard.

21 With the use of the word "chocolate," she did
22 not use that term. The term was used in her presence
23 and at that time she just sort of nodded along.

24 I believe you have received a number of
25 character letters, and I have copies here if the

1 Board would like to see them. I believe -- I
2 understand Mr. Dugan did forward them to you, but --

3 And I'm going to turn this over to Ms. Miller
4 and she will explain herself and answer any questions
5 that you have.

6 MS. MILLER: Good morning.

7 CHAIRMAN ZOOK: You may want to pull it closer
8 and say your name.

9 MS. MILLER: Good morning. I'm Sunny Miller.
10 I'm a nervous wreck. I've been a teacher for over 10
11 years and I've always worked with a difficult
12 population. I've never been accused of anything like
13 this before. And this happened two years ago; I have
14 since been teaching.

15 Some of the accusations are completely false;
16 some of them are -- have some truth that snowballed
17 into something else when the kids heard it or thought
18 that it was going to placate them not getting into
19 trouble. The situation arose when three kids were
20 about to get suspended for some behavior that week,
21 and they got together and kind of came up with a list
22 of things they thought would get them out of trouble
23 and get me into trouble. Those kids have been
24 interviewed, and the one that said that I touched him
25 inappropriately when I was wandering him in -- when he

1 was interviewed said, "No, that didn't happen. I've
2 never been touched by her. She's never
3 inappropriately touched me." We have cameras all in
4 the school. And my principal at the time went back
5 and reviewed the cameras and then stated later that
6 he never found anything on a camera that indicated
7 that I touched any of these kids or did anything
8 wrong.

9 The reference to me talking about my dating life
10 and using the word chocolate, referring to African
11 American males, was brought up by another student.
12 They were -- it was right at the end of the bell and
13 they were discussing their preferences in dating, and
14 they were talking about a particular young man that
15 was African American. They said, "Ms. Miller, do you
16 think he's cute?" And I said, "Yeah, I guess. He's
17 a good looking guy, I guess." And like, "Oh, Miss --
18 have you ever dated a black guy before?" I said,
19 "I've dated several different types of people, sure."
20 And they just took that on and said, "Oh, Ms. Miller,
21 you like you some chocolate," and then just
22 snowballed from there. And the class was dismissed
23 right at that moment and they went out into the
24 common area, and I was out there, and they were
25 talking to the other group of kids, talking about

1 that. And I'm like, "That's not what I said, but,
2 you know, I do date other people" -- I did at the
3 time. I was married then.

4 The part about playing the music, these kids
5 come from a background that most of us -- I don't
6 know your backgrounds, so I'm not going to assume.
7 But these kids came from various different
8 backgrounds. And they would -- we were a computer-
9 based school and they were not allowed to get on the
10 computers and listen to music, and so they would
11 request that I would play it; they would request
12 these songs. I don't know who half of these people
13 were that they would request, and so I would type it
14 into You Tube. They couldn't see the videos. I had
15 no idea what I was fixing to listen to. I'd type in
16 the song, type in the clean version, and, you know,
17 if a song came on and I'm like, "Okay, that's too
18 much," I would click onto another one. "Oh, will you
19 play this?" I was kind of like taking song requests
20 to get them going so they could study. And like he
21 said, you can see within the thing, within like just
22 a couple of minutes I'd play like eight songs because
23 I was like "that's not okay, that's not okay, that's
24 not okay."

25 I have never even had a write-up before this

1 incident, and I haven't had one since. I'm a good
2 teacher. I love my students. I'm a mother of four,
3 and I've never done anything in the classroom that I
4 wouldn't want my own children's teachers not to do.
5 I think that me losing my license would be a
6 disservice to me and to my students now. I teach at
7 Dunbar and I'm the ESL Coordinator there and I teach
8 special populations in math and science, and I love
9 my kids. And each one of the kids that have said
10 something against me in this case I have seen just
11 out and about. They have all hugged my neck. They
12 have no idea that what they had said or done has come
13 to this. They've all asked me how I'm doing. We've
14 talked about their future, and I've never said
15 anything about, you know, what's going on now. I
16 think they were just kids that were confused and
17 wanted to get out of trouble -- and then, here I am
18 today.

19 CHAIRMAN ZOOK: Are you currently teaching?

20 MS. MILLER: Yes, ma'am.

21 [TIMER BELL RINGS]

22 MS. MILLER: I'm a teacher at Dunbar.

23 CHAIRMAN ZOOK: At Dunbar still?

24 MS. MILLER: Yes, ma'am. And I'm the ESL
25 Coordinator there.

1 CHAIRMAN ZOOK: Right.

2 MS. MILLER: I'm the math and science teacher
3 there also. And last year I taught at Joe T.
4 Robinson; I was a 7th grade pre-AP math teacher
5 there.

6 CHAIRMAN ZOOK: Okay.

7 MR. PEKRON: Ms. Miller, have you learned
8 anything from this and how you -- and changed how
9 you've dealt with your students?

10 MS. MILLER: Yeah, I have. You know, it's sad
11 --

12 (MOMENT OF SILENCE; MS. MILLER BEGINS TO CRY)

13 CHAIRMAN ZOOK: Do we have any Kleenex?

14 MS. MILLER: I definitely -- thank you. I play
15 no classroom music at all, even holiday music. But I
16 will tell you that it's sad, because as a teacher and
17 as a mother, you know, when you see a child suffering
18 or you see a child having a hard time or you want to
19 encourage them the first thing you want to do is go
20 over and like pat them on the back, give them a hug,
21 reassure them it's going to be okay, high-five them.
22 In the past year-and-a-half I have had to really like
23 stand off and almost be like aloof when it comes to
24 showing any kind of physical emotion towards my --
25 you know, physical touch towards my students because

1 I don't ever want anybody to take anything wrong, you
2 know. And, you know, the connections that I've made
3 I have corrected. I don't work in the ALE population
4 anymore; I work in the general population, I guess is
5 what you'd call it.

6 CHAIRMAN ZOOK: Does anyone else have a
7 question?

8 Mr. Dugan.

9 We may call you back up.

10 MS. MILLER: Okay. Thank you.

11 MR. DUGAN: And for the record Mr. Rosenzweig is
12 my friend too. And he did provide some letters of
13 recommendation that I had provided to the Board; I
14 provided four letters. But I know Mr. Rosenzweig had
15 more than four, so I know he brought copies of them
16 today because I was out of town the past two days and
17 so was not able to have access to the secure server
18 to send those to y'all. But I did send those four,
19 but there are more for the Board, if Rosenzweig
20 wouldn't mind passing those out.

21 (WHEREUPON, Educator's Exhibit One (1) was
22 marked for identification and entered into evidence.)

23 MR. DUGAN: And Taylor Dugan, attorney for the
24 Professional Licensure Standards Board probably for
25 about another month.

1 So in this case I am asking the Board not to
2 dismiss it, not to remand it back to the PLSB. I
3 think some finality would be good for everyone
4 involved -- the PLSB and the Educator. I know some
5 of the reasons that Mr. Rosenzweig cited in the brief
6 was that there was no ALJ, Administrative Law Judge,
7 over the hearing, but our rules do not require that
8 to be something that has to be done in order to have
9 the hearing.

10 So Mr. Rosenzweig did ask the Evidentiary
11 Hearing Panel to define the term "inappropriate," and
12 I did say "it is what it is;" you know, it's hard to
13 define. But what we had here in this case was we had
14 five educators that were serving on the Panel that
15 heard the case, and so I would say that five
16 educators hearing the case are in a better place to
17 determine what is inappropriate.

18 And so just to go through, since the Board
19 today, if they do determine that there was an ethics
20 violation, from reading the record, what are those
21 Findings of Fact going to be. And so as I pointed
22 out in the PLSB's brief, I tied some facts from the
23 transcript that were actual witness testimony, direct
24 evidence, that there was what could be argued as
25 inappropriate music, inappropriate photos, and also

1 inappropriate comments. I will concede the fact that
2 there was not any direct evidence as far as
3 inappropriate touching of students; it was all
4 hearsay evidence. Even though hearsay evidence is
5 admissible in an administrative proceeding, I did not
6 have an actual witness that testified that they saw
7 it themselves or were subject to it. However, so
8 going through the first -- because one of the
9 allegations -- the Findings of Fact from the lower
10 panel is that Ms. Miller here made inappropriate
11 comments. And so if you look on page -- what would
12 be 21 of the Board's review packet -- like I said,
13 this is just some things that I put in here -- Mr.
14 Warden, who was her supervisor at the time, met with
15 her to discuss these things, and his actual notes in
16 the little signature page from Ms. Miller is on page
17 416 and page 417. So I would ask the Board to look
18 at that because you can look at that as an admission
19 by a party opponent. Mr. Warden was at the hearing,
20 he testified, and stated that he went through some of
21 these allegations with her, and that she stated yes
22 or no to certain things.

23 So, Educator made inappropriate comments --
24 testimony of Mr. Warden.

25 On the second note -- I remembered this one

1 because it was -- I didn't understand it at first,
2 but the accusation was that she had told the students
3 that she had liked dark chocolate. She denied this,
4 and she said that she had talked about dating black
5 guys, was the exact quote, and that she did like
6 black men, and that she never used those words that
7 she liked dark chocolate. "And so" -- and I asked,
8 "And so did she -- after you talked with her about
9 these things did you show her the document of your
10 notes?" "Yes, sir. I read the document back to her
11 and asked her if it was accurate. She said it was
12 accurate. I wanted to double-check it because I had
13 not dealt with a situation like this before; so I
14 asked her to please read over it and if it were
15 accurate words to please sign it." And so then I
16 later asked, "So she admitted to profanity in the
17 music?" "She -- yes. Yes, sir." "She admitted to
18 her preferences as far as men go; correct?" "Yes."
19 There was no evidence from the hearing that she used
20 the term "dark chocolate," but there was evidence
21 from the hearing of her talking about her dating
22 preferences with the students.

23 Going to the allegation of Educator played
24 inappropriate music -- just even the testimony today
25 from Ms. Miller that she would play these songs for

1 the students and that that was blocked on the
2 computer, I would argue that that right there --
3 you're having -- you're playing music on your
4 computer -- school computer there that is blocked for
5 students. So I think that would fall into the
6 allegation that she played inappropriate music.

7 The testimony of Ms. Stratton at the hearing
8 was, "And from the cusswords" -- so I asked, "And
9 from the cusswords that you heard -- because there's
10 been a lot of discussion on what exactly is a
11 cussword" -- because also in this hearing from
12 reading the transcript you saw we had to argue what
13 exactly is a cussword -- "did you ever hear the 'f'
14 word --" "Yes." "-- in the songs? And if -- and I
15 know this is a tough thing to say, and especially in
16 a setting like this -- could you tell the Panel in
17 your own words what you would consider that you heard
18 those words to be that were cusswords? For example,
19 the 'a' word." "Yeah, there was the 'f' word, 'd'
20 word, 'a' word, and 'b' word I think was one of them
21 too." And so I would argue that those were some of
22 the music that were played, so that would fall under
23 "played inappropriate music." Again, a lot of this
24 hearing went back on the definition of
25 "inappropriate." I think five educators can look at

1 that and say, "Hey, this is inappropriate music to
2 play in an educational setting." And I recognize Ms.
3 Miller taught in an ALE environment -- and I never
4 was a full-time ALE teacher but did go into those
5 classrooms in the six years that I taught and always
6 took a different approach to trying to build those
7 relationships, instead of, you know, playing that
8 music.

9 Like I said, Educator inappropriately touched
10 student -- there was no evidence at the hearing that
11 -- or direct evidence at the hearing that Ms. Miller
12 engaged in any of that conduct. It was one-hundred
13 percent hearsay evidence. Ms. Stratton testified
14 that students had talked to her about it but, like I
15 said, we did not have any students there to testify
16 to that.

17 And then, finally, Educator showed inappropriate
18 photos to the students. I don't believe I heard Ms.
19 Miller or Mr. Rosenzweig address that, but I'll just
20 read through the testimony of Mr. Jeff Warden. The
21 fourth one, going again off the list that he had when
22 he met with Ms. Miller to talk about the allegations
23 -- the fourth one -- one of the accusations was that
24 she was showing the students pictures on Facebook of
25 a friend in a bikini that had some breast

1 augmentation. And she said that the students asked
2 if the boobs were real, and she said she didn't think
3 so and redirected them. I believe in the accusations
4 she also told me, "And I remember that it was not a
5 bikini; it was in workout clothes." And I think it
6 says she -- she said that she had showed them the
7 picture and was talking about how that was the reason
8 she was working out was because they were going to
9 the beach and that she had to keep up with her. She
10 said that she did not initiate the conversation about
11 being fit or not. And then I asked, "And so did she
12 -- after you talked to her about these things did you
13 show her the document of your notes?" "Yes, sir. I
14 read the document back to her and asked her if it was
15 accurate. She said it was accurate. I wanted to
16 double-check it because I had not dealt with a
17 situation like this before." So, again, right there,
18 that's direct evidence, an admission by a party
19 opponent. And then also the testimony of the
20 Educator, "I pull it up on my phone, and it was just
21 this little thumbnail picture on Facebook on her
22 page. And it's my friend doing this." Court
23 Reporter's note: The witness is flexing her right
24 arm. "She has a sports bra on." "Wait. For the
25 record you're like flexing?" "Flexing --" "Okay."

1 "-- my guns. And she has a sports bra on and she's
2 got those high-waisted exercise shorts on. It's a
3 side profile. And they're like, 'Oh, wow, she looks
4 really good.' Well, by then the boys have gotten
5 interested in what we were talking about, and they're
6 like, 'Do you have any more pictures?' I said, 'I
7 don't know.' So I swiped, and as soon as I swiped
8 there was a picture of her in a bikini. I'm like,
9 'Okay,' and I turned the phone real quick, because I
10 had no idea what it was, you know."

11 So going off of this, again, Educator,
12 inappropriate comments, that goes to what -- her
13 talking about dating preferences and men. So if
14 y'all look at the transcript and determine that that
15 was inappropriate -- this board thinks it's
16 inappropriate, I would say that violates Standards 1
17 and 2. If this board looks -- was that the sound --
18 is that I'm low on time, that shaking?

19 SECRETARY KEY: Two minutes.

20 MR. DUGAN: Okay. Two minutes. Thank you.
21 Thank you, Secretary.

22 And then, secondly, the comment where Educator
23 played inappropriate music, I think that it was very
24 well established at the hearing that there was
25 cusswords in this music, and what I think most

1 reasonable people would determine to be cusswords.
2 So I would think that would fall under Standards 1
3 and 2 of the Code of Ethics.

4 And then, finally, showed inappropriate photos
5 to students -- just like I read to the Board here
6 that was testimony from the actual hearing, from the
7 Educator herself and from her supervisor who
8 discussed these allegations with her.

9 So I would argue that that's as an admission by
10 a party opponent being direct evidence of
11 inappropriate comments, inappropriate pictures, and,
12 finally, inappropriate pictures, photos, comments and
13 music.

14 And then, finally, Educator misused school
15 computer -- we just even heard today that when it was
16 blocked on the students' computers she would pull
17 these up on her own computer. So I would argue that
18 in best judgment is -- if it's blocked on a student's
19 computer you should probably not be looking it up on
20 your computer.

21 So I would ask that this board not dismiss the
22 allegations, not remand it back to the PLSB for
23 another hearing. If the Board is leaning towards
24 dismissing it, I would say that instead of remanding
25 it back down for another hearing.

1 And then, third, I think that, you know, these
2 five educators were able to determine what the word
3 "inappropriate" is and that this board itself does
4 not have to define something that's not in rule or
5 law, and that the Evidentiary Hearing Panel didn't
6 have to either. Thank you.

7 CHAIRMAN ZOOK: Thank you.

8 Let's start down here. Ms. McAdoo?

9 MS. McADOO: (Shaking head from side to side.)

10 CHAIRMAN ZOOK: Dr. Moore?

11 DR. MOORE: Yes. So the recommended training
12 that was -- has that been undergone yet, or that
13 would be after this point?

14 MR. DUGAN: Not to my understanding, because
15 there has not been a final order on this action. But
16 there are sometimes Educators that kind of get a run
17 on it. But to my understanding, no.

18 Has Ms. Miller started the training?

19 MS. MILLER: No, I haven't.

20 MR. DUGAN: No, Ms. Moore.

21 DR. MOORE: Thank you.

22 MR. DUGAN: Dr. Moore; excuse me.

23 CHAIRMAN ZOOK: Mr. Williamson?

24 MR. WILLIAMSON: No, ma'am.

25 CHAIRMAN ZOOK: Ms. McFetridge?

1 MS. McFETRIDGE: No, ma'am. Thank you.

2 CHAIRMAN ZOOK: Ms. Dean? Ms. Chambers? Ms.
3 Newton? Mr. Pekron?

4 MR. PEKRON: Mr. Dugan, I think I read somewhere
5 in here that, you know, despite all this stuff that
6 you've read from Mr. Warden that overall he
7 complimented the Educator and said that she'd done a
8 very good job; is that correct?

9 MR. DUGAN: That's correct, Mr. Pekron. Both
10 Ms. Stratton, who was our other witness for the PLSB,
11 and Mr. Warden said yes, they thought that she was a
12 good educator. They even said it was difficult
13 coming and having to testify.

14 CHAIRMAN ZOOK: Dr. Hill?

15 DR. HILL: No, ma'am.

16 CHAIRMAN ZOOK: Okay.

17 MR. DUGAN: All right. Thank you.

18 CHAIRMAN ZOOK: Okay. Thank you.

19 Do any of y'all have any questions further with
20 -- for the teacher, her attorney, or Mr. Dugan?

21 MR. PEKRON: Yes.

22 CHAIRMAN ZOOK: Mr. Pekron.

23 MR. PEKRON: Mr. Dugan is correct that I --

24 (COURT REPORTER'S NOTE: Mr. Dugan returns to
25 the podium.)

1 MR. PEKRON: No, it's for them.

2 I think Mr. Dugan is correct that we didn't hear
3 anything from your side about the photographs. Could
4 you just address that briefly?

5 MR. ROSENZWEIG: Yes, sir. Ms. Miller is the
6 person to address that.

7 MR. PEKRON: Sure.

8 MS. MILLER: The whole situation started with --
9 once again, we have kind of lax time in between the
10 class periods, because I was the only teacher and
11 they would rotate to their counselors and group
12 sessions and counseling, stuff like that. So we were
13 kind of having about a 5-minute downtime. I had two
14 students that were mothers in my classroom and they
15 were talking about getting their physique back after
16 having children -- and being a mother of four, we
17 discussed, you know, going out and working out. And
18 they were just like, "I'm not motivated." And I
19 said, "Well, this year I'm being motivated because
20 I'm going on an all-girls trip to the beach with one
21 of my girlfriends and she works out a lot, and I'm --
22 you know, I'm going to be with her." And they were
23 like, "Oh, okay." And I was like -- well, I mean I
24 showed them a picture, and I was like, "Isn't she in
25 great shape? She's, you know, in her forties, like I

1 am." And they were like, "Yeah, she's in great
2 shape," and she had on workout attire on her little
3 Facebook picture I was showing them on my phone.
4 Well, of course, there's 15-year old boys sitting
5 right behind me when I'm talking to these girls about
6 this, and one of the boys says, "Is there any more
7 pictures?" I had no idea -- because you couldn't
8 really see my friend's face; so I just kind of
9 swiped, like we do when we show pictures, and her
10 next picture was her in a bathing suit. And, of
11 course, the boys, 15-year old boys, all they see is
12 boobs; and so they start "oh." "Okay, I'm sorry,
13 whoops," and I, you know, put the phone down,
14 redirected them; "Let's get back on task, I'm sorry."
15 And, of course, the next three questions out of their
16 mouths, "Were those boobs real boobs? Were those
17 fake boobs?" "I don't -- let's move on. I don't" --
18 you know, and just kind of stumbled around, like,
19 "Oh, my gosh, I'm so sorry." I didn't -- you know, I
20 didn't know. I wasn't trying to show a picture of
21 that. I wasn't trying to get that onto topic; I was
22 talking about working out. And, of course, once
23 again, then they called for us to move and change
24 classes, and, you know, those boys went and talked
25 about they just saw a picture of boobs in the next

1 class. And that's where that whole situation came
2 up.

3 MR. PEKRON: Okay. Thank you.

4 CHAIRMAN ZOOK: Anyone else?

5 Someone ready for a motion?

6 Ms. Newton.

7 MS. NEWTON: Under Findings of Fact I would like
8 to make a motion that there were inappropriate
9 comments made, inappropriate music played,
10 inappropriate photos shown, and misuse of school
11 computers.

12 CHAIRMAN ZOOK: Okay. We have a motion that
13 there were Findings of Fact. Do I have a second?

14 MS. CHAMBERS: Second.

15 CHAIRMAN ZOOK: Second by Ms. Chambers.

16 All in favor?

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIRMAN ZOOK: Against?

19 Motion passes.

20 Do you -- do we need to do that -- take a roll-
21 call?

22 SECRETARY KEY: You don't have to.

23 CHAIRMAN ZOOK: No, okay.

24 SECRETARY KEY: I had to make sure I had it --

25 CHAIRMAN ZOOK: Had it --

1 SECRETARY KEY: Make sure I had the right paper
2 in front of me in case you did.

3 CHAIRMAN ZOOK: Okay. The second was based on
4 the fact -- that she in fact violated 1, 2 -- was it
5 or 4?

6 MS. NEWTON: 1, 2 and 4.

7 CHAIRMAN ZOOK: Or 4 -- or 3?

8 MR. DUGAN: That's correct, Madam Chair; it's 1,
9 2 and 4. And I probably should've said this in my
10 presentation with the Board, like usually I read
11 those. Would it be helpful for the Board me reading
12 --

13 CHAIRMAN ZOOK: Ms. Freno did.

14 MR. DUGAN: She did. Okay.

15 CHAIRMAN ZOOK: So, yeah.

16 Based on the fact of the violation 1, 2 or 4, do
17 you have a motion with regard to conclusion?

18 MS. NEWTON: I would move that the Educator
19 violated Standards 1, 2 and 4.

20 CHAIRMAN ZOOK: Okay. Do I have a second?

21 MS. DEAN: Second.

22 CHAIRMAN ZOOK: Second by Ms. Dean.

23 All those in favor?

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRMAN ZOOK: And number 3, if you find that

1 there was a violation and Findings of Fact do you
2 want to accept what the PLSB recommended, which is a
3 two-year suspension? And I'm assuming there's a fine
4 and --

5 MR. DUGAN: That's correct. The complete
6 sanction -- let me get back to my notes on that. It
7 was a two-year suspension, with a fine of \$400, and
8 that she take recommended training coursework. And
9 that's -- that recommended training coursework is on
10 page 31 of 569 of the packet that I provided the
11 Board, because it's about one, two, three, four,
12 five, six, seven -- six trainings; excuse me.

13 CHAIRMAN ZOOK: Okay.

14 MR. DUGAN: And I can read those out
15 individually or if you guys have the list --

16 CHAIRMAN ZOOK: I think I'll make a comment
17 here. There are oftentimes teachers who are really
18 good teachers, who do a really good job, but perhaps
19 they don't do it in every single classroom, with
20 every kind of situation. It is possible that a
21 person could be a good teacher but not good for this
22 type of class. So that's the only comment I have to
23 make before I hear a motion.

24 MS. NEWTON: Can -- yeah --

25 MR. PEKRON: I've got a comment, but go ahead.

1 MS. NEWTON: I would just like for us to have a
2 little bit of discussion, just that based on the
3 Educator's recommendations from principals and then
4 the way she's teaching now and seemingly having good
5 success where she's teaching now I am leaning more
6 toward a probation period rather than a suspension.
7 But, you know, just kind of thinking --

8 CHAIRMAN ZOOK: Right. Okay.

9 MS. NEWTON: -- with the rest of the Board
10 that's my opinion about it.

11 CHAIRMAN ZOOK: Yeah. Mr. Pekron.

12 MR. PEKRON: Yeah. I was -- I share all of
13 those. I thought, you know, especially given some of
14 the things that we've given probation for in the
15 past, to suspend this Educator's license in my
16 opinion would just be way over the top. I was
17 thinking either a reprimand or a very -- a one-year
18 probation at the most.

19 CHAIRMAN ZOOK: Okay. Ms. Chambers.

20 MS. CHAMBERS: I agree. The sanction didn't
21 seem to align with the circumstance, but I needed
22 counsel then on what our options were in terms of a
23 lesser sanction.

24 MR. DUGAN: Correct. So a probation -- the
25 Board has the authority to -- you know, usually what

1 we do is about a -- a high-term probation is three
2 years, low-term probation one year. The fine -- the
3 maximum fine with a probation under our rules is
4 \$250, and then any coursework or training that the
5 Board would see fit. Written reprimand, it's --
6 they're not on probation; it's just, you know --
7 just, you know, how to define a written reprimand --
8 but, you know, don't do it again. And then the
9 maximum is up to a \$100 fine, if the Board wanted to
10 impose a fine. The Board does not have to impose a
11 fine. Just probation, maximum \$250; suspension or
12 revocation, maximum \$500; and then written reprimand,
13 up to \$100.

14 CHAIRMAN ZOOK: Okay.

15 MR. DUGAN: And the Board also has a letter of
16 caution, a lot of -- and that's one where it's --
17 again, it's kind of like a written reprimand but
18 there's no State Board order.

19 CHAIRMAN ZOOK: Okay. Ms. McFetridge, did you
20 have any comments or --

21 MS. McFETRIDGE: No.

22 CHAIRMAN ZOOK: Okay -- wanted to weigh-in?

23 Mr. Williamson? Dr. Moore? Ms. McAdoo?

24 Okay. Is someone ready with a motion?

25 I think I have a question. And you're teaching

1 at a different district now?

2 MS. MILLER: Yes, ma'am.

3 CHAIRMAN ZOOK: Okay. Were they aware that you
4 had issues going on that were in the process of being
5 resolved?

6 MS. MILLER: No.

7 CHAIRMAN ZOOK: Okay. And there is no
8 obligation on her part to inform them of that?

9 MR. DUGAN: Correct. Until there's actually a
10 State Board order, the PLSB -- the hearings is all
11 confidential up until it gets to this point.

12 CHAIRMAN ZOOK: Okay.

13 MS. NEWTON: Go ahead.

14 MR. PEKRON: I'd move for one-year probation.

15 CHAIRMAN ZOOK: And any fine or any reading or
16 study?

17 MR. PEKRON: The \$250 fine and the recommended
18 training that was in the prior order.

19 CHAIRMAN ZOOK: Okay. We have a motion. Do I
20 have a second?

21 MS. NEWTON: Second.

22 CHAIRMAN ZOOK: Second by Ms. Newton.

23 All those in favor?

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRMAN ZOOK: Opposed?

1 So go forth and do better.

2 MS. MILLER: I'm sorry?

3 CHAIRMAN ZOOK: I said go forth and do better.

4 MS. MILLER: I already have. I already have.

5 CHAIRMAN ZOOK: And, you know, that's a hard
6 kind of class to teach but they do deserve good
7 quality teachers, so --

8 MS. MILLER: And they had one.

9 CHAIRMAN ZOOK: Yes, okay. That's all --

10 MS. MILLER: And this board has also had a
11 student that I've taught.

12 CHAIRMAN ZOOK: Are we good? Okay.

13 A-6: STATE BOARD REVIEW OF PLSB 19-008 ETHICS SUBCOMMITTEE
14 RECOMMENDATION - JUSTIN CHARITY RULEY

15 CHAIRMAN ZOOK: Our next case is Justin Charity
16 Ruley.

17 MR. DUGAN: Is Mr. Copeland here -- Casey
18 Copeland?

19 (MOMENT OF SILENCE)

20 MR. DUGAN: All right. Let me get my box.

21 CHAIRMAN ZOOK: I have that same file cabinet.

22 MR. DUGAN: Madam Chair, before I start this
23 one, may I pass these out?

24 CHAIRMAN ZOOK: Sure. Thank you.

25 MR. DUGAN: So Justin Charity -- the reason I

1 was asking if Mr. Copeland was here or if Ms. Ruley
2 is here is this is an item that was originally pulled
3 off at the September 12th State Board meeting. It's
4 one where the Educator had used medication while she
5 was at school and the kids had seen it. And so we
6 brought it back in October, and then the Board
7 motioned for a full hearing on the issues. And so
8 part of -- in the packet that I've handed to the
9 Board is -- I just wanted to show the Board that I've
10 been doing my due diligence as far as trying to work
11 this stuff out. And so I just want to go just kind
12 of through a little timeline here:

13 September 12, 2019, the State Board pulled it
14 off the consent agenda and placed it on the October
15 action agenda. So now on September 16th Shastady
16 Wagner, our legal assistant, emailed Mr. Copeland the
17 State Board hearing notice for the October meeting;
18 Mr. Copeland inquiring, "Did we not send the
19 agreement in on time?" And I informed Mr. Copeland,
20 "I am going to put together a little packet for the
21 Board and I will send it to you. Would you mind
22 sending me stating -- a letter that y'all are in
23 support and accept the recommendation?" Because this
24 is a case where the PLSB made an offer and the
25 Educator accepted that offer.

