

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

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*September 8, 2016*

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*Sharon Hill Court Reporting  
4021 Robinwood Cr.  
Bryant, AR 72022  
(501) 847-0510*

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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION  
STATE BOARD OF EDUCATION

September 8, 2016  
10:00 A.M.

APPEARANCES:

Mr. Johnny Key	Commissioner
Ms. Mireya Reith	Chairman
Dr. Jay Barth	Vice Chairman
Ms. Diane Zook	Board Member
Mr. Joe Black	Board Member
Ms. Charisse Dean	Board Member
Mr. R. Brett Williamson	Board Member
Ms. Ouida Newton	Board Member
Dr. Fitzgerald Hill	Board Member
Ms. Meghan Ables	Teacher of the Year/ Non-Voting Member

LEGAL COUNSEL FOR THE BOARD:

Ms. Lori Freno	ADE General Counsel
Ms. Courtney Salas-Ford	ADE Deputy General Counsel
Ms. Jennifer Davis	ADE Attorney

LOCATION: ADE Auditorium  
#4 Capitol Mall  
Little Rock, AR

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P R O C E E D I N G S

C-10: CONSIDERATION OF THE RECOMMENDATION OF THE DEPARTMENT  
FOR RECOGNITION OF PRIVATE ORGANIZATIONS AS AN ACCREDITING  
ASSOCIATION FOR THE PURPOSE OF ESTABLISHING PRIVATE SCHOOL  
ELIGIBILITY FOR THE SUCCEED SCHOLARSHIP PROGRAM

CHAIRPERSON REITH: We will now consider consent  
agenda item 10 as an action item. And, Ms. Salas-  
Ford, you're recognized.

COMMISSIONER KEY: Madam Chair --

CHAIRPERSON REITH: Yes, Commissioner.

COMMISSIONER KEY: -- if I may, I would like to  
take this opportunity, with Courtney coming up, to  
introduce her to you as our new Deputy General  
Counsel.

CHAIRPERSON REITH: Congratulations.

[APPLAUSE]

MS. SALAS-FORD: Thank you, Commissioner. And  
thank you, Madam Chair. Agenda item 10 is for  
consideration of two private organizations seeking  
recognition from the Board to -- in order to -- for  
private schools to become eligible under the Succeed  
Scholarship Program. The law requires that a private  
school be accredited by either the State Board, the  
Arkansas Non-Public School Accrediting Association,  
or another organization recognized by the State

1 Board. And so these are two organizations seeking  
2 recognition from the State Board.

3 CHAIRPERSON REITH: Thank you, Ms. Salas-Ford.  
4 Ms. Zook.

5 MS. ZOOK: Yes. It's my understanding that the  
6 law and the rules that we approved specifically  
7 designated kids with -- or students with severe  
8 handicaps in the mild, moderate, and severe range.  
9 And I have a concern that since we have put a third-  
10 party in between the parent and school and the  
11 Department of Education where the professionals are  
12 that based on the article I read in the paper that  
13 students who are not in the severe range are being  
14 considered, and that concerns me. It also concerns  
15 me because, based on my experience with Montessori,  
16 those schools typically focus on learning  
17 disabilities, not the severe handicaps. And the  
18 learning disabilities sometimes, but rarely, fall in  
19 the severe range. And I noticed in the article it  
20 mentioned dyslexia which we know, depending on which  
21 way you have dyslexia, under special ed. or not under  
22 special ed., that may or may not -- likely not fall  
23 in the severe range. So I think my concern is having  
24 Montessori as an accrediting group. I have no  
25 problem with AdvancEd because it's my understanding

1 that AdvancED is a combination of the old North  
2 Central and South Central accrediting groups.

3 MS. SALAS-FORD: Yes.

4 MS. ZOOK: So can you speak to why the  
5 Department feels that Montessori Society is -- should  
6 be considered?

7 MS. SALAS-FORD: Well, to answer your question,  
8 the rules that were promulgated actually define  
9 severely disabled as any student that has an IEP, and  
10 so we did not include in that definition any other  
11 factors that would be considered in determining  
12 whether a student was severely disabled. If they  
13 have an IEP, they're eligible for the scholarship.  
14 And so what private schools that are applying have  
15 done is listed to us what services they will offer a  
16 student and then a parent has the right to choose if  
17 they feel that school will meet their student's  
18 particular needs. The legislature, you know, wrote  
19 the law in such a way that they wanted parents to  
20 have that choice and they make the decision of what  
21 the best school was for their student.

22 MS. ZOOK: Do you know when -- I don't know who  
23 introduced the bill, and I know it passed unanimously  
24 in the legislature.

25 MS. SALAS-FORD: Uh-huh.

1 MS. ZOOK: But do you know whether or not they  
2 intended for "severe" to be defined as anybody with  
3 an IEP?

4 MS. SALAS-FORD: I have not had that  
5 conversation with any of the legislature, but they  
6 did not include a definition. And so without further  
7 information we just mirrored the law in our rules.

8 MS. ZOOK: Yeah. And I know you were with the  
9 special ed. department, so I understand you speak  
10 from experience and knowledge. But "severe" has  
11 never been defined as someone with an IEP; it's  
12 always mild, moderate, or severe. So that concerns  
13 me.

14 It also concerns me that we're using a third-  
15 party to have the relationship with the school and  
16 the parent when I don't know what kind of guidance  
17 they are capable or qualified or are giving. I think  
18 it's important that parents have a relationship with  
19 the educators and have an intermediary. Even though  
20 I did read the law and the rules, it says that we can  
21 do that, but I also know that those rules barely  
22 passed the Board at four-two. And we have, you know,  
23 new board members that I thought needed to be a party  
24 to this discussion. So anyway, Madam Chairman, those  
25 are my concerns about number 10.



1 MS. SALAS-FORD: And if I may, Madam Chair --

2 CHAIRPERSON REITH: Yes.

3 MS. SALAS-FORD: -- I believe you're referring  
4 to the Reform Alliance as the third-party.

5 MS. ZOOK: Yes.

6 MS. SALAS-FORD: I can assure you that I  
7 personally speak with every parent and every private  
8 school that applies, and so we do maintain that  
9 relationship. The reason for having the third-party  
10 is for the money to be processed. The state  
11 constitution doesn't allow public school funds to  
12 benefit a religious school, a private school, which  
13 many of these are. And so by us giving the money to  
14 the Reform Alliance they then issue it to the parent,  
15 and so, again, we maintain that relationship. I have  
16 spoken to each of them personally and they, again,  
17 are free to call us any time that they have questions  
18 and maintain communication with the school districts.

19 MS. ZOOK: Okay. I do appreciate that and it's  
20 good to know. It bothers me a little bit that we  
21 appear to have tried to make an end-around if the --  
22 it's mostly religious schools, and there is a  
23 constitutional law against that, that we are getting  
24 around that rather than asking the legislature to  
25 address that. So that too concerns me.

1 CHAIRPERSON REITH: Yes, Commissioner.

2 COMMISSIONER KEY: Okay. So I guess I'd better  
3 jump in on that one, Ms. Zook.

4 CHAIRPERSON REITH: Thank you.

5 COMMISSIONER KEY: This is what the legislator  
6 wanted -- legislature wanted. This is -- it is set  
7 up -- and the Representative, the sponsor of the  
8 legislation, he's been with this process through --  
9 every step of the way through the implementation.  
10 And the way we're setting it up is exactly how the  
11 legislative intent was described to us. One thing  
12 that we need to keep in mind is to participate in  
13 this program parents actually have to sign a waiver  
14 really putting the state off -- letting the state off  
15 the hook from those things that we have to be bound  
16 by if the students are in a traditional public school  
17 or even a charter school. Because this is -- it is  
18 built-in flexibility that they -- the legislature  
19 desired and put in this, and it's been hard for us  
20 because trying to determine the best way to set this  
21 up. So the rules that we put before you, this  
22 approval that we're putting before you, it is  
23 certainly in line with what the legislature passed.  
24 And notwithstanding the concerns that we have -- you  
25 know, that you have or those of us on the ADE team

1 might have -- because this is so new to Arkansas,  
2 that's why they -- that's also why the -- I don't  
3 want to use the word "pilot;" that's the only word I  
4 can come up with right now to describe it, because  
5 it's limited to 100 -- you know, the first 100  
6 students that apply, 100 families that apply. The  
7 notion -- and I want to make sure to dispel the  
8 notion of anything being end-run -- around, because  
9 that's not what we're doing. It's a -- it is funding  
10 that goes to the parent; this funding does not go to  
11 a private organization, doesn't go to a religious  
12 school or anything like that; it goes directly in the  
13 disbursement to the payment -- to the parent, which  
14 is what this third-party does. I mean, we fund in a  
15 lump-sum to that group and then they disperse to the  
16 parent according to the guidelines that we have set  
17 forward. So I just wanted to make sure that we're  
18 clear. And, Courtney, help me if I missed anything  
19 there but --

20 MS. SALAS-FORD: No, you're correct. And I did  
21 not mean to infer in any way that we were using the  
22 third-party as an around the constitution. Just,  
23 again, that we have to give it to the parent; we  
24 can't give it directly to the school --

25 MS. ZOOK: Right.

1 MS. SALAS-FORD: -- because of the constitution.  
2 So we give it to the parent. The third-party, again,  
3 is just -- I hate to say a funnel but, you know, they  
4 facilitate the transfer of the funds so that the  
5 parents come to them, get the voucher, and then they  
6 can help get it to the private schools.

7 COMMISSIONER KEY: And this has been challenged,  
8 has it not, in another state? The constitutionality  
9 of this methodology --

10 MS. SALAS-FORD: Yes.

11 COMMISSIONER KEY: -- has been challenged and  
12 has been upheld I believe in Florida.

13 MS. SALAS-FORD: I believe you're correct. Yes.  
14 Numerous other states have similar programs. It has  
15 been challenged and upheld. And we have made sure  
16 that our process, again, is in alignment with --

17 COMMISSIONER KEY: Right.

18 MS. SALAS-FORD: -- what's allowed.

19 CHAIRPERSON REITH: Dr. Barth. I think Dr.  
20 Barth had a question.

21 DR. BARTH: Just -- and just to clarify, so  
22 there were -- on the list of schools that have become  
23 eligible -- right --

24 MS. SALAS-FORD: Yes.

25 DR. BARTH: -- there are no non-sectarian

1 schools on that list; right? They were all religious  
2 schools; is that correct?

3 MS. SALAS-FORD: Currently, yes. I believe all  
4 of the schools are sectarian. One that has applied  
5 but is on-hold pending approval of this item is non-  
6 sectarian.

7 DR. BARTH: Is that a Montessori?

8 MS. SALAS-FORD: No. It's Prism Education  
9 Center in Fayetteville.

10 DR. BARTH: Okay.

11 MS. SALAS-FORD: They are accredited by AdvancEd  
12 and so would need approval on this agenda item before  
13 they could be approved as a private school.

14 DR. BARTH: I understand. Okay.

15 CHAIRPERSON REITH: Thank you. Did you have  
16 additional --

17 DR. BARTH: Yeah. You know, I agree with the  
18 Commissioner that this is a pilot program. I just  
19 worry that, while it's a pilot, it does set some  
20 precedent for future efforts to expand programs like  
21 this, and so that's a concern. I mean, I think I had  
22 problems with the way the rule was written when it  
23 was put before us, respecting the legislature's right  
24 to do this, but we have some -- we did have rule-  
25 making authority on this and did have some authority

1 to shape that. So that's my concern, is that we --  
2 if we take this step that we truly -- the purpose of  
3 pilots are to try things out, truly try things out,  
4 figure out what works and what doesn't work. And I  
5 really want us, if we do take this step, to see this  
6 as a true pilot, not as setting a precedent for  
7 exactly how we're going to do things with programs in  
8 the future that may be expansions on this program.

9 CHAIRPERSON REITH: Yes, Ms. Zook.

10 MS. ZOOK: Okay. Back to the third-party, it's  
11 my understanding the State makes out the check to the  
12 parent and then the parent signs it over to the  
13 receiving institution.

14 MS. SALAS-FORD: Yes, ma'am.

15 MS. ZOOK: So that's not sufficed to take care  
16 of the concerns expressed because you're not really,  
17 quote, giving the money to the sectarian  
18 organization; you're giving the money to the parent  
19 --

20 MS. SALAS-FORD: Correct.

21 MS. ZOOK: -- who then signs it over. So  
22 whether or not the third-party is needed is still in  
23 each of our minds. Okay. And, also, I know you had  
24 assured me that parents can sign away their child's  
25 right to a free and appropriate education.

1 MS. SALAS-FORD: Yes, ma'am.

2 MS. ZOOK: I still worry about that. I know --  
3 and back to other states, I know in other states,  
4 Florida and Georgia in particular, there are schools  
5 that specialize in working with kids with learning  
6 disabilities and with autism and a variety of things.  
7 Arkansas doesn't have very many of those because our  
8 school districts for the most part have done a good  
9 job or serving our handicapped population. But the  
10 few that we have have not actually applied to be  
11 considered, so that bothers me a bit too.

12 And another thing that bothers me is that in the  
13 contract that the parent or that the school -- the  
14 receiving school gets, the law and the rule says "we  
15 recommend" that they do background checks and  
16 fingerprinting, as opposed to "we require," as we do  
17 with our traditional and charter schools.

18 So, you know, now the Board knows all the things  
19 I'm concerned about and each of us will make up our  
20 own mind.

21 CHAIRPERSON REITH: Okay. Thank you. Any  
22 questions or comments from our other members of the  
23 Board? Otherwise, I'll entertain a motion regards to  
24 this action item.

25 MS. ZOOK: I move that we approve action item 10

1 for AdvancEd but not the American Montessori Society.

2 CHAIRPERSON REITH: Do I have a second?

3 [MOMENT OF SILENCE]

4 CHAIRPERSON REITH: Okay. For a failure of a  
5 second the motion fails.

6 Do I have another motion?

7 MR. WILLIAMSON: Move to table.

8 MS. NEWTON: Can I --

9 CHAIRPERSON REITH: Yeah, actually, if we could  
10 have either a second on that and then we can open up  
11 to discussion. That's correct, Ms. Newton.

12 Do I have -- it was made by Dr. -- or Mr.  
13 Williamson. Sorry; I'm upgrading you to Doctor here.  
14 Mr. Williamson. Do I have a second in regards to  
15 tabling this action item?

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

17 CHAIRPERSON REITH: Okay. Second by Ms. Newton.  
18 Now, we can have discussion.

19 MS. NEWTON: My comment is I feel like I don't  
20 know enough. Does that make sense to you? That I  
21 came in after all these things had happened and I  
22 would really like some more -- you know -- I don't  
23 know where the information needs to come from, but I  
24 need to be taught more before I can make a decision.

25 CHAIRPERSON REITH: I will turn here to Ms.



1           Salas-Ford, as well as to the Commissioner, in terms  
2           of what would be the repercussions of us not --  
3           because this recommendation comes from the  
4           Department. And so what would be the repercussions  
5           of a table and what would a table look like in  
6           regards to this specific item?

7           MS. SALAS-FORD: So the repercussions would be  
8           that private schools who have applied and are  
9           accredited by these two entities could not be  
10          approved. And so if you tabled it to next month and  
11          they were approved then, that's just, again, longer  
12          that students would not be able to go to those  
13          private schools. And I can provide whatever  
14          additional information you would like now or at the  
15          next board meeting, if you choose to table it, if you  
16          will just let me know what information you would  
17          like.

18          CHAIRPERSON REITH: And I guess I would then  
19          turn to Mr. Williamson and Ms. Newton in that regard.  
20          Are there some specific questions that could be  
21          addressed at this time?

22          MS. NEWTON: Just --

23          COMMISSIONER KEY: May I make a point of  
24          parliamentary --

25          CHAIRPERSON REITH: Yes. Yes, Commissioner.

1           COMMISSIONER KEY: Your motion to table should  
2 be clarified to say table until a certain date.  
3 Because a generic motion to table puts it off  
4 indefinitely, so I just want to make sure we get that  
5 covered.

6           CHAIRPERSON REITH: I was trying to get a better  
7 sense of where this was coming from and then to try  
8 and ask for clarity on the motion. But I did want to  
9 get a sense and so I'll point that question again to  
10 understand maybe a little better where your questions  
11 are coming from so we can understand, as well as your  
12 colleagues in terms of how they might vote in regards  
13 to this motion.

14           MS. NEWTON: I don't know if I was here whenever  
15 all the discussion -- because I don't remember any of  
16 this and so it just feels all new to me. And so I  
17 would like some of the background of where the  
18 original rules came from and what they looked like,  
19 and then kind of bring me up-to-speed to today.

20           MS. ZOOK: You were actually here as the Teacher  
21 of the Year.

22           MS. NEWTON: Right, but I don't remember that.

23           MS. ZOOK: Right. Originally, it came to us in  
24 October to put out for public comment.

25           MS. NEWTON: Yeah.

1 MS. ZOOK: Then it came back and because of the  
2 public comment when the vote finally came down it was  
3 four-two with an abstention and a present vote. So  
4 one of the -- I voted no; Ms. Saviers, who was on the  
5 board at the time, voted no; Ms. Reith I think voted  
6 -- abstained; and Dr. Barth voted present. So  
7 there's always been some concerns about the big  
8 picture. The third-party was not mentioned at that  
9 time, although the law does say you can do it this  
10 way, this way, this way or this way, so -- and since  
11 that came into play, until Ms. Salas-Ford reassured  
12 me that the Department is having relationship with  
13 the parent, then, you know, that was one of my  
14 concerns. But, yes, you were here but, no, you  
15 weren't voting, so probably didn't get into the depth  
16 that you now do as a board member.

17 CHAIRPERSON REITH: Yes. Mr. Hill, yes.

18 DR. HILL: I'm worse than you.

19 MS. NEWTON: Yeah.

20 DR. HILL: I have no idea. So when you get  
21 brought up-to-speed, I'll be right beside you.

22 MS. NEWTON: Okay.

23 DR. HILL: So then we can have a better  
24 comprehension of what's happening.

25 CHAIRPERSON REITH: Commissioner, I think you --

1                   COMMISSIONER KEY: Let me -- well, let me just  
2 say that the issue of the third-party is because this  
3 is such a small tailored program but it's one in  
4 which, you know, I don't know that we have ever been  
5 in the business of dispersing payments to parents. I  
6 mean, that's not a routine function of this  
7 Department. So that's why we felt like it was best  
8 to opt for what the legislature provided through a  
9 third-party to be that entity that actually dispersed  
10 checks. We -- it would just be cumbersome for us to  
11 ramp up that type of a process internally and then  
12 knowing that it is a pilot and there's no guarantee  
13 of funding in the next legislative session -- all  
14 those things. That's why we felt like this was the  
15 option. So from the standpoint of any concerns you  
16 might have about why the Department went for the  
17 third-party route, that's in a nutshell kind of our  
18 thought process. All the other issues I'm not sure  
19 that we can answer today, but we'll be glad to get  
20 whatever answers you need between now and next month.

21                   CHAIRPERSON REITH: Dr. Barth. I saw -- I  
22 apologize; I saw Dr. Barth.

23                   DR. BARTH: Yeah, a couple of questions for  
24 Commissioner -- well, actually for the attorney.  
25 What's our -- what's time-sensitive here in terms of

1 moving the pilot forward?

2 MS. SALAS-FORD: Again, the time sensitivity is  
3 just that a -- until this item is approved, a private  
4 school cannot be approved and so then a  
5 parent/student could not be eligible to attend the  
6 school.

7 DR. BARTH: Okay. And --

8 COMMISSIONER KEY: Let me make sure -- they can  
9 attend but just not with the scholarship.

10 MS. SALAS-FORD: Yes. I apologize. Yes.

11 COMMISSIONER KEY: Okay.

12 MS. SALAS-FORD: They could attend but they  
13 would not be eligible to receive the scholarship  
14 payment until the entity was approved and then the  
15 private school was approved.

16 DR. BARTH: Okay. And then under the rules, if  
17 a student returns to traditional public school --

18 MS. SALAS-FORD: Yes.

19 DR. BARTH: -- is it pro-rated in terms of the  
20 amount of money that --

21 MS. SALAS-FORD: Yes, that is correct.

22 DR. BARTH: Okay. And so I could see in  
23 particular that that would be a reason for -- I mean,  
24 not getting the check to the parent in toto -- I  
25 mean, there has to be something to be able to pull

1           that money back because we know that some students  
2           will return to traditional public schools; right?