1 And so then at the October board meeting y'all
2 argued, hey, could we go ahead and accept this
3 recommendation from the PLSB, and the Board motioned
4 to have a full hearing on the issue. So then I
5 followed up with Mr. Copeland, and Mr. Copeland
6 responded to me on October 10, 2019 that she may not
7 want to mess with it. And so on October 16th I
8 contacted Mr. Copeland, her attorney, and shared the
9 Board's concern that "there was no evidence of any
10 treatment or Ms. Ruley having a sponsor. The Board
11 voted to have a hearing on the case but I was going
12 to see if Ms. Ruley had any treatment or anything
13 like that, something showing that she's doing well.
14 Would this be something y'all could send -- come down
15 for the November board meeting or we could do the
16 December meeting? I think we could clear it up with
17 something like that and not have to have a full
18 hearing." Because I'll be honest, I was trying not
19 to have a full hearing on it because I was thinking
20 it could be one that could be worked out very easily.
21 And so then I contact Mr. Copeland on October 21st
22 just inquiring of him -- you know, trying to get a
23 follow-up. And Mr. Copeland just responded that he
24 was going to get something from his client, but "she
25 hasn't done any formal substance abuse treatment.

1 She's just moved on, got a job with the federal
2 government." And if I remember correctly from
3 talking with Mr. Copeland, it's with the Post Office.
4 "She agreed to probation terms and thinks the State
5 should stick to that agreement." And so I responded
6 back, "Thanks, Casey! Wanting to get this cleared up
7 and closed out and I appreciate all your help."

8 And then October 30th I followed up with him
9 again, "just following up;" then he let me know, "Is
10 this going to be on the November or December docket?"
11 And I let him know, "It's not on either. We were
12 thinking December. I was waiting to hear from you
13 before we scheduled it" -- because I was waiting to
14 see if he could get me some type of documentation,
15 because he said he was going to send me that. And so
16 I let him know it's not on either but we were
17 thinking about, you know, having it in December,
18 because there's been discussion maybe moving these to
19 Friday.

20 So, finally, I sent him a notice for today, and
21 that's the notice that I provided on the first page
22 of the docket, and it was delivered. And we also
23 sent it to his client and it was delivered either --
24 and so, I kind of feel like I'm at a standstill here
25 with this. And so the original recommendation of

1 this case was that -- it was probation of license for
2 two years, assess a \$250 fine, and that the Educator
3 complete those trainings and coursework. I do still
4 ask the Board to accept that recommendation just
5 because the PLSB offered it and my clients did -- the
6 Ethics Subcommittee offered that and then it was
7 accepted. But I do think I've gone above and beyond
8 as far as providing notices and letting them know
9 that they have the right to a hearing, that they can
10 attend this hearing, and that even in the notice that
11 I put that the Board has the authority to make
12 changes to that.

13 And so that's the update on that case. And so
14 like I am asking the Board to accept that
15 recommendation to help clear it out and close the
16 case out. But I will say that I believe that I've
17 provided adequate notice that -- you know, if I
18 needed to add in there that she needs to provide a
19 letter from somebody, like a professional, that that
20 should be -- that that would be fine. Because, like
21 I said, I gave them notice --

22 CHAIRMAN ZOOK: Okay.

23 MR. DUGAN: -- more than once.

24 CHAIRMAN ZOOK: Do we have any comments or
25 questions?

1 Dr. Moore.

2 MR. PEKRON: Did I hear you say that Ms. Ruley
3 is no longer in a classroom?

4 MR. DUGAN: That's correct. If I remember
5 correctly, Mr. Copeland told me she's working for the
6 Post Office.

7 DR. MOORE: I guess my -- I'm sorry -- my
8 concern is that under the sanctioning matrix if you
9 are in a standards violation the minimum says
10 suspension with training.

11 MR. DUGAN: I agree.

12 DR. MOORE: This is probation, and so I think at
13 the minimum we do some sort of suspension. Even
14 though she's moved on, at some point she might want
15 to return to the teaching profession. And so
16 something so that if -- you know, if this person
17 chooses to return there's some sort of review before
18 that point in time.

19 MR. DUGAN: And that's correct, it does say that
20 on that sanctioning matrix that -- you know, what we
21 always tell, you know, the Subcommittee or
22 Evidentiary Panel is, you know, on that sanctioning
23 matrix that's the box you start in and you talk
24 yourself, you know, in another direction. And so --
25 and if I remember correctly -- Mr. James might

1 correct me on this -- this is right at the very
2 beginning of that sanctioning matrix we're using.
3 Because if you look, this is an early 2019 case
4 number, and so it was before we were really hammering
5 in on that sanctioning matrix.

6 Is that correct, Mr. James?

7 MR. JAMES: (Nodding head up and down.)

8 MR. DUGAN: That's my understanding from it.

9 DR. MOORE: That makes sense. And I appreciate
10 the hard work y'all do. I just think there doesn't
11 seem to be any mitigating evidence that anything
12 would change if this person was back in the
13 classroom, so --

14 MR. PEKRON: What are our options in terms of --
15 you know, I wouldn't want to do a one-year suspension
16 and then two years from now she reapplies and nothing
17 has changed. Can we put conditions on the end of the
18 suspension --

19 MR. DUGAN: Yeah.

20 MR. PEKRON: -- such that if she wanted to go
21 back in the classroom at some point in the future
22 that she would have to come forward with --

23 MR. DUGAN: And I know what, you know, the Board
24 has done in the past is require a letter, you know,
25 from a professional stating that she's fit. Because

1 right now she's not in the classroom; she's, like I
2 said --

3 MR. PEKRON: Right.

4 MR. DUGAN: -- working in a federal job.

5 CHAIRMAN ZOOK: Anyone else?

6 DR. MOORE: This is very concerning to me and
7 concerning that probation does not seem appropriate.

8 CHAIRMAN ZOOK: Okay. Ms. Dean?

9 MS. DEAN: I would agree with all that's said.
10 I would want to see some sort of proof that she has
11 done some sort of counseling or done some program
12 around substance abuse or something like that before
13 she has an opportunity to get back into the
14 classroom.

15 CHAIRMAN ZOOK: Okay. Does someone want to
16 formulate a motion?

17 DR. MOORE: I guess can you suspend indefinitely
18 until that point in time the person decides to re-
19 engage in the system and then a hearing would be
20 held?

21 MR. DUGAN: I would suggest putting a timeframe
22 on it. I would. But, you know, one of those
23 conditions -- just like we stated, if they don't
24 comply with those conditions they're still suspended.

25 DR. MOORE: Okay.

1 MR. DUGAN: We just sent some notices out
2 recently for folks that haven't paid their fine --
3 and, you know, we send the notices out, "Hey, you're
4 supposed to pay this fine within 90 days of the State
5 Board order. You haven't paid it. You know, your
6 license is going to be suspended until you do." And
7 then usually we'll bring it back up to you guys when
8 they still don't pay it after that notice and ask
9 you, you know, to suspend it even longer until they
10 pay that fine. Because then it goes to being a
11 licensure action if they're not completing their
12 terms.

13 DR. MOORE: Okay.

14 CHAIRMAN ZOOK: Okay. My -- another question I
15 have -- or a question I have is if we change from
16 what they thought we were going to do, which was
17 probation, do we -- are we obligated to let them know
18 that we are changing so if they want --

19 MR. DUGAN: Yes, ma'am. And so the reason why
20 I'm saying the Board has the authority is because I
21 provided them adequate notice, you know -- and I
22 provided them adequate notice twice. And as you see
23 on the letter that I sent, her attorney -- and also
24 sent to the Educator, which were delivered, and
25 that's why --

1 If I could have that marked as PLSB Exhibit One
2 (1), Sharon, something like that.

3 (WHEREUPON, PLSB Exhibit One (1) was marked for
4 identification and entered into evidence.)

5 MR. DUGAN: And wanting to show the Board that,
6 you know, I'm at a standstill here. I can't beg them
7 to come; you know, I can't make them come down here.
8 But I did give them notice and I did tell them. And
9 as it says in the notice, to review the rules, that
10 the State Board has the final decision in the matter
11 and the recommended sanction could remain the same,
12 be lowered, or be increased, or the matter could be
13 dismissed. And so --

14 CHAIRMAN ZOOK: So they're well aware.

15 MR. DUGAN: Yeah. So they know that this could
16 happen, and that's why again I want to enter that
17 into the record. I can't make them come.

18 CHAIRMAN ZOOK: Okay. Anybody want to formulate
19 a motion?

20 MR. PEKRON: So could I ask one more question?

21 CHAIRMAN ZOOK: Sure.

22 MR. PEKRON: Following up on Dr. Moore's
23 question, so if we put a time limit on it, say a one-
24 year suspension but with conditions coming off it,
25 and after a year she hasn't met those conditions, is

1 she still considered suspended?

2 MR. DUGAN: Correct. Yeah.

3 MR. PEKRON: Okay. We wouldn't have to do any
4 further action?

5 MR. DUGAN: I think we do though -- don't we,
6 Mr. James -- we usually bring it as a licensure
7 action. We usually send them a letter stating that,
8 hey, you know, you haven't done this or paid your
9 fine. But we wouldn't clear them out on ALEs or
10 anything like that or lift that suspension, so when
11 they tried to apply it would still come up as
12 suspended. So when they went to renew their license
13 we would let them know that, "hey, you know, you
14 haven't complied with this part; you haven't provided
15 this letter or you haven't paid your fine." So --

16 MR. PEKRON: Okay.

17 MS. CHAMBERS: So based on what we've said, if
18 you could help me with the wording?

19 MR. DUGAN: Uh-huh.

20 MS. CHAMBERS: My motion would be a
21 recommendation -- a one-year suspension with the
22 required letter from -- I don't know who the
23 appropriate medical person would be -- that indicates
24 this individual is not currently involved in any type
25 of substance abuse.

1 MR. DUGAN: Yeah, I think that's fine, that
2 right there in and of itself.

3 CHAIRMAN ZOOK: I wonder if we need an open-
4 ended "the license is suspended until such-and-such."
5 Because right now you're suspending a year and she's
6 not even teaching, so that -- can you do that, the
7 license is suspended until she meets this criteria?

8 MR. DUGAN: It will be -- because again, like I
9 said, when she comes to -- if we suspend her license,
10 well, then when she comes to reinstate her license in
11 a year, and if she hasn't provided that letter, then
12 we don't have the authority to lift -- like Mr. James
13 or myself don't have the authority to lift that
14 because they did not comply with the terms of their
15 suspension.

16 MS. NEWTON: My question is -- okay, let's do
17 some thinking ahead. If she provides this letter and
18 we have a one-year suspension, and next year if she
19 goes back into the classroom with a letter, is there
20 going to be any follow-up -- maybe a probation period
21 or anything like that? Because before we were on
22 probation for two years; but if we do a suspension
23 and she provides a letter, then it's -- am I thinking
24 correctly that it would be over?

25 MR. DUGAN: That's correct, it would be. If

1 it's been one year and she's complied with the terms
2 of her suspension and provided that letter, then
3 there would not be -- yeah, it's done.

4 MR. PEKRON: Can we do a suspension followed by
5 a probation?

6 MR. DUGAN: What I would recommend in that
7 situation is, you know, we could put a one-year
8 suspension, you know, kind of like we did with that
9 gentleman -- I can't remember his name, but that we
10 put in the order that, you know, the Board can
11 reassess or something after a year -- or maybe it was
12 Ms. Odom's case. Yes, it was that one where y'all
13 lowered it from revocation to a one-year suspension,
14 but on the condition that, you know, she do these
15 things and that the Board will still have the
16 authority to --

17 MS. CHAMBERS: I think it was a year follow-up
18 with -- at her cost, at her expense --

19 MR. DUGAN: Correct.

20 MS. CHAMBERS: -- there would be periodic
21 checking.

22 MS. NEWTON: And we had another case where the
23 Educator had to -- whoever he was working for had to,
24 I think, every semester provide a letter that, you
25 know, they were, you know, doing the appropriate

1 things. So, that was another way that we'd handled
2 it once before.

3 MS. CHAMBERS: Can you help us distill that?

4 MR. DUGAN: Yeah, definitely.

5 MS. CHAMBERS: So is it --

6 MR. DUGAN: So, for example, going off Ms.
7 Chambers', you know, recommendation of a probation of
8 -- a suspension for the term of one year and that she
9 provide a letter from a healthcare -- licensed
10 healthcare professional that she has current fitness
11 to return to the classroom, and that she -- that the
12 Board -- if she has not met this condition the Board
13 will reassess, you know, where she's at, something --
14 I know that's not the most fine way of saying it.

15 MS. NEWTON: My concern is this -- if she gets
16 this letter from a professional and then just goes,
17 you know, back into the classroom with no oversight
18 then we fall back into bad habits.

19 MS. CHAMBERS: I think it's a suspension of a
20 year, a letter, followed by a year of periodic -- and
21 I forget what the wording is, but at her own expense
22 she would be tested --

23 MR. DUGAN: Okay.

24 MS. CHAMBERS: -- by a licensed professional.
25 That would be a year of suspension with a year

1 follow-up. Is that adequate?

2 MS. NEWTON: Yeah, I think so.

3 MR. DUGAN: And --

4 MR. PEKRON: Because that year would run from
5 whenever her license is reinstated, regardless?

6 MR. DUGAN: Correct.

7 MR. PEKRON: A year or five years.

8 MR. DUGAN: Yeah, I see what you're saying, Mr.
9 Pekron. Yeah, one year from the time of the end of
10 the suspension and that she, at her own expense, have
11 random drug testing once every three months,
12 something -- okay.

13 MS. NEWTON: Okay.

14 MS. DEAN: And then the letter from her
15 supervisor every semester?

16 MS. NEWTON: Yeah, that would --

17 MR. DUGAN: And a letter from her supervisor
18 every semester?

19 MS. NEWTON: For that one year.

20 MS. CHAMBERS: That is a very long motion.

21 CHAIRMAN ZOOK: Does everybody understand what
22 the motion was without us having to repeat it?

23 Do I have a second?

24 MS. DEAN: Second.

25 CHAIRMAN ZOOK: Second by Ms. Dean.

1 All in favor?

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIRMAN ZOOK: Opposed?

4 Motion passes.

5 A-7: STATE BOARD REVIEW OF PLSB 18-132 ETHICS SUBCOMMITTEE

6 RECOMMENDATION - STEVEN ANTHONY

7 MR. DUGAN: So I believe the next one, Madam
8 Chair, is Ms. Brooke Nicole Dunnigan. And Ms.
9 Dunnigan is here -- she was here.

10 Come on up, Ms. Dunnigan.

11 CHAIRMAN ZOOK: I have Mr. Anthony next.

12 MR. DUGAN: Is Mr. Anthony first on the agenda?

13 CHAIRMAN ZOOK: I have it as Number 7.

14 MR. DUGAN: So we're going to move -- Ms.
15 Dunnigan, you're next, after Mr. Anthony.

16 So Mr. Anthony is a case that was pulled last
17 month by Mr. Pekron. And in that case what the
18 Ethics Subcommittee had been recommending was a three
19 -- a suspension of license for three years and also
20 assess a \$500 fine and require the Educator to
21 complete treatment. And so I started really to send
22 notice to, you know, Mr. Anthony and Mr. Mark
23 Hampton, his attorney, and I started looking, you
24 know, really more into the case, because this is one
25 that there was not a hearing. And so I found the

1 sentencing order and that's what I sent to the Board
2 a few days ago, the sentencing order where Mr.
3 Anthony had signed his plea statement. So that's
4 what happens when you sit down with your defense
5 attorney and you go through every little thing --
6 this is the charge, this is how much punishment that
7 this person can get. And they had initialed -- Mr.
8 Anthony had initialed that he was going to surrender
9 his Arkansas license. And then when The Court
10 entered its final order on the case that he was going
11 to surrender his Arkansas teaching license -- and I
12 brought copies of those things that I'm going to pass
13 out to the Board, if I may. This is the sentencing
14 order from the Circuit Court down there in Union
15 County.

16 You've got that? You've got copies? I did
17 provide it to the Board via secure server.

18 And so usually, you know, I come here and argue
19 it on behalf of my client, the PLSB, you know, asking
20 the Board to please accept the recommendations of the
21 PLSB. But after I found this, I mean he made an
22 agreement with The Court that he's to surrender his
23 license. And Arkansas law, although it does not
24 provide a surrender of license we do provide
25 revocation. So once I found this I did email this to

1 Mr. Hampton, Mr. Anthony's attorney. And I was --
2 like I said, I was out of town yesterday, but Mr.
3 Hampton did call me. And so I just want to make sure
4 I get it on the record because one thing that's very
5 important to me is making sure that people have
6 adequate notice and they know what's going on. And
7 so --

8 MR. PEKRON: So he had notice of the hearing
9 today?

10 MR. DUGAN: So he had notice of the hearing.

11 And I'm going to enter that as an exhibit here
12 for Sharon also. And then also I've burned a copy of
13 this voicemail on a disk that's just Mr. Hampton
14 saying he's waiving his appearance today. But if I
15 can get it to play for the Board:

16 WHEREUPON, a voicemail message on Mr. Dugan's
17 cell phone was played for the Board, as follows:

18 MR. HAMPTON: This is Mark Hampton. Just
19 letting you know my client is declining to appear at
20 tomorrow's hearing. His attitude is y'all are going
21 to do what you're going to do, and so we will not be
22 attending. You can send me a copy of the Order once
23 it's entered. Have a good day, sir. If you need me,
24 call me, 376-6277. Thanks.

25 [END OF VOICEMAIL MESSAGE]

1 MR. DUGAN: And so I have, Sharon, what I'm
2 going to mark as PLSB Two (2) and it's going to be a
3 copy of the notice that I sent to Mr. Anthony, the
4 actual Educator, and then also the tracking number
5 showing that it was delivered -- I redacted out, you
6 know, his address and those things -- and also my
7 email to Mr. Hampton about the hearing. I just
8 wanted to show that I did provide adequate notice and
9 I let him know in the notice that, you know, the
10 Board's recommendation today can be lowered -- can be
11 lowered, raised, dismissed, all those things. And so
12 I'm going to mark this Exhibit --

13 (WHEREUPON, PLSB Exhibit One (1), the CD, and
14 PLSB Exhibit Two (2), the notice of hearing and
15 email, were marked for identification and entered
16 into evidence.)

17 CHAIRMAN ZOOK: Since we asked you to pull this
18 from November off the consent agenda to December, and
19 we are not asking for a full hearing today, do you
20 need a motion on this item?

21 MR. DUGAN: So what I would ask -- again, you
22 know, we did provide adequate notice of what's going
23 on here today. And originally I was going to argue
24 that you accept the three years. But after I found
25 that, the sentencing order, and also, you know, just

1 hearing Mr. Hampton's voicemail there, I think we've
2 complied with due process. And so I would ask this
3 Board -- like I said, he -- The Court ordered him to
4 surrender his teaching license. There is nothing in
5 Arkansas law, but there is revocation. So I'm asking
6 the Board to revoke Mr. Anthony's license.

7 MR. PEKRON: So moved.

8 MR. WILLIAMSON: Second.

9 CHAIRMAN ZOOK: We have a motion by Mr. Pekron,
10 a second by Mr. Williamson.

11 All in favor?

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRMAN ZOOK: Opposed?

14 MR. DUGAN: Sharon, I'm also going to attach the
15 sentencing order and the --

16 (WHEREUPON, PLSB Exhibit Three (3) was marked
17 for identification and entered into evidence.)

18 A-8: STATE BOARD REVIEW OF PLSB 19-033 ETHICS SUBCOMMITTEE
19 RECOMMENDATION - BROOKE DUNNIGAN

20 MR. DUGAN: And the last one we have is Ms.
21 Dunnigan here. And Ms. Dunnigan's case was on the
22 November consent agenda, and I believe it was Dr.
23 Moore that pulled it.

24 Let me get back to her case. Now this is one
25 that also did not have a hearing, and so if the Board

1 was wanting to do something separate than the one-
2 year suspension, then she would need a hearing. I
3 mean she is here today. If she doesn't agree to
4 whatever is offered, we'd have to give her the
5 opportunity to have a hearing. And so we would send
6 it back to the Evidentiary Hearing Panel and we'd get
7 our witnesses there and try to, you know, prove the
8 case.

9 In this case Ms. Dunnigan was represented by Mr.
10 John Walker throughout the process. As I know the
11 Board is familiar with, Mr. Walker passed away. I
12 spoke with Ms. Dunnigan this Monday and I let her
13 know that I'm not her attorney, that I do not
14 represent her.

15 But it sounded like to me, Ms. Dunnigan, that
16 you still have concerns about this case and you might
17 want to withdraw that acceptance.

18 And so I let her know that she -- there has not
19 been a final State Board order, so she is available
20 to withdraw that acceptance and ask for a hearing on
21 that. I'm arguing on behalf of my client that the
22 one-year suspension is appropriate in this case. I
23 think after reviewing the case and looking at the
24 report that -- you know, for example, I know it talks
25 about the pictures -- you know, the State Police

1 scrubbed the phone and couldn't find a picture; so
2 we'd be going just one-hundred percent off of student
3 testimony. And, you know, Ms. Dunnigan denies some
4 of the allegations in there too; so it would become a
5 who do you believe more, you know, this person or
6 this person.

7 And so I think looking at the evidence from the
8 report that the one-year suspension is a good offer
9 for the PLSB and I'm asking the Board to accept it.
10 But again, like when I spoke with Ms. Dunnigan, she
11 might not want to accept that anymore, because she
12 was going off the advice of her counsel that has
13 since passed away.

14 And so, Ms. Dunnigan, is there anything you want
15 to add as far as that?

16 I just wanted to let the Board know that I did
17 discuss with her that she does have the ability to
18 withdraw that.

19 CHAIRMAN ZOOK: So you're saying that PLSB has
20 not heard her case?

21 MR. DUGAN: Correct. This was one that was
22 pulled off the consent agenda last month. It was --
23 the Ethics Subcommittee reviewed the file, made a
24 recommendation, sent that recommendation to Mr. John
25 Walker, her attorney; and then Mr. Walker sent us

1 back the acceptance of the one-year suspension. And
2 so now she doesn't have an attorney anymore because
3 her attorney passed away, and so -- but she did
4 contact the PLSB once Mr. Walker passed away and said
5 that she wanted all correspondence and things like
6 that sent to her. And so I let her know that I was
7 going to be arguing to the Board to accept the PLSB's
8 recommendation. But when I spoke with her, she --

9 It sounded like you might want -- you might've
10 wanted a hearing.

11 And I just wanted to let her know that she still
12 has that option.

13 CHAIRMAN ZOOK: If she wants a hearing, does it
14 go to the PLSB for the hearing or come to us for the
15 hearing?

16 MR. DUGAN: I would say it goes to the PLSB for
17 a hearing because it will require student testimony.
18 And so when -- especially whenever I'm dealing with a
19 student, you know, I want to be in that confidential
20 --

21 CHAIRMAN ZOOK: Right.

22 MR. DUGAN: -- setting. And so what we would do
23 is remand it back to the PLSB for a hearing.

24 CHAIRMAN ZOOK: Ms. Dunnigan, was there anything
25 you'd like to add? Has he summed it up accurately?

1 MS. DUNNIGAN: Yes. I'm okay with the consent
2 of the one-year on probation. I didn't want to
3 proceed with the hearing because I have daughters
4 that are part of this and my mother is terminally
5 ill; that's why she couldn't be here today. So I'm
6 okay with that. I'm not teaching currently, so I'm
7 okay with that. But if it goes any farther than
8 that, then, yes, I want to object.

9 CHAIRMAN ZOOK: So you said the word "probation"
10 and I think what he is saying is suspension.

11 MS. DUNNIGAN: Suspension for a year, yes.

12 CHAIRMAN ZOOK: Okay.

13 MS. DUNNIGAN: Okay.

14 CHAIRMAN ZOOK: Yes. Okay. Do any of you have
15 any questions of either of you? If you have
16 questions of Ms. Dunnigan, I need to put her under
17 oath; otherwise, is someone ready for a motion?

18 DR. MOORE: I have questions of Mr. Dugan, if
19 that's okay.

20 CHAIRMAN ZOOK: Okay.

21 DR. MOORE: So I think I'm confused as to -- so
22 this suspension was determined by the Ethics
23 Subcommittee?

24 MR. DUGAN: Correct.

25 DR. MOORE: And they review just paper; they

1 don't have testimony?

2 MR. DUGAN: Yes, ma'am, that's correct. So the
3 system over there at the PLSB is there's two layers
4 really. They have the Ethics Subcommittee, and that
5 is made up of educators that -- they take the
6 investigator's report and they review the report and
7 then they discuss it and make an offer to the
8 Educator. And that Educator can accept that
9 recommendation; if they do, then it comes to the
10 State Board. But, you know, we let them know that
11 it's up to y'all's approval of that. If they reject
12 it, then it goes to that Evidentiary Hearing level,
13 like Ms. Miller's case was today. This case only
14 went to the Ethics Subcommittee. They had the
15 report, they made a recommendation through her
16 attorney. Mr. Walker accepted that recommendation.
17 So she has not had a hearing. And so if we were
18 going to change the recommendation here, she's
19 stating that she does want an attorney -- or she does
20 want a hearing on that. So what we would do is we'd
21 go back to the PLSB Evidentiary Hearing level and
22 have a full, you know, blown hearing. And the
23 Evidentiary Hearing Committee could look at it and
24 say, "Hey, we don't think there's enough evidence
25 here." They could dismiss it; they can do those

1 things also. The other two cases that we have, even
2 though they didn't have a hearing, is I provided them
3 notice and said, "Do you want a hearing? You can
4 have the opportunity to have a hearing." They (a)
5 didn't respond, or, as I played the voicemail, "no,
6 we don't want, you know, that." So that's the
7 difference between those, why I thought that was --
8 that's fine. But in this case if it's something
9 different she would like a hearing.

10 DR. MOORE: Yeah. I guess I'm trying to wrap my
11 head around that in light of the previous hearing we
12 just held that was a two-year suspension in that
13 case.

14 I do have a question for Ms. Dunnigan, if you
15 don't mind.

16 CHAIRMAN ZOOK: Okay. I need to put you under
17 oath, if you'll raise your right hand.

18 MS. DUNNIGAN: Okay.

19 CHAIRMAN ZOOK: Do you swear or affirm that the
20 testimony you're about to give shall be the truth,
21 the whole truth, and nothing but the truth?

22 MS. DUNNIGAN: Yes.

23 CHAIRMAN ZOOK: You may proceed.

24 DR. MOORE: Thank you for coming today. So this

25 --

1 SECRETARY KEY: Can we pause for a second?

2 CHAIRMAN ZOOK: Yes. I don't need --

3 SECRETARY KEY: Can we take a recess --

4 CHAIRMAN ZOOK: Okay.

5 SECRETARY KEY: -- just for a second?

6 CHAIRMAN ZOOK: Okay.

7 SECRETARY KEY: I have a question I need to ask
8 Legal before we proceed.

9 CHAIRMAN ZOOK: Okay. We will do pause, if
10 anybody needs a break.

11 (BREAK: 11:43 - 11:47 A.M.)

12 CHAIRMAN ZOOK: I'll call the meeting back to
13 order. Mr. Williamson will be back in shortly.

14 Okay. Mr. Dugan, y'all are all conferred?

15 MR. DUGAN: Yeah.

16 CHAIRMAN ZOOK: Give me direction.

17 MR. DUGAN: We had a little huddle. And so, you
18 know, Ms. Dunnigan's attorney, you know, passed away
19 recently. And so swearing her in and having
20 testimony and those types of things -- I think it
21 would be best that, you know, if the Board does not
22 feel comfortable accepting the recommendation of the
23 PLSB then we move it, so that way I can get proper
24 notices out to her new attorney. Because I know she
25 just spoke with me and said that she had spoke with

1 AEA and if it doesn't go today, you know, that she
2 would like to discuss it with them, if there was any
3 change to that recommendation. So I guess for today
4 it's accept or we can move it again so she can get
5 representation.

6 CHAIRMAN ZOOK: Accept the one-year suspension?

7 MR. DUGAN: Correct. Yes, ma'am.

8 CHAIRMAN ZOOK: Did it carry a fine with it, and
9 did it carry any other PD?

10 MR. DUGAN: It did. Yes, ma'am. It was a
11 suspension of license of one year, assess a \$400
12 fine, require the Educator to complete the following
13 coursework and readings: Code of Ethics training,
14 Social Media Guidelines, Digital (inaudible)
15 curricula, and then read two books and provide
16 written statements on those.

17 CHAIRMAN ZOOK: And that's what she and her
18 attorney accepted?

19 MR. DUGAN: Correct. Yes, ma'am.

20 CHAIRMAN ZOOK: Okay. And it was one of us that
21 pulled it off of the November to decide today if we
22 wanted to have a full hearing. So basically what
23 we're deciding today is whether we want to -- now
24 that we know more facts, whether or not we want to
25 have a full hearing or accept the original ethics

1 recommendation?

2 MR. DUGAN: Correct. And it would be the PLSB
3 to have that full hearing. It would go to the
4 Evidentiary Hearing Panel because, like I said, in
5 this case it would require student testimony. But
6 also they're the ones who handle the hearings -- and
7 that's a good thing because, just like the one y'all
8 heard earlier, Sunny Miller's, that hearing was six
9 hours long. So it's a good thing that we have the
10 Evidentiary Hearing Panel to hear these cases. But
11 it -- so, yes, ma'am.

12 CHAIRMAN ZOOK: Okay. So does the Board
13 understand exactly what it is we can and cannot do
14 today?

15 Okay. Do I have a motion?

16 MS. NEWTON: I move to accept the recommendation
17 of the Department.

18 CHAIRMAN ZOOK: Okay. And second?

19 MR. PEKRON: Seconded.

20 CHAIRMAN ZOOK: Second -- moved by Ms. Newton,
21 second by Mr. Pekron.

22 All in favor?

23 (UNANIMOUS CHORUS OF AYES)

24 CHAIRMAN ZOOK: Opposed?

25 MR. DUGAN: Thank you.

1 A-9: CONSIDERATION OF REQUEST FOR APPROVAL OF NOMINATED
2 MEMBERS FOR THE PROFESSIONAL LICENSURE STANDARDS BOARD TO
3 REPLACE MEMBERS WHOSE TERMS ARE VACANT OR EXPIRING JUNE 30,
4 2020

5 CHAIRMAN ZOOK: Okay. Our next item on the
6 agenda is the approval of a nomination for a new
7 member to the PLSB Board. And I'm so glad you came
8 up here because I forgot to mention under the Consent
9 Agenda that I guess this is your last meeting.

10 DR. BAILEY: Yes, ma'am.

11 CHAIRMAN ZOOK: Well, we wish you well --

12 DR. BAILEY: Thank you.

13 CHAIRMAN ZOOK: -- and we will miss you.

14 DR. BAILEY: Thank you.

15 CHAIRMAN ZOOK: And you've done a great job.

16 DR. BAILEY: Thank you. I appreciate that. I'm
17 going to miss everyone too. And I'm not going to
18 talk about it 'cause I'll get emotional, so --

19 CHAIRMAN ZOOK: Oh, okay.

20 DR. BAILEY: So anyway, but I'm here this
21 morning -- Suzanne Bailey, Educator Effectiveness and
22 Licensure Division, for the last time. And -- but
23 anyway, we have a recommendation from the Arkansas
24 Public School Resource Center to have a nomination
25 for Ms. Luanne Baroni. She is currently the

1 Assistant Superintendent and Director of
2 Communications for the Lisa Academy public charter
3 school. And this nomination comes from the Arkansas
4 Public School Resource Center group.

5 CHAIRMAN ZOOK: Okay. I think many of us know
6 her and know her to be a quality person.

7 Do I have a motion to accept this nomination?

8 MS. McFETRIDGE: Motion to accept.

9 CHAIRMAN ZOOK: Motion by Ms. McFetridge.

10 MS. DEAN: Second.

11 CHAIRMAN ZOOK: Second by Ms. Dean.

12 All in favor?

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRMAN ZOOK: Opposed?

15 Motion passes.

16 DR. BAILEY: Thank you.

17 SECRETARY KEY: Let me add something, Ms. Zook,
18 if I may.

19 CHAIRMAN ZOOK: Sure.

20 SECRETARY KEY: I was -- Mr. Dugan got out of
21 here and I forgot to mention this. He made a comment
22 when he came up about that he was going to be the
23 attorney for PLSB for about one more month. That
24 does not mean he's leaving the Agency. A couple of
25 you kind of looked at me. And he has been pulling

1 double-duty; so he's actually been filling in, and he
2 was referring to we hope to have an attorney
3 identified for that position within -- onboard within
4 a month or so. So just to make sure that you all
5 know that he is not leaving us.

6 CHAIRMAN ZOOK: Right. So Mr. James was doing
7 this, and then Mr. Dugan was doing it, so --

8 SECRETARY KEY: Well, Mr. James is Chief
9 Investigator.

10 CHAIRMAN ZOOK: Okay.

11 SECRETARY KEY: And so we have another role of
12 PLSB attorney, and that's the role we're in the
13 process of trying to fill right now.

14 CHAIRMAN ZOOK: Okay. Thank you for that
15 clarification.

16 A-10: PROPOSAL FOR SPECIAL EDUCATION RESOURCE LICENSURE
17 PROGRAMS

18 CHAIRMAN ZOOK: Next, Proposal for Special Ed.
19 Resource Licensure. Joan, will you identify
20 yourself?

21 MS. LUNEAU: It's still good morning. Joan
22 Luneau, Educator Preparation Coordinator here at the
23 Department.

24 And I've got just a few slides. I pulled some
25 of the data tables from the packet that you have in

1 front of you and that was in the Board agenda packet.
2 So I'm here to present a proposal to add Special
3 Education Resource, a route for teachers in
4 alternative preparation programs. And this
5 conversation came about at the last special ed.
6 conference. Melissa Jacks and I presented to a group
7 and we were talking to the LEA's and special ed.
8 teachers, and they're still having struggles getting
9 special ed. teachers with content expertise; so
10 getting secondary math teachers, science teachers,
11 ELA that have the content expertise and they can
12 teach in these special ed. resource rooms, not
13 necessarily in self-contained. And so what we
14 started looking at is where do we have a pool of
15 teachers. We have the route -- or we have the
16 license with special ed. resource, but we're not
17 getting the numbers.

18 Mr. Dan?

19 MR. DAN DAVIS: Click on the side there.

20 MS. LUNEAU: There we go.

21 MR. DAN DAVIS: There you go.

22 MS. LUNEAU: Thank you.

23 So this is data that I shared with you in
24 October showing you how through the years that we're
25 still increasing in our enrollment overall in special

1 ed. programs. It's gone up every year. We attribute
2 this to the broadening number of options for special
3 ed. and then programs getting online, getting
4 running; and so, still continuing to go up. We break
5 it down by area. This is the survey that I do for
6 enrollment data every fall. We can see all of our
7 areas are going up, with the exception of Special Ed.
8 Resource. So that's what we started talking about,
9 what can we do to help feed people -- get that
10 pipeline going into that area.

11 This is something that wasn't in your packet
12 that I had, that I know you'll always ask for. This
13 is in Melissa's report usually with the exception
14 areas. So we got the totals for 18-19 of the number
15 of long-term subs and the number of teachers on
16 additional licensure plans. And when you add that up
17 we had 80 total teachers on some type of exception
18 for the Special Ed. Resource area. And that is last
19 year's data and we only had 27 total enrolled in
20 those programs.

21 So what we're going to do now is we have that
22 list; we can share it with our recruitment and
23 retention facilitators at the co-ops to kind of go
24 after these teachers, to ask them if they want to be
25 in the program, are they close to getting into a

1 program, so that we can, you know, focus our
2 recruitment on them. We really think our problem has
3 been maybe with the marketing of this resource
4 license. Because I go in, I talk to districts, and a
5 lot of them still don't know what's available. And
6 so that's what hopefully this proposal and this plan
7 can help do.

8 So Special Ed. Resource, the current licensure
9 requirements require a teacher to hold an elementary
10 ed. or middle school or secondary ELA math or
11 science, and then they can go through a program of
12 study. We have quite a few approved in this state.
13 It's a 12-hour program of study. It includes one
14 course in what we call SPED 101; it's an overview of
15 special ed. It's the same one we use with our Master
16 of Arts in Teaching. They take that before they go
17 in the classroom; they also must pass the test before
18 they go in the classroom. And then there's an
19 additional nine hours in special ed. And those
20 additional nine hours are aligned to competencies
21 that we have developed.

22 CHAIRMAN ZOOK: Do you know if those -- they've
23 aligned and included the how to teach reading in
24 those courses?

25 MS. LUNEAU: There is an awareness level for

1 those courses, but there's not the proficiency level.
2 If they're K-6 elementary ed., since they already
3 have to have the elementary ed. they are going to
4 come in already proficient.

5 CHAIRMAN ZOOK: Yeah.

6 MS. LUNEAU: And then if they go into a setting
7 then it's upon employment; then they will have to get
8 to the proficiency level.

9 CHAIRMAN ZOOK: Okay.

10 MS. LUNEAU: This is a list of our alternative
11 prep providers and this includes our higher ed.
12 institutions with the Master of Arts in Teaching and
13 then our non-higher ed. So, all of those programs
14 would be able to take advantage of this route.

15 The last column there shows our institutions
16 that have special ed. resource programs approved. We
17 have both graduate and undergraduate level. So, you
18 know, it gives candidates some options or teachers
19 some options and they can choose a program. One
20 thing we're going to make sure is they can't pick and
21 choose, if they choose to do Tech, four courses; they
22 have to do all four courses at Tech. We have to do
23 that because of competency alignment and so that they
24 stick with one program. So, again, from my office --
25 this is going to be a marketing and a packaging for

1 these alt-preps to get the word out.

2 This is just one example. The APPEL program
3 does come out of my office, and so these are numbers
4 that we have. So currently this semester we would
5 have 193 that would be in an area that could license
6 in Special Ed. Resource. And we know from word-of-
7 mouth that we have quite a few out there that would
8 like to do this. Not only in the APPEL program but
9 in a lot of our alt routes we're seeing a lot of
10 parapros and special ed. parapros that want to go
11 into teaching and get a license, and so they're
12 coming through these alt routes. I've got one right
13 now, he was a middle school parapro; he got into the
14 APPEL program; he's now teaching middle school math
15 and science; and the teacher wants him in resource,
16 but we can't allow that to happen. So, you know, he
17 would have to do that as a long-term sub. So right
18 now he -- for this year he's going to stay in that
19 middle school science, and hopefully if we can get
20 this then he'll be one, I know, for next year.

21 CHAIRMAN ZOOK: I think my concern along the way
22 has been so many times, particularly at the secondary
23 level, that what you get is what we call -- would be
24 more like watered down or remedial. It really was
25 not taking into account the student's handicap. And

1 so I really hope we will -- the Department will work
2 with those institutions about exactly what courses
3 they will be offering to avoid that. Because
4 sometimes they just -- they get louder and slower is
5 going to do -- be what it takes, and that's in fact
6 not true.

7 MS. LUNEAU: True, correct.

8 MS. NEWTON: Ms. Zook, can I ask a question?

9 This special ed. resource license, if -- just
10 suppose someone was -- their 7-12 certification was
11 math, but then they go into the resource classroom.
12 Would they only be able to teach math or are they
13 going to be able to teach all the core different
14 areas -- different core areas?

15 MS. LUNEAU: They can only teach what their
16 initial license is in with the resource.

17 MS. NEWTON: So what would a K-6 person be?

18 MS. LUNEAU: K-6 is all four -- or all three
19 core areas for resource.

20 MS. NEWTON: But they would be able to do a
21 resource at that level?

22 MS. LUNEAU: Yes, ma'am.

23 MS. NEWTON: And then 7-12 would be able to do
24 their content area at the 7-12 level?

25 MS. LUNEAU: And then 4-8 -- we don't have a

1 separate 4-8; so a 4-8 math teacher chooses to go up
2 to 7-12 or down to K-6 just for their area that
3 they're licensed in.

4 MS. NEWTON: So if they went down to K-6 they
5 would only be able to do math?

6 MS. LUNEAU: Math resource. Yes, ma'am.

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

8 MS. LUNEAU: So this final slide, this is just
9 kind of the proposal. And we're calling this a pilot
10 because, you know, we don't want to change the rules
11 right now. That would give us two years -- two to
12 three years till our next rule change to do exactly
13 what you're saying, what's working, what's not, how
14 much do we need to change in the rules. So the big
15 difference is we're going to allow a second area on a
16 provisional license, and so it's not going to be
17 Special Ed. Resource added to a standard; it would be
18 added to that provisional license. One thing we're
19 going to make sure of, all content areas have to be
20 passed; no conditional enrollments. Sometimes our
21 alt-prep programs, especially with late hires, will
22 allow a teacher to start the year; they can't get the
23 provisional license, but they could start the year as
24 a teacher until they get that test passed. But we're
25 not going to allow this. We want to insure that they

1 have their content expertise. They must take and
2 complete SPED 101 and then take and pass the test.
3 The timing is good right now with December, if we can
4 get this approved. With APPEL and our MAT programs,
5 they start taking enrollments in the early spring
6 semester. That would give those teachers a chance to
7 possibly take that special ed. class in the spring
8 semester or summer, one, and give them a chance to
9 take the Tech -- the test. We have very high rates
10 of passing on that, 53, 54, and we've got lots of
11 supports for them too.

12 So that is the proposal and I'm open to any
13 questions that you have.

14 CHAIRMAN ZOOK: Anyone have any questions?

15 Dr. Moore.

16 DR. MOORE: As a pilot is there a cap on the
17 number?

18 MS. LUNEAU: Number of years?

19 DR. MOORE: Of years.

20 MS. LUNEAU: The plan is until the next rule
21 change.

22 DR. MOORE: Okay.

23 MS. LUNEAU: And so that's why -- you know, our
24 licensure rules are right now out for change, and so
25 we didn't want to do that in midstream.

1 CHAIRMAN ZOOK: People are gathering up on you
2 on the back.

3 MS. LUNEAU: Yes.

4 CHAIRMAN ZOOK: Dr. Pfeffer, Ms. Smith.

5 DR. PFEFFER: Thank you for letting us chime in
6 too. And to kind of maybe help put your mind at
7 ease, what we've seen is that when this licensure
8 area was added -- we've not had the participation
9 with adding this resource, so that you've got really
10 strong secondary math or science or English teachers
11 that are able to serve students that have special
12 needs. And what that does is that just continues to
13 promote pulling those students aside, not really
14 getting to those inclusive practices and into those
15 environments where you have a really strong teacher
16 that now understands how to address students with
17 special needs and to really improve their educational
18 opportunities.

19 So we see this as a way that -- the barrier
20 right now is with the provisional licenses, and so
21 you're taking a teacher who's working through that
22 provisional licensing process. And basically what
23 you're saying is you can't add this even though you
24 might be phenomenal; you just can't do it because
25 your license is provisional, not standard yet, so

1 we're going to go over here and hire somebody on a
2 long-term sub to fulfill this role. And to me what
3 this does is this really gives us a chance too to
4 really talk to schools about when you know you have
5 issues with special education but you've got the
6 talent right there; what are the ways that you can go
7 about encouraging a Ms. Newton who, you know, would
8 be a phenomenal math teacher for any and every
9 student; what -- you know, what are the ways we can
10 do this and just not have limits on those who are
11 working through that provisional licensure process.
12 So it's really more about just opening up this
13 pathway right now where we have a roadblock, and I
14 don't think anybody really ever intended for that to
15 be there.

16 MS. NEWTON: Yesterday -- and I don't know the
17 name of it and you're probably going to have to help
18 me out -- they had some financial incentives for
19 different areas that were high-need. Is this one of
20 the areas? If a teacher wanted to go back and add
21 this to their license, would this be one of the ones
22 that they could get reimbursement for?

23 DR. PFEFFER: It is. Because there are two
24 different ways they would qualify for one of the
25 Higher Ed. -- either loan forgiveness or other

1 financial benefits; it's either for geographical
2 shortage, if you're in a location where there's a
3 geographical or high economic need, or for content.
4 So this would qualify as the content shortage.

5 MS. NEWTON: And I really think that that's
6 something that we need to do a really, really good
7 job of getting the word to teachers that that money
8 is available for reimbursement.

9 DR. PFEFFER: That's right. And I think that --
10 and now I shouldn't probably talk about it, but at
11 the last legislative session there was a law passed
12 to allow for alternatively licensed teachers. Am I
13 correct about that? So there is legislation that has
14 already opened that up, not just for your traditional
15 routes but your alternative. So --

16 CHAIRMAN ZOOK: Ms. Smith.

17 MS. SMITH: I don't know that I have anything to
18 add to that, so -- Stacy Smith.

19 But really I do think this is -- when she said
20 Ms. Newton would be a great teacher, we want -- we've
21 got great general ed. teachers who are in high
22 schools that can't teach resource classes or can't
23 have a student in their classroom and it be counted
24 as part of their resource. And if those teachers are
25 willing to go back and do additional hours, and we as

1 a state can provide incentive funds and schools can
2 start talking about -- really about inclusive
3 practices so students have access to the best content
4 teacher to be able to provide that, that's what we
5 want. We don't want to pull them out and send them
6 down the hall every time; and so half of the battle
7 is about students having access to the best teacher.

8 And so I think this is great work by Teacher
9 Effectiveness and Joan in being innovative. And
10 definitely bigger conversations need to keep
11 occurring within the Special Education Unit and
12 Teacher Effectiveness and funds -- federal funds also
13 that can help support. So, good job.

14 CHAIRMAN ZOOK: Any other comments or questions?
15 Do I have a motion?

16 MS. NEWTON: Move to approve.

17 MS. CHAMBERS: Second.

18 CHAIRMAN ZOOK: Moved by Ms. Newton, second by
19 Ms. Chambers.

20 All in favor?

21 (UNANIMOUS CHORUS OF AYES)

22 CHAIRMAN ZOOK: Opposed?

23 Okay.

24 CHAIRMAN ZOOK: And the next is the --

25 MS. LUNEAU: Thank you very much.

1 CHAIRMAN ZOOK: -- Secondary Courses, Grades 11-
2 12. Kathy and Amy.

3 Let me pause before you say this. I don't know
4 who is here for item 13 and 14, so I don't know if --
5 we're not going to be able to get completely finished
6 with the morning agenda before we break for lunch.
7 So do we just want to take them in sequence with the
8 Charter decisions and then do the 1240's after, or
9 the -- are any of the 1240 people here?

10 MS. McLAUGHLIN: (Nodding head up and down.)

11 CHAIRMAN ZOOK: Okay. Let's deal with the
12 1240's before the Charter decisions. Are any of
13 those people here?

14 MS. McLAUGHLIN: (Nodding head up and down.)

15 CHAIRMAN ZOOK: Oh, well. Okay. I'm not going
16 to pick between my children.

17 Okay. Let me ask Legal this: can we deal with
18 the Charter person that's here and then deal with the
19 1240 person that's here, and deal with the others
20 after? Can I split up agenda items?

21 MS. FRENO: Lori Freno.

22 You can move agenda items around. But just
23 don't forget that we also have Number 12, which is
24 the Minimum School District Size waiver.

25 CHAIRMAN ZOOK: Right.

1 MS. FRENO: And we have members from that school
2 district --

3 CHAIRMAN ZOOK: No, I'm going to deal with that.
4 I was just wondering on the charter and the 1240s,
5 since the charter decisions is an item and the 1240s
6 are --

7 MS. FRENO: Yes. Sure, you can --

8 CHAIRMAN ZOOK: But I can --

9 MS. FRENO: You can move things around. Yes.

10 CHAIRMAN ZOOK: Okay. Do I need a vote by the
11 Board?

12 MS. FRENO: No.

13 CHAIRMAN ZOOK: Okay. Thank you.

14 All right. We're good. Does everybody
15 understand?

16 A-11: SECONDARY COURSES, GRADES 11-12

17 CHAIRMAN ZOOK: Okay. Now then, Ms. Smith.
18 Sorry.

19 MS. SMITH: Stacy Smith, Learning Services.

20 So this is one of the most exciting things on
21 your agenda today. And I want to appreciate Amy
22 Counts and Sherri Thorne who worked with literacy
23 specialists across the state to make this happen.

24 It's going to take me a minute to explain it,
25 because every time I try to explain it to people,

1 people look at me like "you've lost your mind."

2 We are submitting today some master courses for
3 English 11-12 credit. Okay. So we -- typically you
4 have yearlong classes in 9th grade English, 10th
5 grade English, 11th grade, 12th grade. And what
6 we've done is we've taken 11th and 12th grade --
7 students are still required to have a full year's
8 worth of courses; so there are still four semesters
9 of credit that's required. But we've taken the
10 standards and they tried to put them into courses
11 that were more application. Right? So you see
12 technical profession standards, you see communication
13 standards, and you see standards for literature.
14 They've taken the courses and they've created a whole
15 suite of semester courses. So for literature you've
16 got your U.S. History courses, Cross-Cultural
17 Literature, Comparative Literature, and Film as
18 Literature. And so a student -- a school district
19 can offer these semester courses that are aligned to
20 the 11/12 English standards for credit for English.

21 Okay. So a while back we had the big
22 conversation about journalism. So today you'll see
23 on here a Mass Communications semester course that is
24 aligned to the rigor of what an English Language Arts
25 class would be for a semester credit of English, and

1 they're interchangeable 11th and 12th grade. So if
2 the student took that course in 11th grade they would
3 get a part of -- one of their credits, one semester
4 credit, or they could take it their senior year.
5 They could also take the course for the History.
6 Okay. But in all of the classes that are semester
7 classes they're still meeting the standards for
8 reading, writing, speaking, and listening in their
9 English Language Arts, but it's at an application
10 level.

11 The technical reading and writing courses -- so
12 if a school district has a complete program in
13 nursing they can take the technical reading and
14 writing courses and get really specific to their
15 nursing components. And students are doing research
16 in technical writing around those areas. So it's
17 about high-level interest for students and actually
18 getting to a very high application since it's this
19 level. We think -- we have shared this with several
20 different districts, we've gotten feedback, and
21 school districts are excited. They're like, "This is
22 what our kids would want to be in." The training in
23 curriculum and support for it, for teachers, it's
24 around the curriculum piece of it. This is probably
25 the first time that we've actually taken a standards

1 document and then built in the course with lots of
2 links. So you're not necessarily going to vote to
3 approve all the links that are in there. Okay.
4 That's just actually resources for the teachers. But
5 the actual standards that are aligned to those
6 courses is what you're approving today. Districts
7 would still have the choice to offer their yearlong
8 11th grade and their yearlong 12th grade, or they
9 could mix it up and offer four different semester
10 courses for kids. It also gives them the flexibility
11 -- let's say a student did not pass a semester of
12 English 11; instead of retaking they could actually
13 take one of these semester classes for credit. This
14 does not replace Oral Communication; this does not
15 replace Journalism; this does not replace those
16 semester career focus credits. This just allows
17 districts to offer very specific application level
18 English classes for 11th and 12th graders only.

19 CHAIRMAN ZOOK: Does it replace grammar?

20 MS. SMITH: Well, you have -- no, it does not
21 replace grammar. And you'll actually have writing
22 standards in here that are specific to that. But if
23 you're in the technical reading and writing aspect
24 you're going to be really getting into looking at
25 technical manuals, writing for technical aspects. So

1 hopefully very high interest in things kids want to
2 be involved in and engaged with.

3 CHAIRMAN ZOOK: Okay. Questions?

4 Ms. McAdoo?

5 MS. McADOO: (Shaking head from side to side.)

6 CHAIRMAN ZOOK: Dr. Moore?

7 DR. MOORE: So this would -- a district would
8 allow this to count for graduation?

9 MS. SMITH: Yes.

10 DR. MOORE: So you could take four for your --

11 MS. SMITH: So this would be considered English
12 Mass Communication, English Films Literature. Yes.

13 DR. MOORE: I really like the Entrepreneurship
14 and Innovation course and all the resources for that.
15 I really want to take it.

16 MS. SMITH: Yeah. And we're hoping to continue
17 that resource document, more links, more --

18 DR. MOORE: Yeah.

19 MS. SMITH: But another thing that was done in
20 here, if you notice in the courses it actually tells
21 you an expectation for the amount of readings and
22 writings that we expect produced in that semester
23 course; so kind of helping give folks this norming of
24 what we expect for these very high level application
25 courses.

1 DR. MOORE: Thank you.

2 CHAIRMAN ZOOK: Mr. Williamson?

3 MR. WILLIAMSON: No, ma'am.

4 CHAIRMAN ZOOK: Ms. McFetridge?

5 MS. MCFETRIDGE: No.

6 CHAIRMAN ZOOK: Ms. Dean? Ms. Chambers? Ms.
7 Newton?

8 MS. NEWTON: Just a comment. I'm so proud of
9 your department, of how they continue to think
10 differently about standards, that we don't have to
11 keep doing it the same way that we've always done it,
12 and providing resources and thinking of how can we
13 engage students in the standards that we're wanting.
14 This is a small amount of material, but I know
15 there's hours and hours and hours of work behind it.
16 So I want you to let your team know how much we
17 appreciate it.

18 MS. SMITH: I appreciate that. And I'll be -- I
19 don't know of another state that's done this.

20 MS. NEWTON: Yeah.

21 MS. SMITH: So I'm excited and I think that we
22 are forward-thinking.

23 MS. NEWTON: Yes.

24 CHAIRMAN ZOOK: Dr. Hill?

25 [MOMENT OS SILENCE]

1 CHAIRMAN ZOOK: Mr. Pekron?

2 Okay. Do I have a motion?

3 MS. CHAMBERS: Move to approve.

4 CHAIRMAN ZOOK: Moved by Ms. Chambers.

5 MS. DEAN: Second.

6 CHAIRMAN ZOOK: Second by Ms. Dean.

7 All in favor?

8 (UNANIMOUS CHORUS OF AYES)

9 CHAIRMAN ZOOK: Okay.

10 A-12: CONSIDERATION OF PETITION FOR MINIMUM SCHOOL DISTRICT
11 SIZE WAIVER - STRONG-HUTTIG SCHOOL DISTRICT

12 CHAIRMAN ZOOK: Next we'll have the -- number
13 12, Minimum Numbers, Strong-Huttig. And Lori -- Ms.
14 Freno.

15 MS. FRENO: Thank you, Ms. Zook. Lori Freno,
16 Division of Elementary and Secondary Education.

17 Act 60 of 2004 required that students -- or
18 school districts with less than 350 students either
19 annex to or consolidate with another school district.
20 By January 1st of each year, the Department and
21 Division has to publish a consolidation list which
22 sets forth all of those schools -- all of the school
23 districts that meet that criteria for the past two
24 school years. This year the Department published its
25 list on November 14th of 2019, and there was one

1 school district that met the criteria, and that is
2 the Strong-Huttig School District.

3 The Arkansas Code Annotated 6-13-1613 authorizes
4 any school district appearing on the consolidation
5 list to file a petition for a waiver with the State
6 Board to allow the school district to operate with
7 fewer than 350 students. Strong-Huttig has filed a
8 petition and it is before you today.