3           MS. ZOOK: It's my understanding that the money  
4           is not given all at once.

5           DR. BARTH: Right.

6           MS. ZOOK: But it's given like quarterly; is  
7           that correct?

8           MS. SALAS-FORD: Correct. And if I may ask  
9           Katie Clifford -- she's the executive director of the  
10          Reform Alliance and, again, the third-party that  
11          administers the payments and she can probably better  
12          answer that question.

13          MS. ZOOK: And I will say Ms. Clifford has been  
14          very helpful to me and very patient this week. She  
15          has assured me that no state taxpayer dollars is  
16          going into this third-party group at all, but it's  
17          simply a pass-through organization and that all of  
18          their expenses and office supplies and all the other  
19          things that goes into it is being paid for by a grant  
20          from the Walton Family Foundation. Is that correct?

21          MS. CLIFFORD: That's correct.

22          MS. ZOOK: Okay.

23          CHAIRPERSON REITH: Prior to giving testimony,  
24          if you could kindly state your full name and title  
25          for the record, please.

1 MS. CLIFFORD: Sure. Katie Clifford, Reform  
2 Alliance executive director. In terms of the  
3 payments, the rules specify that the payments need to  
4 be made monthly and so those payments are, like you  
5 said, given to the parents; they're notarized by the  
6 parents and then delivered to the school by us. That  
7 way, we insure that the money is going directly to  
8 what it's specified to go to, to the schools. Like  
9 we said, it's made monthly. We do verify with both  
10 the parent and the school at that time that the  
11 student is still enrolled there and has been. It can  
12 be pro-rated up to the day if the student decides to  
13 move back to the district or should go on someplace  
14 else.

15 DR. BARTH: Okay. Thank you.

16 MS. CLIFFORD: No problem.

17 CHAIRPERSON REITH: Any additional questions,  
18 especially for Ms. Clifford? Yes, Ms. Zook.

19 MS. ZOOK: Yes. One question that we didn't get  
20 into this week is, it says at least one teacher and  
21 now -- we know now that the certification and  
22 qualifications, especially of teachers, usually are  
23 specific to a handicapping condition and not --  
24 they're not generalists. In those private schools,  
25 they don't have an LEA special ed. supervisor, nor do

1           they -- maybe if there's only one -- have a mentor  
2           for that teacher. So are the parents either through  
3           the Department or your organization given all of this  
4           information that all of the needs of the child may or  
5           may not be met at the school they're selecting?

6           MS. CLIFFORD: Yes, ma'am, they are. You know,  
7           each school has their own credentials and their own  
8           specific way of overseeing their situation. We've  
9           seen schools meet that requirement for the teacher in  
10          different ways. Certainly, there are several private  
11          schools in the state that have fulltime special ed.  
12          teachers, sometimes multiple on staff and have for  
13          years. We have others that have contracts with the  
14          local school district; that's something we see very  
15          commonly up in the northwest part of the state.  
16          We've got a couple of schools that have that type of  
17          situation. In the Fort Smith area, we have several  
18          schools that are part of this program already and  
19          they're partnering with each other to provide a  
20          special ed. staff person to go between two of the  
21          different schools. So we've seen each school meet  
22          that requirement in different ways. And certainly  
23          certain schools have areas that they -- that their  
24          special ed. teacher has specialized in or focused in  
25          and they are looking to meet the needs of those kids.



1 We've heard overwhelmingly from these schools that  
2 they don't want to serve a kid that they don't feel  
3 like they can serve. They want to make sure they're  
4 meeting the needs of these kids and do that as best  
5 as possible. I was at two of the different schools  
6 last week helping facilitate their leadership  
7 meeting, to figure out what they needed to do, if  
8 they needed to bring in additional staff to help meet  
9 the needs of these children. So I can assure you  
10 that the schools are working hard to make sure that  
11 it is the best environment for these kids and it is  
12 the best situation for those kids to be in.

13 MS. ZOOK: So when it says at least one special  
14 ed. teacher, it's not a fulltime equivalent one; it  
15 could be a shared one?

16 MS. CLIFFORD: Correct. It can be a contract.

17 CHAIRPERSON REITH: Do I have any other  
18 questions or discussion as related to the motion?  
19 Yes, Dr. Barth.

20 DR. BARTH: I do have a question. I'm trying to  
21 balance -- I want to respect my new colleagues who  
22 don't feel confident to vote on this today, but I  
23 also do want to move --

24 MS. ZOOK: But you said there wasn't a  
25 Montessori that had applied; right?

1 MS. SALAS-FORD: Yes, there is one.

2 DR. BARTH: But I'm not sure --

3 MS. SALAS-FORD: That's not the non-sectarian  
4 one.

5 DR. BARTH: Yeah. On your motion, you know, you  
6 know, I came close to seconding your motion but then  
7 I had a question for you, which is -- I was unclear  
8 of your wanting to separate out Montessori.

9 MS. ZOOK: Okay. For full disclosure, I have  
10 had many, many years working with different schools  
11 and parents who want their child to go here or there  
12 and then they wound up coming back into the district  
13 because in fact what they were promised was not in  
14 fact what was delivered. And, you know, these are  
15 the children that are closest to my heart and -- but  
16 I have to think of this in an intellectual not an  
17 emotional way, and I just have too many concerns to  
18 be supportive of the Montessori Society being a  
19 certifier and I have -- there's nothing I can do  
20 about the law and/or the rules, but I do feel  
21 compelled to, based on my experience, to share with  
22 my colleagues my concerns and my frustrations about  
23 the way that it is being implemented.

24 DR. BARTH: I'm torn because, you know, I do  
25 think it's important that there be a non-sectarian

1 option, if possible, for parents who want to take  
2 advantage of the program. So I think in retrospect I  
3 probably would've supported your original motion.

4 MS. ZOOK: Yeah. Well, AdvancEd --

5 DR. BARTH: But I also want to respect my new  
6 colleagues' --

7 MS. ZOOK: Yeah.

8 DR. BARTH: -- desire to better understand this  
9 before they cast a vote.

10 MS. ZOOK: So AdvancEd and the currently  
11 approved certifiers are not -- I mean, Montessori  
12 doesn't go those -- either of those routes?

13 MS. SALAS-FORD: I'm sorry; was your question  
14 about the Montessori that has applied?

15 MS. ZOOK: No. The Montessori schools do not go  
16 the route of AdvancEd or the private school  
17 certification?

18 MS. SALAS-FORD: The only Montessori that has  
19 applied is not accredited through ANSAA or SBE, which  
20 are the only two prescribed by law, or AdvancEd. I  
21 can't say other Montessori's, if they are or not.

22 MS. ZOOK: So that would be my next question.  
23 Is that unusual that they're not getting those  
24 certifications or is there something more that we  
25 need to know about that? And please understand, I

1 have nothing against Montessori. Montessori has a  
2 great program. I just, you know, don't find them to  
3 be effective in most instances with severely  
4 handicapped children.

5 MS. SALAS-FORD: I'm trying to look. I have the  
6 list of ANSAA accredited schools. I don't see  
7 specifically a Montessori school listed.

8 MS. ZOOK: Let me ask the Commissioner a  
9 question. When the law was written and it said one  
10 full -- at least one fulltime, did that not mean -- I  
11 mean, at least one special ed. teacher, did that not  
12 mean an FTE one as opposed to a half or a third or a  
13 shared?

14 COMMISSIONER KEY: It was not made that clear.  
15 It didn't use the term FTE, fulltime equivalent, I  
16 don't believe. We can look it up and see, but I  
17 don't think --

18 MS. SALAS-FORD: No, you're correct; it does  
19 not. It simply says contract or consult with a  
20 special ed. certified teacher.

21 CHAIRPERSON REITH: I believe Dr. Hill had a  
22 question or comment.

23 DR. HILL: Well, I just -- Dr. Barth, when he  
24 made the motion at the time, I know we didn't want to  
25 hold up progress.

1 DR. BARTH: Right.

2 DR. HILL: But I guess I'm going to ask, would  
3 it be inappropriate for us in our work session to  
4 discuss this this evening and then reconsider  
5 tomorrow? I just wanted to bring that to you, rather  
6 than hold it up.

7 CHAIRPERSON REITH: Tomorrow is not an action  
8 agenda but a reporting agenda, and so if -- so our  
9 options are as follows -- and, Ms. Davis, correct me  
10 if I'm wrong, as our parliamentarian -- I can either  
11 -- we have an active motion on the table that was  
12 made by Mr. Williamson, seconded by Ms. Newton, with  
13 the amendment that --

14 MR. WILLIAMSON: One month from now.

15 CHAIRPERSON REITH: -- with specified of one  
16 month from now. We can either have a vote on that  
17 motion or if someone as a result of this discussion  
18 wants to make a substitute motion then that could be  
19 made as well -- if that's correct, Ms. Davis?

20 MS. DAVIS: That's correct.

21 CHAIRPERSON REITH: Because I am hearing some  
22 discussion that may lend itself to that. And so I  
23 would like a little feedback in that sense in regards  
24 to discussion, if there's any interest in a  
25 substitute motion to the active motion on the table,

1 or should I go ahead and call a vote?

2 And, yes, Ms. Newton.

3 MS. NEWTON: I just have one question --

4 CHAIRPERSON REITH: Yeah.

5 MS. NEWTON: -- first.

6 CHAIRPERSON REITH: Yes, please.

7 MS. NEWTON: How many schools are we talking  
8 about that are applying that are not already using  
9 our recognized --

10 MS. SALAS-FORD: Currently, only one under the  
11 Montessori Association and one under AdvancEd. But  
12 both obviously have accredited numerous other schools  
13 and so more could apply. But as of right now, only  
14 one each.

15 MS. NEWTON: Okay. So we're talking about two  
16 schools right now?

17 MS. SALAS-FORD: Correct.

18 MS. NEWTON: Okay.

19 MS. ZOOK: And I wonder since this went into  
20 effect in the 15-16 school year and we're already a  
21 month into the current school year, what was the --  
22 do you have any idea why they're just now applying or  
23 just now deciding to participate?

24 MS. SALAS-FORD: My understanding is lack of  
25 knowledge. Many of the private schools just were not

1           aware of the program, were not aware of what it would  
2           mean for their school, what the eligibility  
3           requirements were. The Reform Alliance has actually  
4           done an excellent job of spreading the word and  
5           that's why we are now seeing an influx of schools.  
6           We went from no schools two months ago to now having  
7           I believe 10 or 11 approved. And so it was just lack  
8           of knowledge.

9           CHAIRPERSON REITH: Commissioner, were you -- I  
10          saw you reaching for your microphone.

11          COMMISSIONER KEY: (Shaking head from side to  
12          side.)

13          CHAIRPERSON REITH: I apologize. Just wanted to  
14          make sure.

15          So with that, again, I would appreciate some  
16          sort of consensus, feedback from the Board in the  
17          form of discussion. Does anyone have a substitute  
18          motion or I'm glad to call a vote on the active  
19          motion which is to table this for one month? And  
20          then I will say that if there is a vote and if that  
21          were to pass then I would kindly ask that you all  
22          reflect on some questions that we can put on the  
23          record right now for Ms. Salas-Ford and for the  
24          Commissioner and the rest of the team to be prepared  
25          for next month. Yes, Mr. Williamson. Yes.

1 MR. WILLIAMSON: I need some clarity here. This  
2 discussion has helped me quite a bit. I initially  
3 was going to vote for it. After listening to Diane I  
4 kind of backed off. But my money handling issues  
5 have been resolved in my mind, so --

6 CHAIRPERSON REITH: So in which case I would  
7 entertain a substitute motion, if that's -- yes, Ms.  
8 Newton.

9 MS. NEWTON: Could maybe someone from the  
10 Department at lunch maybe come and sit down with us  
11 and kind of explain the background and then maybe we  
12 table it till this afternoon and then be able to vote  
13 again this afternoon?

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

15 CHAIRPERSON REITH: My understanding, Ms. Davis,  
16 is, yes, we could have to table for later in the  
17 agenda. Is that the consensus? So then if I could  
18 -- because we do have an active motion out there.  
19 Yes, that's why I was going to say, Ms. Davis, just  
20 to be correct then, so I could get an amendment to  
21 the motion which would be just till the afternoon,  
22 till later in the agenda. So we're still tabling it,  
23 just till later in the agenda. Or do I just as order  
24 of Chair just say -- my only concern is we have an  
25 active motion out there.



1 MS. DAVIS: Sure. As long as the maker and the  
2 second are both okay with amending it to tabling till  
3 this afternoon --

4 CHAIRPERSON REITH: Okay.

5 MS. DAVIS: -- then you can do that. And you  
6 can discuss it at lunch because lunch is open --

7 CHAIRPERSON REITH: Okay.

8 MS. DAVIS: -- to the public. So that's the  
9 reason why you can discuss it at lunch.

10 CHAIRPERSON REITH: Okay. Thank you so much for  
11 that, Ms. Davis.

12 MS. ZOOK: Madam Chairman, I want to interject  
13 here too. Since this was on the consent agenda and  
14 my fellow board members had no idea that I was going  
15 to pull it and want to go into discussion, I want the  
16 public to understand that it wasn't that they didn't  
17 do their homework; it was just that this was not on  
18 the action agenda to begin with.

19 CHAIRPERSON REITH: Thank you, Ms. Zook, for  
20 that clarification. So with that, I am hearing a sub  
21 -- or, well, I guess this would be an amendment to  
22 the original motion, which Dr. Williamson, for the  
23 record, is indicating that it's tabling until later  
24 in the agenda.

25 MR. WILLIAMSON: Tabling till afternoon.

1 CHAIRPERSON REITH: The second remains by Ms.  
2 Newton.

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

4 CHAIRPERSON REITH: All in favor say "aye."

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRPERSON REITH: Any opposed? Motion  
7 unanimously carries. This agenda item will be  
8 considered at the end of the action agenda item for  
9 today.

10 C-11: CONSIDERATION OF THE RECOMMENDATION OF THE DEPARTMENT  
11 FOR RECOGNITION OF NATIONALLY RECOGNIZED, NORM-REFERENCED TESTS  
12 FOR THE PURPOSE OF ESTABLISHING PRIVATE SCHOOL ELIGIBILITY FOR  
13 THE SUCCEED SCHOLARSHIP PROGRAM

14 CHAIRPERSON REITH: Now, Ms. Salas-Ford, if you  
15 could kindly give some context please to consent  
16 agenda item 11 and we'll discern at that time whether  
17 it's similar action or not. Thank you.

18 MS. SALAS-FORD: So action item agenda 11 -- or  
19 consent -- is regarding, again, the Succeed  
20 Scholarship Program. One of the other requirements  
21 for eligibility of a private school is that they  
22 agree to administer or make arrangements for a  
23 student to take annually a nationally recognized,  
24 norm-referenced test. In effort to notify those  
25 private schools of what tests would qualify, we've

1 submitted this list and, pending your approval, would  
2 provide that to the private schools as one of the  
3 tests they would have to agree to administer.

4 CHAIRPERSON REITH: Yes. Well, Ms. Zook, since  
5 you pulled the item, if you'll speak first.

6 MS. ZOOK: Okay. Then I would have -- my  
7 questions would be for Hope.

8 MS. SALAS-FORD: And she is here.

9 MS. ZOOK: Right. Thank you. I did ask that  
10 she be here today and I appreciate that, taking away  
11 your time. Would these students come to the regular  
12 school, the traditional or charter school, to take  
13 these tests or would this involve us having to give  
14 training to the school the child is attending to be  
15 able to administer these tests?

16 CHAIRPERSON REITH: And if you could kindly  
17 state your full name for the record, please.

18 MS. ALLEN: Certainly. Hope Allen, Director of  
19 Assessments at ADE. That is something that we could  
20 work out either way. So either we would need to work  
21 with local districts to train them for the students  
22 to come there. In the cases, for example, of home  
23 school where some of these assessments are already  
24 used, the assessments are designed so that parents  
25 can order them and administer them in the home. That

1 has been approved and currently what we do with home  
2 school students. So I think those are details that  
3 we still need to work out, but we could certainly  
4 work them either way, either train schools or  
5 facilitate an in-home administration.

6 MS. ZOOK: Okay. So part of the schools that  
7 can be approved would be a home school?

8 MS. SALAS-FORD: No, ma'am. She, I guess, was  
9 just saying that these are tests designed to give to  
10 home school but -- and I would like to add, so far  
11 all of the schools that have applied are already  
12 giving these tests to all of their students. And so  
13 I imagine they would just include the Succeed  
14 Scholarship students in the administration to their  
15 entire district. But if not, they could -- we could  
16 work with the school district to provide it.

17 MS. ZOOK: Okay. Thank you, both.

18 CHAIRPERSON REITH: Dr. Barth.

19 DR. BARTH: So this is for -- this is actually  
20 for Ms. Allen probably -- or probably for both of  
21 y'all. So my question is really why the long list of  
22 tests; why not a more limited -- and it reaches a  
23 point of when you have so many assessments, I mean,  
24 and no commonality, is it, to be honest, worth doing  
25 at all? Because I know although home school law has

1 changed and they're actually moving away from any  
2 required assessments at all -- correct?

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

4 DR. BARTH: But they did have a shorter list,  
5 right, when the testing scheme was in place for home  
6 school. I guess it still -- we haven't passed the  
7 rule yet, but it's -- it was a shorter list. It was  
8 just a couple of different tests; correct?

9 MS. ALLEN: Right. There were two tests that  
10 were commonly given, SAT-10 and I'm going to lie to  
11 you if I try to say the other.

12 DR. BARTH: Was Iowa --

13 MS. ALLEN: I don't remember if Iowa was used or  
14 not.

15 DR. BARTH: Okay.

16 MS. ALLEN: But it was -- yes, it was. There  
17 were about two tests that were used commonly.

18 DR. BARTH: Okay.

19 MS. ZOOK: But not the Aspire?

20 DR. BARTH: Yeah. So one -- well, that's  
21 criterion referenced, not norm-referenced.

22 MS. ZOOK: Yeah. Okay.

23 DR. BARTH: So two questions: why such a long  
24 list? And then, for Ms. Allen: do you have concerns  
25 about the quality of any of these tests in terms of

1 being norm-referenced test of sufficient quality?

2 MS. SALAS-FORD: I'll address your first  
3 question. And it's because the law only gave us the  
4 criteria of nationally recognized norm-referenced.  
5 They did not put any other qualifiers on  
6 appropriateness or grade level or any of those. So I  
7 actually asked the assessment unit to just provide me  
8 a list of the nationally recognized norm-referenced  
9 tests and they -- we included all of them.

10 DR. BARTH: Okay.

11 MS. ALLEN: To answer your question about the  
12 quality, all of the assessments, when we looked at  
13 them, do have a similar quality. So my concerns are  
14 not there about quality. We certainly could do a  
15 review of each one if that is something that is  
16 concerning to the Board and shorten that list, if  
17 needed. But, again, we just went off of what --  
18 Courtney asked us just to provide the list and so we  
19 went through and looked and found the nationally  
20 recognized norm-referenced assessments that we knew  
21 of. But we could take a closer look at them, if  
22 that's the desire of the Board.

23 CHAIRPERSON REITH: Thank you. And if you could  
24 just kindly, if this would be of benefit to our new  
25 colleagues, define norm versus criterion referenced

1 tests, the difference?

2 MS. ALLEN: Yes, certainly. So norm-referenced  
3 assessment is by design designed to put students on  
4 basically a bell curve against a norming group. The  
5 criterion-referenced assessment is written to a  
6 specific set of standards or skills, and so you're  
7 measuring a certain set of skills and seeing how the  
8 student performs on that set of skills. So in a  
9 criterion-referenced assessment any student has the  
10 potential to score 100%, whereas on a norm-referenced  
11 assessment that's not necessarily the case. They're  
12 going to be reported out high, medium, low.

13 CHAIRPERSON REITH: Thank you. And then I think  
14 I saw that Ms. Zook actually had a question.

15 MS. ZOOK: Okay. Does the law -- I can't recall  
16 now because I was looking for so many other things --  
17 so there is no requirement in the law for a  
18 criterion-referenced tests? They won't be taking the  
19 Aspire?

20 MS. SALAS-FORD: They could if the public school  
21 chose to administer it or if they chose to take it  
22 elsewhere. But the law says that they have to  
23 administer a norm-referenced test.

24 MS. ZOOK: Okay. Thank you.

25 CHAIRPERSON REITH: And, Commissioner, yes.

1           COMMISSIONER KEY: Yeah. Just to keep in mind,  
2 we're talking about private schools and private  
3 schools don't take ACT Aspire now or for any purpose  
4 of accountability or comparisons or anything else.  
5 So, you know, it's not like this is creating a  
6 situation where we're going to lose student data,  
7 because we're not getting the student data currently.

8           CHAIRPERSON REITH: Yes, Dr. Barth.

9           DR. BARTH: My final question is, we know that  
10 the definition of disability is a very broad one, as  
11 we were talking about earlier. But if you did have a  
12 student who really, truly was severely disabled by  
13 any recognized standard, some of these pencil-and-  
14 paper tests would not be applicable at all. So what  
15 do we do when you have students who are truly with  
16 such limited cognitive abilities that they're unable  
17 to participate in a traditional test?

18           MS. ZOOK: I can answer that. They -- there is  
19 allowance in the law, in the rules for a portfolio  
20 which is --

21           DR. BARTH: Okay.

22           MS. ZOOK: -- comparing --

23           DR. BARTH: Sure.

24           MS. ZOOK: Okay.

25           MS. SALAS-FORD: That is correct. The law does



1 --

2 DR. BARTH: Okay.

3 MS. SALAS-FORD: -- allow for the IEP to provide  
4 that they are not -- that they are exempted from the  
5 standardized testing and shall instead receive a  
6 portfolio.

7 DR. BARTH: So the IEP trumps this portion of  
8 the --

9 MS. SALAS-FORD: Correct.

10 DR. BARTH: Okay. Thank you.

11 CHAIRPERSON REITH: Thank you. With that, any  
12 additional questions or comments? Otherwise, I'll  
13 entertain a motion on this consent-now-action item.

14 DR. BARTH: I would move to table it till this  
15 afternoon as well, just in case something does come  
16 up in our conversation at lunch that informs this.  
17 It may be a fairly straightforward thing, but I would  
18 just ask that we table it till this afternoon.

19 CHAIRPERSON REITH: Do I have a second?

20 MS. NEWTON: Second.

21 MS. ZOOK: Second.

22 CHAIRPERSON REITH: Okay. So motion made by Dr.  
23 Barth. I actually heard Ms. Newton first, so  
24 seconded by Ms. Newton. All in favor?

25 (UNANIMOUS CHORUS OF AYES)

1 CHAIRPERSON REITH: Okay. Any opposed? So  
2 motion unanimously carries.

3 We'll consider consent agenda items 10 and 11 at  
4 the end of the action agenda item for today.

5 Just looking to my colleagues, does anyone need  
6 a quick break? All right. Not seeing any time-out  
7 signs, the way Ms. Mahony would sometimes give.

8 We will move now into the formal action agenda  
9 items.

10 A-1: CONSIDERATION OF THE DEPARTMENT OF EDUCATION  
11 RECOMMENDATION FOR WAIVER FROM REPAYMENT OF NBPTS PROGRAM  
12 FUNDING - MONICA COLBERT

13 CHAIRPERSON REITH: So action agenda item 1,  
14 Consideration of the Waiver for Repayment of NBPTS  
15 Program Funding, Ms. Monica Colbert. Ms. Pfeffer,  
16 you are recognized.

17 MS. PFEFFER: Thank you. Good morning. And,  
18 Ms. Coffman, I wanted to ask before we started, do we  
19 need to talk about any agenda items being pulled off  
20 of the action agenda?

21 CHAIRPERSON REITH: There should be an email,  
22 but thank you for that, Ms. Pfeffer. It's my  
23 understanding is it's 2, 3 and -- 9 is not you, but  
24 9, action agenda item, is pulled out. But we were  
25 informed by email, but thank you for that as well as

1 clarity.

2 MS. PFEFFER: Okay.

3 CHAIRPERSON REITH: And you may proceed.

4 MS. PFEFFER: Okay. I just wanted to make sure  
5 I didn't make any mistakes --

6 CHAIRPERSON REITH: No.

7 MS. PFEFFER: -- when I started talking, but --

8 CHAIRPERSON REITH: No, thank you.

9 MS. PFEFFER: These action agenda items that I  
10 will present are all related to candidates who  
11 received state funding for their candidacy for  
12 national board certification and they were unable to  
13 complete that certification within a three-year time  
14 period. And when candidates don't -- who receive  
15 funding do not complete that, then they agree to  
16 repay the funds. And these people today have had  
17 extenuating circumstances that prevented them from  
18 being able to complete their candidacy, so we're  
19 asking you to consider these different action items  
20 to look at waiving that requirement for repayment.

21 So item number one, Monica Colbert, due to  
22 family medical issues and forced to change jobs she  
23 was unable to complete her candidacy and has asked  
24 the Department to waive her fee.

25 CHAIRPERSON REITH: Thank you. And I don't have

1 today -- and correct me, Ms. Pfeffer -- no one has  
2 signed up for comment in regards to any of these  
3 upcoming items?

4 MS. PFEFFER: Not that I'm aware of.

5 CHAIRPERSON REITH: Okay. Thank you. And so  
6 with that, any questions from the Board for Ms.  
7 Pfeffer in regards to action agenda item 1?

8 If not, I'll entertain a motion.

9 DR. BARTH: Move to waive the requirement for  
10 repayment.

11 MR. WILLIAMSON: Second.

12 CHAIRPERSON REITH: Okay. Motion made by Dr.  
13 Barth, seconded by Mr. Williamson. All in favor?

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRPERSON REITH: Any opposed? Motion carries  
16 unanimously.

17 A-4: CONSIDERATION OF THE DEPARTMENT OF EDUCATION  
18 RECOMMENDATION FOR WAIVER FROM REPAYMENT OF NBPTS PROGRAM  
19 FUNDING - TODD MUSGRAVES

20 CHAIRPERSON REITH: Now moving on to action  
21 agenda item number 4.

22 MS. PFEFFER: Yes. Item number 4 is for Todd  
23 Musgraves. There were extenuating circumstances due  
24 to health issues with this candidate and we would  
25 recommend waiving the repayment fee for Mr.

1 Musgraves.

2 CHAIRPERSON REITH: Any questions for Ms.  
3 Pfeiffer? Otherwise, I will entertain a motion from  
4 the Board.

5 MR. WILLIAMSON: Move to waive the fee.

6 DR. HILL: Second.

7 CHAIRPERSON REITH: Okay. Motion made by Mr.  
8 Williamson and seconded by Dr. Hill. All in favor?

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRPERSON REITH: Any opposed? Motion carries  
11 unanimously.

12 A-5: CONSIDERATION OF THE DEPARTMENT OF EDUCATION  
13 RECOMMENDATION FOR WAIVER FROM REPAYMENT OFNBPTS PROGRAM  
14 FUNDING - JODI STATEN

15 CHAIRPERSON REITH: Moving on to action agenda  
16 item number 5.

17 MS. PFEFFER: Yes. On item number 5, Jodi  
18 Staten, this was a little different extenuating  
19 circumstance, but this was related to change of the  
20 job requirement. The candidate was looking to  
21 certify in one area. Once the job change occurred it  
22 made it difficult for the candidate to complete the  
23 requirements to certify and then that candidate was  
24 not able to be placed again in that position. The  
25 administrator has verified the hardship there. So we

1 would ask that payment to be waived.

2 CHAIRPERSON REITH: Thank you, Ms. Pfeffer. Any  
3 questions for Ms. Pfeffer? Otherwise, I will  
4 entertain a motion.

5 MS. NEWTON: Move to waive.

6 CHAIRPERSON REITH: Do I have a second?

7 MR. WILLIAMSON: Second.

8 CHAIRPERSON REITH: Okay. Motion made by Ms.  
9 Newton and seconded by Mr. Williamson. All in favor?  
10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRPERSON REITH: Any opposed? Motion carries  
12 unanimously.

13 A-6: CONSIDERATION OF THE DEPARTMENT OF EDUCATION  
14 RECOMMENDATION FOR WAIVER FROM REPAYMENT OF NBPTS PROGRAM  
15 FUNDING - TRINA WALLS

16 CHAIRPERSON REITH: Moving on to action agenda  
17 item A-6.

18 MS. PFEFFER: And for item 6, Ms. Walls, there  
19 were extenuating circumstances as well and the  
20 Department staff reviewed and does feel that this --  
21 these would be extenuating circumstances. So the --  
22 we would ask that the request be granted.

23 CHAIRPERSON REITH: Thank you, Ms. Pfeffer. Any  
24 final questions?

25 Okay. I would entertain a motion.

1 MS. DEAN: Move to grant the waiver.

2 CHAIRPERSON REITH: Okay. Do I have a second?

3 MS. ZOOK: Second.

4 MR. BLACK: Second.

5 CHAIRPERSON REITH: Okay. Motion made by Ms.  
6 Dean and I heard Mr. Black for our second. So all in  
7 favor?

8 (UNANIMOUS CHORUS OF AYES)

9 CHAIRPERSON REITH: Any opposed? Motion carries  
10 unanimately.

11 A-7: CONSIDERATION OF THE DEPARTMENT OF EDUCATION  
12 RECOMMENDATION FOR WAIVER FROM REPAYMENT OF NBPTS PROGRAM  
13 FUNDING - CASEY WEISENBACH

14 CHAIRPERSON REITH: And then our last one, Ms.  
15 Pfeffer, action item 7.

16 MS. PFEFFER: Yes. For Casey Weisenbach, again  
17 there were extenuating circumstances and the  
18 candidate failed to meet the deadline; had planned to  
19 withdraw and just due to those circumstances did not  
20 get the withdrawal done in time. Because of the  
21 circumstances, the Department would also ask to waive  
22 this.

23 CHAIRPERSON REITH: Thank you, Ms. Pfeffer. Any  
24 questions?

25 Motion?

1 MS. ZOOK: Moved.

2 CHAIRPERSON REITH: Second?

3 MS. DEAN: Second.

4 CHAIRPERSON REITH: Okay. Motion made by Ms.  
5 Zook, seconded by Ms. Dean. All in favor?

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRPERSON REITH: Any opposed? Finally --  
8 motion carries unanimously. Thank you so much, Ms.  
9 Pfeffer.

10 MS. PFEFFER: Thank you.

11 A-8: CONSIDERATION OF EMBEDDED COURSES

12 CHAIRPERSON REITH: Moving on to action agenda  
13 item 8, Mr. Coy, you're recognized for the  
14 Consideration of Embedded Courses.

15 MR. COY: Madam Chair, Commissioner, Members of  
16 the Board, Thomas Coy, Department of Education Office  
17 of Curriculum and Instruction. Just as a little bit  
18 of background information for some of our new  
19 members, Act 421 of 2013 allows schools to submit  
20 courses to embed curriculum. That means putting more  
21 than one course into the same classroom to be taught  
22 by the -- by sometimes the same teacher. We've come  
23 to you before with several of these courses and I'm  
24 coming to you today, even though the school year has  
25 started. These two schools fulfilled the



1 requirements of completing their application and  
2 working with our office. We're confident that they  
3 are going to be able to teach the standards and teach  
4 the courses that they submitted; however, we were  
5 unable to get these on the August agenda. So should  
6 you vote not to approve these courses today they do  
7 -- both schools have a contingency plan in place, but  
8 we're hopeful that you will approve the embedded  
9 courses for West Fork and for Alpena School Districts  
10 today.

11 CHAIRPERSON REITH: Thank you, Mr. Coy. Any  
12 questions or comments from my colleagues on the Board  
13 for Mr. Coy?

14 Dr. Barth.

15 DR. BARTH: I'll move approval of these embedded  
16 courses.

17 MS. ZOOK: Second.

18 CHAIRPERSON REITH: Okay. Motion made by Dr.  
19 Barth, seconded by Ms. Zook. All in favor?

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRPERSON REITH: Any opposed? Motion carries  
22 unanimously. Thank you so much, Mr. Coy.

23 Again, action item 9 has been pulled.

24 A-10: CONSIDERATION OF THE CHARTER AUTHORIZING PANEL DECISION  
25 ON THE OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL APPLICATION:

1 LOCKESBURG STEM ACADEMY, LOCKESBURG, ARKANSAS

2 CHAIRPERSON REITH: So moving on now to action  
3 10, Consideration of the Charter Authorizing Panel  
4 Decision in regards to the Lockesburg STEM Academy in  
5 Lockesburg, Arkansas. Ms. Boyd, you are recognized.

6 MS. BOYD: Thank you, Madam Chair. These -- the  
7 following decisions on the Charter Authorizing Panel  
8 decisions for you all are if you're going to decide  
9 if you're going to review or not review. Do you need  
10 Ms. Davis to remind you of anything in regards to how  
11 this procedure works?

12 CHAIRPERSON REITH: No. More for my colleagues  
13 as a point of note, we have traditionally allowed for  
14 some level of discussion right now if the discussion  
15 would lend itself just to the decision of reviewing  
16 or not reviewing. But otherwise, anything that would  
17 dive into more detail would then require a hearing  
18 and obviously it would be the action of this board  
19 that would lend -- and then open that opportunity for  
20 a hearing and more formal conversation.

21 So with that, Ms. Boyd, I will now defer to my  
22 colleagues if anyone has any discussion items or  
23 questions that would lend itself to a motion of  
24 reviewing or not reviewing. Ms. Zook.

25 MS. ZOOK: I was at the Charter Panel meeting;

1 many of you may have watched it live-streamed. This  
2 authorizing group did not show up for the  
3 presentation, so I see that the Panel really had no  
4 other choice because they had no presentation.

5 CHAIRPERSON REITH: Thank you for that. Yes,  
6 Dr. Barth.

7 DR. BARTH: Just a question. You know, there  
8 were I think questions about whether there was  
9 copying of the charter application and the  
10 authenticity of it. Would this be a situation where  
11 some ethics investigation might occur?

12 MS. DAVIS: I don't necessarily think so. All  
13 the applications are online and in fact, you know, a  
14 lot of people actually copy a lot of them. It would  
15 just be more that the applicant in this case or any  
16 applicant should probably just be sure to be a little  
17 bit more careful to not just copy but, you know, use  
18 it as a guide and make it their own.

19 DR. BARTH: Okay. Thank you.

20 CHAIRPERSON REITH: Thank you, Ms. Davis. Any  
21 other questions or comments from the Board in regards  
22 -- yes, Dr. Barth.

23 DR. BARTH: I have a motion.

24 CHAIRPERSON REITH: Seeing no other questions,  
25 yes, we'll take your -- entertain your motion.

1 DR. BARTH: So I move to uphold the decision of  
2 the authorizing panel to deny.

3 CHAIRPERSON REITH: And do I have a second?

4 MS. NEWTON: Second.

5 MS. ZOOK: Second.

6 CHAIRPERSON REITH: I heard Ms. Newton softly  
7 but I heard Ms. Newton. So motion made by Dr. Barth,  
8 seconded by Ms. Newton. All in favor?

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRPERSON REITH: Any opposed? Motion  
11 unanimously carries.

12 A-11: CONSIDERATION OF THE CHARTER AUTHORIZING PANEL ON THE  
13 OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL APPLICATION: PARON  
14 CHARTER SCHOOL, PARON, ARKANSAS

15 CHAIRPERSON REITH: Moving on to action agenda  
16 item 11, Ms. Boyd.

17 MS. BOYD: Yes. This is the decision about the  
18 Paron Charter School application. The Panel voted 6-  
19 to-2 to deny the request for a charter. We do have  
20 representatives here from the organization to answer  
21 any questions you may have that will help you decide  
22 whether or not you want to review the Panel's  
23 decision.

24 CHAIRPERSON REITH: Okay. But as point of  
25 order, they don't have to offer a presentation; it's

1           only if our colleagues, as part of the decision to  
2           review or not to review.

3           MS. BOYD: That's correct.

4           CHAIRPERSON REITH: Thank you so much, Ms. Boyd.

5           MS. BOYD: Thank you.

6           CHAIRPERSON REITH: So with that, to my  
7           colleagues, any questions or discussion in regards to  
8           reviewing or not reviewing? Yes, Ms. Newton.

9           MS. NEWTON: Has anyone from the group contacted  
10          you? Because several of the comments were they  
11          needed more technical assistance. Have they  
12          contacted you or tried to do anything extra since  
13          that time?

14          MS. BOYD: I spoke with them yesterday. I spoke  
15          with them the day of the hearing and then I spoke  
16          with them yesterday. From my understanding, they've  
17          reached out to APSRC to offer them technical  
18          assistance.

19          MS. NEWTON: Okay.

20          CHAIRPERSON REITH: Thank you. Any additional  
21          questions or comments? Otherwise, I'll entertain a  
22          motion from the Board.

23          DR. BARTH: I move to uphold the decision of the  
24          Authorizing Panel and deny.

25          CHAIRPERSON REITH: Do I have a second?

1 MS. DEAN: Second.

2 CHAIRPERSON REITH: Okay. Motion made by Dr.  
3 Barth, seconded by Ms. Dean. All in favor?

4 (MAJORITY CHORUS OF AYES)

5 CHAIRPERSON REITH: Any opposed?

6 MS. NEWTON: Aye.

7 CHAIRPERSON REITH: Okay. May the record show  
8 that Ms. Newton was a no vote. So with that, the  
9 motion carries. Thank you so much, Ms. Boyd.

10 MS. BOYD: Thank you.

11 CHAIRPERSON REITH: Now we are ahead of schedule  
12 and at this time could consider -- could take a  
13 break, one -- and actually that's what I'm probably  
14 going to lean toward is, with the pleasure of the  
15 Board, to take a little break. We do have some  
16 additional items that we could consider in between  
17 and I'm going to consult with Ms. Coffman in those  
18 regards because we're even more ahead of time than  
19 anticipated. So with that, we are going to convene  
20 until 11:30.

21 (BREAK: 11:18-11:30 A.M.)

22 CHAIRPERSON REITH: If I could kindly call my  
23 colleagues back up here. And is there -- I'm  
24 noticing Dr. Hill, if anyone has eyes on -- in the  
25 corner, I see. Wonderful. Okay. And I'll give a

1 moment here for Dr. Barth up here. Wonderful. Dr.  
2 Barth and Dr. Hill, thank you. Apologies.

3 So as a brief explanation for the purpose of  
4 record and for the public, during our lunch we are  
5 going to consider and have additional -- and have  
6 opportunity for additional conversation on consent  
7 agenda items 10 and 11. And as a reminder to the  
8 public, that is a public meeting and so I know that I  
9 was approached by several individuals in the  
10 audience, as many of you may have been as well, in  
11 regards to those items. And so members of the public  
12 are welcome to join us for that conversation. So I  
13 did want to put that on record and say that we may  
14 have a little bit of a longer lunch. We will be back  
15 here by 1:00, but upon convening this next piece here  
16 that may enable for a longer lunch that does enable  
17 for some additional conversation. And obviously  
18 members of the press as well would be welcome to join  
19 us. Yes, Dr. Barth.

20 DR. BARTH: Just to --

21 CHAIRPERSON REITH: Yes.

22 DR. BARTH: Just to clarify, but no voting would  
23 take place in that work session.

24 CHAIRPERSON REITH: That is correct. No.

25 Absolutely no voting will take place during our lunch

1 hour. It is an opportunity purely for additional  
2 conversation, public conversation amongst our  
3 colleagues. Press and any members of the public or  
4 staff are welcome to join. Ms. Salas-Ford will be  
5 representing the Department and to answer additional  
6 questions that you all have at that time.

7 ADDITIONAL AGENDA ITEMS

8 CHAIRPERSON REITH: So with that, I'm actually  
9 going to ask Ms. Freno to please come up. We've been  
10 made aware that the Department has two items that  
11 would like to be -- so, Ms. Davis -- two items that  
12 would like to be considered for the agenda. And just  
13 as a reminder, because these are not on the action  
14 agenda it does require a two-thirds vote of us as a  
15 board to be able to consider them. But the  
16 Department did want to put forth a request for two  
17 action agenda -- additional action agenda items. Ms.  
18 Davis, you're recognized.

19 MS. DAVIS: That is correct. The first item  
20 that we are requesting to be added is a waiver for  
21 the Hot Springs School District for the long-term  
22 substitute. They have -- did they receive this  
23 information? Okay. So we were requesting to have  
24 this added to the agenda so you can vote on this  
25 today.



1 CHAIRPERSON REITH: Okay. And then if you want  
2 to reference the second item, and then my  
3 understanding is we need a motion to just add it -- a  
4 motion for each to add it to the agenda.