9 Now the State -- under the law 6-13-1613, the
10 State Board shall grant the petition -- shall grant
11 the petition if the school district demonstrates
12 those items set forth in sections (b)(2)(a) through
13 (d) of that code section. And what those items are
14 is the school district must establish that it is not
15 classified in Level 5-In Need of Intensive Support,
16 it is not classified in fiscal distress, it is not
17 classified in facilities distress, it is not on
18 probationary status for violation of the Standards
19 for Accreditation, the academic facilities that it
20 has are adequate as evidenced through the district's
21 master plan, and the local board of directors finds
22 that it's in the best interest of the school district
23 due to length of potential travel time otherwise.
24 And the Strong-Huttig has demonstrated all of these
25 components.

1 Superintendent Kimberly Thomas is here today
2 with her board president. And if you have any
3 questions of Superintendent Thomas or of me, I'd be
4 happy to -- we'd be happy to answer those questions
5 for you.

6 CHAIRMAN ZOOK: Okay. Representative Barker,
7 were you here to speak on this item?

8 Oh, sorry, I couldn't -- I was looking for you;
9 I couldn't find you. I taught school one time and I
10 spoke to a child and I looked this way, and he goes,
11 "Where am I?"

12 It's up to you. I didn't know if you were here
13 to speak on this or not. If you are --

14 REPRESENTATIVE BARKER: Sonia Barker, State
15 Representative, District 7.

16 I will be brief. I'm the least important person
17 here with information on Strong and Huttig, but I do
18 offer my support.

19 I am impressed with and in full support of
20 Superintendent Thomas and her board and faculty and
21 staff. I believe you know because this is not the
22 first time this has happened -- you know their unique
23 situation with logistics. All factors considered --
24 and I speak not only as the State Representative for
25 Strong and Huttig, but also as an educator. I'm one

1 of those Abernathy veteran educators; I'd rather not
2 reveal how many years. But I currently teach at a
3 school that has been a part of an annexation, as well
4 as a consolidation, and it's working beautifully. I
5 do not see that as the case for Strong-Huttig. All
6 factors considered I believe the bottom-line is
7 what's best for the students, and what's best for
8 these students is that Strong-Huttig continue to
9 serve and educate them as they are through this
10 waiver.

11 CHAIRMAN ZOOK: Thank you.

12 REPRESENTATIVE BARKER: Thank you for letting me
13 speak.

14 CHAIRMAN ZOOK: Do you want to come forward and
15 persuade us?

16 SECRETARY KEY: Madam Chair, while she's coming,
17 I want to also say that Senator Trent Garner called
18 me last week and he said he could not be here today,
19 but he wanted me to let you all know of his support
20 for this waiver for Strong-Huttig as well.

21 SUPT. THOMAS: Good afternoon. I'm Kimberly
22 Thomas, the superintendent of Strong-Huttig School
23 District. And I am here with a very large group of
24 supporters from our community, our school board
25 president, mayors from the city of Strong, as well as

1 the city of Huttig, and a letter of support from the
2 city of Felsenthal.

3 We in Strong are in a unique place. We're kind
4 of a little unicorn. We work really hard with what
5 we have. We are committed and dedicated to working
6 with our students each and every day.

7 So I just have a brief slideshow here just about
8 the facts -- make sure I know how to work this.

9 CHAIRMAN ZOOK: They told them a while ago to
10 look at the side. I don't know what that means, but
11 --

12 SECRETARY KEY: There's a switch on the side,
13 make sure it's on.

14 SUPT. THOMAS: Okay. Over the years Strong --
15 we have demonstrated growth. Last year we actually
16 demonstrated the highest percentage in our ESSA
17 growth with 15.97 points; we've moved from 44.24 to
18 60.24. And if you'll look at our letter grade we
19 moved from an F to about the highest D you can make;
20 we were almost a C. So we're really pleased with
21 that.

22 Our facilities are older but they're safe,
23 they're secure. We meet those requirements.

24 Financially, we follow all of the guidelines; we
25 spend our money accordingly. We don't have a lot,

1 but we use what we have to the best of our ability.

2 As far as transportation, I think this is the
3 one area where we are somewhat isolated in regards to
4 the other districts that are neighboring. We have a
5 300-square mile district and about 95% of our
6 students depend on bus transportation daily, either
7 to school or from school. The next closest districts
8 to us would be Hermitage, Crossett, or El Dorado, and
9 all of those would require a very lengthy bus ride
10 for our students if they had to attend school in any
11 of those towns.

12 We -- instructionally, we're providing support
13 for our teachers; we're providing enrichment for our
14 students. We work closely with the South Central
15 Service Co-op. We -- as far as the RISE initiative,
16 we're implementing that. And we're just making sure
17 that we're doing what's best for all of our students
18 on a daily basis.

19 This year our theme was We're Planting Seeds of
20 Knowledge That Will Grow Forever. We really believe
21 that we are a vital part of our community. We're the
22 heartbeat of the Strong-Huttig-Felsenthal part of
23 Union County. And we are here today just to let you
24 know that we're doing everything that we can to
25 provide a quality education every day for every

1 student.

2 CHAIRMAN ZOOK: I notice your 3rd grade reading
3 is very low.

4 SUPT. THOMAS: Yes, ma'am.

5 CHAIRMAN ZOOK: How many of those teachers that
6 those students had in kindergarten, 1st, and 2nd had
7 received the RISE training? And is your curriculum
8 aligned with the Science of Reading?

9 SUPT. THOMAS: We are working in that area.
10 Those teachers -- that particular group of students,
11 it's a weak group of students.

12 CHAIRMAN ZOOK: Yes.

13 SUPT. THOMAS: And we are providing support and
14 interventions in those classrooms for those students.
15 We reported back to our school board this past school
16 board presentation -- well, our school improvement
17 specialist worked with them. So we do realize that
18 that is an area of growth for us. We do realize that
19 we have some struggles as far as our literacy.
20 That's an area that we've put a lot of emphasis on as
21 well to improve in.

22 CHAIRMAN ZOOK: And have you talked with the
23 Department to be sure that the reading curriculum is
24 aligned with the state standards and the Science of
25 Reading?

1 SUPT. THOMAS: That's what we work -- we are
2 working with them, the co-op, and we have specialists
3 that come in. They're helping us in that area.

4 CHAIRMAN ZOOK: And have -- are you screening
5 for dyslexia in your --

6 SUPT. THOMAS: Yes, ma'am.

7 CHAIRMAN ZOOK: Okay. All the way through?

8 SUPT. THOMAS: Yes, ma'am, we are.

9 CHAIRMAN ZOOK: Okay. So -- because I suspect
10 even in a district this small you probably have 40
11 kids or more.

12 SUPT. THOMAS: I don't think we have 40. I
13 would say closer to about 18.

14 CHAIRMAN ZOOK: Okay.

15 SUPT. THOMAS: About half that number.

16 CHAIRMAN ZOOK: All right.

17 SUPT. THOMAS: But we do have a dyslexia
18 specialist that's receiving the training and
19 providing services for our students in that area.

20 CHAIRMAN ZOOK: Okay. Ms. McAdoo? Dr. Moore?
21 Mr. Williamson?

22 MR. WILLIAMSON: I think they said everything
23 that I probably would've said too, except for one
24 thing. To put this in perspective, for some of these
25 students it would be closer for them to transfer to

1 Marion, Louisiana, than any --

2 SUPT. THOMAS: Well, there's not a school in
3 Marion, and so they would then have to go to
4 Farmerville.

5 MR. WILLIAMSON: I mean these are very rural --

6 CHAIRMAN ZOOK: Isolated. Right. I think
7 that's why we entertain this.

8 MR. WILLIAMSON: Right.

9 CHAIRMAN ZOOK: Yes. Ms. McFetridge?

10 MS. McFETRIDGE: I'm just curious how many
11 supporters are here today for you? Raise your hands
12 for me.

13 SUPT. THOMAS: Would you please stand or raise
14 your hand from the Strong community?

15 CHAIRMAN ZOOK: Yeah. Mr. Williamson too.

16 MS. McFETRIDGE: Wow. Thank you. That's very
17 impressive.

18 SUPT. THOMAS: That's our school board
19 president.

20 UNKNWON FEMALE IN AUDIENCE: (inaudible comment)

21 CHAIRMAN ZOOK: Oh no, no. Hurry, run. Hurry,
22 run, but don't hurt yourself.

23 MS. McFETRIDGE: Thank you all for being here.
24 We appreciate that. That speaks volumes. Thank you.

25 CHAIRMAN ZOOK: Ms. Dean? Ms. Chambers? Ms.

1 Newton? Mr. Pekron?

2 Okay. Do I have a motion?

3 MR. WILLIAMSON: Move to grant the waiver.

4 MS. DEAN: Second.

5 MS. McFETRIDGE: Second.

6 CHAIRMAN ZOOK: Moved by Mr. Williamson, second
7 by Ms. Dean and Ms. McFetridge.

8 All in favor?

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRMAN ZOOK: Motion passes.

11 Opposed?

12 All right.

13 Now who, from the Charter Panel decisions,
14 between Bauxite, Mountainburg and Fayetteville are
15 here?

16 MS. McLAUGHLIN: Mountainburg.

17 CHAIRMAN ZOOK: Mountainburg is here. Okay.

18 Let's do Mountainburg. We'll keep the other two till
19 after lunch.

20 Thank you all for coming and being supportive.

21 UNKNOWN SPEAKER ON CONFERENCE CALL: Bauxite
22 School District is here also online.

23 A-13(b): CHARTER AUTHORIZING PANEL DECISION ON DISTRICT

24 CONVERSION PUBLIC CHARTER SCHOOL APPLICATION - MOUNTAINBURG

25 MIDDLE SCHOOL BRAIN ACADEMY

1 CHAIRMAN ZOOK: Ms. Webb, will you identify
2 yourself?

3 MS. WEBB: Yes. Tracy Webb, Charter Unit.

4 On November 19, 2019, representatives of
5 Mountainburg Middle School Brain Academy appeared
6 before the Charter Authorizing Panel requesting an
7 application for a district conversion charter school.
8 By a unanimous vote, the Panel approved the request.
9 The State Board may exercise a right of review and
10 conduct a hearing on the Charter Authorizing Panel's
11 determination at the next State Board meeting.

12 Today to speak on behalf of Mountainburg School
13 District is Dr. Debbie Atwell, the superintendent.

14 CHAIRMAN ZOOK: The best I remember, you
15 presented to the Panel and they wanted more
16 information, and you came back a second time for
17 clarifying answers. Is that correct?

18 SUPT. ATWELL: Yes, ma'am.

19 CHAIRMAN ZOOK: Okay.

20 SUPT. ATWELL: Yes, ma'am.

21 SECRETARY KEY: Yeah.

22 CHAIRMAN ZOOK: Ms. Hyatt --

23 SECRETARY KEY: Yeah. I think actually we're
24 not at a point of asking of a district.

25 CHAIRMAN ZOOK: No.

1 MS. HYATT: Yeah.

2 SECRETARY KEY: We're deciding whether y'all --

3 CHAIRMAN ZOOK: Are going to hear about it.

4 SECRETARY KEY: -- go ahead --

5 MS. HYATT: Yeah. I apologize for the
6 confusion. So today's decision would just be to
7 review or not review the decision of the Charter
8 Authorizing Panel. So Mountainburg is here to answer
9 questions, should you have any. If you do decide
10 that you want to do a review, then that would be
11 scheduled for next month and they would come back and
12 you would have a full review. So today is just
13 review or not review; no need for you guys to give
14 testimony unless you have questions.

15 CHAIRMAN ZOOK: Right. And our responsibility
16 is if you move and decide to review that you need to
17 have specific questions that you want answered in the
18 review that were not covered in the material that we
19 were sent.

20 Does anybody have any questions?

21 Does anybody have a motion?

22 MS. NEWTON: I move not to review.

23 MS. CHAMBERS: Second.

24 CHAIRMAN ZOOK: Have a motion not to review by
25 Ms. Newton.

1 MS. CHAMBERS: Second.

2 CHAIRMAN ZOOK: Second by Ms. Chambers.

3 All those in favor?

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIRMAN ZOOK: Go forth and brain.

6 SUPT. ATWELL: Thank you.

7 CHAIRMAN ZOOK: I would love when y'all come
8 back to hear the information; this is something
9 totally different. And it appears that the Panel
10 thought it would be good for kids, and so when they
11 come back be sure and tweak our memory that this in
12 fact was that particular decision.

13 SUPT. ATWELL: Thank you so much.

14 Okay. Are the 1240 waivers -- who was it that
15 was here?

16 There you are.

17 A-14(a): DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-
18 ENROLLMENT CHARTERS - JACKSON COUNTY SCHOOL DISTRICT

19 CHAIRMAN ZOOK: We'll let Ms. McLaughlin
20 introduce.

21 MS. McLAUGHLIN: We have representatives from
22 Jackson County School District. And as a reminder,
23 they will have 20 minutes to make their presentation,
24 and if there is no opposition they will have an
25 additional 5 minutes.

1 As you know, Act 1240 of 2015 allows a school
2 district to petition the State Board of Education for
3 all or some of the waivers granted to an open-
4 enrollment public charter school that serves students
5 in any district. Representatives of Jackson County
6 are here to ask for Counselor Licensure. Their 90
7 days will expire on February 18th. And they are
8 requesting for three years, ending on December 12,
9 2022.

10 CHAIRMAN ZOOK: Okay.

11 MS. McLAUGHLIN: We have Pharis Smith,
12 elementary principal, and we have Tripp Walter from
13 APSRC that will be making the presentation.

14 CHAIRMAN ZOOK: I was going to say I didn't see
15 Mr. Edwards.

16 MS. McLAUGHLIN: Mr. Edwards is with Lafayette
17 County.

18 CHAIRMAN ZOOK: Oh, I'm sorry. I'm on the wrong
19 county, the wrong school. Sorry.

20 If you will, come forward and state your name.

21 MR. WALTER: Good afternoon, Madam Chair,
22 Members of the Board, Secretary Key. My name is
23 Tripp Walter and I'm a staff attorney with Arkansas
24 Public School Resource Center.

25 Superintendent Chester Shannon, who you may

1 remember from last year's appearance, is undergoing a
2 surgical procedure, so he won't be able to be here
3 today; so I'll make the presentation on behalf of the
4 District. To my right is Mr. Pharis Smith and he is
5 the elementary school principal at Tuckerman
6 Elementary, which is the particular campus that's
7 affected by our waiver request.

8 CHAIRMAN ZOOK: And I understand there was a
9 death; is that correct?

10 MR. WALTER: Yes, Madam Chair, there was. The
11 -- well, just by way of setting this up, the
12 elementary school counselor passed away unexpectedly
13 in October, and so that is why the District is here.
14 You've got this in your materials. I'll just go
15 ahead with a brief overview now in the interest of
16 time.

17 They have found a candidate who is currently
18 working at the elementary, as your materials
19 indicate, Ms. Amy Piker. She is currently now the
20 long-term sub that is filling the position at
21 Tuckerman Elementary. She has I believe 15 years of
22 experience. She's a caseworker; she is intimately
23 involved in working with students at the elementary.
24 My understanding from Mr. Smith is she's much
25 beloved; she has done and continues to do an

1 excellent job. She holds a bachelor of General
2 Studies or General Education, so she does possess a
3 college degree; however, she does not possess a
4 teaching license. And as you may recall when we
5 appeared before you last year for a general licensure
6 waiver, as this is counseling that's not something
7 that fits within that. Due to Act 190, it is
8 required as she is not licensed that we come before
9 you and seek the waiver of Act 190. One of the
10 things I wanted to make very clear about Act 190 --
11 and I think all of you are familiar with it -- the
12 only piece of that that we're asking a waiver of is
13 the licensure piece. There will still be the full
14 plan that's delivered. But as I said, the law
15 requires in this situation we have to get a waiver
16 from you to allow Ms. Piker to do that, and the 90-10
17 breakdown as far as direct services and indirect
18 services will be completely adhered to. I think the
19 materials indicate that the District thoroughly
20 advertised the position. I believe the former
21 elementary counselor passed away approximately two
22 months ago. In that period, there have been postings
23 on the AAEEA website and also through the Arkansas
24 Democrat-Gazette. I believe there had been several
25 -- I believe nine individuals who have responded to

1 those notices, however, none of them have been
2 certified. And for the reasons I think we have in
3 our materials that we've submitted to you there is a
4 strong belief that Mrs. Piker is an appropriate
5 candidate for the position. I think we have
6 indicated that while she is not currently licensed,
7 she is willing to go back to get her MSE, and that's
8 why we've structured the time period of four school
9 years, including this one; that way she is going to
10 start those classes, Mr. Smith has advised me, next
11 month. And this will give her the time to get --
12 she's already on a pathway and this will give her
13 time to complete that and then remain at the school
14 in the District hopefully for years to come providing
15 these services.

16 I would also like to take just a moment to thank
17 Ms. Kelly McLaughlin for her assistance; she's always
18 a big help in this process. Mr. Smith also has
19 talked to Ms. Jacks, Melissa Jacks, and my
20 understanding is that Ms. Jacks is onboard with this
21 as well and sees no problem from the licensure end.

22 With all that having been said, to save you
23 going through the PowerPoint, then we would
24 respectfully request that the waiver for four years
25 be granted. And both myself and Mr. Smith on the

1 operational side are here to address any questions or
2 issues you may have.

3 CHAIRMAN ZOOK: Okay. Mr. Pekron?

4 MR. PEKRON: No questions.

5 CHAIRMAN ZOOK: Ms. Newton?

6 MS. NEWTON: You did a great job explaining.

7 CHAIRMAN ZOOK: Yeah. Ms. Chambers? Ms. Dean?
8 Ms. McFetridge?

9 MS. McFETRIDGE: I think they did a very good
10 job in explaining that. I almost struggle with
11 giving a waiver like this. To me -- you know, of
12 course, the Guidance Counselor is an extremely
13 important position but it sounds like you've got the
14 best situation.

15 MR. SMITH: It's hard to replace --

16 Pharis Smith, Tuckerman Elementary School.

17 It's hard to replace someone who's been in your
18 district for 15 years, and, you know, with the social
19 and emotional health of the students.

20 MS. McFETRIDGE: Right.

21 MR. SMITH: And this person that we're trying to
22 get the waiver for has worked with these students for
23 the last 12 to 15 years in our district with a
24 different company; so she has built a relationship
25 with the parents and the students. I've had -- when

1 we went for the waivers last time Ms. Dean asked me
2 how the community was involved, and I stumbled around
3 for my answer. But I can tell you that the community
4 has actively pursued me to try to get this person
5 into this position because that's how strong they
6 feel for that.

7 CHAIRMAN ZOOK: Okay. Mr. Williamson?

8 MS. McFETRIDGE: I really --

9 CHAIRMAN ZOOK: I'm sorry.

10 MS. McFETRIDGE: -- appreciate the in-depth that
11 you went into explaining your situation. That makes
12 it much easier to support this. Thank you.

13 CHAIRMAN ZOOK: Mr. Williamson? Dr. Moore? Ms.
14 McAdoo?

15 Okay. Ms. Hyatt.

16 MS. HYATT: There's just one little legal issue
17 I think that needs to be resolved before there's any
18 motion. So they've asked for a waiver of 6-18-
19 2003(a)(2)(a), which is the part of Act 190 that
20 contains the licensure piece. But it does say it's
21 implemented by an Arkansas certified school counselor
22 or a counselor serving under a waiver granted under
23 Act 1240. So they don't need the Arkansas statute
24 waiver; they only need a waiver of the Standard for
25 Accreditation which is 4(a)(1) that they've listed.

1 So I would just ask that maybe we --

2 CHAIRMAN ZOOK: Do you want to attest to that?

3 MR. WALTER: Yes, Madam Chair. In light of Ms.
4 Hyatt's comments, we will amend our request
5 accordingly.

6 CHAIRMAN ZOOK: Okay. Do I have a motion?

7 MS. DEAN: Move to approve.

8 CHAIRMAN ZOOK: Moved by Ms. Dean.

9 MR. PEKRON: Seconded.

10 CHAIRMAN ZOOK: Second by Mr. Pekron.

11 All those in favor?

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRMAN ZOOK: I actually got a call from
14 someone who knows this person who could not say
15 enough good things about her. So it's nice when
16 everybody is on the same page.

17 MR. SMITH: And that was one of my concerns is
18 --

19 CHAIRMAN ZOOK: Right.

20 MR. SMITH: -- you know, it's not going to be
21 like this person. That was one of my concerns
22 because teachers -- if you don't get the right
23 person, "Well, she didn't do it like this."

24 CHAIRMAN ZOOK: Yeah.

25 MR. SMITH: This person has the support of all

1 the teachers, so that's one battle that I'm not going
2 to have to fight.

3 CHAIRMAN ZOOK: Right. Okay. Very good. And
4 thank you, Mr. Walter.

5 MR. WALTER: Thank you very much, Board.
6 Appreciate it.

7 CHAIRMAN ZOOK: Okay. It's my understanding
8 that we've dealt with everybody that's in the room
9 and waiting, so us delaying is not going to be a
10 hardship on those traveling.

11 Ms. McLaughlin.

12 MS. McLAUGHLIN: I just wanted to let you know
13 that the next action item, Lafayette County, has been
14 pulled for today.

15 CHAIRMAN ZOOK: Okay.

16 MS. McLAUGHLIN: And the other charter items are
17 calling in.

18 CHAIRMAN ZOOK: Okay. Could you ask them to
19 call back at 1:30?

20 MS. McLAUGHLIN: Yes, ma'am.

21 CHAIRMAN ZOOK: Thank you.

22 Okay. We'll break for lunch and return by 1:30.

23 (LUNCH BREAK: 12:38 - 1:30 p.m.)

24 CHAIRMAN ZOOK: I'll call the afternoon session
25 of the State Board of Education to order.

1 And, Ms. Freno, will you come and read the
2 statement for us please?

3 We've got some feedback.

4 MS. FRENO: I'm wondering if it's my holiday
5 pin. Maybe I should take it off.

6 CHAIRMAN ZOOK: No.

7 MS. FRENO: Lori Freno, General Counsel,
8 Division of Elementary and Secondary Education.

9 The Arkansas State Board of Education welcomes
10 public comment. Public comment enables the State
11 Board to learn the thoughts of the public and other
12 stake -- education stakeholders. However, the public
13 comment period is not a time to ask questions to the
14 State Board members, to single out a particular
15 member or members for ridicule or harassment, or to
16 disrupt the State Board's proceedings. Members of
17 the public may not speak unless they are recognized
18 by the Board Chair. If it becomes necessary to
19 maintain order, individuals may be removed from the
20 auditorium. In the event that the State Board is
21 unable to conduct business due to disruption by the
22 public, the auditorium will be cleared of all persons
23 except Department of Education and Division of
24 Elementary and Secondary Education staff, as well as
25 members of the media. In the unlikely event that

1 this becomes necessary -- and I do emphasize that we
2 do not anticipate this is going to happen -- so in
3 the unlikely event that it becomes necessary the
4 public may view the meeting via livestream from the
5 lobby of the Arch Ford Education Building or in the
6 overflow room down the hallway from the lobby. Of
7 course, it also can be viewed on cell phones or on
8 laptops because the livestream -- you can pick it up
9 in any of those ways.

10 Concerning agenda item 8-B-9, which is the
11 Little Rock Reconstitution, the following procedures
12 will be followed:

13 The State Board will discuss matters related to
14 this item, which may include but are not limited to
15 discussion points -- the discussion points that are
16 listed on the State Board agenda under 8-B-9;

17 Following this discussion, public comment will
18 be accepted. Individuals making public comment may
19 do so upon being recognized by the Chair. Each
20 commenter will be limited to three minutes, unless
21 the Chair allows otherwise. Repetitive presentations
22 may be restricted by the Chair.

23 Following the opportunity for public comment,
24 the State Board may take action concerning any of the
25 matters discussed.

1 Does anyone have any questions?

2 [BRIEF MOMENT OF SILENCE]

3 CHAIRMAN ZOOK: All right. Thank you very much.

4 A-13(a): CONSIDERATION OF CHARTER AUTHORIZING PANEL DECISION
5 ON DISTRICT CONVERSION PUBLIC CHARTER SCHOOL AMENDMENT REQUEST
6 - BAUXITE MINER ACADEMY

7 CHAIRMAN ZOOK: Okay. We will continue from
8 this morning. We are at a review of Charter Panel
9 decisions and the first one, to be presented by Ms.
10 Webb, would be Bauxite. Are they on the phone?

11 MS. WEBB: They are. Yes.

12 CHAIRMAN ZOOK: Okay.

13 MS. WEBB: Tracy Webb, Charter Unit.

14 And on November 19, 2019, representatives of
15 Bauxite Miner Academy appeared before the Charter
16 Authorizing Panel requesting an amendment to their
17 charter. By a unanimous vote, the Panel approved the
18 request. The State Board may exercise a right of
19 review and conduct a hearing on the Charter Panel --
20 Charter Authorizing Panel's determination at the
21 State Board's next meeting.

22 We do have Superintendent Matt Donaghey on the
23 phone should you have any questions.

24 CHAIRMAN ZOOK: Does anyone have any questions
25 of the people from Bauxite on this item?

1 Seeing none, do I have a motion?

2 MR. PEKRON: Motion not to review.

3 CHAIRMAN ZOOK: Mr. Pekron moved.

4 Second by --

5 MR. WILLIAMSON: Second.

6 CHAIRMAN ZOOK: -- Mr. Williamson.

7 All in favor?

8 (UNANIMOUS CHORUS OF AYES)

9 CHAIRMAN ZOOK: Opposed?

10 Motion passed.

11 A-13(c): CHARTER AUTHORIZING PANEL DECISION ON DISTRICT

12 CONVERSION PUBLIC CHARTER SCHOOL AMENDMENT REQUEST:

13 FAYETTEVILLE VIRTUAL ACADEMY

14 CHAIRMAN ZOOK: Okay.

15 MS. WEBB: In November, representatives from
16 Fayetteville Virtual Academy appeared before the
17 Charter Authorizing Panel requesting an amendment to
18 their charter. By a unanimous vote, the Panel
19 approved the request. The State Board may exercise a
20 right of review and conduct a hearing on the Charter
21 Authorizing Panel's determination at the next State
22 Board meeting. We do have Dr. Megan Slocum, the
23 assistant superintendent on the phone should you have
24 any questions.

25 CHAIRMAN ZOOK: Okay. The question that I have

1 for you before you sit down -- sorry, I didn't catch
2 you in time -- this is a waiver request because it is
3 their virtual school; so it is reasonable to make
4 this request for the waiver on the 40-minute recess?

5 MS. WEBB: Yes, ma'am.

6 CHAIRMAN ZOOK: I do know, however, if a charter
7 has a waiver then any district can ask for that. Are
8 we opening up ourselves to other districts who are
9 not virtuals to make this request?

10 Ms. Hyatt.

11 MS. HYATT: Mary Claire Hyatt with the Division.

12 So the recess act that was passed has two
13 specific instances where you can get a waiver. One
14 is specifically that you're a virtual academy, and
15 the other is that you can get a waiver if you have an
16 approved plan that still meets that 40-minute
17 requirement. So you might want to do the 40 minutes
18 in a different way, but you still have to meet that
19 40-minute requirement. Fayetteville Virtual is a
20 virtual school, so it meets one of the two ways that
21 you can get a waiver in the law; so it would be
22 appropriate for them to get the waiver. It would
23 allow anyone to come and ask for a 1240 waiver of
24 that provision, but they still have to meet one of
25 those two ways to obtain a waiver.

1 CHAIRMAN ZOOK: Okay.

2 MS. HYATT: So there's not a lot of laws that
3 have that specific -- sorry -- there's not laws that
4 have that specific "here's when you can get a waiver"
5 in that; that's kind of new. So I think this will be
6 one of the first times we're seeing that. But anyone
7 who comes for a 1240 would either have to be a
8 virtual school or still meet that 40-minute
9 requirement through an approved plan.