5 MS. DAVIS: Correct.

6 CHAIRPERSON REITH: And then we'll actually  
7 proceed with it as an action agenda item.

8 MS. DAVIS: That's correct.

9 CHAIRPERSON REITH: The other item --

10 MS. DAVIS: The other agenda item was actually  
11 tabled from last month. It was last month's agenda  
12 item number 13, the suspension of license for Ashley  
13 Nelson for unpaid money due to the National Board  
14 Certification. We had received a letter -- you had  
15 originally voted to suspend her license, but after  
16 lunch when we checked the mail we did receive  
17 information from her. So you did vote last month to  
18 rescind your vote to suspend her license and to take  
19 it up today. And we were originally waiting on  
20 additional documentation, which is why it was not on  
21 the agenda to begin with, but we would like to add  
22 that to take care of that item as well.

23 CHAIRPERSON REITH: Thank you so much, Ms.  
24 Davis. So with that, I'll entertain a motion of the  
25 Board in regards to the first item of matter which is

1 the waiver for Hot Springs for a long-term  
2 substitute. Do I have a motion to add this to the  
3 agenda item -- to the agenda?

4 MS. NEWTON: I move to add.

5 CHAIRPERSON REITH: Do I have a second?

6 DR. HILL: Second.

7 CHAIRPERSON REITH: Okay. Motion made by Ms.  
8 Newton, seconded by Dr. Hill. All in favor?

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRPERSON REITH: Okay. Motion unanimously  
11 carries. That will be added on to our action agenda.

12 And then I will also at this time entertain a  
13 motion in regards to the consideration of the license  
14 of Ms. Nelson, whether to add this or not add this to  
15 our action agenda. Do I have a motion from the  
16 Board?

17 DR. BARTH: Move to add.

18 CHAIRPERSON REITH: Okay. Do I have a second?

19 MS. DEAN: Second.

20 CHAIRPERSON REITH: Okay. Motion made by Dr.  
21 Barth, seconded by Ms. Dean. All in favor?

22 (UNANIMOUS CHORUS OF AYES)

23 CHAIRPERSON REITH: Okay. Once again, motion  
24 unanimously carries and will also be added to the  
25 action agenda.

1 ADD-ON: CONSIDERATION FOR WAIVER - HOT SPRINGS SCHOOL DISTRICT

2 CHAIRPERSON REITH: So with that, we will now --  
3 and I believe it's Ms. Pfeffer that will be -- so,  
4 Ms. Pfeffer, you're recognized in regards to the --  
5 first, the action agenda waiver to the Hot Springs  
6 for the long-term substitute.

7 MS. PFEFFER: Yes, Madam Chair, thank you for  
8 adding that item. I think in the email I tried to  
9 provide you with all the information to make that  
10 decision. We have talked at length with the school  
11 district and also with the university. The  
12 university has emailed to let us know that that  
13 candidate has already completed several of her  
14 internship activities and they feel comfortable in  
15 the support that they can give and that the candidate  
16 would receive if she should be approved to work as a  
17 long-term sub while she completes her final semester  
18 of internship. So if you have any questions, I'd be  
19 happy to answer them.

20 CHAIRPERSON REITH: Thank you, Ms. Pfeffer. Do  
21 you have a recommendation in this regard?

22 MS. PFEFFER: Our recommendation would be to  
23 allow this person to go ahead and work as a long-term  
24 sub. Yes.

25 CHAIRPERSON REITH: Thank you, Ms. Pfeffer. So

1 any questions or comments? Yes, Ms. Newton.

2 MS. NEWTON: I just had a question. I saw that  
3 she was going to roll from school to school. Is she  
4 going to be in another teacher's classroom or is she  
5 going to be in a classroom by herself or is she going  
6 to be working, you know, in the regular classroom?

7 MS. PFEFFER: She will actually be the teacher  
8 of record. But in each of those schools there will  
9 be a supervisor who will be able to assist her and  
10 she'll be paired with another teacher that can serve  
11 as a support for her.

12 MS. NEWTON: But she'll be in a classroom by  
13 herself?

14 MS. PFEFFER: Technically, she would be in the  
15 classroom by herself. Yes.

16 CHAIRPERSON REITH: Thank you. Thank you, Ms.  
17 Newton. Additional questions or comments?  
18 Otherwise, I'll entertain a motion from the Board.

19 MS. NEWTON: Move to approve.

20 CHAIRPERSON REITH: Do I have a second?

21 MR. BLACK: Second.

22 CHAIRPERSON REITH: Okay. Motion made by Ms.  
23 Newton, seconded by Mr. Black. All in favor?

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRPERSON REITH: Any opposed? Motion

1 carries.

2 MS. PFEFFER: Thank you.

3 ADD-ON: CONSIDERATION OF THE DEPARTMENT OF EDUCATION  
4 RECOMMENDATION FOR WAIVER FROM REPAYMENT OF NBPTS PROGRAM  
5 FUNDING - ASHLEY NELSON

6 CHAIRPERSON REITH: Ms. Pfeffer, if you could  
7 discuss the table -- the license of Ms. Nelson -- or  
8 is that a different staff member that will present  
9 that?

10 MS. PFEFFER: I may want Ms. Davis to actually  
11 tell you what we need to do. I can tell you that she  
12 has made payment in full, so -- but I don't know  
13 exactly what we need to do since it was on the agenda  
14 to be suspended.

15 CHAIRPERSON REITH: Yes, Ms. Davis.

16 MS. DAVIS: Normally what we would do is,  
17 because she -- had somebody paid in full and it was  
18 already on the agenda, we would just pull that agenda  
19 item. So now that you've un-tabled it we really just  
20 want to pull the agenda item because it's not an  
21 issue anymore. We just didn't want it kind of still  
22 hanging out there for anybody who might have been  
23 following it. So at this time she has paid in full  
24 and there's technically no agenda item to handle.

25 CHAIRPERSON REITH: And what would that motion

1 look like? And so we're --

2 MS. DAVIS: There's no motion because we're  
3 technically pulling the agenda. You put it back on  
4 the agenda and it's as if she had paid -- it was  
5 already on the agenda and she paid and we would pull  
6 it because it's not an issue anymore.

7 CHAIRPERSON REITH: Okay. So we just  
8 acknowledge -- so there's no motion needed from my  
9 colleagues, just an acknowledgement that the action  
10 agenda item that we --

11 MS. DAVIS: Right. And like I say, it's kind of  
12 confusing but we didn't want it kind of hanging out  
13 there in the air for this instructor, so --

14 CHAIRPERSON REITH: Okay. So we took care of  
15 what we needed to do by adding it to the action  
16 agenda?

17 MS. DAVIS: Absolutely.

18 CHAIRPERSON REITH: Okay.

19 COMMISSIONER KEY: And now we're pulling it.

20 CHAIRPERSON REITH: Now we're pulling it.

21 MS. ZOOK: Madam Chairman, we do these things  
22 just to test your ability.

23 CHAIRPERSON REITH: To add a few gray hairs,  
24 yeah. That's all right; I'll send you the bill from  
25 my hairdresser. No. Wonderful.

1                   And with that, correct me if I'm wrong, Ms.  
2                   Coffman and Commissioner, there's no additional items  
3                   that we can address at this time for the action  
4                   agenda.

5                   So with that, we are going to convene early for  
6                   lunch. And also for the purpose of the press and the  
7                   audience, if we do get through the consent item 10  
8                   and 11 quickly, then we may go ahead and entertain  
9                   this conversation, the shared conversation that I  
10                  believe Ms. Coffman has had with several of y'all  
11                  individually about special committees, as per my  
12                  request, as just part of again transition between  
13                  chairs and wanting to kind of get in order all of our  
14                  committee processes and use this as an opportunity of  
15                  improvement. So we'll share some information at that  
16                  time, potentially at lunch, so that we can make best  
17                  use of y'all's time for this afternoon.

18                  So with that, we are formally going to adjourn  
19                  for lunch and reconvene at 1:00, where we will pick  
20                  up once again the action agenda. Thank you so much.

21                  (LUNCH: 11:40 A.M. - 1:00 P.M.)

22                  CHAIRPERSON REITH: If I could go ahead and  
23                  reconvene -- and, Ms. Zook, if we could kindly -- I  
24                  see you're heading this way. Wonderful. Thank you  
25                  all so much. And as to be expected, it was a

1 wonderful conversation at lunchtime and once again I  
2 want to thank everybody who gave up their lunch to be  
3 able to contribute to the edifice of our Board and my  
4 colleagues. We really do appreciate your time.

5 B-1: CONSIDERATION OF THE CHARTER AUTHORIZING PANEL DECISION  
6 ON THE OPEN-ENROLLMENT CHARTER SCHOOL AMENDMENTS: OZARK  
7 MONTESSORI ACADEMY

8 CHAIRPERSON REITH: So with that, as promised,  
9 we are continuing with the action agenda. We are  
10 going to commence with the Consideration of the  
11 Charter Authorizing Panel's Decision on the Ozark  
12 Montessori Academy. Ms. Boyd, you are recognized.

13 MS. BOYD: Thank you, Madam Chair. Again,  
14 remember your motion should be to review or not  
15 review the decision of the Panel. In regards to the  
16 amendment request from Ozark Montessori Academy, the  
17 Panel approved the request unanimously.

18 CHAIRPERSON REITH: Thank you, Ms. Boyd. So  
19 with that, any questions or discussion purely that  
20 lend itself to the decision to review or not review  
21 this agenda item?

22 MS. ZOOK: Since school has already started I  
23 won't press this, but I do think that to approve that  
24 many kids is not a good idea. But I won't hold it up  
25 or ask to review it because school has already



1 started.

2 CHAIRPERSON REITH: Thank you, Ms. Zook. Any  
3 additional comments or questions from my colleagues?  
4 Then with that, I would entertain a motion.

5 MS. NEWTON: I move not to review.

6 CHAIRPERSON REITH: If you could kindly pull  
7 down your mic. Thank you so much, Ms. Newton.

8 MS. NEWTON: I move not to review.

9 CHAIRPERSON REITH: Do I have a second?

10 MR. WILLIAMSON: Second.

11 CHAIRPERSON REITH: Okay. Motion made by Ms.  
12 Newton, seconded by Mr. Williamson. All in favor?

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRPERSON REITH: Any opposed? Motion  
15 unanimously carries.

16 B-2: CONSIDERATION OF THE CHARTER AUTHORIZING PANEL DECISION  
17 ON THE OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL APPLICATION:  
18 CLASSICAL ACADEMY OF FAYETTEVILLE, FAYETTEVILLE OR FARMINGTON,  
19 ARKANSAS

20 CHAIRPERSON REITH: Ms. Boyd, if you could lead  
21 us through action agenda B, item number 2.

22 MS. BOYD: Thank you, Madam Chair. In regards  
23 to the application for Classical Academy of  
24 Fayetteville, the Charter Authorizing Panel  
25 unanimously voted to deny the application request.

1 And also the -- I believe in your packet you have  
2 information from the applicant that shows that they  
3 do not wish to move forward with their application at  
4 this time.

5 CHAIRPERSON REITH: Okay. Thank you, Ms. Boyd.  
6 So with that, any questions? Commissioner?

7 DR. BARTH: Yeah, actually --

8 CHAIRPERSON REITH: Sorry. It looked --

9 DR. BARTH: I do have -- actually, I have a  
10 question procedurally. I mean, they have asked to  
11 withdraw -- I guess they're asking to withdraw their  
12 application as if the first stage never happened. Is  
13 that kind of what they're --

14 MS. BOYD: I think that's what they're asking.  
15 Ms. Davis and I conferred about this and we -- if  
16 they would've asked to withdraw it before the Panel  
17 made their vote --

18 DR. BARTH: Sure.

19 MS. BOYD: -- then it wouldn't be on your agenda  
20 today. But since the Panel did make their vote,  
21 that's why it's before you today.

22 DR. BARTH: Okay. I just wanted to be clear  
23 that they can't formally withdraw it after that first  
24 stage. Is that correct?

25 MS. BOYD: Uh-huh.

1 MS. DAVIS: I mean, the rules don't necessarily  
2 contemplate that kind of situation. But because it  
3 has been heard, the rules say that you have to review  
4 or not review. And so since it has been heard we  
5 decided it was best to come to you guys and let you  
6 go ahead and make the decision to complete the  
7 process.

8 CHAIRPERSON REITH: And, Ms. Davis, correct me  
9 if I'm wrong: even if they don't ask for review, we  
10 could still review the item; that would be within --

11 MS. DAVIS: You could. Yes.

12 CHAIRPERSON REITH: Which is -- and it's just to  
13 say lending itself to it being on this action agenda;  
14 right?

15 MS. DAVIS: Absolutely. That's still one of the  
16 things that --

17 CHAIRPERSON REITH: But even if they didn't ask  
18 for review we could still because it was considered  
19 by the Charter Authorizing Panel --

20 MS. DAVIS: Right.

21 CHAIRPERSON REITH: -- have the option of  
22 review, just to clarify. Thank you, Ms. Davis.

23 So with that, any questions or comments or  
24 clarifications from the Board? Otherwise, I will  
25 entertain a motion.

1 MS. DEAN: Move not to review.

2 CHAIRPERSON REITH: Okay. Do I have a second?

3 DR. BARTH: Second.

4 CHAIRPERSON REITH: Motion made by Ms. Dean,  
5 seconded by Dr. Barth. All in favor?

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRPERSON REITH: Any opposed? Motion  
8 unanimously carries. Thank you so much, Ms. Boyd.

9 MS. BOYD: Thank you very much.

10 B-3: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT  
11 CHARTERS: SMACKOVER-NORPHLET SCHOOL DISTRICT

12 CHAIRPERSON REITH: And now, Ms. Perry, if you  
13 could lead us through action agenda B, item 3. This  
14 is an Act 1240 request for waiver for the Smackover-  
15 Norphlet School District.

16 MS. PERRY: Yes, Madam Chair. I've got two --

17 CHAIRPERSON REITH: Thank you.

18 MS. PERRY: -- two action items before you, B-3,  
19 followed by B-4. Both are the Act 1240 waiver  
20 requests. Before we begin, if it's all right with  
21 you, I'll turn it over to Jennifer Davis to go over  
22 the procedures and then I'll come back and introduce  
23 the speakers.

24 CHAIRPERSON REITH: Thank you, Ms. Perry. Ms.  
25 Davis, you're recognized.

1 MS. DAVIS: You do not have official procedures  
2 for district waivers, on how to handle those, but the  
3 procedures that you have been following up to this  
4 point and have adopted have been that all persons  
5 wishing to provide testimony outside of attorneys  
6 will need to be sworn in. The district will have 20  
7 minutes to present its case to you for these waivers.  
8 Any parties that are opposed to these waivers will  
9 also have an additional 20 minutes. The district  
10 will then have 5 additional minutes rebuttal time.  
11 You can follow their presentation with any questions  
12 of the district or anyone else that you may have  
13 questions of. And you can grant in whole or in part  
14 or deny in whole or in part these proposed waivers.

15 CHAIRPERSON REITH: Thank you so much, Ms.  
16 Davis. Any questions from the Board?

17 Then, Ms. Perry, you're recognized.

18 MS. PERRY: Thank you. Again, Mary Perry,  
19 Division of Learning Services. I know that you've  
20 read the request. I would just point out to you that  
21 Smackover-Norphlet comes before you today and they  
22 have requested their waivers for a period of five  
23 years. The 90 days from the time of the request --  
24 of receiving the request would expire on November the  
25 3rd, 2016. And you have -- to begin the presentation

1 today is Curriculum Director Jennifer Lee.  
2 Superintendent Dave Wilcox is also present.

3 CHAIRPERSON REITH: Thank you so much, Ms.  
4 Perry. Anyone planning to offer testimony who's not  
5 an attorney, if you could kindly rise -- non-  
6 attorneys offering testimony -- yes, please. Thank  
7 you. And if you could raise your right hands? Do  
8 you swear or affirm that the testimony you're about  
9 to give shall be the truth, the whole truth and  
10 nothing but the truth?

11 (ALL WITNESSES ANSWERED AFFIRMATIVELY)

12 CHAIRPERSON REITH: Thank you so much. You may  
13 proceed with your 20 minutes. And if you could  
14 kindly state your name and title for the record  
15 please as you begin your comments. Thank you.

16 MS. LEE: My name is Jennifer Lee; I'm the  
17 Curriculum Director at the Smackover-Norphlet School  
18 District. First of all, I'd like to thank you for  
19 taking the time today to hear our request for the Act  
20 1240 waiver. To give you a little background about  
21 the Smackover-Norphlet School District, two-and-a-  
22 half years ago we came before you, the Smackover  
23 School District and the Norphlet School District, and  
24 we requested a voluntary annexation that you granted.  
25 I wanted to give you just a real brief update to let

1           you know that we are a strong district with about  
2           approximately 1,150 students at this time. We have  
3           two kindergarten through 5th grade elementary  
4           schools; we now have a 6th through 8th grade middle  
5           school; and one 9th through 12th grade high school.  
6           The annexation went wonderfully. It has been a great  
7           benefit to our community, and we do want to thank you  
8           for what you did because it has worked out well. We  
9           now have a K-12 STEM program using Project Lead the  
10          Way curriculum, college and career readiness  
11          opportunities through South Ark. Community College.  
12          So it's been a great thing.

13                 But today we come before you for a different  
14          reason. We have an opportunity, because we've been  
15          looking at teacher recruitment for the past several  
16          years and we're seeing a change in our district.  
17          I've been in this position for nine years and while I  
18          am not over human resources, somehow my job has ended  
19          up making sure that we do have the people that we  
20          need to have in the positions that we need to have.  
21          And it's become more and more difficult every year to  
22          find those teachers. We are in south central  
23          Arkansas; we're about 15 minutes north of El Dorado,  
24          about 15 minutes south of Camden. And up until this  
25          year we've always been able to find people to serve

1 our schools. And, you know, we started out when I  
2 was in this position nine years ago, we had one or  
3 two teachers who was going the nontraditional route  
4 through the APPEL program, and they always did  
5 extremely well. We were always pleased with the  
6 teachers who participated in APPEL, but we really  
7 didn't see that many coming through. Over the past  
8 five or six years we've had more and more applicants  
9 who are enrolled in the APPEL program and only  
10 recently have we started entertaining the  
11 interviewing of people who were enrolling in that  
12 program and that has been a real benefit to us  
13 because that's worked out really well. But this year  
14 we're seeing some things change and we're starting to  
15 have some real barriers coming up to us because I  
16 know that y'all have seen -- the whole southeast  
17 consortium came before you, or 13 districts in  
18 southeast that said, "Hey, you know, the University  
19 of Arkansas-Monticello, they're only graduating seven  
20 student teachers this year." Well, our feeder  
21 university is SAU in Magnolia and last year, when I  
22 went to their teacher job fair in the spring, we had  
23 26 student teachers who were coming through. Now  
24 when you're talking about they're serving Magnolia,  
25 Camden-Fairview, El Dorado, our district, as well as



1 many of the other smaller school districts in the  
2 area, that has an impact on us. We also do end up  
3 getting a lot of our teachers -- or a few from  
4 Henderson State University, which is an hour and 15  
5 minutes away. Historically, Norphlet School  
6 District, when they were a solitary district, they  
7 have also received some of their student teachers and  
8 licensed people from UA-Monticello. So, all of a  
9 sudden, we're biting into other people's pool who  
10 they're not getting enough people either for their  
11 jobs.

12 And so today I come before you because I've got  
13 two specific scenarios: I've got a band director that  
14 we need to hire, but we were unable to find a  
15 qualified candidate who had a teaching license. We  
16 did have a few with a teaching license come through;  
17 unfortunately, sometimes recommendations don't go the  
18 way you want; their history isn't right, and we want  
19 to make the right choice. Yes, we want to have a  
20 licensed teacher in the classroom but we want to have  
21 the right person in there because we know that having  
22 the right person -- hiring the right people is the  
23 most important thing that our district can do. So  
24 anyways, we interviewed this one gentleman. Now he's  
25 going to be the poster child for what you would be

1 looking for for an Act 1240 waiver for teacher  
2 licensure. This gentleman does have a master's  
3 degree -- or, excuse me -- he has a bachelor's degree  
4 in music, okay, with over 50 hours in the content  
5 area of music. He also has over 15 years of  
6 experience working with bands and working in a school  
7 setting with bands. I mean, he is perfectly ideal.  
8 He's enrolled in the APPEL program. Unfortunately,  
9 at this moment he has been unable to pass all of his  
10 licensing exam to be able to fully be given his  
11 provisional license. And so that is our first one.  
12 The second person that we have is someone who we need  
13 for a special ed. position. Because of the efforts  
14 of the State Board and working with other  
15 universities, we've seen the MAT program -- oh,  
16 goodness, we're so grateful that the MAT program is  
17 now having a special ed. component and is licensing  
18 special education teachers. We hired one this year  
19 who is going through the MAT program for special ed.,  
20 and we would like to hire another one for special ed.  
21 She is lacking one test at this moment from the  
22 Praxis core. And that's typically what we're finding  
23 in our district is that we can find people who are  
24 interested in going through nontraditional programs;  
25 however, from the time that they are interested and

1 the job is open until the time they need to start, by  
2 October 1, when all of a sudden cycle 2 comes out and  
3 we have to have a licensed person in that classroom,  
4 it's very difficult to make sure that every I is  
5 dotted and every T is crossed and that provisional  
6 license is in their hand.

7 So what we're asking for today is we're not  
8 asking for a Get Out of Jail Free card; we're asking  
9 for a five-year waiver so that we can have our --  
10 have the choice when we are hiring that if we have an  
11 outstanding candidate in a hard to fill position we  
12 can put them in that position as they are working  
13 toward teacher licensure. We're not trying to  
14 absolve anybody from getting a teaching license. We  
15 will expect anybody going through this to get all of  
16 the required training that any teacher is supposed to  
17 get. They will go through Code of Ethics training  
18 like any teacher would be expected to. They will go  
19 through TESS like any other teacher would be  
20 expected. They would be treated like a teacher  
21 because they are working towards teacher licensure.  
22 And so that's why we're coming towards you today  
23 because this is a systemic problem and it's not going  
24 to be changed in one night. You know, we've got  
25 students at SAU and at all these other universities

1 and all of a sudden we're not going to be able to  
2 just all of a sudden say, "Ewww, here's some more  
3 teacher candidates coming up." This is going to take  
4 time to change. But efforts like with the MAT  
5 program, that helps us; efforts that y'all are doing  
6 with special ed. and including K-6 in the MAT  
7 program, that helps us. Something that could help us  
8 in the future is -- I've been told that the  
9 universities cannot issue a provisional license until  
10 someone has obtained six hours in a MAT program.  
11 That's a barrier for us in hiring teachers. Another  
12 thing is the Praxis core, not the content area; the  
13 Praxis core is becoming a barrier for us in hiring  
14 people because they're not eligible for MAT or for  
15 the APPEL program because of algebra or math. You  
16 know, they have a bachelor's degree in the content  
17 area that they need to be teaching in but it's been  
18 10, 15 years since they've stepped foot in a math  
19 classroom and it's a little bit difficult. I'm not  
20 talking about a math teacher here; please don't get  
21 me wrong. But we do expect a content area teacher to  
22 know their content, but it is a barrier for us at  
23 this moment.

24 So at this time I want to let you know that we  
25 did notify our staff about this and our staff was

1 very supportive, the ones that we actually heard  
2 from. It was very minimal feedback that we did  
3 receive. In fact, most of the feedback was "if you  
4 can get people here and if that means that you have  
5 more choice and we can hire the right people, and if  
6 it's good for our kids, then we want to do this,"  
7 because many of our staff have their own children in  
8 these schools. My children go to these schools. My  
9 children could be possibly taught at some point by  
10 somebody under an Act 1240 waiver. I want to make  
11 sure that my children and all the children in our  
12 district are taught by the best qualified person, and  
13 this gives us that opportunity. We had very minimal  
14 feedback from community. We did try to make contact  
15 with the charter, Arkansas Virtual Academy. I did  
16 email them, made phone calls. Today, as I was on my  
17 way up here, I noticed I had a missed call; I was in  
18 a dead zone, and so they reached out. So we're in  
19 the process of playing phone tag with Arkansas  
20 Virtual Academy. But we have had some good feedback  
21 from our community and from our staff, from the  
22 people who have responded.

23 So on behalf of our Smackover-Norphlet School  
24 District, we are requesting this Act 1240 waiver  
25 regarding teacher licensure for a five-year period.

1 CHAIRPERSON REITH: Thank you.

2 SUPT. WILCOX: I'm Dave Wilcox, Superintendent  
3 of Schools, Smackover-Norphlet School District. I  
4 would like to follow-up on Ms. Lee said. You know,  
5 as Ms. Perry said, we requested this waiver for five  
6 years and we do not see it going away any time in the  
7 very near future. We have -- I won't say aging -- we  
8 have a teaching staff that is very near retirement  
9 age or are retirement age already, and we don't know  
10 how we're going to replace these folks right now. We  
11 have some exceptional teachers and we want to keep  
12 finding exceptional teachers and this will help aid  
13 us in that quest. Thank you.

14 CHAIRPERSON REITH: Thank you. Y'all still have  
15 about 10 minutes left. I don't know if you have any  
16 additional comments?

17 MS. LEE: We do not.

18 CHAIRPERSON REITH: Otherwise, Ms. Freno or Ms.  
19 Davis, I didn't receive any sign-ups for public  
20 comment, so I don't know if there's any organized  
21 opposition or opposition to this proposal.

22 MS. FRENO: Madam Chair, there were two that  
23 signed up but both of them have already spoken.

24 CHAIRPERSON REITH: Okay. Wonderful. Thank you  
25 so much for confirming that, Ms. Freno.

1           So with that, would you all like to make any  
2 closing remarks before my colleagues turn over to  
3 questions?

4           MS. LEE: We'd just like to thank you for the  
5 opportunity to hear our condition and our situation  
6 at this time and we'd sure appreciate your  
7 consideration.

8           CHAIRPERSON REITH: Thank you. Thank you so  
9 much. So for my colleagues, I think we're going to  
10 try something a little different with these Act  
11 1240s, trying to absorb a little bit from the process  
12 as we did this summer. I'm going to give everyone a  
13 chance to go around first with a question and then  
14 we'll just do subsequent rounds until questions have  
15 been adequately answered. But this time we did want  
16 to give some distribution and then also to just kind  
17 of use this as kind of a clarifying gauge from you  
18 all, as well, of where we stand, not in any way to  
19 limit conversation or dialogue. But we do want to be  
20 able to make a statement as a Board and as a  
21 Department that we appreciate districts when they  
22 bring innovation and desire to work with us. So  
23 we're hoping we can, in how we consider these  
24 waivers, do so in a way that's about this  
25 conversation of partnership with you all. And so I'm

1 hoping this framework might help with that. I know  
2 some of our predecessors -- my predecessors in this  
3 seat would do that and had some success with that,  
4 and so I thought I would give it a try for this time  
5 as well.

6 And so with that, Ms. Ables, you are a part of  
7 our board and I actually would like to start off with  
8 you. We'll go around with you this way and then if  
9 you could kindly limit yourself to a question at one  
10 time and, again, we'll do multiple rounds to make  
11 sure at least the questions are adequately answered.  
12 So, Ms. Ables.

13 MS. ABLES: I just had a clarifying question.  
14 Is it the Praxis, the initial Praxis?

15 MS. LEE: Typically, in our case it is the  
16 initial Praxis that is the issue. The gentleman with  
17 the band, he is working towards -- he has four tests  
18 to take; he has the Praxis core and the other -- the  
19 music content knowledge, which we feel like he will  
20 pass.

21 CHAIRPERSON REITH: Thank you. Ms. Newton.

22 MS. NEWTON: I just have a couple of comments.  
23 I was really impressed that your plan was very well  
24 thought out, very well organized. I like that, you  
25 know, if you hire someone it's not the Get Out of



1 Jail Free card, that they're going to have to pursue  
2 licensure, and that you have your steps to implement  
3 the waiver lined out -- you know, your hiring  
4 process.

5 MS. LEE: Yes.

6 MS. NEWTON: And so I really -- I just wanted to  
7 comment that I really like that.

8 MS. LEE: Thank you.

9 CHAIRPERSON REITH: Thank you, Ms. Newton. Mr.  
10 Black.

11 MR. BLACK: I thought your plan was well thought  
12 out, as well. And as a result, I don't have any  
13 questions.

14 MS. LEE: Thank you.

15 CHAIRPERSON REITH: Mr. Williamson.

16 MR. WILLIAMSON: Same here. I don't really have  
17 any comments or questions. I met Ms. Lee earlier  
18 this year, a couple of times, I think.

19 MS. LEE: Yes, we did.

20 MR. WILLIAMSON: And just so you all understand,  
21 she's always like this. She is always on top of her  
22 game and she's been very impressive to me.

23 MS. LEE: Thank you.

24 CHAIRPERSON REITH: And by "like this," I think  
25 you meant in the most positive way possible and very,

1 very well spoken. So, Dr. Barth.

2 DR. BARTH: I appreciate your presentation, as  
3 well. I do have a question for Ms. Perry probably.  
4 Sorry, catching you in the middle of a conversation.  
5 You know, as Ms. Newton and others have noted, it is  
6 a very thoughtful design here and a lot of care given  
7 to being sure that there are safeguards. My question  
8 is really regarding the breadth of the waiver, just  
9 -- I'm looking at the waiver itself and my concern is  
10 we know that leadership comes and goes in the  
11 district and I want to be certain before I vote for  
12 this that those safeguards are part of this proposal,  
13 not a broader waiver that I think would get us into  
14 sketchy turf.

15 MS. PERRY: When I send back a letter -- Mary  
16 Perry, Division of Learning Services -- when I send  
17 back a letter telling districts what has been  
18 approved or in some cases not approved by this Board  
19 when they come before you, I indicate what the  
20 specifications were that they set forth and that you  
21 approved in the letter so we have that for historical  
22 documentation. They receive it; we have it in our  
23 office and on file as well.

24 DR. BARTH: Great. I appreciate that. Can you  
25 just -- without getting super-duper specific, can you

1 give a feel for what that letter might look like just  
2 so that we know -- is it going to -- would it include  
3 kind of on page 2 of their presentation these bullet  
4 points about their -- what they would want in terms  
5 of content? Would it get that specific or -- I'm  
6 just trying to get a feel for -- I've felt frustrated  
7 at times on these 1240s. I haven't known exactly  
8 what I'm voting for, especially years from now when  
9 these things are still in place.

10 MS. PERRY: It wouldn't address the bullet list;  
11 it would say that they must be designated as Arkansas  
12 qualified teachers that would meet that. Those are  
13 just the AQTs that are listed there in the bullet  
14 list. And so they have met those particular  
15 qualifications there, so that's as much as I would  
16 address and leave it with the Arkansas Qualified  
17 Teacher requirements in this particular case.

18 DR. BARTH: Okay. And so you feel that -- you  
19 know, let's say four years from now we have different  
20 leadership in this district, the waiver is still in  
21 place, and that new leadership goes off and hires a  
22 teacher that -- you know, just to fill a spot. Would  
23 -- in your eyes, would they be meeting the waiver  
24 that they're asking for today?

25 MS. PERRY: Dr. Barth, there's just no way that

1 I could assure you that new leadership that comes on  
2 would take the time and get involved, nor would I  
3 know when new leadership comes on to even notify them  
4 of that situation, to know exactly what was passed  
5 and what was in place. And I think that's one of the  
6 current concerns you've had from the very beginning  
7 of considering these waiver requests. So I wish that  
8 I could tell you there were a way to assure that that  
9 happened and assure that they look through the  
10 records and knew those things, but I don't know how  
11 to do that at this point.

12 DR. BARTH: So -- and I certainly recognize  
13 that. If it did happen though, would it be in your  
14 opinion that that would be outside the bounds of what  
15 we are granting today?

16 MS. PERRY: If they didn't follow what was in  
17 the letter that I send back to them, I would -- I'm  
18 going to let Legal opinion that I value more --

19 CHAIRPERSON REITH: Ms. Davis.

20 MS. DAVIS: Then we should probably get someone  
21 else up here. Just real quick on that, those bullet  
22 points that they have are the AQT rules.

23 DR. BARTH: Right.

24 MS. DAVIS: They just have incorporated it in  
25 there. So they would still, regardless of whether or

1 not they had even put that in there, still have to  
2 follow the AQT rules. So whether it is a new, you  
3 know, superintendent in the district later on, they  
4 would still be bound to those rules. And if, you  
5 know, they come in through standards and they find  
6 out that they're not following the rules, then those  
7 would be handled like any of our other rules. So  
8 those -- they will be bound to those. Now as far as,  
9 you know, the spirit of, you know, things that --  
10 would they still utilize these if in the event that  
11 they didn't have a teacher shortage or have trouble  
12 finding them later on, you know, that's, you know, no  
13 guarantee, of course. But these bullet points  
14 specifically are -- whether they were in this  
15 application or not, they would be held to those  
16 standards.

17 DR. BARTH: Yeah. And I understand we're  
18 dealing with humans and with transitions and with all  
19 that. I just -- you know, I'm just grappling. We  
20 know just how important high quality teachers are to  
21 student success and truly having an adequate  
22 education. And I'm just -- you know, it's been a  
23 problem for me with all these 1240 waivers is that it  
24 feels at times that we are deviating from at least  
25 the spirit of the Lakeview decision in terms of our

1           commitment to an adequate education. So at every  
2           meeting for the last year it's been an ongoing  
3           quandary for me, as much as I appreciate the good  
4           spiritedness and the thoughtfulness of many leaders,  
5           including the folks who are here today.

6           MS. DAVIS: And one other thing I just want to  
7           point out -- and I know that they had talked about it  
8           in their presentation; I just want to make it clear  
9           that, you know, these don't necessarily apply to  
10          special education and they don't apply to ALE. So  
11          under those rules, even under AQT, they still have  
12          those requirements, so -- and everybody is bound to  
13          that as well.

14          DR. BARTH: Thank you.

15          CHAIRPERSON REITH: Thank you. And normally I  
16          would leave my questions and comments to the last,  
17          but since my question and comments segway so well  
18          with Dr. Barth's I hope my colleagues will give me  
19          the privilege of, as we go around here, to let me  
20          have my turn as well with this. First and foremost  
21          to say to Ms. Lee and to Mr. Wilcox, it is obvious,  
22          as it was when you all came before us requesting the  
23          voluntary annexation, that you all are tremendous  
24          leaders and the students in your district are so  
25          lucky to have you. And we're grateful -- we're

1 grateful for y'all being here and for taking this  
2 initiative. I think my concerns dovetail with Dr.  
3 Barth's in the bigger picture here; right. This  
4 isn't anything specific to your district or to the  
5 request here, but about teachers and the value of  
6 teacher licensing overall for the state and also with  
7 our recruitment program. I had the opportunity two  
8 weeks ago to go speak to a new class of teachers at  
9 the University of Arkansas, in higher ed.; 30  
10 individuals that are in their senior year on the  
11 licensure track. And one of the things they  
12 commented to me following these conversations, as  
13 well as their instructors, was also concern again  
14 about blanket waivers that might be saying that we  
15 don't value their license. And whether for those  
16 people that have committed themselves to this  
17 process, to this -- to actually going through all of  
18 the different steps and to filling all the  
19 requirements, if we're setting some standards that  
20 are maybe even discouraging future teachers from  
21 wanting to apply because we're making these waivers  
22 easier. And then I explained right back to them  
23 exactly what we're hearing, that it's easy for them  
24 to maybe make those comments coming from northwest  
25 Arkansas, where there's ample jobs and supply and

1 salaries, and that I've been very, very sympathetic  
2 in understanding whether the Delta, south Arkansas,  
3 other situations that there are different realities.  
4 Now their leadership responded to me, "Well, that's  
5 just not true; there's lots of teachers out there and  
6 folks we know looking for jobs." I'm like, "Well, I  
7 know exactly who they need to go talk to about those  
8 jobs," because we just had the whole Southeast  
9 Cooperative here just a couple of months ago with a  
10 very, very similar request, obviously. And so  
11 there's bigger conversations to be had and I'm  
12 thrilled that my colleagues are giving us the space  
13 with this afternoon's conversation on some of the  
14 visioning, we hope, and sitting around the table with  
15 Higher Ed. in this conversation. I'm hoping in some  
16 of our subsequent work sessions this year we can see  
17 what we can proactively do in this pipeline. But  
18 there's both the long-term and the short-term, right.  
19 We need some immediate fixes, but how do we not  
20 undermine exactly what we're trying to do, which is  
21 lifting up the teaching profession which deserves to  
22 be on a pedestal as the highest profession, the most  
23 noteworthy profession in the State of Arkansas and in  
24 this country, and we don't do that enough. And I  
25 think there are things that we can do to set that



1           forth but in the interim, what are the short-term  
2           fixes. And so the question in that -- delving into  
3           the one question I did have for you all -- and I feel  
4           like where you all are coming at, this is because you  
5           do expect this to be a problem for a few years;  
6           right? And that's why it's coming as Act 1240 versus  
7           with individual -- asking for individual. So is that  
8           correct? Am I making that correct assumption that  
9           that's why you all are looking at the broader scope  
10          versus just going for these two individuals?

11           MS. LEE: Yes.

12           CHAIRPERSON REITH: Okay.

13           MS. LEE: That is exactly why. We see the  
14           reality of what's going on. We have talked to the  
15           universities. We've joined a partnership group with  
16           Henderson State University because one of the things  
17           that we believe is if we get more student teachers --

18           CHAIRPERSON REITH: I'm sorry; if you could  
19           speak into the mic a little bit more. Thank you so  
20           much. Appreciate it. I'm short as well and always  
21           having to pull it down.

22           MS. LEE: If we have more student teachers in  
23           our district that will help us to recruit. But in  
24           the meantime, we have to -- we only have so many who  
25           are available. In fact, you speak about the

1 opportunities or lack of opportunities for jobs in  
2 northwest Arkansas. One of the gentlemen that we  
3 hired this year was willing to relocate from  
4 northwest Arkansas to come down to our middle school,  
5 and I recruited him from the APPEL program. I've  
6 contacted -- Ms. Crosser is wonderful to work with.  
7 And every year it seems like I am calling her, asking  
8 for a list, and I send out tons and tons of emails,  
9 saying, "Please move. Would you consider applying  
10 for this?" And this is the first time in about five  
11 or six years that we've actually had an applicant  
12 say, "Yes, I would be interested in applying." And  
13 we were shocked. So we -- we are -- we -- "Yes,  
14 please come down to us from the University of  
15 Arkansas at Fayetteville."

16 CHAIRPERSON REITH: Fantastic. Thank you.  
17 Thank you for clarifying that. Ms. Zook.

18 MS. ZOOK: I wanted to echo the thank-you for  
19 the well written and well explained -- I felt like I  
20 knew what you wanted before I got here, and that's  
21 always helpful. I wonder -- and don't agree quickly.  
22 I wonder if we approve these two and you saw a need  
23 for more or different, if coming back -- I know it's  
24 a long way from here to Strong, but one of the  
25 concerns with the student teachers that -- or the

1 head of the student teachers, sometimes having or  
2 placing new teachers in the smaller districts -- and  
3 I know it's not very small because I come from  
4 Melbourne and y'all are bigger than us -- but there's  
5 no apartments, there's no places to let. Is that a  
6 situation in Strong?

7 MS. LEE: Well, we're in Smackover.

8 MS. ZOOK: I mean Smackover; I'm sorry. I  
9 apologize.

10 MS. LEE: That's quite all right. We actually  
11 -- a lot of younger teachers, they go to El Dorado,  
12 15 minutes away, which, when I lived here in Little  
13 Rock 15 minutes was nothing for a drive.

14 MS. ZOOK: Right.

15 MS. LEE: So 15 minutes either way to Camden or  
16 to El Dorado, that's available. We have a lot of  
17 rent housing that is available at a very -- you could  
18 probably get into better housing, an actual house for  
19 a rent rate that is phenomenal than if you were  
20 living here in central Arkansas or certainly  
21 northwest Arkansas.

22 MS. ZOOK: But there's no --

23 MS. LEE: Housing is not going to be the issue.

24 MS. ZOOK: Okay.

25 MS. LEE: And -- that's just not our issue.

1 MS. ZOOK: Okay. And I do apologize for mis-  
2 saying your district. I certainly understand who you  
3 are and where you are.