10 CHAIRMAN ZOOK: Okay. Ms. McLaughlin, did you
11 have something you want to add?

12 MS. McLAUGHLIN: Fayetteville Virtual Academy is
13 a district conversion charter school.

14 CHAIRMAN ZOOK: Right.

15 MS. McLAUGHLIN: So, therefore, any waiver that
16 they seek would not be available to -- through the
17 Act 1240 process.

18 CHAIRMAN ZOOK: Okay. Nor would it be available
19 to their other schools that are not virtual?

20 MS. McLAUGHLIN: That is -- in the Fayetteville
21 School District?

22 CHAIRMAN ZOOK: Right.

23 MS. McLAUGHLIN: That is correct.

24 CHAIRMAN ZOOK: Okay. Thanks.

25 Dr. Slocum, do you --

1 DR. MOORE: May I ask --

2 CHAIRMAN ZOOK: -- understand what we're saying?

3 (MOMENT OF SILENCE)

4 DR. MOORE: Kelly, may I ask you another
5 question?

6 CHAIRMAN ZOOK: Wait just a second. I'm trying
7 to see if Ms. --

8 MS. HYATT: I'm sorry. Me?

9 CHAIRMAN ZOOK: No. Dr. Slocum. I thought she
10 was on the phone.

11 Megan?

12 (MOMENT OF SILENCE)

13 CHAIRMAN ZOOK: Okay. Okay. Go ahead, Dr.
14 Moore.

15 DR. MOORE: How do other virtual schools deal
16 with this issue? Do we know?

17 CHAIRMAN ZOOK: I know there have been some that
18 have come so far -- not all of them, but there have
19 been some before the Charter Panel.

20 MS. WEBB: Some of them do have waivers. Yes.

21 DR. MOORE: Okay. If they don't, do they
22 require their students to do some sort of --

23 MS. WEBB: I think they offer it either
24 virtually or some other fashion. I can get that
25 information for you and send it to you. Off the top

1 of my head, I'm not familiar with all the charters
2 just yet to be able to tell you.

3 DR. MOORE: Yeah. Okay.

4 MS. WEBB: But I can send it to you.

5 DR. MOORE: Thank you.

6 CHAIRMAN ZOOK: Anybody else?

7 Do I have a motion?

8 MS. McFETRIDGE: Move to not review.

9 CHAIRMAN ZOOK: Moved by Ms. McFetridge.

10 MS. DEAN: Second.

11 CHAIRMAN ZOOK: Second by Ms. Dean to not
12 review.

13 All in favor?

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRMAN ZOOK: Opposed?

16 Motion passes. Congratulations, Fayetteville.

17 Okay. Next is -- and you said Lafayette County
18 was pulled; is that correct, Ms. McLaughlin?

19 MS. WEBB: (Nodding head up and down.)

20 CHAIRMAN ZOOK: Okay.

21 A-15: CONSIDERATION OF A ONE YEAR STANDARDS FOR ACCREDITATION
22 WAIVER REQUEST - BAUXITE SCHOOL DISTRICT

23 CHAIRMAN ZOOK: Next is item 15 from this
24 morning, which is Consideration of a One-Year
25 Standards for Accreditation Waiver Request by Bauxite

1 School District.

2 MS. WEBB: Bauxite School District is requesting
3 a one year Standards for Accreditation waiver for art
4 and music classes only at the Pine Haven Elementary
5 School. And on the phone we have Superintendent Matt
6 Donaghy and Elementary Principal Becky Reynolds.

7 CHAIRMAN ZOOK: Okay. Before we ask them
8 questions, Ms. Coffman, can you speak to whether or
9 not this is of concern to standards of support?

10 MS. COFFMAN: Ms. Webb can.

11 CHAIRMAN ZOOK: Ms. Webb can. Okay. Sorry.

12 MS. WEBB: It is not a concern. They have
13 several large classes. And for their art and music
14 they are working on a plan to not need a waiver for
15 next year. But they just have -- have had several
16 new kids move in, and so they're working on a plan
17 with their teachers. They're currently not providing
18 additional compensation, but they are working on a
19 plan to reconcile that for next year by bringing in
20 high school and middle school teachers.

21 CHAIRMAN ZOOK: Okay. Thank you.

22 Mr. Pekron.

23 MR. PEKRON: I'm going to recuse from this
24 because I have a child in these classes. But for the
25 record, he loves both his art and music classes at

1 Pine Haven.

2 CHAIRMAN ZOOK: Does anyone else have any
3 comments or questions?

4 MS. NEWTON: I had a question.

5 CHAIRMAN ZOOK: Ms. Newton.

6 MS. NEWTON: Is there someone on the line from
7 Bauxite?

8 MS. REYNOLDS: Yes, there is.

9 MS. NEWTON: Okay. My question was, I saw that
10 you're providing a para in the kindergarten art and
11 music classrooms, but you were not providing a para
12 for the 1st grade. And the 1st grades had, I think,
13 if I read that right, 27 in a class; that's a lot of
14 1st graders to work with as far as art and music.
15 Have you thought about maybe a para for those also?

16 MS. REYNOLDS: Well, right now we're pushing our
17 paras into our classrooms for intervention. But we
18 can look at our schedule and attempt to make that
19 work as well.

20 MS. NEWTON: Okay. Have you -- how are the art
21 and music teachers dealing with those numbers?

22 MS. REYNOLDS: They're not having a problem with
23 it right now. We were just applying for the waiver
24 so that we would be doing the right thing, so that we
25 have time to plan for next year.

1 MS. NEWTON: Right. But is that correct that
2 you have about 27 in each 1st grade?

3 MS. REYNOLDS: For the rotation of our
4 enrichment, yes, ma'am.

5 MS. NEWTON: Okay. Okay. All right. And that
6 was my only concern was the high numbers in 1st grade
7 and being able to get them the instruction that they
8 needed.

9 CHAIRMAN ZOOK: Any other --

10 MS. REYNOLDS: It is one of our largest classes.

11 CHAIRMAN ZOOK: Okay. Dr. Hill, are you on the
12 line? If you are, then don't let me skip you if you
13 have questions.

14 DR. HILL: Yes. Yes, ma'am. I'm on the line.

15 CHAIRMAN ZOOK: Do you have any questions on
16 this item?

17 DR. HILL: No. If I do, I'll speak up.

18 CHAIRMAN ZOOK: Okay. Just jump in any time.

19 DR. HILL: Yes, ma'am.

20 CHAIRMAN ZOOK: Anyone else have questions?
21 Do I have a motion?

22 MS. CHAMBERS: I move to approve the waiver.

23 CHAIRMAN ZOOK: Moved by Ms. Chambers.

24 Second by --

25 MS. McFETRIDGE: Second.

1 CHAIRMAN ZOOK: -- Ms. McFetridge.

2 All in favor?

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRMAN ZOOK: Opposed?

5 Motion carries. Thank you.

6 MS. REYNOLDS: Thank you.

7 B-1: CONSIDERATION FOR RELEASE FOR PUBLIC COMMENT: DESE AND
8 ARKANSAS DEPARTMENT OF HEALTH RULES GOVERNING SCOLIOSIS
9 SCREENING

10 CHAIRMAN ZOOK: Now we will start with the 1:00
11 agenda. Consideration for Release for Public Comment
12 -- and this is the -- the motion will need to be sure
13 to add "pending review by the Governor's office."

14 There you are.

15 MR. DUGAN: Taylor Dugan with the Division.

16 So these are new rules, but they've been around
17 for a long time with the Department of Health.

18 Because Act 843 just changed that the Department of
19 Health will promulgate these rules to the Department
20 of Education and that we work in coordination with
21 them. And so this draft took it from their rules
22 that have already been in effect since the 80s, sent
23 them over to their General Counsel, and they looked
24 at them and were okay with them.

25 And so I'm asking the Board today if they would

1 release these for public comment pending the
2 Governor's office approval.

3 CHAIRMAN ZOOK: Do we have any questions?
4 Do I have a motion?

5 MS. McFETRIDGE: Move to release for public
6 comment pending review by the Governor's office.

7 CHAIRMAN ZOOK: Okay. Moved by Ms. McFetridge.

8 MS. DEAN: Second.

9 CHAIRMAN ZOOK: Second by Ms. Dean.

10 All in favor?

11 (UNANIMOUS CHORUS OF AYES)

12 MR. DUGAN: Thank you.

13 CHAIRMAN ZOOK: All opposed?

14 Motion carries.

15 B-2: FINAL APPROVAL: DESE RULES GOVERNING DATA REPORTING, THE
16 ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK, AND INFORMATION
17 SYSTEMS, and REPEALS

18 CHAIRMAN ZOOK: And then the next one is Ms.
19 Hyatt. This is a final approval.

20 MS. HYATT: Mary Claire Hyatt with the Division.
21 And you'll just have to bear with me because
22 I've got to read the titles of these, and they're
23 lengthy.

24 So if you will remember, this is one rule that
25 combined four existing rules as well as some new

1 legislation. So the new rule for final approval is
2 the Division of Elementary and Secondary Education
3 Rules Governing Data Reporting, the Arkansas Public
4 School Computer Network, and Information Systems. So
5 that's the name of the new rule.

6 And then there are four repeals, and I will read
7 the names of those to you: the Rules Governing the
8 Processes to Insure the Quality, Security, Validation
9 and Timeliness of Public School Data in APSCN; the
10 Rules Governing the Arkansas Educational Financial
11 and Accounting and Reporting System and Annual
12 Training Requirements; Rules Governing the Issuance
13 of Local Education Agency Numbers; and Rules
14 Governing the Final Close of Public School Financial
15 Records. So those four repeals will be combined into
16 the one new rule.

17 We did have a public comment hearing and
18 received a few public comments; some non-substantive
19 changes were made. And we respectfully request final
20 approval for these rules.

21 CHAIRMAN ZOOK: Do I have a motion or questions?

22 MS. DEAN: Move to approve.

23 CHAIRMAN ZOOK: Ms. Dean moves to approve.

24 MS. CHAMBERS: Second.

25 CHAIRMAN ZOOK: Second by Ms. Chambers.

1 All in favor?

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIRMAN ZOOK: Opposed?

4 Motion carries.

5 B-3: FINAL APPROVAL: DESE RULES GOVERNING SCHOOLS OF

6 INNOVATION

7 CHAIRMAN ZOOK: And Rules Governing Schools of
8 Innovation.

9 MS. HYATT: Also for final approval, these woofs
10 -- rules -- excuse me -- were released for public
11 comment; they were reviewed by the Governor; a public
12 comment hearing was held. No substantive changes
13 were made as a result of that hearing. And we
14 request final approval for these rules also.

15 CHAIRMAN ZOOK: Do you have any questions?

16 MS. McFETRIDGE: Move to approve the Rules
17 Governing Schools of Innovation.

18 CHAIRMAN ZOOK: Okay. We have a motion by Ms.
19 McFetridge.

20 And we have a question before we have a second.

21 DR. MOORE: Well, I'll second that. But I just
22 had a comment that I do like the process that the
23 Department has put forward here for how they're
24 working with the schools -- that they have Schools of
25 Innovation.

1 I think we -- I said this before, but I think at
2 some point it would be helpful for us to hear some
3 updates. I know we visited a School of Innovation
4 last year -- but to hear from others since that's not
5 something that comes to our board. But there's some
6 really exciting, great things going on in the state.

7 SECRETARY KEY: Well, we'll get something
8 together and make that as part of a Friday report.

9 DR. MOORE: Yeah. It doesn't need to be any
10 time soon. But at some point I think that would be
11 great to hear.

12 CHAIRMAN ZOOK: Particularly since it's changed
13 since the early days of Schools of Innovation.

14 SECRETARY KEY: Yeah. Ms. Smith said she could
15 take care of that.

16 DR. MOORE: Thank you.

17 CHAIRMAN ZOOK: Thank you.

18 I have a motion by Ms. McFetridge, second by Dr.
19 Moore.

20 All in favor?

21 (UNANIMOUS CHORUS OF AYES)

22 CHAIRMAN ZOOK: Opposed?

23 Motion carries.

24 B-4: CONSIDERATION OF LEGISLATIVE REPORT: EARLE SCHOOL
25 DISTRICT

1 CHAIRMAN ZOOK: Next is the Consideration of
2 Legislation Reports, Earle School District. And Dr.
3 Hernandez is here, and I also saw that Tish Knowles
4 is here -- the superintendent, and Mr. Hoy.

5 I think he's working with you too; is that
6 correct? Oh, well, you've got several people with
7 you. I remember meeting some of y'all.

8 DR. HERNANDEZ: Good afternoon. Mike Hernandez,
9 State Superintendent for the Office of Coordinated
10 Support and Service.

11 And we do have a whole slew of people here to
12 help answer questions. The process that we've gone
13 through with the legislative reports is that we --
14 some of the big updates are the District Plan of
15 Support Update that the district submitted, along
16 with -- if you remember last quarter we talked about
17 our Department Plan of Support. And so what we'll do
18 a little bit today is just talk through some of those
19 updates.

20 One of our areas of focus is around teacher
21 evaluation and getting in the classrooms. And so one
22 thing that we wanted to highlight is that from that
23 August to October timeline last year there were 16
24 visits that were in EdReflect. This year, at that
25 same time-span there was 46. What we're trying to

1 really work on is getting principals used to getting
2 in those classrooms and at the same time working on
3 the quality. We're not saying that just because
4 there's a visit in the classroom doesn't mean that
5 it's where we want to be in terms of quality feedback
6 and those things. And specifically in that district
7 what Rocci Malone is working with the principals in
8 doing some of those walk-thru's and things like that,
9 and at the same time trying to integrate this idea of
10 Science of Reading and -- or the process of Science
11 of Reading and making sure that the look-for's are
12 being part of that overall context of what they're
13 looking for in the classroom.

14 In terms of student attendance, you can see we
15 have seen -- we've got a different report format for
16 you this month that kind of really focuses on the
17 chronic absenteeism, which is the same way that
18 measurements are made according to their ESSA School
19 Index. So if we can focus on those types of things
20 -- but what we are seeing is a slight increase when
21 you compare FY-19 to FY-20 this year for that same
22 time period. So there's some things that the
23 District is putting in place. They started a
24 recognition program. They also have a committee
25 there within the high school to work on having

1 discussions about what to do to curb absenteeism
2 within the schools.

3 From an assessment perspective, just a summary,
4 there is a very lengthy assessment report that's
5 embedded within the legislative report, quarterly
6 report, but what we're seeing there is related to the
7 NWEA. We know that that 40 percentile ranking is
8 basically saying, according to NWEA, that's that cut-
9 score for kindergarten students where they're
10 performing average. And when they get into 1st and
11 2nd grade we start looking at projected growth, and
12 so you see the numbers there for 1st grade and 2nd
13 grade being 23 and 38 percent of the students that
14 are meeting their projected growth. And then in math
15 you can see -- for 1st and 2nd grade you see 23 and
16 41. At the high school level they're doing the ACT
17 Aspire interims and we see the scores of 8% and 9%.
18 Overall, we've got a lot of work to do there, so that
19 shouldn't go unnoticed, and, you know, we're
20 continuing to try to improve the quality of
21 instruction within the classrooms. But one of the
22 concerns that we do have is that with staffing -- Ms.
23 Knowles can probably speak a little bit more to this
24 -- is that there continues to be an ongoing issue
25 with having lots of long-term subs, emergency teacher

1 permits, and that consistency especially in the core
2 areas. And you'll kind of hear that repeated a lot
3 today that we are struggling in some of these
4 committees with getting people to come and work in
5 these schools, and so thinking through ways to
6 address that. And a big issue is the lack of
7 housing. And I've been there a few times -- I know
8 Ms. Zook has been there, and Commissioner Key.
9 There's this -- there's not a lot of places that --
10 we have a lot of teachers that are traveling from out
11 of the area to be there. And so, you know, whenever
12 there's a job that might pop up it's easy to do that.
13 But in speaking with Ms. Knowles, even some of the
14 other districts kind of surrounding her are facing
15 some of those same issues. You know, we're trying to
16 -- we can't get that right until you've got the right
17 people in the seats to do the work.

18 For Standards for Accreditation, they have what
19 we refer to as the "green wheel" with Standards for
20 Accreditation. So our SFA system shows different
21 colors, red or green, on this wheel for all the six
22 systems. And they have a green wheel and we
23 continuously monitor that, because any time a new
24 person comes that may not be certified or a new
25 employee that doesn't have their background check

1 we're constantly monitoring for that. And so they do
2 have those taken care of.

3 In special education, they do have a new LEA
4 supervisor. We had done visits and they have a
5 corrective action plan that is due in June 2020 that
6 they're working on now that they'll have. Also
7 they'll have the monitoring that will happen in
8 February; we'll start doing the folder checks and
9 things like that. But we do have a special ed.
10 person that's there working on a regular basis,
11 visiting with their LEA staff and making sure the new
12 person is getting trained and that they're doing the
13 things that they need to do for special education and
14 services in the school.

15 Dyslexia -- what we've done with all of our
16 districts is that we started with a desk audit just
17 kind of getting some guidance from working with Vicki
18 King and Lenett Thrasher in doing an analysis of what
19 is going on in terms of dyslexia, and then actually
20 going on-site to do a visit to set up an action plan.
21 And so in your report you can see kind of the action
22 steps that are taken with that. They do have two
23 teachers that are on staff to -- that are providing
24 dyslexia services. And I believe some of the
25 intervention programs from Round Three's [ps] and

1 Take -- is it Take Flight? Yeah. Five schools, five
2 different programs -- sometimes it's hard to remember
3 them all. But, yes, that's the right one.

4 As far as Science of Reading, they do -- are
5 using the Phonics First program and Heggerty. They
6 have had training. And kind of what we're doing now
7 is providing support through the co-op and doing a
8 lot of classroom walk-thru's, something we started
9 last year that seemed to show some success. But
10 we're continuing to do that to make sure that that
11 training and the materials that are provided are
12 actually happening within the classrooms.

13 Talked a lot about the relevant updates.

14 As far as community engagement, that was a lot
15 of questions that were asked last quarter, and so I
16 asked the school district to provide some of the
17 information there. They are -- the District is
18 meeting with the City Council on a regular basis.
19 They started some student recognition programs and
20 things like that as well. They had the community,
21 which is the Earle Youth Activity Association, they
22 most recently came in and actually took the old
23 field-house and painted it; it looks really nice.
24 There's some pictures that are there in the packet to
25 give you an idea of that. And then what I mentioned

1 earlier with the co-op specialist still trying --
2 they're still ongoing providing that kind of support.

3 I mentioned the staffing being a real big
4 concern. In your report, the human capital report
5 wasn't ready to put in this quarterly report, and the
6 reason for that is what we are trying to show you is
7 that based on different courses where are some of
8 these emergency teacher permits, long-term subs --
9 where are they at and how are they actually -- where
10 do they fit in terms of instructional classrooms; so,
11 you know, are they a math teacher in high school, are
12 they an English teacher, to give you a perspective
13 about some of the personnel things we might be
14 dealing with in the District. And so when we got
15 that the data just wasn't very good on our end when
16 we pulled it out, and so we sent it to the District
17 for corrections, and we hope to provide that -- a
18 better context for that next quarter.

19 Finances -- we're right at the tail-end of
20 finishing the elementary school project payout, and
21 so that's proven to be one of those things where we
22 have issues with cash-flow because it's so razor-thin
23 in terms of the margin. And so we're trying to get
24 our final payment for partnership while paying the
25 final payment for the building project, but at that

1 same time we are having some issues with cash-flow.
2 We do have to deal with loss of students to cut some
3 costs and things like that before next year. But
4 we're eking through, but it is still a concern in
5 terms of finances.

6 And that is it. Questions about anything
7 specifically?

8 CHAIRMAN ZOOK: Ms. McAdoo?

9 MS. McADOO: (shaking head from side to side.)

10 CHAIRMAN ZOOK: Dr. Moore? Mr. Williamson?

11 DR. MOORE: I have one.

12 CHAIRMAN ZOOK: Yes. I thought you -- sorry.

13 DR. MOORE: I had the privilege of visiting
14 Earle maybe two months ago, with Mr. Asher, and had a
15 great visit to see the -- that your building is
16 great, new building there. But certainly see the
17 challenges, especially around reading, and I was glad
18 to see a co-op specialist in that day providing
19 support to the teachers in that area. But interim
20 scores are very troubling and I want to know if
21 there's any other supports being given to teachers at
22 this point in time, because we still have a whole
23 half-a-year of school left.

24 DR. HERNANDEZ: Right. So I will add that we
25 are -- we started last year with this idea of

1 purchasing -- working with the school district to
2 purchase proficiency scales that were developed by
3 Marzano as kind of the starting structure to develop
4 curriculum and units off of. We worked through that
5 process, but in addition to that the District has
6 recently entered into a contract with Solution Tree
7 to provide some more of the embedded coaching. And
8 so we hope that that's going to help take what we
9 started with and move it to that next level of
10 getting the teachers more involved in developing
11 their units better and also having those
12 collaborative meetings and looking at data. And so
13 that's kind of this -- what will start happening --
14 actually, it started -- it started this month, didn't
15 it? So that is something that we're doing to address
16 that. We're still going to be focused on the
17 elementary school in terms of Science of Reading and
18 all those types of things. But high school level,
19 that's still a place we probably struggle with a lot
20 in a lot of our districts, is that -- what does that
21 help and support look like at the secondary level.
22 When we get to Lee County we are providing some
23 history support for social studies. But we don't
24 have a lot of curriculum support other than working
25 with the co-ops in terms of specialists, but by-and-

1 large those co-op specialists are really geared
2 towards supporting elementary.

3 DR. MOORE: And another question -- and I'm
4 looking at finances, did that -- for teacher salary,
5 have they bumped up or are they on the pathway to
6 bump up to --

7 DR. HERNANDEZ: They bumped up a little bit.
8 Next year they should bump up around \$800 -- is that
9 right -- on our way to -- and, you know, that's the
10 hard part, you know, because of the nature of how the
11 District got into fiscal distress by the misspending
12 of all those federal funds.

13 DR. MOORE: Right.

14 DR. HERNANDEZ: There was a lot of payback that
15 they had to do, and they're still continuing to do
16 that. But there are a lot of needs. I mean at the
17 high school there's a lot of project needs, a lot of
18 things that need to be done -- high school roof, high
19 school parking lot. In addition to that, we're
20 trying to raise teacher salary and deal with the loss
21 of students and improve academics. And so it's just
22 a -- what is the right thing to pay for at the right
23 time, and that's what we're really struggling with.
24 There's just not a lot of room for error, especially
25 with most of the funds that are left in the building

1 fund are obligated to pay off the rest of that
2 building.

3 DR. MOORE: Okay. Thank you.

4 And thank y'all for letting me visit.

5 CHAIRMAN ZOOK: Mr. Williamson? Ms. McFetridge?
6 Ms. Dean, Chambers? Ms. Newton?

7 MS. NEWTON: Could you speak a little bit more
8 -- when I look at the budget summary and I look at
9 October 31st I see almost \$40,000 in the red. Is
10 that because of the difference in funds that you've
11 got to pay out that haven't quite come in yet, or
12 what's the reason why?

13 DR. HERNANDEZ: So if you're looking at the very
14 top line what that is is as of that date that's the
15 actual cash-flow piece, and so that's not federal
16 funds, not ESA funds or any kind of categorical.
17 It's operating funds that -- the amount of revenue
18 that's coming at that time and the amount of
19 expenditures. And so in some of those scenarios it's
20 where revenues come in but they haven't logged it
21 when we pull that report. It's the second line down
22 that we're looking at really, is where are they
23 projected to end that in terms of budget.

24 MS. NEWTON: Okay.

25 DR. HERNANDEZ: But I will tell you we're

1 undergoing kind of a rework of the budget because
2 there's some things as we've got into the year and
3 looked at where we might've budgeted a number but
4 we're starting to see that we're overspending that.
5 We're going to be doing a readjustment of that in
6 January. So that'll kind of help us see next quarter
7 where do we feel like we're at in terms of budget.

8 MS. NEWTON: Okay. Thank you.

9 CHAIRMAN ZOOK: I have a few questions that Ms.
10 Knowles may need to help with. I don't know; you
11 tell me.

12 Did you have summer school, and did you do pre-
13 and post data on that?

14 And state your name when you get to the
15 microphone.

16 SUPT. KNOWLES: Tish Knowles, Earle School
17 District superintendent.

18 No, we did not have summer school. We have
19 looked at it in times past and we did not have
20 volunteers, just looking at past history with what we
21 had. One of the things we are considering is to
22 utilize our high school students to help tutor our
23 elementary students with a facilitator -- teacher
24 facilitator in that. And I believe that we have a
25 really good group of high school students that would

1 benefit from that, and utilize some ESA funding to
2 help pay for the tutoring for the program. And so
3 that's what we're looking at.

4 CHAIRMAN ZOOK: There'd been other districts
5 that tried that and had great luck with it.

6 SUPT. KNOWLES: Uh-huh. So we -- I think we
7 kind of sampled it when we had some STEM and coding
8 things going on. And we had our high school students
9 go down to our 5th and 6th grade classes with coding
10 and they had -- it was a great success.

11 CHAIRMAN ZOOK: Yeah. Good.

12 Ms. King may need to help you with this. What
13 screeners did you use for your 3rd through 12th
14 grade?

15 SUPT. KNOWLES: I brought my two dyslexia
16 people.

17 CHAIRMAN ZOOK: All right.

18 SUPT. KNOWLES: I knew you would want to see
19 them.

20 CHAIRMAN ZOOK: I do.

21 MS. McCLINTON: Latrice McClinton, K-3
22 interventionist, literacy.

23 MS. WILLIAMS: Tiffany Williams, K-12 dyslexia.

24 CHAIRMAN ZOOK: Okay. And I'm pretty familiar
25 with what's done in the K-2, K-3 for screening. I

1 guess I have two questions: what screener did you use
2 for the upper grades, and what kind -- how -- what
3 kind of PD did you give to the teachers so they would
4 sort of know who to refer? Because K-2 you have to
5 screen everybody, and the others it's sort of teacher
6 kind of observation. And then, so if y'all could
7 just expand on that it would be great.

8 MS. WILLIAMS: Well, normally I make myself
9 known to all teachers at the beginning of the school
10 year and we have a discussion about dyslexia and the
11 different things to look for. But when they have
12 accumulated different RTI items there is a referral
13 form -- I'll say it like that -- and they turn that
14 in with the items that I ask for. And normally --
15 well, lately we've been giving the DSA and it allows
16 us a little more information about that student,
17 along with the data from class-work.

18 CHAIRMAN ZOOK: Okay. And is that something
19 that the -- Ms. King, can you come and tell me how
20 comfortable you are with that, that that will help
21 them zero in on the child?

22 MS. KING: Yes. These ladies have been working
23 -- we've been working together for several --

24 CHAIRMAN ZOOK: Go ahead and identify yourself.

25 MS. KING: I'm sorry. Vicki King.

1 We've been working together, and so since they
2 have such a high number of students that are scoring
3 in that lowest category on ACT Aspire, in need of
4 support, we decided to go ahead and do the DSA, the
5 Developmental Spelling Analysis --

6 CHAIRMAN ZOOK: Right.

7 MS. KING: -- with all of their kids in grades 3
8 through 12 just as a kind of -- to align that to see
9 if -- you know, there will be some kids that just
10 didn't see the value in taking that test.

11 CHAIRMAN ZOOK: Right.

12 MS. KING: It's to try to eliminate. But today,
13 currently I think their school -- or co-op specialist
14 -- actually, one of our literacy specialists from the
15 Department is at the school working with the
16 instructional facilitator from their school, actually
17 working through scoring -- and not just scoring based
18 on how the assessment has them to categorize it, but
19 also to look more deep -- in-depth at what kind of
20 errors those students are making. So they'll
21 identify the kids that are specifically making
22 phonological errors, which would be an underlying
23 cause of dyslexia.

24 CHAIRMAN ZOOK: Right.

25 MS. KING: And from that data they're going to

1 create a list of the students that we have to -- that
2 we need to go ahead and do further screening with.

3 CHAIRMAN ZOOK: Okay.

4 MS. KING: And so we are working through that
5 now, additional professional development, that we've
6 talked about creating either short video segments --
7 or actually we've got a meeting scheduled to develop
8 a presentation that they can deliver district-wide
9 for all staff, so that as we come in we can work on
10 making sure that everyone understands what dyslexia
11 is, what they should be looking for, and what their
12 protocol is at the school for referring for
13 screening.

14 CHAIRMAN ZOOK: All right. Sounds like y'all
15 are on top of it.

16 Is there anything you'd like to share in
17 particular before you sit down?

18 MS. McCLINTON: (Shaking head from side to
19 side.)

20 CHAIRMAN ZOOK: Thank you for being here.

21 And have you -- I know y'all have -- there is a
22 gap that you're dealing with. And have you looked at
23 your pre- and post data to see how you've been
24 spending your money and how you might spend it better
25 or differently? Because under the legislation, the

1 40% and the 50%, y'all will fall under that as well
2 as because of the Level 5; so can you walk me through
3 that a little bit?

4 SUPT. KNOWLES: Tish Knowles, Earle School
5 District.

6 Yes, we have looked at that and we -- working
7 with the co-op, working with Department, we feel like
8 adding that other layer with Solution Tree will be a
9 benefit to us. So what we're doing is we're working
10 with them at the elementary level. So we have one
11 contact person for the elementary, one contact person
12 for the District, and one contact person for the high
13 school. And there are regimented pieces that we're
14 putting together. And we had an AdvancEd diagnostic
15 review last year, and so we have sent all of that
16 data to them so that we can hit the ground running
17 instead of doing a lot of prelim. And so they have
18 all that data and they are walking us through that.
19 And I feel like with adding those PLCs -- and really,
20 you know, a lot of schools say "we have PLCs," and
21 that's sort of what we did; we really didn't have
22 actively working PLCs to the point that they needed
23 to be. And so I think with those extra layers with
24 the critical concept skills and working to firm up
25 our core curriculum with them and working elbow-to-

1 elbow with them they will be working with all of our
2 teachers. And so I really feel like that is a
3 positive use of our federal and our ESA dollars to
4 help. And so we do have the data now and we're going
5 to be looking at post data, so I feel comfortable
6 about that.

7 CHAIRMAN ZOOK: Okay. And also you were -- I
8 know he expressed concern about the student
9 attendance. And how does your staff attendance
10 compare to last year?

11 SUPT. KNOWLES: You know, our staff attendance
12 is really -- our certified is lower by 31% this year
13 and our classified has gone down; so about half. And
14 so then our non-teaching staff -- certified, not the
15 core --

16 CHAIRMAN ZOOK: Yeah. I started to say are they
17 the ones that are listed as teacher versus certified?

18 SUPT. KNOWLES: Yes.

19 CHAIRMAN ZOOK: Okay.

20 SUPT. KNOWLES: Yes. And so what we're seeing
21 is our certified staff is actually better; so they've
22 increased attendance, so we are seeing that positive.
23 And so we're looking at -- when you think about the
24 overall, their attendance is greater by 63% this
25 year; so that's a positive.

1 CHAIRMAN ZOOK: Okay. Help me understand
2 something, because it -- I understand sick leave and
3 personal leave and business and military --

4 SUPT. KNOWLES: Right.

5 CHAIRMAN ZOOK: -- and all that. Help me
6 understand vacation, that column.

7 SUPT. KNOWLES: Specifically?

8 CHAIRMAN ZOOK: Well, you have it for your
9 certified and your classified. The classified,
10 virtually no one was absent as a result of a vacation
11 --

12 SUPT. KNOWLES: Well --

13 CHAIRMAN ZOOK: -- or they worked. So I
14 remember my friend Toyce Newton, who used to be the
15 Chair, she was going vacation in addition -- help me.

16 SUPT. KNOWLES: Okay. So our 240-day people get
17 vacation.

18 CHAIRMAN ZOOK: Okay. Okay.

19 SUPT. KNOWLES: Yes. And so classified staff,
20 any of your maintenance and --

21 CHAIRMAN ZOOK: Right.

22 SUPT. KNOWLES: -- those folks have vacation,
23 and then all your admin, 240, 220, 210, they have
24 vacation too.

25 CHAIRMAN ZOOK: So that includes them?

1 SUPT. KNOWLES: Yes.

2 CHAIRMAN ZOOK: Okay.

3 SUPT. KNOWLES: One of the columns that is
4 disturbing -- and when you look at it, it really
5 looks disturbing. But a couple of our teachers are
6 long-term subs, and so they meet that long-term sub
7 status. So when you're seeing a lot of those
8 absences and you've had people in the classroom as
9 long-term subs, then so those count as absences; so
10 that number looks alarming because of that.

11 CHAIRMAN ZOOK: That answers --

12 SUPT. KNOWLES: And they're long-term subs.

13 CHAIRMAN ZOOK: That's exactly why we need y'all
14 to come and answer our questions.

15 So I don't have anything else. Does anyone
16 else?

17 Okay.

18 SUPT. KNOWLES: Thank you.

19 CHAIRMAN ZOOK: Dr. Hernandez, do you have
20 anything more?

21 DR. HERNANDEZ: Just the only thing is on all of
22 the attendance reports -- you know, what we've done
23 in the past is that we've always relied on sending a
24 questionnaire type thing and having the District
25 provide information about their attendance. And it

1 was always inconsistent from district to district and
2 we really didn't have a good way of verifying. So
3 we've been really trying to play within our systems
4 -- Kathleen Crain and Donna Adkins that works with me
5 -- and Sheila Whitlow has done some of this work as
6 well -- have been trying to get in our eFinance
7 system where it's different from student attendance,
8 which is in eSchool -- have tried to pull and get
9 kind of a format like we have done with chronic
10 absenteeism for students and try to build a report
11 based on data. So we're not totally comfortable
12 where the data is, looking at last year and up-to-
13 date information without letting the districts have
14 time to get in there and verify. We know we'll get
15 an update for this year's data in February that will
16 be ready for the next report. But what we're trying
17 to do is migrate to where we're collecting that
18 information on a quarterly basis so it will align
19 better with quarterly reports and things can be done
20 with that. I know you may say -- we're just trying
21 to make it easier to where it's understandable, but
22 not every district uses all those different
23 categories that are listed on there as well. So
24 that's why the data looks kind of funny. There may
25 be some doubling of teachers because we -- the

1 process we went through to separate teachers versus
2 certified staff was that if they had a student tied
3 to them then they were getting pulled in this
4 teachers' category. But we're not overly confident
5 that the certified and teachers -- they may not be
6 the same person in there as well. So the data is not
7 that great, bottom-line.

8 CHAIRMAN ZOOK: Yeah. I think, you know, in the
9 early days we would get -- like we have 47 teachers
10 and 5 of them have been absent more than 10% of the
11 time and things like that. So I don't know if we
12 can't do it that way anymore, but that was very
13 understandable.

14 DR. HERNANDEZ: Right. We can, but it wasn't
15 our information --

16 CHAIRMAN ZOOK: Right.

17 DR. HERNANDEZ: -- as far as verifying. That
18 was something the District always provided to us.
19 And so sometimes districts would leave off -- if they
20 weren't -- if they were out on medical leave, that
21 might not be included. And so we're trying to get a
22 full picture; that way, the District finds it useful
23 and we find it useful as a monitoring tool. So
24 that's the difference.

25 CHAIRMAN ZOOK: Okay. Anybody else?

1 DR. MOORE: Well, I was going to say I think the
2 student attendance reports are great because they're
3 not just reports, but they're helpful for the
4 District to look at their data and use that. And I
5 like how they have plans to work with families to
6 make changes. So, however, I'd like to see data that
7 the District uses --

8 DR. HERNANDEZ: Right.

9 DR. MOORE: -- as well.

10 DR. HERNANDEZ: Data versus information.

11 DR. MOORE: Yes.

12 DR. HERNANDEZ: We're trying to get the data
13 into information; so, yeah.

14 CHAIRMAN ZOOK: Do I have a motion?

15 DR. MOORE: Motion to approve.

16 MS. DEAN: Second.

17 CHAIRMAN ZOOK: Moved by Dr. Moore, second by
18 Ms. Dean.

19 All those in favor?

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN ZOOK: Opposed?

22 Motion carries.

23 Thank you for coming over from Earle.

24 Do you hear anything from Dr. Wilde?

25 SUPT. KNOWLES: I think he dropped off in

1 Arizona.

2 CHAIRMAN ZOOK: Well, if you do talk to him tell
3 him we said hello.

4 SUPT. KNOWLES: I will.

5 CHAIRMAN ZOOK: I think for those in Level 5 if
6 you will take the time and look at the archived ESSA
7 meeting from yesterday it really helps give you an
8 even deeper understanding of Level 5 and what's going
9 on. And Ms. Coffman and her people and Ms. Smith and
10 the whole team, Dr. Bailey, they -- you know, they
11 really gave the ESSA taskforce a really in-depth
12 knowledge. And the more we understand about it the
13 more we can be helpful.

14 B-5: CONSIDERATION OF LEGISLATIVE REPORT: DOLLARWAY SCHOOL
15 DISTRICT

16 CHAIRMAN ZOOK: Okay. Here we go with
17 Dollarway.

18 DR. HERNANDEZ: Okay. Again, moving on to the
19 Dollarway School District, some of the information
20 that we captured in terms of our Department Support
21 Plan, you can see that last year at this time they
22 had 44 classroom observations; this year they're at
23 54. There are some key factors; if you dig into the
24 report and the data, you can see we saw some numbers
25 fall off. Some of that is -- Ms. Warren can probably

1 help explain some of that as well. But we kind of
2 had this transition where originally Rocci Malone was
3 assigned to that school and she was really helpful in
4 getting in there and working with the principals.
5 And we had kind of a change where we've got a
6 different person, Mr. Miller, in there as well, and
7 he's just started getting into the District, building
8 relationships and working with them. And so we do
9 expect that number to increase, not only with the
10 number but also, you know, continuing to work through
11 the quality and things like that as well.

12 Student attendance -- you can see we did see a
13 slight uptick in terms of chronic absenteeism from
14 the 22 to the 25 percent. The District has started
15 engaging work with the Monticello ERZ, Educational
16 Renewal Zone, around attendance work. They've had
17 some visits and have been working on trying to
18 address some of the things and lowering that
19 absenteeism rate with students.

20 In terms of assessment, the District uses
21 Renaissance for their K-2 assessment. And so you can
22 see there that in kindergarten 39% of the students
23 met that threshold for the early literacy. And, of
24 course, the reason why you see 1st grade on both
25 lines is related to if they're a certain level of

1 reader they take the Early Literacy exam versus when
2 they become more of -- I believe it's called a
3 Probable Reader they move into that other testing
4 phase. And so you can see the percentages listed
5 there.

6 In regards to math, 56% of the 1st graders and
7 38% of the 2nd graders scored at that level. And
8 then when they move into 3-10 they start using the
9 ACT Aspire, and you can see that 15% of the students
10 there met benchmark in reading and 13% in the math.
11 And that's data that they're reviewing in their PLC
12 processes, and they're trying to work towards
13 improving those scores as well.

14 Standards for Accreditation -- we do have an
15 exception there. I don't think it has been cleaned
16 up to date -- is that right still? We're not fully
17 green in there yet. I think it's related to some
18 maybe background checks.

19 SUPT. WARREN: Those are done.

20 DR. HERNANDEZ: Those are done. Okay.

21 So we are -- we did have some issues there that
22 we're continuing to work through and we monitor and
23 try to get those cleaned up.

24 In regards to special education, there is some
25 information there related to new -- working with new

1 teachers that come in to make sure that they're
2 understanding of what their roles are, and we do
3 provide the same kinds of support there with the
4 special ed. staff member that goes and works with
5 their special ed. staff. And then also doing the 1%
6 review related to their identification -- or the
7 alternative assessment part.

8 Dyslexia -- we started in this year as part of
9 the process with the desk audit; we then went into
10 developing their plan. There's been lots of
11 interaction with the District and the Department
12 about, you know, trying to move more towards insuring
13 that we're following the law and doing all the things
14 and providing interventions within the school, and
15 that support will continue to on-go. Actually, Ms.
16 King is one of the ones that works directly with the
17 District in that area in terms of that as well.

18 Science of Reading -- all the teachers, they are
19 on a training pathway. We started originally working
20 through -- is it BRAINSread? Is that the right term?
21 Yeah. And so in secondary -- and so they've all been
22 going through the training; the principals have been
23 going through the RISE training as well. And they
24 haven't started yet I believe the assessor training
25 -- or they have? They're going to be doing the

1 assessor training as their next steps.

2 As far as information from the District Support
3 Plan, they are in year-two of the PLC process -- like
4 Ms. Moore was able to attend and see some of that
5 actually in action. We feel, you know, by all
6 accounts that we see that the work -- the right work
7 is happening within the school. We're hoping that
8 we're going to see some really good results when we
9 get to our benchmark assessments at the end of the
10 year. They are working on implementation of the
11 strategic reading and critical reading courses. I
12 would encourage you when we talk about the community
13 engagement efforts, if you were to look in the
14 legislative report under that, they really have a lot
15 of good community engagement efforts going on. And
16 what I really like is the newsletter. If you've had
17 a chance to click on some of those newsletters and
18 really go through those things, it's really neat, and
19 Ms. Warren is always keeping us updated of things
20 that are going on in the community. Most recently
21 she sent us some stuff that they were -- was it -- a
22 magazine type thing that they were just recently in.
23 And so there's a lot of good things going on there as
24 well.

25 And then we are still continuing to provide the

1 literacy support. So we have the Science of Reading
2 specialist that's going in, along with the co-op
3 literacy specialists that are going in and working.
4 We did have some -- that was new. Ms. Warren can
5 probably speak to that. You know, we really didn't
6 do those types of activities this much last year; so
7 there is a lot more support working into the
8 District, and so that doesn't always go just
9 smoothly. And so any time you have people showing up
10 that are saying, "Hey, we're here to help," they've
11 done a really good job of organizing. And Dee -- I
12 would encourage you to get Dee Davis up here to speak
13 a little bit about that, because we told her we'd try
14 to get her up here today. But she has really been
15 instrumental in trying to help us organize all the
16 support and deal with all the -- you know, lots of
17 different people, lots of personalities and things
18 like that. And so that's helped us kind of get to a
19 place where we have a good -- not that we didn't have
20 a good working relationship, but there are a lot of
21 new faces that are coming in, so much as we ended up
22 having to switch out one of our reading specialists
23 this year to move them to another area. And so they,
24 you know, have taken that on and then continue to
25 work.

1 So that was it.

2 CHAIRMAN ZOOK: Questions? Mr. Pekron? Ms.
3 Newton?

4 MS. NEWTON: If I'm not mistaken, Dollarway's
5 five years will be up this time next year. And so,
6 you know, I know we've got a lot of work and progress
7 that's been made, but it was a pretty daunting task
8 when we started. And so -- and I want to commend the
9 District for how far they've gotten along in the
10 process. But have you thought about kind of, you
11 know, where we are and kind of where we're going to
12 go as far as in the next year?

13 DR. HERNANDEZ: So we have had lots of
14 conversations about that. We know that December --
15 we're now in that place where we're one year out from
16 the five-year anniversary of State takeover. Our
17 thought process is that we're really focused on
18 meeting the exit criteria; the work doesn't stop --
19 and trying to build those things in terms of the
20 qualitative "these are the leading things we want to
21 have happen and we want the results to follow those
22 things." And so our main focus is there. But we are
23 having, you know, conversations about what happens in
24 the event of that; you know, the same things were on
25 the table -- the reconstitution, the annexation, the

1 consolidation type things, and so what would make the
2 most sense in trying to think through that and
3 engaging the community. One thing that we still --
4 that's been a stumbling block for us in terms of the
5 Community Advisory Board, we're still with those same
6 four people that want to be on the Community Advisory
7 Board. And so, you know, when you have four out of
8 seven that are interested in applying then that
9 doesn't bode well for what is that community support
10 going to look like or what's that board going to look
11 like. One of our critical aspects, even though we
12 know we're seeing progress in terms of moving things
13 along, you know, we're still dealing with some
14 financial things, that we're still trying to make
15 sure we're making our budgets and things like that,
16 dealing with student loss -- although I will point
17 out that when you look at the county kind of as a
18 whole there were some big drops. Pine Bluff had
19 another big drop, Watson Chapel had a huge drop, but
20 what we've noticed about Dollarway, where, you know,
21 the other districts have seen well over 250 students
22 in loss, and Dollarway was kind of in that same boat
23 where they were losing 100 students or more a year,
24 you know, they only lost 20. So what that tells us
25 is that there is that, you know, interest in sticking

1 around because there is a positive environment within
2 that school that's happening. But at the same time,
3 you know, it's hard to -- school improvement takes a
4 long time to get right, but it's equally hard when
5 you're also dealing with a decline in enrollment. So
6 you can't -- it's hard to have that expectation that
7 you're going to improve academics, at the same time
8 you're going to cut staff and deal with all those
9 negative things that you have to do as you're
10 shrinking, and so that's still a concern. As the
11 county as a whole starts to -- continues to decline
12 in terms of population, you know, what is that right
13 thing to do? Is it to try to, you know, just keep
14 working and doing what we're doing and hoping that
15 locally when that returns to local control that it's
16 going to be good? Is it consideration of saying,
17 "Well, as these districts continue to decline is it
18 great to manage three different or four different
19 districts in decline, or should we look at some of
20 those other options in terms of annexation,
21 consolidation?" So those are things that we're
22 actively thinking about and working with the
23 superintendent and the District.

24 And I don't know if you want to add anything,
25 Commissioner Key?

1 SECRETARY KEY: I just didn't know if you were
2 actually going to try to tackle that question or not,
3 if you --

4 MS. NEWTON: Sorry.

5 SECRETARY KEY: -- if you were going to kick it
6 to me.

7 So I think Dr. Hernandez did a great job of
8 addressing all of the issues. And, yes, I mean we
9 are -- you know, I think one thing to consider is the
10 progress we're seeing in all of our buildings down
11 there in Dollarway. You know, does it wind up
12 meeting the exit criteria of no "F" schools after the
13 next round of accountability? And that's not -- you
14 know, we don't have a lot of predictability capacity
15 for that right now. So all of those that he
16 mentioned, he did a good job of addressing what we're
17 looking at, how we're looking at it, and the other
18 community factors that are at play that create
19 pressures on these individual school districts. So
20 we hope to over the next few months -- well, we will
21 continue those conversations; what we hope to do is
22 bring you something that you can start looking at.

23 One thing that we can't forget about the work
24 in Jefferson County and Pine Bluff specifically is
25 they have a very strong group under Go Forward Pine

1 Bluff that where the community is engaged in a lot of
2 things, including education -- the funds that they
3 have dedicated to raising the bar for teachers, to
4 support teachers pursuing national board,
5 scholarships, and that sort of thing. You know,
6 there is -- there are indications that there's a real
7 interest in seeing something different than what we
8 -- excuse me -- than what we were seeing at the time
9 of takeover for both Pine Bluff and Dollarway. So
10 those conversations, because we have two of those
11 schools, are very critical conversations and we need
12 to have them -- we can't have them in isolation; you
13 know, you can't have a Dollarway conversation in
14 isolation from the Pine Bluff and then, you know, how
15 that relates to the rest of the districts in the
16 surrounding area. So those are all things that we're
17 working on, hoping to be able to bring you something
18 that would be very positive with great -- you know,
19 with the backing of the community when that time
20 comes.

21 MS. NEWTON: Okay. Thank you.

22 CHAIRMAN ZOOK: Ms. Chambers?

23 MS. CHAMBERS: My questions are probably along
24 the same lines. Oh, I just wanted to thank you
25 because I do feel like this report -- the method that

1 you all are employing is very helpful to us. And to
2 add to Ms. Newton's question, I love how tailored
3 these are to the individual circumstances because
4 they are so very different by community, by district,
5 by school. So I don't want this to sound formulaic,
6 but I think Secretary Key said -- I don't know if
7 it's a timeframe maybe trigger so that if we're two
8 or three years into this five-year period of time
9 we're taking stock. Sometimes this is just a matter
10 of if we let it take its course things will get to
11 where they need to be. Sometimes in that mid-course
12 look we may go "no, something different is needed if
13 we intend to get where we want to be in four or five
14 years." And I'm just trying to think when and how
15 that could be introduced to our thinking so time is
16 not getting away from us, and if there's more that we
17 could or should do that we're mindful of that.

18 SECRETARY KEY: And I think the process of the
19 improvement planning is so much better now than it
20 was, you know, under the old accountability system.
21 And, you know, keeping in mind that Dollarway -- you
22 know, the action that the Board took with Dollarway
23 was still under the old system and it's been part of
24 the learning process for us and for the District
25 team. And as you have seen and we have really grown

1 -- we've restructured in the Agency and we have grown
2 the team that we have on-site to provide the level of
3 support that's needed. So those are learnings and
4 now are coming into play when we're at Earle and when
5 we're at Lee County and the other districts. So I
6 think what you're seeing through the planning
7 process, that's inherent; you know, what you're
8 asking about is inherent in that planning process.

9 DR. HERNANDEZ: Just to add, you know, one of
10 the aspects of all this is that we do plan to look at
11 those things a lot earlier. You know, when we think
12 about Earle, we think about Lee County, and Pine
13 Bluff, is that the reason why there's such a focus on
14 multiple systems is that we may have the right work
15 going on and the right processes in terms of
16 academics, but finance may not be going that well, or
17 human capital. And, you know -- and I'll use Earle
18 --

19 Tish, don't throw anything at me.

20 But when we think about Earle, if we continue
21 down this road of having difficulty in staffing and
22 things like that, does it make sense to continue down
23 that road and then -- you know, so those are the --
24 those are all the aspects that we've got to look at,
25 you know, in the two- to three-year range and, you

1 know, why it's important that we get that report to
2 give you a feel. Because there may be a decision
3 that says, hey, you know, this doesn't make sense,
4 and it's not -- may not be what's best for kids. So
5 we need to look at some alternatives instead of just
6 waiting until the end to say now we've got to make a
7 decision and our choice is to either give it back to
8 the community or not.

9 And so that's the -- those are the things that
10 we are -- have lots of conversations about and have
11 been trying to give a fuller picture around the
12 District as opposed to just simply an academic
13 review.

14 CHAIRMAN ZOOK: Ms. Dean?

15 MS. DEAN: Thank you for bringing up the family
16 and community engagement. I was very pleasantly
17 surprised to see how much that they have put into the
18 family and community engagement. They have all sorts
19 of partnerships within the community -- a black fire
20 fighters organization; UAPB; I'm loving the parenting
21 education classes -- that's huge; so many
22 opportunities for parents -- not just parents to be
23 involved, but for business leaders and for the local
24 university to be included. This is what we want.
25 This is what we're looking for when we say community

1 and family engagement. We want all of our
2 stakeholders to be included and be a part of making
3 sure that our children get the education they need.

4 So thank you for that. It's amazing. So great.
5 Thank you.

6 CHAIRMAN ZOOK: Ms. McFetridge? Mr. Williamson?
7 Dr. Moore?

8 DR. MOORE: Yes. I will say I really enjoyed
9 seeing the PLC process, in particular that it's not
10 the first year of this and to see the in-depth
11 conversations that are happening with your teachers;
12 to see the hard work; the idea that each school has a
13 school support specialist that's in the school, and
14 so it's not someone coming in here and there but
15 really firmly are building the supports for the
16 teachers. It's just great. And I know there's still
17 a lot of work to do, but to see that structure in
18 place is really exciting and I think -- at the middle
19 school I saw students doing data conferences with
20 teachers and those kinds of things going on.

21 Continue the good work and continue to see how both
22 the state and the co-op and others can provide the
23 supports for teachers, but not at the extent of
24 teachers being overwhelmed with too much. And so I
25 think I like this model in which -- you know, in this

1 school, providing the support that is needed at the
2 right time.

3 CHAIRMAN ZOOK: Ms. McAdoo?

4 MS. McADOO: No questions.

5 CHAIRMAN ZOOK: I think I need to speak with Ms.
6 King and then whoever to -- I noticed I could bring
7 it up when Pine Bluff comes up or I could bring it up
8 here. But the dyslexia report for those two schools,
9 you're apparently not getting the help for the kids
10 that are needed from that educational service co-op
11 down there, and that was brought up in these reports.
12 So is your person that deals with dyslexia with you?

13 SUPT. WARREN: Yes.

14 CHAIRMAN ZOOK: Okay. If you'll have her come
15 up, please -- reluctantly.

16 Are you with the District or with the service
17 co-op?

18 MS. DAVIS: Dollarway School District's School
19 Improvement Specialist.

20 CHAIRMAN ZOOK: Okay. So in the report as I
21 read it, first of all, 1% of your students -- I mean
22 that's not even within the realm of possibility.

23 MS. DAVIS: Oh, 1%. Oh, that's what was
24 current. But we have completed screening all
25 students K-12 --

1 CHAIRMAN ZOOK: Okay.

2 MS. DAVIS: -- now. We have also -- we kind of
3 have -- because we have so many we've kind of had to
4 prioritize our being able to do the additional
5 screening. We have just finished identifying
6 approximately 58 to 60 kids. As I left the District
7 this morning, they were saying we need some more
8 lines because we still have -- we still are working
9 on that data analysis. But right now we have 58
10 kids. We will be -- we are working on parent
11 conferences, teacher conferences, getting additional
12 documentation that we need. But we have identified
13 58 of those students who need to go right now for
14 additional -- that additional level of screening, so
15 --

16 CHAIRMAN ZOOK: So after you did the screening
17 and found the markers, then these are the ones who
18 need the directed --

19 MS. DAVIS: And there may be more. Yes, there
20 may be more.

21 CHAIRMAN ZOOK: Right.

22 MS. DAVIS: But we've got 58 right now that we
23 are -- you know, we have to gather some additional
24 information, which shouldn't -- but by the end of
25 this week we will have those submitted.

1 CHAIRMAN ZOOK: Okay. All right. So that makes
2 me feel a little better.

3 MS. KING, do you have anything to add?

4 MS. KING: Yes. In response to the -- about the
5 co-op services, we are working with both of these
6 districts to transition from using what was set up as
7 a temporary service for them by having the co-op
8 provide screening and dyslexia intervention services.
9 Both districts are working toward assuming those
10 roles within the house -- within house because they
11 realize that the number of students that are needed,
12 it just makes more sense to have it on-site. So --

13 CHAIRMAN ZOOK: And you're working with them?

14 MS. KING: I am working with them to help --

15 CHAIRMAN ZOOK: Screening instruments, what's
16 used?

17 MS. KING: Yes.

18 CHAIRMAN ZOOK: Okay.

19 MS. KING: Yes. And I've tried to explain to
20 them the way we're doing it this year is we're having
21 to -- because we're having to screen everybody --

22 CHAIRMAN ZOOK: Right.

23 MS. KING: -- it's a little bit --

24 CHAIRMAN ZOOK: Overwhelming.

25 MS. KING: -- overwhelming. But this isn't the

1 way we'll do it next year because they'll already
2 have an idea of what kids -- they'll have some
3 identified and they'll already know their students a
4 little bit more in-depth than what they did at the
5 start. So next year's screening process will be
6 different from what they're doing right now.

7 CHAIRMAN ZOOK: Right. And then you'll begin to
8 see the kind of change that you're hoping for within.
9 Because when you have that big a percentage of kids
10 who needed intervention and weren't getting it, then,
11 you know, that's going to make your numbers look bad.

12 Okay. Thank you.

13 MS. DAVIS: Ms. Newton, can I say one more thing
14 while I'm up here to you?

15 CHAIRMAN ZOOK: Absolutely. Go for it.

16 MS. DAVIS: Because I know you're always asking
17 about the reading --

18 CHAIRMAN ZOOK: Yes.

19 MS. DAVIS: -- and so I want to share this with
20 you all. So while we are identifying students who
21 need that additional screening and specified
22 intervention with dyslexia, struggling readers -- the
23 struggling reader -- so we have been identifying --
24 trying to identify gaps, specific gaps, and then
25 provide targeted interventions within a 10-day cycle.