4 CHAIRPERSON REITH: Thank you. Ms. Dean.

5 MS. DEAN: Well, just want to thank you for your  
6 thoroughness. Thanks.

7 CHAIRPERSON REITH: Dr. Hill.

8 DR. HILL: Yes. I know we've listened to this a  
9 couple of times from different co-ops and things like  
10 that. And I'm kind of -- when I just look at it and  
11 hear our situation, I just rationalize a little bit  
12 to think about if we don't do this what are your  
13 alternatives. And it just blows my mind, even though  
14 -- and I understand, being a former president and  
15 having to have a master's degree and a certain level  
16 of remediation, you know, and trying to find that --  
17 I've been in a panic situation; it's July and school  
18 starts in two weeks and we don't have that person,  
19 and so we have to go back and get those things from  
20 the accrediting agencies. But I think -- I don't  
21 know what alternative we have considering the  
22 circumstances you're dealing with, and I think it's a  
23 very practical approach to solving the problem. Now  
24 that doesn't mean that we just grant it blanket  
25 through and you don't try to do that. So, I mean,

1 this is a strategic plan that you're going to have to  
2 come up with or you're going to be coming back long  
3 after I'm gone, and I'm here for the next seven  
4 years, you know. So I think this is, you know, a  
5 model that can be established by what you're trying  
6 to do because, like you said, you're asking for five  
7 years and, hopefully, right now, unless there is a  
8 major push on educating more people to become  
9 teachers, we've got an issue that we must deal with  
10 from a strategic standpoint from our state. And so I  
11 commend you, I support you, and God bless you.

12 CHAIRPERSON REITH: Thank you, Dr. Hill.

13 SUPT. WILCOX: And I would like to follow-up on  
14 that. Dave Wilcox. We had two years ago a math  
15 teacher, secondary math teacher that resigned, went  
16 to work at another school district. And we kept that  
17 job open, posted it on different job sites, and for  
18 that entire year we had the substitute math teacher  
19 in there because we -- that teacher decided at the  
20 end of the year to come back to our school district  
21 and she was the first applicant that we had for the  
22 position that she left. So if you approve it or not,  
23 it's not going to change the problem that we have.

24 CHAIRPERSON REITH: Well, and again please know  
25 we're hearing you and we can't -- well, we can do

1 something in the short-term. What I challenge all of  
2 us, and myself included, with this process is how do  
3 we be part of the solution because this isn't it;  
4 this is the Band-Aid, the fix that we can make  
5 available, but this cannot be the long-term solution.  
6 And so I hope all of you join with me in my  
7 enthusiasm that Higher Education will be joining us  
8 this afternoon and we'll have an opportunity to talk  
9 about issues just like this.

10 With that, I do want to do one more round and  
11 see if there's some additional question. So I'm  
12 going to do a visual look and if you give me a no I'm  
13 just going to pass right over you. And then I think  
14 Dr. Barth here looks like -- so, Dr. Barth, yes.

15 DR. BARTH: I just -- your last comment just  
16 strikes me. I worry a little bit if we do these  
17 broad waivers that are not case-by-case that we start  
18 to say we're giving up in some ways. And we can, you  
19 know, say, "Yeah, we care about this," but these  
20 waivers really do, I think, begin to send a pretty  
21 strong signal that we -- you know -- we're caving on  
22 this most important and fundamental aspect of an  
23 adequate education. So it's just a -- y'all just  
24 happen to be here today and it's just been something  
25 that month after month after month has really been

1 wearing on me as we approve more and more of these.

2 CHAIRPERSON REITH: Well, and that's where I  
3 offer we all should be worn down, and I think the  
4 Department feels that way as well, and hence the  
5 reason I'm hoping this will be the first of many  
6 conversations in our work session this afternoon on  
7 this. And, again, if we're worn down, how do you  
8 think teachers feel? And, again, when I spoke to the  
9 recruits that are the seniors, and they're saying to  
10 me, "Why am I even bothering getting a license?"  
11 Right? "Why am I bothering working toward this if  
12 you all are making statements that it's that easy to  
13 waive a license?" Right? "That maybe my license  
14 isn't necessarily the most valuable." So we have to  
15 be conscientious, but we acknowledge you have your  
16 short-term as well. But we have some work to do in  
17 addition to this to get there, where we would say is  
18 we invite you to be part of that dialogue as well and  
19 what you learn through this process of what it takes  
20 to get a teacher there, I think what we can lift up  
21 and help inform in terms of the solutions, we need  
22 that. I think we need the whole state to be part of  
23 the solution. And so we welcome you-all's input into  
24 those conversations.

25 So looking down this way, any final -- yes, Dr.

1 -- yes, Mr. Williamson.

2 MR. WILLIAMSON: Well, my father was a doctor,  
3 so --

4 CHAIRPERSON REITH: Yes.

5 MR. WILLIAMSON: Even though Union County, El  
6 Dorado, Smackover is the center of the universe, it's  
7 hard -- very hard to get people down there right now.  
8 And it's not just their school district. I mean, El  
9 Dorado is suffering, the same thing; Strong, going  
10 through the same problems. And I can understand  
11 where a new teacher would say that, "Yeah, I mean,  
12 you guys just with a quick vote can do away with  
13 licensure." I don't see it that way. I mean, we're  
14 in dire need of help down there. Now we're trying  
15 some things on our own to improve recruitment -- El  
16 Dorado festivals and events, for one thing -- and,  
17 you know, hopefully that will work and we maybe won't  
18 have this problem. But the short-term is when  
19 they're having problems. And so I don't have an  
20 issue at all with the five years, and so I'm going to  
21 -- I'll make a motion whenever you need one and then  
22 I'm going to vote for it.

23 CHAIRPERSON REITH: I'll just do a quick look if  
24 there's any final questions or comments. Okay. Then  
25 with that, we'll entertain your motion, Mr.



1 Williamson.

2 MR. WILLIAMSON: I move to grant the waiver as  
3 they requested.

4 MS. ZOOK: Second.

5 CHAIRPERSON REITH: Okay. Motion made by Mr.  
6 Williamson, seconded by Ms. Zook. All in favor?

7 (MAJORITY CHORUS OF AYES)

8 CHAIRPERSON REITH: Any opposed?

9 DR. BARTH: No.

10 CHAIRPERSON REITH: Okay. May the record show  
11 Dr. Barth voted no. Motion carries. Best of luck  
12 with you and please, please lift up what you've  
13 learned to us as we try and figure out a very, very  
14 complex problem. Best of luck. And good luck with  
15 those two new teachers.

16 MS. LEE: Thank you.

17 SUPT. WILCOX: Thank you.

18 B-4: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT  
19 CHARTERS: PINE BLUFF SCHOOL DISTRICT

20 CHAIRPERSON REITH: Now moving on to action  
21 agenda B, item number 4, another, again, Act 1240  
22 waiver request, this time from the Pine Bluff School  
23 District. Ms. Perry, you're recognized.

24 MS. PERRY: Mary Perry, Division of Learning  
25 Services. B-4 is for the Pine Bluff School District.

1 This request is also for a five-year period,  
2 specifically through the 2020-2021 school year. The  
3 90 days from the time that this request was received  
4 in the Department expires on November 15th. And  
5 present today to begin the presentation is Director  
6 of Human Resources Dexter Lee. Superintendent Dr.  
7 Michael Robinson is also present, as are some others  
8 from the Pine Bluff District.

9 CHAIRPERSON REITH: Thank you so much, Ms.  
10 Perry. And then just to quickly check with Ms.  
11 Freno, has anyone signed up for public comment  
12 outside?

13 MS. FRENO: (shaking head from side to side.)

14 CHAIRPERSON REITH: Okay. Wonderful. So with  
15 that, all intending to offer testimony who is not an  
16 attorney if I can kindly ask you to stand and raise  
17 your right hand. Thank you. Do you swear or affirm  
18 that the testimony you're about to give shall be the  
19 truth, the whole truth and nothing but the truth?

20 (ALL WITNESSES ANSWERED AFFIRMATIVELY)

21 CHAIRPERSON REITH: Wonderful. Thank you so  
22 much. And so with that, if you could state your name  
23 and title for the record -- and, again, you have 20  
24 minutes of opening comments.

25 MR. LEE: All right. Thank you. My name is

1 Dexter Lee and I am the Human Capital and Evaluation  
2 Officer for the Pine Bluff School District. I thank  
3 you for your time this morning -- I mean, this  
4 afternoon; that's how tired I am. Ms. Lee did an  
5 awesome job, the lady that just left. I wish I had  
6 just recorded her presentation and then been able to  
7 edit it with just a few changes, like instead of SAU,  
8 UAPB. UAPB is struggling with teacher enrollment in  
9 their education programs, teacher prep programs.  
10 Then they have a problem with graduating students who  
11 can pass the Praxis exams and receive their  
12 licensure. So our feeder is struggling as well.  
13 We're not the only district, of course, in the Delta  
14 who is having this issue. As a person who received  
15 my license through nontraditional teacher licensing,  
16 I know the importance of the nontraditional teacher.  
17 But one of our problems in Pine Bluff is -- we  
18 reached out to APPEL and they have been more than  
19 gracious to provide us with a list, but the majority  
20 of the participants in the APPEL program are in  
21 northwest Arkansas, and very few, if any, have been  
22 willing to move to Pine Bluff. We reached out to the  
23 MAT programs and kind of the same issue. Pine Bluff  
24 is just not on the path that many of those people  
25 would like to be on. Dr. Robinson, our

1 superintendent -- and just kind of preemptively  
2 thinking about questions you may have, you may ask  
3 why did we wait till this time to apply for the  
4 waiver. As many of you know, we have a new  
5 superintendent in Pine Bluff School District and he  
6 was coming from another state and he exercised great  
7 wisdom and restraint by saying, "I don't want to  
8 apply for something that I don't fully understand all  
9 of the caveats of it," not unlike what Dr. Barth was  
10 saying; what are the stipulations, what are we  
11 communicating to people, what are we forfeiting. So  
12 he wanted to take time to see firsthand what our  
13 situation was, not only what we had as current  
14 staffing but also what were our feeders. Also, Pine  
15 Bluff had struggled over the last two years with no  
16 legitimate human resources person. We had a  
17 classified staff there but we had no certified person  
18 in that position. So, one of the first hiring  
19 decisions that Dr. Robinson made was to hire me for  
20 this position so that we could move forward. Our  
21 waiver plan is pretty simple; we did apply for five  
22 years but Dr. Robinson has, like I said, one, hired a  
23 Human Capital and Evaluation Officer to begin  
24 developing our recruiting plan. We're also vetting  
25 new online and teacher recruitment resources so that

1 we can have a broader reach. We don't want to limit  
2 our applicant pool to just Arkansas. There are some  
3 people we have found, like Dr. Robinson, who are  
4 willing to come from places, like Narromine, to come  
5 and experience Arkansas, that southern hospitality,  
6 the weather, the way we do things. So we do have a  
7 plan to move forward and we don't want to communicate  
8 to our constituency that we disregard the importance  
9 of certification. Our board has expressed their  
10 support in their last board meeting. They passed a  
11 resolution in support of the waiver, also saying that  
12 they would put aside some of our personnel policies  
13 in agreement with the waiver, for the terms of the  
14 waiver. And we made sure that we specified that  
15 these things would be put aside only when necessary.  
16 As Ms. Newton said with Norphlet-Smackover, whenever  
17 we can get a licensed teacher who is of the  
18 appropriate quality that would be our first choice.  
19 But, unfortunately, we have had some applicants who  
20 did have licensure but they weren't reputable persons  
21 and we didn't want to put them in front of our  
22 scholars.

23 We have approximately 15 vacancies right now and  
24 they range from high school all the way down to our  
25 K-4 campuses. We have approximately eight long-term

1 subs already in place and these are degreed persons.  
2 The principals are working with them on making sure  
3 that they meet the Arkansas Quality Teacher  
4 requirements so that they can transition, if they  
5 have proven themselves worry.

6 Let's see. Is there anything else?

7 I think that's all that I have right now. Do  
8 you have any questions of me or would you like to  
9 hear from the rest of our team?

10 CHAIRPERSON REITH: So you have still 10  
11 minutes, I think -- no, actually, I'll take it back;  
12 you have 15 minutes --

13 MR. LEE: Okay.

14 CHAIRPERSON REITH: -- still in terms of your  
15 time. So I would say if there's someone else from  
16 the district that would like to speak, then we'll do  
17 a final call to see if there's any organized  
18 opposition. Then, otherwise, you'll be able to have  
19 closing remarks and we will run into discussion and  
20 questions.

21 MR. LEE: Okay. I have my superintendent, Dr.  
22 Robinson, here. And also the Systemic Teaching and  
23 Learning Officer, Ms. Alesia Smith. They have no  
24 comments at this time but they are available to  
25 respond to your questions.

1 CHAIRPERSON REITH: Well, thank you. So I'll do  
2 one last ask, to Ms. Perry or Ms. Freno, if anyone is  
3 here in terms of opposition?

4 MS. PERRY: No, ma'am.

5 CHAIRPERSON REITH: Then, with that, I'd say if  
6 you have any closing remarks to make, and then we  
7 will switch into questions and discussion from the  
8 Board.

9 MR. LEE: Okay. I believe that the majority of  
10 the Pine Bluff constituency is supportive of what Dr.  
11 Robinson is doing in moving us forward with the  
12 mantra Excellence All Day Every Day. We don't intend  
13 to stay in the situation that we're in. We're  
14 already forming partnerships with UAPB to not only  
15 help them to develop teachers but to look at how they  
16 can prepare teachers for our unique scenario. Dr.  
17 Hill, if you remember, you came to Pine Bluff High  
18 School last year as one of our speakers and you may  
19 have gotten a feel for some of what we're dealing  
20 with. It is not sometimes the idealistic teacher  
21 scenario, but we have some of the greatest scholars  
22 in the world and we have great educators. We just  
23 have some of the similar problems that Norphlet-  
24 Smackover has. We have an aging teaching population;  
25 many of them are moving towards retirement, and we're

1 struggling with our draw. But we intend to expand  
2 our territory as we reach towards new applicants.  
3 Thank you.

4 CHAIRPERSON REITH: Thank you so much, Mr. Lee.  
5 So with that, we'll commence with conversation and  
6 questions. This time I will go in the reverse, so  
7 we'll still go -- do one round, everybody  
8 individually, and do subsequent rounds as necessary.  
9 This time I'll start off with Dr. Hill, questions or  
10 comments.

11 DR. HILL: Yeah. No, I fully comprehend the  
12 challenges and you're not an island by any stretch of  
13 the imagination. And I know that there are ways that  
14 you're trying to be strategic about it and, you know,  
15 there has to be a long-term strategic effort made,  
16 you know, to overcome this and we have to find ways  
17 to work with you. Because, like I say, considering  
18 the alternative, you're just putting a sub in there  
19 anyway. I mean, so we're trying to give you the best  
20 qualified applicant to put in front of our children  
21 each and every day and I think we're striving.  
22 However, as we've beat the horse again, we realize  
23 that you must meet those standards as best you can.  
24 But, you know, we want to do what we can to help you  
25 get the best people in front of our children.



1 MR. LEE: Thank you.

2 CHAIRPERSON REITH: Thank you, Dr. Hill. Ms.  
3 Dean.

4 MS. DEAN: I just had one quick question. I  
5 noticed that the parents and the community have not  
6 been notified yet. I just kind of want to know why  
7 you haven't -- you didn't decide to notify them ahead  
8 of time. I see where it says you will have a  
9 community meeting after the Board approves the  
10 resolution. Is there any particular reason why you  
11 didn't --

12 MR. LEE: Well, the unfortunate truth is that we  
13 have a very limited media in Pine Bluff, just the  
14 Pine Bluff Commercial. In two board meetings, we had  
15 mentioned it to our board and to our constituency and  
16 those board meetings are usually -- they're usually  
17 presented in the next day's newspaper. So we've made  
18 those types of efforts and most of our parents know  
19 that many of their students have subs right now, so  
20 they are aware of our challenges. But we'll do a  
21 more public campaign as we move forward.

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

23 CHAIRPERSON REITH: Thank you. Ms. Zook.

24 MS. ZOOK: Yes. Have you -- did you all RIF any  
25 teachers in an effort to help your budget?

1 MR. HILL: No, ma'am. We did have a classified  
2 clerical and security RIF, but none of our  
3 instructional staff.

4 MS. ZOOK: Okay. And so you're asking for 15  
5 positions specifically this current year?

6 MR. LEE: Yes, ma'am. That's what we know we  
7 need. And, again, 8 of those we already have some  
8 long-term subs who meet most of the Arkansas  
9 Qualified Teacher criteria. So hopefully that will  
10 be a lot less after today.

11 MS. ZOOK: And how many of those are core  
12 subjects?

13 MR. LEE: Well, we have speech and drama, which  
14 is not necessarily core but it's in the literacy  
15 realm; we have a number of elementary positions,  
16 which, of course, they have to know all of the core.  
17 So maybe seven of those are core.

18 MS. ZOOK: Okay. And your former superintendent  
19 and board had asked for waivers and I understand that  
20 Mr. Robinson -- or, Dr. Robinson, that you were new.  
21 But at the same time it would seem that even though  
22 you were new, a former superintendent and board had  
23 seen this as an issue and the kids could've started  
24 school with -- if we approve this, with these people  
25 in front of them. And I just wonder what your

1 reasoning, other than "I was new and I wanted to look  
2 at it myself" --

3 SUPT. ROBINSON: That was not the reason. I  
4 want to be emphatically clear that we were -- I was  
5 in conversation with Dr. Wilde. And so when I came  
6 on -- I came in on the tail-end of the conversation  
7 that was being had with the board, and he felt that  
8 right now he wanted us to seek qualified applicants.  
9 So, actually, I wasn't the one that made that  
10 decision; I was a part of the conversation. So I  
11 didn't make a decision as far as not to apply for a  
12 waiver, but I had questions about it coming from a  
13 different state because where I'm coming from we  
14 don't apply for waivers; you just automatically get  
15 what you need to staff your schools. You apply to  
16 the state for certification and that's done that way.  
17 So I had questions in reference to what the waiver  
18 entailed, but I did not prohibit the waiver from  
19 being applied for. So I wanted to just make sure I  
20 clear that up because it seems that it's resting on  
21 me coming in new. No. That was the conversation  
22 with the -- Dr. Wilde, and so -- and we've had  
23 conversations since the last time we were here.  
24 Because I think that it seems as though it was my  
25 decision coming in and saying, "Well, we're not going

1 to apply to the board," just -- that's not the way it  
2 occurred. So I just want to make sure that I clear  
3 that up.

4 MS. ZOOK: Okay. I know one of the things that  
5 Dr. Wilde has been encouraging in Pine Bluff is sort  
6 of needs rising from the school up, instead of  
7 central office down. What kind of reaction have you  
8 had from your school staff and your school  
9 leadership?

10 SUPT. ROBINSON: So I wholeheartedly support  
11 that process. And, in fact, it's been my mantra  
12 coming in because central office should be a support  
13 for schools, not where we're dictating and telling  
14 schools what they will and will not do. Now that  
15 also depends on what that case scenario might be that  
16 we're saying you're going to have to do a certain  
17 something a certain way. But what we've been doing  
18 -- and since I've come in -- and that's a part of the  
19 work that we're doing with Data Wise is that it is  
20 not a top-down process; it is a collaborative  
21 process. And that's new for Pine Bluff because  
22 they're not used to the superintendent asking  
23 questions that are going to support them as leaders  
24 and teachers in the schools; it's usually the other  
25 way -- it's been the other way around. And that's

1 just not the way I operate and manage; I'm very  
2 collaborative with schools. And so through this  
3 process that we're implementing this year, Data Wise,  
4 we have already sent two people to Data Wise and will  
5 be sending subsequently more with our principals,  
6 assistant principals, to get them trained in the  
7 process, but we're actually training them in the  
8 process this year. Also, looking at collaborative  
9 planning, looking at how they have meetings and  
10 structuring those meetings. They were having  
11 meetings but not necessarily were things -- the  
12 outcomes of those meetings and the next steps of  
13 those meetings being accomplished. So we've been  
14 focusing on that work, but it has been a different  
15 way of doing business. And so it has been more of a  
16 support: how can we support you; what do you need  
17 from me as a superintendent, from central office; how  
18 can we best support you in what it is that you're  
19 trying to do. And so that's a different mindset;  
20 it's a different culture that we're implementing.  
21 When we look at the work that we have done this year,  
22 we've brought in a coherence framework, which is the  
23 work of Dr. Richard Elmore from Harvard University.  
24 That framework guides the work that we do. So as  
25 we're talking to principals, as we're talking to

1 teachers, we're focusing on that framework. A group  
2 was convened together that I requested, but I did not  
3 serve on the team because I wanted it to be their  
4 work, their thoughts, what did -- because they were  
5 representing the district when we created it. And  
6 they did an outstanding job at creating a framework  
7 by which we now are governing ourselves and do the  
8 work that we do. And our conversations have even  
9 changed with some of the principals and assistant  
10 principals because it is no longer us coming in to  
11 tell you what to do; we're going to question you and  
12 ask you questions that will help you to think  
13 critically about the situation that you're in and how  
14 then can we best serve you and support you with what  
15 you need in order to make things happen.

16 MS. ZOOK: But specifically to my question, what  
17 was the reaction of your staff and your principals to  
18 requesting these waivers?

19 SUPT. ROBINSON: They would like to have a  
20 waiver.

21 MS. ZOOK: And will there be mentors for these  
22 --

23 SUPT. ROBINSON: Yes.

24 MS. ZOOK: -- teachers?

25 SUPT. ROBINSON: Yes. We're going to have a

1           systemic -- which we call PEIP, Professional Educator  
2           Induction Program. We've already started. In fact,  
3           this summer we had the first wave of it. Each month  
4           there will be subsequent meetings for any new  
5           teachers that are new to our district, regardless if  
6           they're new to the profession or not. We'll be doing  
7           this with every teacher. Now we're starting to move  
8           into the schools, with them continuing that same work  
9           at the school level. So those teachers will be  
10          getting support locally, meaning in the schools, and  
11          they will be also getting it systemically at the  
12          district level.

13                 CHAIRPERSON REITH: And, Ms. Zook, I think we'll  
14                 go around, but you can definitely come back with  
15                 additional questions. Dr. Barth.

16                 DR. BARTH: Really just a comment. You know, I  
17                 obviously said a lot on the previous case. I do  
18                 think the facts here are different because of the  
19                 persistent academic distress of this district. And  
20                 it makes me, you know, even more concerned about  
21                 taking this step in this district. So I don't know  
22                 if you want to comment on that.

23                 SUPT. ROBINSON: I do. Because without this  
24                 you're going to have subs in front of children.  
25                 That, I wouldn't want. At least -- I've been a

1 principal now, in a principalship, for over 13, 14  
2 years. I've worked at all three levels, elementary,  
3 middle and high school -- junior high school. This  
4 is not a unique situation to the state of Arkansas,  
5 nor is it unique to Pine Bluff or any other school  
6 district in this state. There is a teacher shortage  
7 across the United States. And unless you want subs  
8 in front of our scholars, that is exactly what we're  
9 going to have. I would prefer to have someone in  
10 front of them who at least has the content  
11 background. They may not have the pedagogy for  
12 education; we can teach them that and there are  
13 programs through the state that they can enter into  
14 in order to learn the pedagogy. But when it comes to  
15 content knowledge I really don't want -- because of  
16 the fact that we're in that academic distress, I  
17 really don't want to see substitutes that are not  
18 qualified, degree substitutes, standing in front of  
19 children. I'm in schools every day and I'm talking  
20 to scholars every day and I'm meeting parents and the  
21 community and at the local churches, those that I see  
22 in schools. Parents want -- in Pine Bluff they  
23 really want the best for their scholars and that's  
24 what we want. Certainly, if we have a choice we're  
25 going to go with a dereed certified teacher. That,



1 we will do first. But if we cannot find certified  
2 teachers because of our location and what we're able  
3 to pay teachers -- on that end of Arkansas it's very  
4 difficult to get people to come, you know, to the  
5 area. So without that, without a waiver we will have  
6 subs in front of scholars. That, I don't think any  
7 of us want. If we have the choice, the waiver is  
8 very much needed. It is something that we certainly  
9 desire to have. But at the same time, if there are  
10 teachers who are qualified, those are the people  
11 we're going to certainly select first. That also  
12 means that those people have to be fit and ready,  
13 because we've run across a couple that are certified  
14 not fit for the work. So that's important to me and  
15 I'm very passionate about having qualified teachers  
16 standing in front of scholars. I'm very passionate  
17 about that. But at the same time we're living in a  
18 different day now where the teacher profession is  
19 just not turning out as many graduates as it used to.  
20 Three, four, five years ago, ten years ago, we had  
21 more teachers graduating, more people wanting to go  
22 into education and teaching. Hopefully, we can  
23 continue to work with Higher Ed. to increase those  
24 numbers. But right now we just don't have it. And  
25 where we're located we're not getting people knocking

1 the door down, saying, "I really want to work and  
2 teach in the teaching profession." But we do have  
3 these people who are long-term; they have degrees,  
4 they're qualified. The principals would like them.  
5 They certainly want to do the work. My thing is, get  
6 those people the opportunity and then it also blesses  
7 our kids, our scholars, to have the best that we can  
8 put in front of them. And we will continue to keep  
9 looking for qualified applicants, but right now this  
10 is all that we have.

11 DR. BARTH: And I certainly hear you on that. I  
12 do -- did --

13 MS. SMITH: Yeah. Can I add?

14 CHAIRPERSON REITH: Yes.

15 MS. SMITH: I want --

16 CHAIRPERSON REITH: And if you could state your  
17 name and title for the record please.

18 MS. SMITH: Alesia Smith. Good afternoon. Dr.  
19 Barth, I wanted to say to you before Dr. Robinson  
20 came onboard this was an issue for us. And when we  
21 met with UVA -- and that was one of our big rocks of  
22 teacher retention and getting qualified people. So  
23 we created the team last year and I'll tell you all  
24 spring principals and the person that was in HR, we  
25 went to colleges all over Arkansas trying to recruit.

1 So I wanted you to know we didn't just not -- we  
2 really have been proactively trying to get people to  
3 come to Pine Bluff, and we started when they started  
4 the job fairs in the spring, and we had different  
5 teams going all over the state trying to recruit  
6 people to come to Pine Bluff. So I wanted you to  
7 know that we really -- we knew it was an issue; we've  
8 been trying to do what we needed to do to get the  
9 people there, but it's just been really difficult to  
10 get people there. And then when you think you get  
11 them there and they don't pass the Praxis and you did  
12 all this recruiting, now they're still not what you  
13 need them to be. So I just wanted you to know we  
14 have been working on this very diligently prior to  
15 Dr. Robinson coming onboard.

16 DR. BARTH: I appreciate that. I do have  
17 another question but --

18 SUPT. ROBINSON: I also -- when I came on board  
19 we also had a talent match job fair when I first got  
20 here. And we're also looking at some grants through  
21 the federal government that allow for incentive  
22 grants for teachers tied to performance. So we're  
23 looking at -- strategically we're looking at ways by  
24 which we can recruit. Mr. Lee, who's our Human  
25 Capital and Evaluation Officer, is soon going to be

1 getting on the road and visiting universities because  
2 we're going to be recruiting hard to try to get  
3 people to come. If we can get them in December,  
4 great. But if we can't get them in December, then  
5 we're going to be consistently looking for the new  
6 school year as people are graduating from college.  
7 But it's -- the teacher shortage is very -- it's a  
8 shortage across the entire profession, which hurts  
9 but, you know, we only can do the best that we can  
10 and trust and believe. I have been pushing to hire  
11 -- I was actually HR when I came in. As a  
12 superintendent, I can't be Human Capital and  
13 effectively do the job. So I immediately did hire  
14 Mr. Lee as the Human Capital and Evaluation Officer.  
15 And we've really done, I feel -- because I'm pretty  
16 tough and I think we've done some phenomenal work at  
17 trying to staff Pine Bluff School District. And not  
18 just with anybody who walks through the door, but  
19 with the best that we can put in front of our  
20 scholars.

21 DR. BARTH: I do have another question but I'll  
22 wait till it comes back around to be fair to other  
23 folks.

24 CHAIRPERSON REITH: And right before we turn to  
25 you, Mr. Williamson -- Ms. Perry, would it be

1 appropriate -- or Commissioner -- to have Dr. Wilde  
2 speak to -- I know he's been referenced a few times,  
3 and because their school is getting assistance, just  
4 if the Department had -- is that even -- is that  
5 appropriate as well, Ms. Davis, just so there's time  
6 to get him, if it is appropriate?

7 MS. PERRY: We'll have to check and see if he's  
8 available.

9 CHAIRPERSON REITH: Okay. If you could -- if  
10 that could be done, I know I would appreciate it.  
11 That's the reason I wanted to step in, Mr.  
12 Williamson. So, Mr. Williamson, your question.

13 MR. WILLIAMSON: Looking at your application,  
14 you know, you referenced the two charters, Quest and  
15 Lighthouse.

16 MR. LEE: Okay.

17 MR. WILLIAMSON: Did you actually talk to them  
18 to figure out how the waiver you're requesting has  
19 benefitted them?

20 MR. LEE: No, sir, we didn't. We just paid  
21 attention to what was going on with the other  
22 districts who applied for the waiver. So we're  
23 trying to stay in contact. I started my career  
24 actually in Gould and Dumas, so I'm still loosely  
25 connected to them, and I know that the Southeast Co-

1 op had a whole entourage who applied. So we're just  
2 kind of following them to see how it's transitioning  
3 for them.

4 MR. WILLIAMSON: Okay. Thank you.

5 CHAIRPERSON REITH: Thank you. Mr. Black.

6 MR. BLACK: I just wanted to acknowledge and say  
7 to y'all that this is not the first time Pine Bluff  
8 has been in trouble. You guys need to establish the  
9 long-term commitment to excellence at this point. I  
10 think we're all tired. We need to achieve what we  
11 set out to achieve and to that end, count on this  
12 board to help you in any way possible.

13 SUPT. ROBINSON: Thank you. And I want to  
14 comment, if I may, on your comment. I came here  
15 because this is a calling for me and I knew coming  
16 here what I was walking into. And excellence is  
17 something that I will never compromise for  
18 mediocrity, and that's been my communication  
19 throughout our district. That's a hard pill for  
20 people to swallow because it has been a place where  
21 there've been a lot of changes, ups and downs. But I  
22 really believe that we are now at a place, at a  
23 starting place where excellence shall be seen from  
24 Pine Bluff School District.

25 CHAIRPERSON REITH: Thank you, Mr. Robinson.

1 Ms. Newton.

2 MS. NEWTON: I want you to understand that I do  
3 hear your problems and I completely understand, but  
4 my concern is also for the students and teachers.  
5 And I think this question might be better for Ms.  
6 Smith, if you don't mind. Ms. Smith, could you -- he  
7 mentioned the mentoring and induction program. Could  
8 you describe to me what support -- because your  
9 situation is difficult and if you put a teacher in  
10 there without support, then they may flounder and may  
11 think teaching is not for me and they might one day  
12 be an excellent teacher. So describe to me that.

13 MS. SMITH: So initially for the people that  
14 came we did a three-day; we did a three-day training,  
15 a new teacher induction program. And we went through  
16 every scenario case, what do we look like the first  
17 day, how to set up your classroom -- everything that  
18 goes on with the work in the district. Now the plan  
19 is to have a support every month with them. So what  
20 I've asked my principals to do -- not just the  
21 mentoring that you guys offer through the state; I'm  
22 asking teachers on-site to also help out those  
23 teachers. So every month the training will looked  
24 based on what we need to help them do. They're going  
25 to have to have help with classroom management.

1 We're going to talk to them about relationships.  
2 We're going to show them how to work through the  
3 pacing guide. We're going to show them how to use  
4 manipulatives in their classrooms. We're going to go  
5 through all those processes with them and also go in  
6 and monitor and support them along the way. So we  
7 have a plan in place, not just for new teachers but  
8 honestly for all the teachers of Pine Bluff School  
9 District that need support. We just need a plan and  
10 we've put a plan in place. We've noticed that  
11 there's a great need because education has shifted  
12 and some people have not, so we're trying to  
13 gradually help people get to that space. So we have  
14 a long-term plan to help them. And we also have our  
15 School Improvement Specialists that are credentialed,  
16 so they'll be doing some of that PD. We also are  
17 working with our co-op; they've been working right  
18 along with us to provide PD for the new teachers. So  
19 we have a month-by-month plan that I have no problem  
20 with sending to you guys so you can see how we've  
21 mapped out how we're going to support those new  
22 teachers in our district.

23 MS. NEWTON: Is that once-a-month maybe after  
24 school or --

25 MS. SMITH: Yes. It's once-a-month after



1 school.

2 MS. NEWTON: Okay. And you think that's  
3 probably enough support for them?

4 MS. SMITH: Well, once we do that we're also  
5 going to have them connected with a teacher. So  
6 they'll have a teacher in their building that's going  
7 to work with them on a regular basis. Yeah, not just  
8 -- yeah. No, that would not be enough. No, ma'am.  
9 No.

10 MS. NEWTON: I'll let them --

11 CHAIRPERSON REITH: Thank you. I see Ms.  
12 Pfeffer there; I think she may want to respond to  
13 your comment, Ms. Newton.

14 MS. NEWTON: Okay.

15 MS. PFEFFER: Thank you, Madam Chair. As far --  
16 and this is not something I've discussed with Pine  
17 Bluff. But if a teacher is a teacher of record and  
18 they have no teaching experience, they're considered  
19 a novice teacher and as such, they would be required  
20 to be mentored. So if that helps at all -- they will  
21 really become part of our state's mentoring process.  
22 I think we've realized though that they're going to  
23 need different types of support than a traditionally  
24 or nontraditionally prepared teacher would. And so  
25 with some of the new features that we have available,

1 I think we're going to be able to provide even more  
2 targeted resources for people who really didn't have  
3 any prior preparation and are coming into the  
4 profession. So I guess I just wanted to say that  
5 should you approve the waiver and these teachers are  
6 hired as a teacher of record, they really -- the  
7 requirement would be there for them to be mentored  
8 and tools and resources as well. And my team has  
9 been working very closely with Dr. Wilde's team and I  
10 think that I can definitely say they would benefit  
11 from some of the new resources that are going to be  
12 in place. If they are long-term subs, then they're  
13 not going to get that same level of support.

14 MS. NEWTON: So would these resources be ready  
15 to go for this school year?

16 MS. PFEFFER: Many of them are. We're pulling  
17 together collections all the time and we're looking  
18 now at kind of a whole new series of collections that  
19 are really designed for people who did not even have  
20 the preparation. So just more of that big picture of  
21 just education and teaching. So there will be  
22 resources that we'll be able to add throughout the  
23 year.

24 MS. NEWTON: Okay.

25 MS. PFEFFER: But, again, as a long-term sub

1 they wouldn't have that access.

2 MS. NEWTON: So you feel like they would be  
3 better prepared through this than they would if it  
4 was a long-term sub?

5 MS. PFEFFER: They will have more support under  
6 TESS as a teacher of record than they would as a  
7 long-term sub, and they would be expected to pretty  
8 much do the same kind of thing, so -- and then just  
9 one other thing that might also help you all, because  
10 I've done a lot of thinking about why are we seeing  
11 such a much bigger need immediately -- and I'll give  
12 you some statistics from UAPB that I'm pulling off of  
13 the EPPR report that we shared with you last month.  
14 But specifically for UAPB they had 53 enrollees --  
15 and this is just in their traditional programs -- 53  
16 enrollees in the 11-12 school year, 53 in the 12-13  
17 school year, and 50 in the 13-14 school year. When  
18 we get to the 14-15 school year they drop down to 9  
19 enrollees --

20 CHAIRPERSON REITH: Wow.

21 MS. PFEFFER: -- in their traditional program.  
22 So that would be two years ago, which means of those  
23 9 how many are going to complete. So I don't know  
24 what their actual numbers are. Over the last five  
25 years, they're down 33% total in their number of

1 candidates student teaching. So that paints a little  
2 different picture when you go from 50 to 8 in one  
3 year and those 9 enrolled two years ago, so that  
4 gives you an indication of what we might be looking  
5 at as far as completers this year.

6 CHAIRPERSON REITH: Thank you, Ms. Pfeffer. Ms.  
7 Ables, I'll let you have a question and then, Dr.  
8 Wilde, I promise we brought you here with a reason;  
9 I'll have a question for you in a moment. But I do  
10 want to round off the first round of questions with  
11 Ms. Ables.

12 MS. ABLES: I wanted to ask a question and I  
13 wanted to say something about your school. My first  
14 question: is it normal for you guys to have 15  
15 openings every year? Is that a normal thing?

16 MR. LEE: It is normal for us to have openings  
17 at the beginning of the year, but I couldn't say 15  
18 is the norm or higher or lower. I'm not sure yet.

19 MS. ABLES: For me, that's just very concerning  
20 because that is a very high number of openings, you  
21 know, and here we are into the school year already.  
22 And I do, I truly hope the best for your district.  
23 You are right down the road from Stuttgart, from me,  
24 and we're a Delta school, and I get the struggles  
25 that you guys have. For me, if you do get these new

1 teachers, these 15 new teachers onboard, the  
2 mentoring -- I'm nontraditional; you know, you said  
3 that a minute ago. Having that support is so crucial  
4 -- not only that support, but knowing that these  
5 teachers are going to come in and they're going to  
6 have all the supplies that they need to teach in  
7 their classroom. I feel like you guys have a big  
8 obstacle ahead of you with changing the culture of  
9 your school where these teachers come in and they  
10 want to be there, they feel that positive energy,  
11 that support from the staff and their coworkers; they  
12 see their leaders coming in and being in the  
13 classrooms and motivating students and giving the  
14 teachers what they need to be successful. And I feel  
15 like from my outside looking in, that is going to be  
16 you guys' biggest task is to change your school  
17 culture where people want to be there, where next  
18 year you don't have 15 people -- you know, trying to  
19 find 15 people because the ones you got want to stay.

20 MR. LEE: Yes.

21 MS. ABLES: And you've invested all of this  
22 mentoring and these programs and resources into these  
23 new teachers, but your culture is so great and  
24 positive that they want to stay in your school. So  
25 I'd just kind of like to challenge -- you know -- I'm

1 going to all these districts and I walk in and I feel  
2 the energy in the hallways, and I want that for your  
3 teachers and for your students. So I'm just really  
4 going to challenge you guys to try to focus on your  
5 school culture where you don't have this problem  
6 every year of trying to get these teachers.

7 MR. LEE: Yes, ma'am. Definitely. Two things:  
8 a part of Dr. Robinson's restructure of his cabinet  
9 was that he -- you noticed my title is slightly  
10 lengthy. It's not just Human Resources; it's Human  
11 Capital and Evaluation Officer. So a part of my role  
12 is the project director for the novice teacher  
13 mentoring program. If you've ever looked at me --  
14 and you guys probably haven't because I'm new to you,  
15 but I wear basically two pieces of jewelry: my  
16 wedding ring, because I love me some Mrs. Renita Lee,  
17 and my Pine Bluff High School class ring. It's not a  
18 championship from the Zebra football or basketball  
19 team; it's merely a Class of '89 ring. So this is  
20 not just business to me; it's personal. So I  
21 understand exactly what you're saying. Dr.  
22 Robinson's challenge with me has been that I've kind  
23 of dwelled in those glory days of what I remember  
24 Pine Bluff being. Pine Bluff High was the greatest  
25 experience of my life. But he has challenged me to

1 leave the past there; enjoy it, but if we can only  
2 recreate the past we haven't improved. We have a  
3 different set of characters and we have to use a  
4 different script and he's helping us to turn around  
5 and adjust and make sure that our scholars have --  
6 when they leave Pine Bluff High I want them to feel  
7 like I felt when I crossed that stage in Pine Bluff  
8 Convention Center. I felt like -- I heard my momma  
9 way over in the corner and I knew -- I felt like I'd  
10 won the Super Bowl. We want our scholars to have  
11 that kind of experience. Dr. Robinson is on those  
12 campuses every day and he actually reviews his  
13 cabinet members when he looks at our weekly schedules  
14 and determines that we have not been out there on the  
15 field with those kids. So we're changing; we're  
16 moving forward. It takes a little time because we  
17 didn't get here overnight. We're kind of like a  
18 broken home that's coming back together with a new  
19 father; we're getting use to him and we're becoming  
20 comfortable with him and we're learning to trust him  
21 and he's taking us to new dimensions.

22 CHAIRPERSON REITH: Thank you, Mr. Lee.

23 MS. ABLES: I'd be more than happy to come and  
24 offer any PD that I could to help you guys.

25 MR. LEE: I'll definitely be in touch.

1 CHAIRPERSON REITH: Thank you, Ms. Ables. Ms.  
2 Smith, I think you wanted to speak and then I do have  
3 a question for Dr. Wilde.