1 So I just wanted to share this information with you.
2 When you look at the STAR Renaissance data that you
3 have in your packet, I just want you to know on STAR
4 early literacy kindergarten this year you had 30 --
5 we had 39%, fall, winter and spring. So in the fall
6 last year 11% of our kindergarten students were at
7 the 40th percentile -- so at or above the 40th
8 percentile. This year our kindergarten students are
9 at 39%. We've just currently done middle-of-year for
10 those students; we're now at 49% 1st grade. Last
11 year, 18%; this year 45 beginning of year, currently
12 at 52.

13 CHAIRMAN ZOOK: Oh, wow.

14 MS. DAVIS: So our kids -- so what I want to say
15 to you -- and that's across the board with both
16 reading and math. While the numbers are still low,
17 our kids are moving from grade level to grade level
18 more prepared now than they were last year. And then
19 while they are there we are growing kids. And so I
20 just wanted you to know -- because you're always
21 asking about reading, so --

22 CHAIRMAN ZOOK: I am. I'm always asking about
23 reading. And did y'all have summer school?

24 MS. DAVIS: We did not have summer school as
25 such. We had a credit recovery, but -- so we're

1 looking at -- we do some afterschool -- we partner
2 with some community people for some afterschool
3 programs. And I just -- I couldn't give you a lot of
4 details, but I know that our high school is providing
5 some Saturday programs, no charge to the District,
6 some volunteer things. So that's a new thing. But I
7 know they are doing some Saturday things and kids are
8 coming, and so just trying anything we can.

9 CHAIRMAN ZOOK: Yeah. I started to say be sure
10 and keep that pre and post data because that made you
11 feel good just to see it, didn't it?

12 MS. DAVIS: Right. It does. It does.

13 CHAIRMAN ZOOK: Ms. Warren, do you have anything
14 else that you want us to know that we failed to ask?

15 SUPT. WARREN: Yes.

16 CHAIRMAN ZOOK: Just say your name when you
17 come.

18 SUPT. WARREN: Barbara Warren, proud
19 superintendent of Dollarway School District.

20 That article -- no, thank you, thank you, thank
21 you, thank you. The article that we shared with the
22 Commissioner that we just got yesterday, it's from
23 the Arkansas Community Foundation -- tout, a
24 phenomenal program we've been a part of with the arts
25 and science center there in our own community. And

1 that program is literally a resident coming in and
2 partnering with our teachers, our children, and our
3 teachers going there to get professional development.
4 But we've got some phenomenal coverage and we'll make
5 certain that we share that out with you all and to
6 respect, of course, the community involvement.

7 I think what I miss doing oftentimes is the
8 little detail pieces, so we're going to send more of
9 that information out. We send it to the Commissioner
10 and Dr. Hernandez and Dr. Pfeffer. But if you get to
11 see it the way that you did there you will know the
12 details that we never have time to share.

13 I've got to let you know just how blessed we
14 were that Dr. Moore came to our district and was so
15 generous with her time. We didn't do a dog-and-pony
16 show; it was going to be what it was. And what she
17 saw -- well, she can tell you and probably did tell
18 you -- but was the real work. Teaching and learning
19 conversations, that's the norm for us; that's the
20 standard for us at Dollarway School District. I'm
21 not saying another (inaudible, turns away from the
22 microphone) happens every once in a while, but I am
23 saying that that is the crux of our work. And I
24 would even venture to say that with respect to the
25 Community Advisory Board we hear very often across

1 our community that they see the positive things that
2 are going on. So, perhaps not too many people were
3 trying to become a part of the board because maybe
4 they're happy with some of the things that have been
5 going on and happy that we haven't been having some
6 of the challenges that at some point in time we had.
7 I definitely do think it speaks to some concern, but
8 I think you will see also in some of the perceptual
9 data that we do keep that our community is very
10 excited about the positive things and then the
11 growth.

12 So I won't belabor the point in any way but I
13 did want to say hello, a major thank you, and I
14 appreciate the opportunity. And I think that we are
15 doing things in a way now with school improvement in
16 Arkansas that will help us sustain efforts. I asked
17 the question when Act 930 came to be, "Will our
18 timeline start over in Dollarway," because we had
19 been under the old regimen -- and, quite honestly,
20 that was not working in our state. And so, it almost
21 feels like it's year two, two-and-a-half for us here
22 in Dollarway. So knowing that the time is coming,
23 but technically it would be just the last two years
24 that I can say to you we've been -- we have a
25 foundation built for sustained practices. And I

1 think that's what it's going to take for Dollarway
2 and any other school district to improve as they
3 should.

4 So thank you, everyone, and thanks for the
5 opportunity to share.

6 CHAIRMAN ZOOK: Thank you. Uh-huh.

7 Anything further on that?

8 Do I have a motion?

9 MS. CHAMBERS: Move to approve this report.

10 CHAIRMAN ZOOK: Motion by Ms. Chambers to
11 approve the report. Do I have a second?

12 MR. PEKRON: Seconded.

13 CHAIRMAN ZOOK: Second by Mr. Pekron.

14 All in favor?

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRMAN ZOOK: Opposed?

17 Okay. If you all need to leave, please do so.

18 B-6: CONSIDERATION OF LEGISLATIVE REPORT: LEE COUNTY SCHOOL
19 DISTRICT

20 CHAIRMAN ZOOK: Lee County.

21 DR. HERNANDEZ: Okay. Next is Lee County School
22 District. We do have Dr. Bowles and Dr. McIntosh
23 here, along with Mr. Hoy, and then other support
24 people as well.

25 The things that we are looking at to note here

1 is that, you know, last year when we pulled data for
2 the 18-19 school year in terms of TESS observations
3 we found zero that were listed in EdReflect; this
4 year they're up to 51. We have had lots of
5 discussions about ways to increase that number. I
6 know Dr. Bowles will tell you that sometimes as we've
7 had to pare down staff, you know, we put a lot of
8 things on the principal. And so, in addition to
9 that, there has been a lot of things that have gotten
10 in the way of getting in the classroom sometimes and
11 having to deal with discipline and discipline issues
12 and things like that. But we've talked through some
13 different strategies to help to keep those numbers
14 going well. But we are happy that -- you know,
15 obviously when you go from none to 51 in that period
16 of time that's a good thing.

17 Our goal for a lot of these districts is for,
18 you know, getting in the classroom in some form or
19 fashion, for informal or formal, about 8 to 12 times
20 a week; and so we're -- that's where we're
21 progressing and trying to get towards. In addition
22 to that, we want those observations to be quality
23 where there's good feedback being given to the
24 teachers that can help them work with students.

25 As far as attendance, we did see a slight drop

1 in chronic absenteeism when you compare FY19 to FY20,
2 which is a good thing. And then there's also some of
3 the things that they're doing there as far as
4 involving their School Resource Officer, and then
5 also their leadership team meetings where they're
6 discussing some of those types of activities.

7 Within their assessment data you can see that
8 for the students that were above in that early
9 literacy portion, 21% for kindergarten; 1st grade,
10 45%; and 2nd grade, 37%. And then within math one of
11 the things that we ran into this year is that we
12 weren't able to -- we didn't test all the 1st graders
13 that we should. I don't know if that since has been
14 corrected. And we worked on that process, so we
15 should have some better data when we get to the next
16 quarter. And --

17 CHAIRMAN ZOOK: Are you talking about the
18 interim tests or the dyslexia screening?

19 DR. HERNANDEZ: The K-2 Renaissance for math.

20 CHAIRMAN ZOOK: Okay.

21 DR. HERNANDEZ: And then just to -- you know, as
22 we're -- as we are working with the District one of
23 the things that is certainly a -- it's a good thing
24 but it's also a challenge is that, you know, when we
25 look at the District in totality in the upper

1 leadership we've got -- currently, we have, you know,
2 a new superintendent, we've got two new kind of
3 district type support staff that work within the
4 buildings, we've got two new principals, we've got --
5 probably our, what, second, third set of bookkeepers.
6 Right? And so there's a lot of newness and a lot of,
7 you know, first times being in some of these roles.
8 And so we're -- you know, not only are we trying to
9 correct the deficiencies that, you know, the District
10 has taken over for standards, which we know we've
11 really worked through those issues also -- they're on
12 fiscal distress, but at the same time we can't ignore
13 the academics. So, you know, even though they're a
14 fiscal distress district, we're still focused on
15 trying to improve all these things. And like I
16 mentioned earlier, when you're trying to improve lots
17 of different things at the same time it's hard. I
18 mean it's hard and it's one of those things that
19 we're working with them to learn. They're in the
20 process now and have identified that maybe the
21 assessments that they've chosen or were worked in the
22 past that we're re-evaluating that and looking at
23 what we might change to kind of assess this model too
24 within the District. So they're working internally
25 along with our assessment folks to make some -- look,

1 we may be making a lot of changes in terms of what
2 we're looking at in terms of interim assessments
3 moving forward. And so you may see a little bit
4 different type of data moving forward. And so, you
5 know, the numbers -- what we're seeing now are
6 definitely not where we want them to be, but it
7 doesn't -- also is not the complete picture because
8 there are some other things that we need to be
9 looking at in terms of their assessment program.

10 Standards for Accreditation -- they did have --
11 this is a little bit older. They pretty much are all
12 green. The only thing that they have that's still
13 there, and it's more probably on our end, is that
14 they have a Library Media Specialist waiver, but we
15 haven't been able to clear that and that's more of an
16 internal thing. So they should be in all-clear in
17 terms of Standards for Accreditation.

18 Tracy is back there. Is that pretty much
19 correct? I know --

20 MS. WEBB: They have five.

21 DR. HERNANDEZ: They have five. Is it --

22 MS. WEBB: They have some background checks.

23 DR. HERNANDEZ: Oh, there's some background
24 checks, so -- and that is another thing is that we're
25 in that perpetual mode of hiring. You know, one of

1 the things about Dr. Bowles is that, you know, he's
2 very much a fast-mover in trying to get people to do
3 things. But when you do that in a culture where that
4 hasn't been that way you have a lot of teachers that
5 have decided to, you know, take things like FMLA or
6 decide to go home. And so we're in this constant
7 flux of having to replace and move around and make
8 adjustments. And so that's something that, you know,
9 we're going to be constantly monitoring the standards
10 and making sure we're putting people in classrooms
11 that need to be there.

12 They do have a new LEA supervisor. Last year
13 there was somebody that was on contract; this one is
14 now through the Co-op. And our person is actively
15 working with them to address a lot of the things and
16 make sure that they're in compliance with what they
17 need to be doing within the District in terms of
18 special ed.

19 Dyslexia -- we did the same process that we have
20 with the others. We've done the desk audit and they
21 also have a plan, and we're working through that
22 plan. And they can tell you a little bit more about
23 specifics. But, you know, definitely not where we
24 want to be but there is progress being made.
25 Because, you know, obviously we've got people in

1 there and actively asking questions and looking at
2 these things and trying to move the District along.

3 Science of Reading -- we all have the teachers
4 that are on -- have been trained, but we do have --
5 like I mentioned earlier, we do have so much turnover
6 that there are new people that are coming in that
7 we're having to figure out how to get them trained as
8 well. But they do have the support of the Science of
9 Reading Specialists that are coming in, along with
10 the Co-op staff that's coming in to help work with
11 them, model lessons, and those types of things.

12 From the District Support Plan, they are a
13 Solution Tree district and, you know, they're still
14 trying to get that off the ground where they're
15 working with their folks to meet in their
16 collaborative team times and work through essential
17 standards. I think some of the conversation with the
18 District, because we've had so much turnover and
19 newness through this first semester, it's been hard.
20 I mean it's been hard trying to get that up and
21 running as well as it could be. But I think they'll
22 tell you that progress is being made and some
23 decisions about, you know, whether it might be a good
24 idea to just kind of take a step back at semester and
25 kind of restart the process and relook at it and

1 saying, "Hey, here's where we're at, let's kind of
2 get going." Dr. Sharon Kremers is supposed to be
3 there this month, yeah, to meet and kind of just give
4 kind of a review and say where are we at and where
5 are we trying to get to within the district. And so
6 I think we're looking forward to that visit and hope
7 that will kind of -- with all the other things that
8 we're doing with the District kind of keep it moving
9 in the right direction.

10 From community engagement efforts, you can see
11 that things with -- that the District is
12 participating in is Rotary Club, Take Your
13 Legislators to Work. They do a really good job, if
14 you haven't followed them on social media. I mean
15 they're really good, both the District and one of
16 their partners, contracted partners, Sugar Ditch
17 Communications. They're actively sharing a lot of
18 the things that they're doing in trying to build that
19 positive culture with the community and the students.
20 They do in their community engagement section --
21 there's a thing within your report that lists a lot
22 of those things. But you'll see one common theme in
23 a lot of their different things and that's the Men of
24 Action group within their community that's provided
25 things from the beginning of the year and continue to

1 do things with the District.

2 As I mentioned, we do still continue to have all
3 the supports. Staffing very much remains a concern,
4 trying to get the people in the right seats and
5 getting people in the District. And also one of the
6 things we're running into is substitute teachers;
7 we're having a real problem getting substitutes and
8 not having to combine classes, which they've had to
9 do a lot of that in trying to address just day-to-day
10 business. And so that continues to be an issue with
11 the District.

12 Finances -- one of the big things in building
13 the budget this year, they do have around -- probably
14 a large hole that we're going to have to shore up
15 this year. But what we're seeing is that the
16 District is on track to lose around 74 students, and
17 so when you translate that into dollars that's about
18 a half-a-million dollars of loss in revenue. And so
19 as we're trying to bridge these things up and get
20 these things working we also keep -- have to keep in
21 mind that we're going to have to become more
22 efficient and more lean within the District with
23 there being lots of needs.

24 Elementary school, Dr. Bowles and his team has
25 done great work in getting that building up and in

1 shape and ready to go, but there are other needs
2 within the district. And, you know, he has -- he's
3 talked about it a lot as being that person in the
4 middle, is that, you know, trying to -- the community
5 wants a lot of things, but when you don't have the
6 money to do those things it's hard to deal with. And
7 so that's --

8 CHAIRMAN ZOOK: And don't they keep the money
9 for 18 months or a year-and-a-half or whatever the
10 time period is after a student leaves?

11 DR. HERNANDEZ: So the way it typically works is
12 districts are funded on prior year ADM. So this year
13 they're funded on the number of students that they
14 had last year for that three-quarter ADM average. So
15 when we talk about the 74 student loss, when we get
16 into next year that's where they'll realize that.
17 Now they will get some declining enrollment funds,
18 but that's a one-time shot as opposed to the ongoing
19 revenue. And so that's how kind of that part works.
20 And so they'll -- so that's something that we have to
21 be mindful of going into the second semester is that
22 funding will drop off for next school year and so we
23 need to make those adjustments.

24 I think that's it.

25 CHAIRMAN ZOOK: Okay. Mr. Pekron? Ms. Newton?

1 MS. NEWTON: Just something that you said made
2 me think of something that happened yesterday in the
3 ESSA meeting. You said that they were having a lot
4 of trouble with substitutes.

5 And, Dr. Bailey, you may can help me with this,
6 or somebody on your team.

7 But someone said yesterday that one of the
8 districts was trying to find money to fund an
9 Opportunity Culture, the different levels that
10 teachers could attain to and maybe giving more money
11 for different levels. But one of the things they
12 were doing was hiring a parapro for substitutes and
13 had saved like \$40,000 or \$80,000 -- I can't remember
14 which one -- but it saved the district a lot of money
15 and they had that parapro there to do the
16 substituting. So, you know, if that's something that
17 you're having trouble with you might think of that.

18 DR. HERNANDEZ: So they have been going through
19 that process of getting the parapro to do subs.
20 They've also been exploring the idea of using the
21 parapro that may be paid out of federal funds. And
22 so, obviously when they're paid out of federal funds
23 they're there for certain things and not able to sub.

24 MS. NEWTON: Right.

25 DR. HERNANDEZ: But if they were to pay a

1 portion of their contract out of operating, which we
2 don't have a lot of --

3 MS. NEWTON: Right.

4 DR. HERNANDEZ: -- they can use those. But
5 there's some very specific paperwork and things that
6 have to happen, and it's complicated -- but what's
7 called Time Certification; at the end of the year if
8 you say 10% of this salary is paid for -- or I did
9 10% that's paid out of operating, 90% was federal
10 work, I have to sign off that that happened.

11 MS. NEWTON: Yeah.

12 DR. HERNANDEZ: If they don't or there is no
13 Time Certification -- that's a similar thing that
14 happened in Earle --

15 MS. NEWTON: Right.

16 DR. HERNANDEZ: -- is there were no Time
17 Certifications and the District had to pay back some
18 of that money. So we have to be very careful with
19 that, but that is something that the District is
20 looking at.

21 One of the questions was about Opportunity
22 Culture schools. Dr. Bowles was very active in that
23 in Forrest City and is actually working with his
24 staff now to try to bring that same type of process
25 there. In addition to that, he's talked to his PPC,

1 Personnel Policy Committee -- I lost the word there
2 -- to start to talk to them about incrementally
3 raising the salary. I think one of the things in
4 regards to subs that kind of hurts them this year --
5 you know, last year they just kind of had a weird --
6 you know, was it \$181 a day? I mean that's what they
7 were paying for substitute teachers, and that's not
8 -- you can't pay an employee that's, you know, out on
9 sick leave or, you know, there within the district
10 and then afford to pay almost another teacher's
11 salary worth of subs when you have a lot of subs.
12 And so, you know, we got that more in line with the
13 normal substitute rate, and so that may have been an
14 aspect of it. But it's just a lot of people that are
15 -- that live in the area to come sub; I think that's
16 one of the issues, and just the number of teachers
17 that, you know, aren't there I think causes a
18 problem.

19 MS. NEWTON: I was just struck by the amount of
20 money that the District had saved by using paras to
21 do that. So, anyway --

22 DR. HERNANDEZ: Yeah.

23 CHAIRMAN ZOOK: Ms. Chambers? Ms. Dean?

24 MS. DEAN: Once again, I just want to highlight
25 the great work that you all are doing with your

1 family and community engagement there in Lee County.
2 Once again, just a prime example of what we're
3 looking for when we say family and community
4 engagement; lots of opportunities for not just moms,
5 but dads to be involved. You've got a partnership
6 with the Rotary Club; your fraternity and sororities
7 locally; local housing authority -- I was glad to see
8 that; the Farmers and Merchants Bank; I think I saw a
9 grocery store, Food Giant; Department of Workforce
10 Services, TANF; your local representative,
11 Representative Reginald Murdock, who is a great
12 advocate for the District; and a retired educator --
13 that's just to name a few. But this is a prime
14 example of so many of our stakeholders being
15 concerned about our children and those wraparound
16 services that so many of our kids need. It takes a
17 village; it takes the whole community to insure that
18 our students get not just the academics, but
19 everything that goes along with it so that they can
20 excel academically when all those other issues are
21 taken care of.

22 Just one thing -- and this is one thing I wish
23 I'd said earlier when Dollarway was here. But one
24 thing that I'm not seeing that I'm sure -- it just
25 may have been an oversight, but I'm not seeing

1 anything from our faith community and that concerns
2 me. I don't know if there's some things going on
3 with the faith community that just didn't get
4 mentioned or if that's an area that needs to be -- a
5 relationship that needs to be strengthened. But just
6 historically the local church, the local faith
7 community has been and always has been a pillar in
8 the community and a source of resources and strength
9 and mentorship and opportunities. So I would
10 encourage you, I would encourage Pine Bluff, I'd
11 encourage Earle as well, to strengthen those
12 relationships with your faith community so that
13 that's one more avenue of assistance and support that
14 our children can take advantage of. Thank you so
15 much.

16 CHAIRMAN ZOOK: Ms. McFetridge?

17 MS. MCFETRIDGE: I know we're in a bit of a
18 time-crunch, but I would like to hear just from the
19 District and just any comments you might have for us.
20 Tell us --

21 CHAIRMAN ZOOK: Get a little closer; they're
22 having trouble hearing you.

23 SUPT. BOWLES: Yes. Zrano Bowles.

24 Well, first, thank you for that compliment. We
25 definitely have been trying to work hard to, you

1 know, bring everybody together. One of the things
2 that we really kind of have that's a benefit for us
3 is that we're so small that when you talk about the
4 faith-based community they're members of Men of
5 Action, they're members of the Rotary Club. So we
6 kind of meet together on a regular basis and so we're
7 able to kind of cover some of those things. But I
8 agree we could definitely extend a little bit more.

9 What we've done over the last month is we've
10 noticed, back to your point about wraparound
11 services, is that, you know, we have a lot of
12 students that really have a lot of needs. Right?
13 And so what we've decided to do was, hey, we really
14 want to get some embedded support for those kids.
15 And so with that we hired a guy who's coming in now,
16 he's mentoring our young men. And even through our
17 Donuts for Dads we had several fathers that signed up
18 and said, "Hey, we noticed a lot of students weren't
19 present and maybe they -- you know, absent father in
20 the home." So they literally volunteered just to
21 provide those services for our young men as well, so
22 we partner with them. And then we've also brought in
23 someone who just came in today, Dr. Brenda Caldwell,
24 who's coming in and she's a rejuvenator who's
25 actually working with our younger females. And so

1 what the plan is is that by the end of both of those
2 initiatives we'll then start kind of like mirroring
3 what Dollarway is doing and start doing some service
4 or doing some support also for some of our parents so
5 we can show them how to be active partners in the
6 District and then also how to continue to help their
7 child strive in their educational success.

8 One of the things that we actually advertise
9 quite a bit -- I mean that we're very proud of is our
10 graduation coach. You'll probably notice, you know,
11 we've had all the universities to come in, whether it
12 be Pine Bluff, you know, University of Arkansas. And
13 so we've actually now extended that support to now
14 some of our technical schools because we understand
15 that not all of our students are wanting to even go
16 to college. And so we've connected them with a lot
17 of the technical programs that they can actually
18 venture to after college [sic]. We're getting ready
19 -- this week actually we tested a lot of our students
20 for ASVAB because some of them are looking into the
21 Armed Forces. And so we just try to continue to
22 bridge that gap. Our mission is to make sure that
23 every kid when they walk across that stage at
24 graduation that they know exactly what they want to
25 do after high school. So that's some of the work

1 that we've been doing.

2 MS. McFETRIDGE: Thank you very much for that
3 update. I appreciate it.

4 MS. DEAN: I do have a question. Can you
5 elaborate just a little bit on your partnership with
6 the mayor, Mayor Jim Williams, and what that entails?

7 SUPT. BOWLES: Well, you know, actually he's a
8 real good partner. What he does a lot for us is we
9 have the SRO that Dr. Hernandez mentioned, and so
10 typically what he does is he actually provides the
11 officer for the District. And we're also in
12 conversations now to look at providing a second
13 officer for our elementary grades.

14 MS. DEAN: Thank you.

15 CHAIRMAN ZOOK: Mr. Williamson? Dr. Moore?

16 DR. MOORE: I was going to say it was great to
17 hear about and see the graduation coach, because I
18 know that was one of the problems last year going in,
19 students not only -- you know, we don't only want to
20 get them out the door, but with a successful plan.
21 And so I think that's awesome y'all have that.

22 I think y'all have a lot on your plate but I
23 commend you and Dr. Hernandez and his team for coming
24 in from day-one and making the changes necessary,
25 whether that be the dyslexia audit or facilities,

1 that were needed to be made immediately. But I know
2 that's a lot. So I hope that y'all in this next six
3 months are able to parse through what's working and
4 what isn't working and how to strengthen that so that
5 the teachers, similar to others, aren't feeling
6 overburdened with so many different things going on
7 --

8 SUPT. BOWLES: Right.

9 DR. MOORE: -- but are really able to narrow
10 down to what's most important.

11 I think we talked -- when I visited you we
12 talked a little bit about the career and technical
13 ed. programs. So that's exciting that Dr. Kremers is
14 going to come in. And I would like -- however we can
15 support you all in further building those out I think
16 is really important in your schools.

17 SUPT. BOWLES: All right. Thank you.

18 DR. MOORE: Thank you.

19 CHAIRMAN ZOOK: Ms. McAdoo?

20 MS. McADOO: (Shaking head from side to side.)

21 CHAIRMAN ZOOK: One of the things I look at when
22 I look at your data from one year to the next is
23 really more from like the last year's 7th graders to
24 this year's 8th graders. And I think you increased
25 without exception, except to get to 9th and 10th and

1 then you had a dip. Do you -- to what do you account
2 that?

3 SUPT. BOWLES: Wow. You know, interestingly
4 what we find in our high school grades are a lot of
5 -- some of our current staff members are more of the
6 elementary certification. As Dr. Hernandez mentioned
7 earlier, as we continue to lose staff we've been
8 having to replace. And so where we've found a lot of
9 the excess teachers are in some of our elementary
10 grades, and so we've since had to move some of those
11 teachers up. So the culture becomes a little bit
12 more intensified because now not only are we trying
13 to teach them just the regular, you know, pedagogical
14 moves in classrooms but we're also trying to teach
15 content so that teachers can understand the content
16 when they get into the classroom. So that's kind of
17 been one of those things that's kind of been an
18 ongoing thing for us, and so we're actually looking
19 forward to, you know, kind of when we could start our
20 recruitment process once again. We are a part of the
21 Culture Opportunity; we were one of those schools
22 that was selected. And so tomorrow we'll actually go
23 through a hiring-based protocol that we'll be using
24 for the upcoming school year. So our hope is to
25 really identify some of those strong candidates that

1 actually have some of the background and some of the
2 certifications.

3 CHAIRMAN ZOOK: Right. And I was pleased that
4 Ms. Dean pointed out about the community and
5 stakeholder engagement because one of the issues we
6 faced the last time we had to intervene in Lee County
7 was a fractured community.

8 SUPT. BOWLES: Yeah.

9 CHAIRMAN ZOOK: You know, and it seems like
10 you're making an effort to everybody get on the same
11 page and move in the same direction.

12 SUPT. BOWLES: Yeah.

13 CHAIRMAN ZOOK: So I know that is hard.

14 SUPT. BOWLES: It is.

15 CHAIRMAN ZOOK: But nonetheless, it looks like
16 you're headed in the right direction.

17 Talk to me a little bit about your screening for
18 dyslexia in the early grades as well as throughout --
19 through grade 12.

20 SUPT. BOWLES: Kristi.

21 CHAIRMAN ZOOK: If you'll identify yourself.

22 DR. McINTOSH: Kristi McIntosh, Director of
23 Learning Services, Lee County.

24 What we've found is that we've had to
25 restructure our entire dyslexia program, as Dr.

1 Hernandez said. A lot of individuals are new and
2 we've been working alongside of Ms. Vicki King.
3 We've created that dyslexia plan and the co-op
4 specialists have been phenomenal in helping us
5 identify those screeners. They've been working with
6 the K-6 teachers in identifying those indicators and
7 even with the scoring assessment data.

8 CHAIRMAN ZOOK: Okay, good. And I think what
9 you may find is, what they mentioned a while ago,
10 when a student has gone along a long time and not
11 achieved at their ability level to read they may show
12 signs of are they dyslexic or are they just a
13 casualty of a bad curriculum. So, you know, working
14 through all of those kinds of things will be a
15 challenge --

16 DR. MCINTOSH: Yes.

17 CHAIRMAN ZOOK: -- but it sounds like you're up
18 for it.

19 DR. MCINTOSH: Yes. We've actually identified a
20 team and we're going to take that team beginning in
21 January to have them screened in all of the aspects
22 of the dyslexia assessment, the screener. And so
23 once we complete that process we'll be able to look
24 at those screeners; we'll be able to actually apply
25 that in the classrooms and teachers will be

1 comfortable with identifying those indicators.

2 CHAIRMAN ZOOK: And is your curriculum aligned
3 with the Science of Reading or are you still working
4 on an older curriculum that's balanced?

5 DR. McINTOSH: We're still working on an older
6 curriculum. We're working with Solution Tree to help
7 teachers develop a district curriculum. We're in a
8 -- we've incorporated Wilson's Foundations and also
9 Heggerty's.

10 CHAIRMAN ZOOK: Okay. Okay. Because it really
11 is hard to take the RISE training --

12 DR. McINTOSH: Definitely.

13 CHAIRMAN ZOOK: -- and then adapt a program
14 that's not designed, you know, in that same way,
15 particularly if it's a new learning. So --

16 DR. McINTOSH: Yes. And so I'm actually going
17 through the Trainer of Trainers through K-2 RISE
18 Academy, and so that's an added component to that
19 dyslexia program.

20 CHAIRMAN ZOOK: And you're doing the walk-
21 thru's, the observations, the feedbacks, or the
22 principals do it?

23 DR. McINTOSH: Yes, ma'am, I will be the person
24 to do that.

25 CHAIRMAN ZOOK: Okay. Are your principals

1 trained as the instructional leaders there or are
2 they in process?

3 DR. McINTOSH: Once the Trainer of Trainers
4 program is completed I'll take them through a
5 training this summer; so they will be trained in the
6 Science of Reading as well.

7 CHAIRMAN ZOOK: Okay. And then this may be a
8 question more for you about keeping some pre and post
9 data around the way you are using your ESA funds to
10 see if in fact that is closing the gap -- and if not,
11 you know, working on some other way to handle that.

12 SUPT. BOWLES: Yes, that's correct. That's
13 actually one of the things -- one of the reasons why
14 when you look at some of our interim assessment data
15 it's not the best. What we did was we did do our
16 summer school program; we were K-12 in our summer
17 schools, 7-12 being more -- 9-12 being more of the
18 credit recovery, and we did our K-8 with iReady. And
19 what we saw was we saw a lot of growth, I mean like
20 huge amounts of growth -- right -- almost to a point
21 where all of our students could read. And so there
22 was some concern there. And we then held data
23 meetings with those partners and just kind of
24 discussed -- like "talk to us a little bit about the
25 alignment with ACT Aspire and where the alignment

1 is." So at that point we really kind of made a
2 decision midstream to say, "Hey, we've got to find a
3 more authentic assessment because we're really not
4 getting the data that we need to really support our
5 kids."

6 CHAIRMAN ZOOK: Right.

7 SUPT. BOWLES: And so we're actually in the
8 process now of that change, and so hopefully during
9 the next report you'll see more concrete data that's
10 more reflective of where are students are actually
11 performing.

12 CHAIRMAN ZOOK: Great. Anyone else?

13 Do I have a motion?

14 MS. DEAN: Move to accept the report.

15 CHAIRMAN ZOOK: Ms. Dean moved to accept the
16 report. Do I have a second?

17 DR. MOORE: Second.

18 CHAIRMAN ZOOK: Second by Dr. Moore.

19 All in favor?

20 (UNANIMOUS CHORUS OF AYES)

21 SUPT. BOWLES: Thank you.

22 CHAIRMAN ZOOK: Opposed?

23 Motion passed.

24 Thank you very much. Be safe going back.

25 MS. NEWTON: Ms. Zook, can we take a short

1 break?

2 CHAIRMAN ZOOK: We sure can.

3 MS. NEWTON: Thank you.

4 CHAIRMAN ZOOK: We're having a break. Be back
5 at 3:20.

6 (BREAK: 3:10 - 3:21 P.M.)

7 B-7: CONSIDERATION OF LEGISLATIVE REPORT: PINE BLUFF SCHOOL
8 DISTRICT

9 CHAIRMAN ZOOK: Okay. Dr. Hernandez and -- how
10 are you, Dr. Owoh? Good to see you. Pine Bluff.

11 DR. HERNANDEZ: Okay. So we are at Number 4 of
12 5, Pine Bluff School District.

13 So same process. You know, one of the things we
14 looked at was TESS observations, and you can see that
15 last year at this time we had 284 observations; this
16 year we have seen a drop, down to 222 for that same
17 time period. One of those things, if you're looking
18 at kind of one of the contributing factors, is we
19 have had some issues with principals being out, and
20 so we're hoping to correct that. And Dr. Owoh is
21 working with his two assistant superintendents to
22 make sure that those classroom observations are being
23 completed.

24 Student attendance -- you can see that there was
25 a drop in chronic absenteeism, from 25 to 21, which

1 is a good thing. They have been working this year
2 with the Monticello Co-op, ERZ, to review their
3 chronic absenteeism and start to implement strategies
4 associated with that.

5 Assessment data -- the District is using
6 Renaissance throughout for their K-2 assessment. You
7 can see the numbers there for kindergarten, 1st and
8 2nd with early literacy; in addition to that, the
9 math scores. 3-10 you can see how the students are
10 performing, 16% and 32% for math overall, across all
11 grade levels, and that does include all schools. But
12 in the data you can kind of see a little bit more of
13 a breakdown of that information as well. They are
14 working in this first year of the PLC process and are
15 using this data as part of that to make decisions
16 around their instructional practices.

17 Standards for Accreditation -- there are several
18 things that we are monitoring and the District is
19 working on in terms of cleaning up. And so we --
20 those are some of the things -- some of those may
21 have been addressed by now. But we're still -- we're
22 looking for the green chart; we're not there yet, but
23 we are working on that process.

24 As far as special education, you know, they are
25 working to try to make sure -- when you have five

1 different buildings, trying to make sure that there's
2 consistency across those things. Our special ed.
3 person has been working with theirs to address a lot
4 of those things. They do have the alternative
5 assessment that -- around 5% and they are working to
6 try to reduce that; and then also working on their
7 corrective action plan as well with the findings that
8 they have in their special ed. department.

9 Dyslexia -- they did have the dyslexia audit.
10 They've done the -- are working on finishing their
11 completed screenings, and they do have a written
12 plan. And with all these plans, you know, what we'll
13 be doing -- and Vicki King, again, works for the
14 District along with Lenett and their specialist is
15 trying to say, okay, where are we at. We've
16 identified what some of the issues are; we've written
17 a plan; now what are we doing in tracking that
18 progress. And if you've had a chance to look at
19 their dyslexia plan it's very extensive in all
20 districts, but the proof is going to be how are we
21 doing in those. And I think our active engagement in
22 that and working with the District is going to
23 hopefully get them to where they need to be as far as
24 the services.

25 CHAIRMAN ZOOK: I know they were having -- it

1 was noted they were having the same issue with that
2 co-op that Dollarway was. Has that been corrected
3 within the District?

4 DR. HERNANDEZ: Do you want to address that?

5 CHAIRMAN ZOOK: I'm sorry to interrupt your
6 program, but I have to ask them when I think of them.

7 SUPT. OWOH: Good afternoon. Jeremy Owoh,
8 Superintendent, Pine Bluff School District.

9 We have. One of the things that -- and I
10 wouldn't, Mrs. Zook, say that there was a problem
11 with the co-op; it was more so the District utilized
12 the co-op as the main source of support for dyslexia,
13 whereas when the first intentions, when that
14 partnership was established, was just to do -- to
15 serve as support as the District built their -- its
16 own dyslexia program. And so that's what our team
17 has started to do is transition from full, or 100%,
18 support from the co-op where we were under-serving
19 our students --

20 CHAIRMAN ZOOK: Right.

21 SUPT. OWOH: -- to more so having the support in
22 the District. And so Mrs. King as well as the co-op,
23 they're helping us make that transition through a
24 dyslexia plan so that we're 100% operable at the
25 district level.

1 CHAIRMAN ZOOK: Right.

2 SUPT. OWOH: Well, within district.

3 CHAIRMAN ZOOK: Great. Thank you.

4 SUPT. OWOH: You're welcome.

5 DR. HERNANDEZ: Okay. The Science of Reading --
6 you know, one of the things about the District that
7 they did early on is they kind of developed an
8 internal tracker that -- you know, basically they're
9 writing -- checking boxes and making sure that -- as
10 teachers have progressed through the training they've
11 been really good about keeping up with that, where
12 we've tried to use that same process and share that
13 with some of our other districts as well, trying to
14 keep up with who all has had all the requirements in
15 terms of the Science of Reading training.

16 From the District Support Plan, like I mentioned
17 earlier, they do -- they are in that first year of
18 working with their PLC process. Some of the things
19 that -- there seems to be a lot of progress,
20 especially for year-one in terms of the work that's
21 being done with Solution Tree. We haven't had a lot
22 of issues that we've been made aware of with the
23 coaching reports that we've been monitoring and
24 things like that. They are having the principal
25 meetings. The assistant superintendents have really

1 taken an active role in making sure that things are
2 progressing and very engaged in the work, and that's
3 both Ms. Van Dyke and Jonathan Crossley, which is,
4 you know, very positive. And it's always positive
5 when the District is supporting the work and that's
6 what we're looking for. I think that's why they've
7 made such good progress, especially from last year
8 and then also getting into this second year of these
9 things.

10 The community engagement efforts -- there are
11 lots -- some of the things that I've actually
12 participated in has been the Master Facilities
13 planning process. Dr. Owoh has put a really good
14 team together that, you know, includes community
15 members, students, and all those things. We've had
16 several meetings to where next week, on Tuesday --
17 okay, so January; sorry -- where we'll actually have
18 a public hearing where we'll be -- or the District
19 will be presenting "here's what the master facility
20 plan looks like over the next six years," talk to
21 them about some of the different projects that are
22 going on. Where the District has had a lot of
23 discussion around that was previously on their master
24 plan was around the high school. And so that is some
25 of that communication that's been going on and then

1 potentially tapping into partnership funds going
2 forward. But, you know, just like on other
3 districts' social media, you can follow some of their
4 type stuff and activities that they've been doing.
5 And Dr. Owoh has been very heavily involved with
6 that, as has his team.

7 From us, you know, we're still providing the
8 literacy specialist and also from the co-op
9 perspective and then also the Science of Reading
10 specialist. And then he mentioned and I mentioned
11 Dr. -- or Ms. King that's been actively involved in
12 that area with the dyslexia process. There are a few
13 concerns related to the loss of enrollment. I
14 mentioned that a little bit earlier in one of the
15 other ones. Right now, based on October 1, the
16 District is looking at about 264 roughly students
17 that they have lost, and that --

18 CHAIRMAN ZOOK: Is that due to population
19 decrease or are they going somewhere else?

20 DR. HERNANDEZ: So, you know, we actually ran
21 some numbers on that recently, and looking over a
22 six-year period. So if you look back to the 13-14
23 school year till now, just strictly looking at
24 October 1st, as far as Jefferson County as a whole
25 they've lost over 2,088 students. And so, you know,

1 some people say, "Hey, they might be going over to
2 different districts." The only district that seemed
3 to be increasing was just increasing by 12 students;
4 so it's not -- there's just -- there just seems to be
5 a wholesale lot of loss of students.

6 And so with that, if you remember last year we
7 dealt with a very significant student loss last year
8 and made lots of cuts and adjustments to address
9 that. And so we're, you know, going to be -- Dr.
10 Owoh is looking at that. We closed a school last
11 year. So we've got to figure out a way of how we're
12 going to go about being able to shrink expenditures
13 for next year in order to address that. And so
14 that's -- at the same time we're trying to keep the
15 positive momentum that's going on in terms of, you
16 know, the culture, climate, work being done with
17 Solution Tree, and all those types of things. You
18 know, they don't necessarily -- because we've had to
19 shrink staff, getting staff members, you know, hasn't
20 been as much of a problem as it's been in others, but
21 they still are having issues with staffing. I think
22 today -- as of today, how many positions are you
23 looking for?

24 DR. OWOH: Two.

25 DR. HERNANDEZ: Two. And so, you know, we're in

1 the school year. And that happens from time to time,
2 losing staff members throughout the year, but we are
3 going to have to make some adjustments to budget and
4 what that looks like moving forward. So I think
5 that's what the discussion was during the Dollarway
6 School District; as you are losing these students,
7 what makes the most sense moving forward. So that is
8 a big concern for us is that, you know, how are we
9 going to address those things and we're making plans
10 to do that.

11 MR. PEKRON: As long as you're on the subject --
12 I should've asked you this with the other districts;
13 but you mentioned the other districts that were also
14 having decline in students. Did you conduct similar
15 analyses on those to see why they were losing
16 students?

17 DR. HERNANDEZ: So the -- we do look at the
18 numbers to see over time how much is lost. So, you
19 know, with like Lee County, for example, they were
20 close -- around that same timeframe they've been up
21 around 1500 students and they're down to around 691;
22 and so that's a significant loss in that time period
23 as well. Earle, it's kind of out there by itself; I
24 mean it's close to Marion, it's close to West
25 Memphis. But they've been kind of on that steady --

1 not as much of a huge decline, but it's been just a
2 steady drop-off over time.

3 SECRETARY KEY: Mr. Pekron, it reflects the
4 overall nature of that region of the state though.
5 That's -- yeah, it's not isolated to the schools in
6 the districts there, because many of the surrounding
7 districts are in the same -- Brinkley, for example --
8 I mean following the same patterns as the rest of the
9 Delta and the southeast.

10 CHAIRMAN ZOOK: And I think I saw some data the
11 other day that was done by the business community on
12 a national level that the birth rate has declined
13 such so that by 2030 that it's going to be
14 significant, not only in K-12 but also in higher ed.
15 And, you know, if it's coming and we know it's coming
16 there's not much we can do about it, but knowing
17 we're going to have to adjust.

18 DR. HERNANDEZ: Yes. And that's something we've
19 talked about as well, and especially when some of
20 that information has come out. And, you know, that's
21 another thing that plays into the strategy part of it
22 is, you know, how -- it doesn't seem that it's going
23 to get better. And so that's just another factor
24 that comes into making decisions about districts
25 long-term.

1 CHAIRMAN ZOOK: And it's not unique to Level 5
2 schools.

3 DR. HERNANDEZ: No.

4 Okay. I think that is it on Pine Bluff.

5 SECRETARY KEY: Dr. Hernandez, will you go back
6 to the first slide?

7 So the TESS observations -- and forgive me, you
8 may have covered it -- I just want to make sure
9 everybody is aware -- you know, we consolidated
10 Cheney and Southwood --

11 DR. OWOH: Yes.

12 SECRETARY KEY: -- Southwood. So does this
13 reflect maybe the -- one fewer building -- one less
14 building that we have?

15 DR. HERNANDEZ: There could be some of that.
16 Yes.

17 SECRETARY KEY: Okay.

18 DR. HERNANDEZ: It doesn't reflect that there is
19 one less building. But when we looked at kind of the
20 visits from last year to this year one of the things
21 that was noted on a couple of buildings is where
22 we've had not as frequent visits at certain buildings
23 as well. And that was due to principals being out
24 and assistant principals being out as well.

25 SECRETARY KEY: What about the quality of the

1 observations and reflections? What are y'all seeing
2 on those?

3 DR. HERNANDEZ: So I think the quality is
4 something that is still, you know, not there in terms
5 of all the feedback and stuff like that. Brent and
6 Rocci both have access; I don't, but Brent and Rocci
7 have access that they can actually go in and see the
8 TESS information in EdReflect and actually see what
9 feedback is being presented to principals. And so
10 that's what they spend a lot of their time with on
11 the conversations when they're meeting with
12 principals is saying, "Hey" -- they do some walks
13 together, have conversations, but they're also
14 monitoring how the feedback is going with them.

15 SECRETARY KEY: Okay. Thank you.

16 CHAIRMAN ZOOK: Anybody on this side, any
17 questions?

18 Ms. Newton.

19 MS. NEWTON: Just one thing -- I would like for
20 you to kind of give us your opinions, and then I
21 think I kind of know where they would be. But, you
22 know, starting this process under our old system like
23 we did with some of the other districts and then
24 starting this under a completely new district, are
25 you seeing big steps that we're able to make sooner

1 than we were before? I mean are you seeing
2 differences? You know, what -- I guess what I'm
3 asking is is this method that we're trying to use now
4 a lot better than what we were trying before? Are
5 there things that are working or things that we need
6 to adjust? Can you talk I guess about the process,
7 more than anything?

8 DR. HERNANDEZ: I definitely think we can --
9 we're always finding ways to get better at the
10 process. But, you know, my feeling is is that
11 looking at the difference in -- you know, I was here
12 when we first took over Little Rock and then I was
13 here when we took over Lee County the first time, in
14 a different role. But just seeing kind of our old
15 process of saying, "Hey, we're going to -- we're
16 going to take over a school district, we're going to
17 provide them with a superintendent, and we're going
18 to provide them with a school improvement
19 specialist," and really be geared towards -- around
20 here's the academic pieces that you're trying to work
21 on. And so we know that that process, based on the
22 old model, was not as effective as it could be, and
23 that's because, you know, how do you improve
24 academics when you're dealing with student loss, when
25 you have facilities that are awful, when you have

1 human capital issues like that. And so now I feel
2 like we've really upped the speed and intensity of
3 the support. And so, you know, there's some that may
4 be very much welcoming the support and then there's
5 some that are drinking from the fire hose that it's
6 hard for them to absorb all the support that's coming
7 at them and managing through that. And so we have to
8 be mindful about, you know, when you get a call from
9 one person about something that's an issue, well,
10 there's these other issues that they're already
11 trying to deal with at the same time; so that --
12 there's a lot more intensity. And I think some of
13 the encouraging evidence has been, you know, how
14 quickly we're able to turn around finances within
15 Pine Bluff School District, how quickly -- you know,
16 and Dr. Owoh can probably speak to this more, about
17 the culture and the climate of the buildings in more
18 of a positive sense. A lot of that is definitely
19 attributed to Dr. Owoh and his team. When you look
20 at the ESSA School Index specifically for Pine Bluff,
21 when we got in there day-one and were focused on all
22 these different aspects, you know, even though they
23 weren't tremendous gains all the schools improved in
24 their ESSA School Index. And, you know, you don't --
25 that's not the typical norm that that happens. And

1 so when you start to see progress in all the areas
2 that you're hoping to see progress in I feel like
3 we're on a better track. I'm not saying it's the --
4 I believe it's the right track and the proof will be
5 how much we continue that progression. But I think
6 the things that we're focused on this year, when we
7 think about intense support in Science of Reading,
8 intense support in dyslexia, looking at more under
9 these TESS observations and things like that, I think
10 that's -- those are those things that we feel like
11 are going to move the needle in terms of achievement.
12 So I do feel like we're in a much better position.
13 But it also really has to do with that partnership
14 with the community and the people that are receiving
15 the support. You know, they probably get tired of us
16 calling them all the time and asking them questions
17 and working on things, but they're very receptive to
18 the support. The community is really receptive to
19 the support. And so that's kind of that recipe for
20 being able to show success. So I think it's a little
21 bit different than it has been.

22 MS. NEWTON: Good. Thank you.

23 DR. HERNANDEZ: But I'm not saying that's the
24 way it is for all districts, this way.

25 MS. NEWTON: Right. Every district is

1 different.

2 DR. HERNANDEZ: So we are -- every one of them
3 is different, every community is different. But I
4 feel like we've at least got some things in place
5 that are moving towards a lot better, more
6 comprehensive model in terms of state authority.

7 MS. NEWTON: Okay. Thank you.

8 CHAIRMAN ZOOK: Ms. Chambers? Ms. Dean?

9 MS. DEAN: On that note, community -- Dr. Owoh,
10 if you would share with us a little bit about what
11 you all have been doing with your community
12 engagement and your family and community engagement.
13 I know one thing that you've -- you now have washers
14 and dryers in your school to help with the needs of
15 your students.

16 SUPT. OWOH: We do. Thank you, Ms. Dean.

17 Jeremy Owoh, superintendent, Pine Bluff School
18 District.

19 When we started to -- last spring, early summer,
20 when we started to look at student attendance and
21 some issues that may be impacting our student
22 attendance, we started looking at the social and
23 emotional needs of our students. And so with great
24 partners in the community and our social workers one
25 day -- well, from a conversation with our social

1 workers we brainstormed, well, what are some of the
2 reasons why our students are not coming to school.
3 And some of it -- and we realized just based on
4 research but based on some of our real-life examples
5 within our district students didn't have the
6 resources that they need, that they felt were
7 important to them. And so we wanted to make sure
8 that we removed all barriers, and so we started to
9 reach out to community partners. And one -- a day
10 after that conversation we had a donation of a washer
11 and dryer so that we could start a laundry facility
12 at a campus that we do not operate with students but
13 we are using it -- Belair Middle School -- as a
14 wraparound center; and so where our food pantry, as
15 well as our clothing pantry is located. And so we
16 wanted to make sure that we continue to build those
17 wraparound services. So with that donation we were
18 able to start a laundry facility at Belair. Well,
19 that sparked additional donors, and so now we are
20 able -- we have laundry facilities at all of our
21 campuses, and so that was a blessing. After that
22 happened we started getting -- receiving donations of
23 laundry detergent, and so now we have a year's supply
24 of laundry detergent so that our parents and our
25 students can utilize those facilities. And so we

1 really wanted to start -- focus on those social and
2 emotional.

3 Just recently we've started a discussion on the
4 partnership with Dr. Jones, a local dentist, where
5 she will provide screenings at our school site at
6 Belair. And so we would transport -- if it's
7 approved, when it's on our board packet, we will bus
8 students -- transport students and social workers --
9 with parental approval, consent, we would bus them to
10 have those screeners that we know that are important
11 as it pertains to our early dental hygiene.

12 We also -- you mentioned the ministerial
13 alliance. We work with Reverend Turner and his team,
14 Coffee with the Chiefs. And I will say all the
15 school districts in Jefferson County --

16 MS. DEAN: Okay.

17 SUPT. OWOH: -- and Pine Bluff School District
18 -- and so we partner with him with History Day. We
19 actually participate in a monthly meeting, Coffee
20 with the Chiefs, where all the local community
21 leaders convene and we share updates from all school
22 districts. We -- I meet monthly with a retired
23 teacher group, teaching group, where they provide
24 feedback, provide support. One in particular type of
25 support is classroom management; so they are planning

1 to meet with our novice teachers to provide support
2 in that aspect and different other areas as well --
3 as well as Praxis support. So we're getting Praxis
4 support for our teachers who are on the 1240 waivers.
5 They have offered that support, but we also receive
6 that support from the University of Arkansas at Pine
7 Bluff.

8 MS. DEAN: Okay.

9 SUPT. OWOH: So we want to make sure that our
10 teachers who are on those waivers move quickly
11 towards licensure; so we're providing that support
12 through those partnerships.

13 Dr. Hernandez mentioned the Facilities Master
14 Plan. We have community involvement there.

15 We tried to be creative with our parental
16 engagement activities. So another session that we've
17 had biweekly was a -- I'm trying to see what the --
18 it was a couponing workshop that we offered our
19 parents and community members and staff members, but
20 -- Extreme Couponing. And so they were able to come
21 in. One of the things, concerns that we had was with
22 some of the local recent businesses coming in. We
23 want to make sure that parents knew more strategic
24 ways of utilizing funds and stretching funds in
25 supporting our students. So we want to provide that

1 support. So we're continuing to try to think outside
2 the box of how we can engage parents and support them
3 as they support our students.

4 MS. DEAN: Great work. Thank you.

5 CHAIRMAN ZOOK: Ms. McFetridge? Mr. Williamson?
6 Dr. Moore?

7 DR. MOORE: Yes. I was glad to see that all
8 school have afterschool programs.

9 SUPT. OWOH: Yes, ma'am.

10 DR. MOORE: I was also glad to see the figure
11 that 99% of teachers have completed RISE training or
12 are on their way to be completing it.

13 SUPT. OWOH: We have one more professional
14 development day and then we'll be at that target of
15 99% completed. And if I could, Dr. Moore, say that
16 we have two principals who have completed the initial
17 RISE training day three, face-to-face training, and
18 the Assessor Academy. The remaining principals, as
19 well as our two assistant superintendents, are on
20 track to complete by the end of the year as well. So
21 by the end of this school year all of our leaders who
22 are assessing and providing evaluations, observations
23 for our educators will have completed the Assessor
24 Academy so that they will be trained in the Science
25 of Reading.

1 DR. MOORE: That's great, because that -- I mean
2 after doing the training there's a lot more to do and
3 a lot more services and support the teachers need.
4 And so that's great that the building principals are
5 going through that to provide that support as well.

6 SUPT. OWOH: Yes, ma'am. Well, it was important
7 for us to make sure that -- you know, when I first
8 stood before you all at the first legislative audit
9 report last year that we have strong leaders
10 supporting our teachers. And the only way that we
11 feel that we can have that strong leadership,
12 effective leadership is if our leaders understand
13 what our teachers are teaching in the classroom. So
14 we want to make sure we quickly address that capacity
15 building to insure that the Science of Reading is
16 fully implemented within our classrooms.

17 DR. MOORE: That's great. And I really enjoyed
18 sitting in with your specialists in the PLC process
19 as they're looking at each school and tailoring it
20 for what each campus needs, because they're all
21 different.

22 One more thing I had -- so when you're looking
23 at the facilities plan for high school, I know there
24 is a lack of CTE offerings. Is that something y'all
25 are looking into? Have y'all looked to places like

1 Pea Ridge or elsewhere that have really strong career
2 and tech programs either on campus or partnered with
3 Southeast and what that looks like as you're thinking
4 five and ten years down the future?

5 SUPT. OWOH: We have. And we also are looking
6 at just efficiency of the district. So as far as
7 career and tech we have a JATTC partnership through
8 the co-op that offers vocational and career technical
9 options. And so because we have that cooperative
10 consortium it's more of an advantage for our students
11 to participate in that. And so we're really focused
12 this year on increasing the number of students who
13 are enrolled in those offerings.

14 DR. MOORE: Great.

15 SUPT. OWOH: That center is located on SEARK's
16 campus --

17 DR. MOORE: Okay.

18 SUPT. OWOH: -- which is a two-year institution.
19 And so we're looking at ways that we can provide
20 those opportunities, but also address our fiscal
21 distress plan as well.

22 DR. MOORE: That's great. Well, thank you --

23 SUPT. OWOH: Thank you.

24 DR. MOORE: -- for being here.

25 CHAIRMAN ZOOK: Ms. McAdoo?

1 SUPT. OWOH: And we enjoyed having you in the
2 District as well. So --

3 CHAIRMAN ZOOK: Ms. McAdoo?

4 Two brags. One, Southwood moved up a grade --

5 SUPT. OWOH: Yes, ma'am.

6 CHAIRMAN ZOOK: -- and that's great. And your
7 graduation at the high school, they met their growth
8 score and increased graduation; so I commend you on
9 both of those things. That's --

10 SUPT. OWOH: Thank you.

11 CHAIRMAN ZOOK: That's great progress.

12 SUPT. OWOH: We're proud of our students and our
13 educators.

14 CHAIRMAN ZOOK: Right.

15 SUPT. OWOH: So they're doing what it takes.

16 CHAIRMAN ZOOK: So now is the curriculum -- the
17 reading curriculum you're using, is it aligned with
18 the Science of Reading and the Arkansas standards?

19 SUPT. OWOH: I'm glad you asked that question,
20 Mrs. Zook. What we did, we were going through an
21 adoption last spring, and after meeting with Mrs.
22 Stacy Smith we put a hold on it until they went
23 through their process of publishing their approved
24 list.

25 CHAIRMAN ZOOK: Right.

1 SUPT. OWOH: And so during the summer we trained
2 our teachers through Heggerty and Phonics First --

3 CHAIRMAN ZOOK: Right.

4 SUPT. OWOH: -- and then utilized -- and, of
5 course, they went through Science of Reading. And so
6 we utilized the resources that we currently have
7 within District, the Anchor text, and really focused
8 on the essential standards, making sure that our
9 teachers were teaching those standards and supporting
10 that instruction with Anchor Text and Decodable text.
11 And so in supplementing some of the instruction with
12 the Journeys, which is what the District was using
13 for instruction resources prior to last year -- and
14 so we're going through the process of making sure
15 that those essential standards are being taught. And
16 then this spring we're going to go through the
17 adoption process for the literacy.

18 CHAIRMAN ZOOK: Great. And soon enough that
19 they can get trained, you know.

20 SUPT. OWOH: Right.

21 CHAIRMAN ZOOK: Right. Anyone else?

22 Do I have a motion to accept?

23 MS. McFETRIDGE: So moved.

24 CHAIRMAN ZOOK: Moved by Ms. McFetridge.

25 DR. MOORE: Second.

1 CHAIRMAN ZOOK: Second by Dr. Moore.

2 All in favor?

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRMAN ZOOK: Opposed?

5 Motion passed.

6

7

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