4 MS. SMITH: Okay. I just wanted to say to you  
5 in lieu of this -- and Dr. Wilde is going to share  
6 our numbers have increased; that's a plus for us. So  
7 that's kind of why our numbers are up higher. But we  
8 knew when school was coming that we were not going to  
9 have what we needed. So we went in and we prepared  
10 those empty classrooms and made sure that they were  
11 print rich and that materials were in there so when  
12 our new people come they are coming to an environment  
13 that's ready for kids to learn. So that took one  
14 thing off of their plates. I wanted you to know it  
15 wasn't going to be we're hiring these people and  
16 they're going to have to come and create an  
17 environment that's good for kids. We did that in  
18 every one of those schools where we had vacancies.

19 CHAIRPERSON REITH: Thank you. Now I have a  
20 question for Dr. Wilde, please. Thank you. So, Dr.  
21 Wilde, we don't -- I personally don't want to see  
22 this conversation had in isolation of the  
23 conversations that we're having with your team about  
24 recommendations for the district and such. And I  
25 know, you know, moving forward we're trying to find



1 solutions that can help, both short-term and long-  
2 term, and I wanted to take this opportunity to ask  
3 you -- your name has been referenced several times;  
4 even as you came in, you probably heard your name a  
5 few times. What are your thoughts on this proposal?  
6 Is this something that we really, you know, for  
7 short-term opportunities, fixes would be recommended  
8 to consider or is there some reason, as some of my  
9 colleagues have expressed, for concern?

10 DR. WILDE: Richard Wilde, School Improvement  
11 Unit. And at this stage we would be in favor of the  
12 approval of the proposal. Again, we do this as a  
13 short-term solution. And part of why this didn't  
14 come forth earlier was because we were asking them to  
15 do an analysis of what they really needed rather than  
16 just coming before the State Board, given all the  
17 problems that had been there. And the question  
18 related to is the turnover new, in truth the turnover  
19 is not new and that is something that in the plan  
20 that they have to submit to the state this year they  
21 have to address how they're providing support to the  
22 teachers and they're measuring climate and culture as  
23 we go through the year.

24 CHAIRPERSON REITH: Thank you for that, Dr.  
25 Wilde. Any questions for Dr. Wilde? Otherwise, in

1 general, we'll go around again with questions. But  
2 that was what I was hoping to get at with your  
3 participation. Then with that, we'll just look here  
4 -- Dr. Hill, did you have an additional comment or  
5 question? Thank you, Dr. Wilde.

6 DR. HILL: Yeah. I just -- for our experts  
7 here, which -- who teach a classroom, Ms. Newton and  
8 Ms. Zook, because, you know, you all have been there,  
9 and even our Teacher of the Year. Is there -- and --  
10 is there a possible way as we look at this that --  
11 I've heard us talk about embedded curriculum for the  
12 teachers. As far as strategic planning, is that  
13 something that we would be able to consider in issues  
14 like that rather than -- I mean -- and that's my  
15 question to y'all. I heard us talking about the  
16 embedded curriculum, to combine those qualified  
17 teachers, to have those waivers. Is that a  
18 possibility?

19 MS. NEWTON: That was, I think, what Ms. Pfeffer  
20 was talking about while ago. That was one of my big  
21 concerns about these blanket waivers. You know, if  
22 they go through the APPEL program or the MAT program,  
23 they're getting support. Well, these have not had  
24 any support and so I see that that's a need. I mean,  
25 definitely, you know, if the district doesn't step

1 up, you know, what's going to happen to those  
2 teachers and what's going to happen to those  
3 students? You know, because it's hard to teach kids  
4 and reach them and they definitely need some support.  
5 And so if that's something the Department can look  
6 at, you know, in these schools where we're looking at  
7 these AQT teachers, you know, that are coming in with  
8 a degree but haven't gone through APPEL or whatever,  
9 you know, is there something -- you know -- I've  
10 mentored new teachers before, novice teachers, and I  
11 can see that that wouldn't be enough. I can see that  
12 they would need more. And so I don't know what the  
13 -- I don't know what the answer is, but I do see that  
14 that's a need.

15 CHAIRPERSON REITH: Commissioner.

16 COMMISSIONER KEY: I would just say I know Ivy  
17 and her team are constantly evaluating and re-  
18 evaluating all of these programs and all the needs  
19 that are out there and looking to see where districts  
20 and educators need that type of support. And I don't  
21 know if she -- I think she talks about some of that  
22 in her reports; I'm not sure -- I don't remember if  
23 she's on for tomorrow, but I know in the educator  
24 effectiveness reports from her unit she does talk  
25 about that. So maybe we'll put a little more

1 emphasis on some of the things they're looking at the  
2 next time they report to us.

3 MS. NEWTON: You know, I've see several schools  
4 come through with these waivers and so, you know, as  
5 it gets to be -- you know -- you're talking about  
6 more and more teachers. And if they don't -- you  
7 know -- it concerns me that we go -- there's  
8 potential here. I mean, there's potential for new  
9 teachers to come in and say, "Hey, this is what I  
10 should've been doing all along." But if we don't  
11 support them on the front-end and they get in over  
12 their head, then they're going to walk away and it's  
13 going to hurt the students too, you know, so --

14 COMMISSIONER KEY: And I think that's reflective  
15 in the number that we lose within the first three to  
16 five years.

17 MS. NEWTON: Right.

18 COMMISSIONER KEY: So whether it's traditional  
19 or whether it's nontraditional or whether it's Act  
20 1240 waivers, I think you see these same challenges  
21 of that support throughout -- especially teachers in  
22 their early years of the profession.

23 CHAIRPERSON REITH: Dr. Hill.

24 DR. HILL: And I just it up because, you know,  
25 it's easy to say, "Well, we're going to go find the

1 teachers." I mean, that doesn't seem to be a viable  
2 solution at this point looking at the national trends  
3 that we're seeing. And so I'm saying I think, you  
4 know, from a management standpoint we're going to  
5 have to look at all alternatives, you know, to make  
6 sure that we're getting the most qualified people in  
7 there teaching our children.

8 COMMISSIONER KEY: And, Dr. Hill, what I would  
9 say to that is you're right. And I think our  
10 challenge is to not focus so much on that two- to  
11 three-year, five-year, more of the short-term, you  
12 know, Band-Aid, how do we fix it now. But we're  
13 working with schools to back it up 10 years in the  
14 process so that we start talking to those 7th grade  
15 students about the opportunities in teaching so that  
16 over the next 10 to 12 years that pipeline -- you  
17 know -- the pipeline didn't empty all at once. I  
18 mean, it's been a gradual chipping away and that  
19 pipeline is not going to refill. So we're even  
20 talking about what the support looks like, what does  
21 that support look like on the teacher cadet programs  
22 and those things where they get a head start on the  
23 foundations of what they need once they get in the  
24 classroom and then supplement that once they get  
25 there.

1 CHAIRPERSON REITH: Thank you. Ms. Dean.

2 MS. DEAN: No questions.

3 CHAIRPERSON REITH: Ms. Zook.

4 MS. ZOOK: To respond to Dr. Hill, it is my  
5 experience that the first year of teaching is the  
6 hardest thing you'll ever do. It's also my  
7 experience that they need mostly help with classroom  
8 management, and I don't mean discipline; I mean how  
9 to manage a classroom, how to set it up, how to teach  
10 transitions, those kinds of things. So when I'm  
11 hearing from teachers and parents and principals in  
12 the Pine Bluff School and experienced people who are  
13 there who are frustrated and having trouble with  
14 these things, I do think it will take some outside  
15 help and support and mentoring. I appreciate Ms.  
16 Ables for, you know, volunteering those kind --  
17 because if you can get the classroom management  
18 going, then those teachers who have a degree in math  
19 or literature or whatever it's no problem to convey  
20 that. But if you don't have a well-managed classroom  
21 then you don't ever get the opportunity to convey  
22 that. So I would say focus on the classroom  
23 management. I'm not talking about send you out in  
24 the hall and get you spanked, but how to -- like you  
25 organize your business and your -- she had to teach

1 school and home and you still had to manage. So no  
2 matter what you're in, the administration, the  
3 management of that -- so I think that if we could  
4 really focus in on that for the first several months  
5 then I think many of them will decide that they want  
6 to stay and teach, because it's a very rewarding  
7 profession. But if you go every day and you don't  
8 know how to get things going, it can also be very  
9 frustrating -- and my two teachers are nodding, and  
10 probably my three teachers are nodding.

11 CHAIRPERSON REITH: Thank you, Ms. Zook. And,  
12 Mr. Robinson and Mr. Lee, to clarify, these are  
13 broader comments for broader conversations as well  
14 and not just directed to your district. I do want to  
15 say that obviously we don't put ourselves in the  
16 position of micromanaging a district, and more than  
17 anything want to be in a place of facilitating,  
18 right, and responding to the needs and such. The  
19 reason you all are hearing so much of this is,  
20 obviously, we've heard quite a few of these and so I  
21 do want to give our assurance that we are going to  
22 create a space in policy and in conversation of the  
23 broader scope. I didn't want you to walk away from  
24 this feeling that we were putting just you all in the  
25 spotlight. We're talking and thinking out loud in

1 large part for bigger conversations that we need to  
2 have so that it's not just about the short-term  
3 response, what can we do to set up the longer term.  
4 So, Dr. Barth, any --

5 DR. BARTH: Yeah. I just wanted to go back to  
6 actually a very early questions from Ms. Dean and Ms.  
7 Zook, and then to pick back up with Ms. Ables'  
8 comment about kind of the culture of the Pine Bluff  
9 Schools. And a lot of challenges have faced the  
10 district over the years, but what I've, you know,  
11 seen is also some just kind of mistrust between  
12 administration and teachers and community and board  
13 and all of that. And so I needed a little more  
14 specificity, because it wasn't very clear in the  
15 documentation -- a little more specificity on exactly  
16 what the conversations were with faculty and staff  
17 and with parents regarding these waiver requests  
18 before y'all came here today.

19 SUPT. ROBINSON: Mr. Lee can probably add to  
20 this, but those conversations were had last year. So  
21 I'm not privy to all of the conversations that were  
22 had last year. I do know it was hugely discussed  
23 with -- among administrators, teachers, and the board  
24 prior to me coming in. Because when I walked in,  
25 visiting in April, that was one of the first things



1           that I was privy to in terms of conversations. So  
2           those conversations had been going on prior to me  
3           getting here.

4           DR. BARTH: Okay. Now did the board pass a  
5           resolution in August?

6           SUPT. ROBINSON: The board -- yes, they did.

7           DR. BARTH: Okay. All right.

8           CHAIRPERSON REITH: Mr. Lee or Ms. Smith or Dr.  
9           Wilde, did you want to elaborate on Dr. Barth's  
10          question?

11          DR. WILDE: Alesia does.

12          MS. SMITH: No.

13          MR. LEE: Last year, I was a staff member at  
14          Pine Bluff High and I do know that we did have those  
15          conversations. My primary task last year was teacher  
16          evaluation for that whole campus. So I can see the  
17          immediacy of all of the things that you guys have  
18          talked about, not only our need to recruit but we  
19          knew that we were going to lose a great deal of our  
20          TFAs who we had last year. We also knew that we had  
21          an environment where we definitely need to make sure  
22          that we are providing the supports that you're  
23          speaking of. And that's why I feel that it's a  
24          blessing for me to be in this position so that I can  
25          touch more campuses with what I learned last year.

1 CHAIRPERSON REITH: Okay. Dr. Wilde or Ms.  
2 Smith.

3 DR. WILDE: I also want to put in perspective  
4 that they were doing a RIF at the end of last year, a  
5 reduction in force. And so to some degree that  
6 played into this in the sense of people not feeling  
7 secure with their positions. They also -- not only  
8 did they have TFA positions last year, they had a  
9 number of long-term subs last year too. And so this  
10 is a carry-forward of the fact that they filled  
11 positions last year with long-term subs and then  
12 those people were not eligible at the beginning of  
13 the year. So, it's a culmination of a number of  
14 things at one time. And they do have a plan to  
15 support the teachers. Now implementation is still  
16 yet to be seen, but they do have a plan for that, so  
17 --

18 CHAIRPERSON REITH: If I could be a little bit  
19 more direct, Dr. Wilde, were there -- as we've seen  
20 with other Act 1240s, there's sometimes some sort of  
21 formal notice, an email, a convening of the parents,  
22 a convening of the teachers. Did any of that happen  
23 specifically in this case? It sounds like this  
24 might've been -- as part of broader conversations  
25 around the teach force and what was going to need to

1           happen in the district. But was there ever a  
2           specific intentional conversation around this waiver?  
3           Because I'm not hearing that from anyone's responses  
4           thus far.

5           DR. WILDE: I'm not aware of that level of  
6           conversation.

7           CHAIRPERSON REITH: Okay.

8           DR. WILDE: I do know that they had a number of  
9           conversations. But in terms of public audience or a  
10          broader -- to the community, I'm not aware of.

11          CHAIRPERSON REITH: And no one can -- Ms. Smith  
12          or Ms. Lee [sic], was there ever an intentional  
13          conversation just on this, on just this topic of  
14          waivers with teachers or parents?

15          MR. LEE: With teachers -- I can only speak for  
16          Pine Bluff High and only for last year. There were  
17          intentional conversations with the staff. I can't  
18          say that there were intentional conversations with  
19          the parents. The majority of us were kind of novices  
20          at that whole issue. Many of us were just kind of  
21          struck by the awesomeness of our lack of finding  
22          certified teachers. So just internally we've had a  
23          lot of dialogue but I can't say we've had many public  
24          ones outside of the board meetings.

25          CHAIRPERSON REITH: Okay. Thank you. So, Mr.

1 Williamson, to end off?

2 MR. WILLIAMSON: No.

3 CHAIRPERSON REITH: Ms. Newton?

4 MS. NEWTON: The last school that we had said  
5 that if they did hire someone under a waiver they  
6 were going to require that they still seek licensure,  
7 that they'd still go through the process of trying to  
8 obtain a license. Is that going to be one of your  
9 requirements for if you do get these waivers?

10 MR. LEE: We have not had that discussion, but  
11 two of our long-term subs have already applied for  
12 American Board certification. So the principals are  
13 having those discussions, and I'm sure that once we  
14 find out what your vote is we'll go back and look at  
15 those new stipulations. We would definitely like for  
16 our teachers to be as professional as possible, so,  
17 definitely, we would push towards that. Now a caveat  
18 to that is that our special ed. people -- Mr.  
19 Brockett [ps], our Special Ed. and Student Services  
20 Officer, looked at all of his paraprofessional staff  
21 as soon as he came onboard and found that a number of  
22 them had college degrees and they had been serving as  
23 paraprofessionals for a number of years. So he's already  
24 transitioned them into some of our SPED vacancies and  
25 they are moving forward with plans for licensure for

1 those people particularly. So in some instances, we  
2 have had those conversations but overarching we have  
3 not yet.

4 CHAIRPERSON REITH: Thank you. Ms. Ables, any  
5 final questions?

6 MS. ABLES: No.

7 CHAIRPERSON REITH: All right. With that, I'll  
8 -- yes, Dr. Barth -- entertain some discussion here  
9 and then I would entertain a motion from my  
10 colleagues. But, yes, Dr. Barth.

11 DR. BARTH: So for Ms. Perry, what's the  
12 deadline for action on this in terms of the 90-day?

13 MS. ZOOK: The 15th.

14 DR. BARTH: Of November?

15 MS. PERRY: It's November 15th.

16 DR. BARTH: Okay. And when does the academic  
17 distress committee plan to discuss --

18 MS. ZOOK: Next month.

19 DR. BARTH: In October?

20 MS. ZOOK: Uh-huh.

21 DR. BARTH: Okay. And when is our November  
22 meeting?

23 CHAIRPERSON REITH: The day before Veterans Day.

24 MS. ZOOK: It's a one-day meeting.

25 DR. BARTH: Right. Oh, that's right. Okay.

1 All right.

2 CHAIRPERSON REITH: No, but it's an action  
3 agenda on the 10th. Yeah. Yes, Ms. Zook.

4 MS. ZOOK: As far as to respond specifically to  
5 the question of identifying staff, number 11 says,  
6 "Yes, the high school staff during faculty meetings  
7 held in March and April, the option has been  
8 discussed with district and campus administrators.  
9 Campus faculties will be notified during staff  
10 meetings." So I guess that's a no at that point.  
11 And Dr. Wilde referred to RIF but it was my  
12 understanding earlier that you said RIF only applied  
13 to classified, not to teachers. But Dr. Wilde is  
14 saying no, it did apply to teachers as well?

15 DR. WILDE: They reduced in terms of  
16 certificated positions, approximately 20, and that  
17 was done when Dr. Wallace and prior to the May 1st  
18 deadline.

19 MS. ZOOK: Right. That's what I thought, but  
20 then he said it was only classified. I just wondered  
21 did any of those teachers who were RIF'd were  
22 considered employable for some of these positions  
23 since they had already been teaching.

24 DR. WILDE: Under their RIF policy, anybody that  
25 would've been qualified was called back.

1 MS. ZOOK: Okay.

2 DR. WILDE: And so keep in mind that their  
3 attrition accounted for most of those 20 positions.

4 MS. ZOOK: Okay. And, finally, your response to  
5 the charter -- you said -- because we always ask have  
6 you checked with the charters that you're using as an  
7 example, has the waiver been successful for them, and  
8 you said you had not possessed adequate data to  
9 determine how the school effectively applied the  
10 waiver. Based on the scores that we saw this  
11 morning, I would say perhaps they have not  
12 effectively applied that. I don't know if it's the  
13 waiver that's the problem or what the problem is, but  
14 their scores do not reflect any proficiency on the  
15 part of their students for this or whatever waiver.  
16 That's all.

17 MR. LEE: We understand and we do expect a  
18 different outcome with the systems and structures  
19 that we'll use.

20 CHAIRPERSON REITH: Thank you. So with that, I  
21 don't know if my colleagues are ready for a motion as  
22 of yet or if there's an opportunity here for some  
23 further discussion to get to a motion. But I am  
24 willing to entertain a motion if we're there.

25 MS. ZOOK: The question to Legal is, I know when

1 a charter or conversion charter commits to things  
2 while they're requesting the waiver, that goes into  
3 the record and they in fact are committed to those  
4 things, like when we're talking about the mentoring  
5 and those kinds of things. Does that apply also with  
6 the 1240 waivers?

7 MS. DAVIS: Like we talked earlier, the letters  
8 that Ms. Perry's office sends out outlines all the  
9 terms that they've agreed to in getting these  
10 waivers. So that would be in their letter of  
11 understanding, yes.

12 MS. ZOOK: Okay. Then I'm prepared to move that  
13 we approve the waivers for Pine Bluff for a period of  
14 three years.

15 CHAIRPERSON REITH: I'm hearing Ms. Coffman --

16 MS. COFFMAN: Huh-uh.

17 CHAIRPERSON REITH: They have to voluntarily  
18 offer it, and they've offered five years.

19 MS. ZOOK: Okay.

20 CHAIRPERSON REITH: So you can -- well, you can  
21 pose the question to them, if they would like to --  
22 if they would be open to changing that, but it would  
23 have to be a question to pose to them before it would  
24 be --

25 MS. ZOOK: Okay.



1 CHAIRPERSON REITH: -- framed within your  
2 motion.

3 MS. ZOOK: Thank you.

4 CHAIRPERSON REITH: So did you want to pose a  
5 question, Ms. Zook, then?

6 MS. ZOOK: I don't know if this gives them time  
7 to think or not, but would you be willing to accept  
8 the waivers for a term of three years as opposed to  
9 five, if that helped you with the passage of the --

10 MR. LEE: We just have a question, if we may.

11 CHAIRPERSON REITH: Yes, Mr. Lee.

12 MR. LEE: Is there a reason? We're kind of  
13 looking at what the other requestors asked for.

14 MS. ZOOK: Right.

15 MR. LEE: So we were in that same realm, so --

16 MS. ZOOK: And, technically, we can't require  
17 any period of time. It has to come from the  
18 district. I guess the reason I was thinking three  
19 years is it would give your new administration and  
20 your new plans an opportunity -- those teachers would  
21 feel comfortable that they have three years to, you  
22 know, perform or decide they don't want to teach,  
23 that this will give you an opportunity to have the  
24 mentoring and show it. And also, Lord willing,  
25 you'll be out from under academic distress --

1 MR. LEE: Yes, ma'am.

2 MS. ZOOK: -- within that period of time and we  
3 will see that things are -- like this can be done for  
4 those districts that are struggling, to help them not  
5 only with their immediate need but their long-term  
6 need for their students.

7 MR. LEE: With the consideration of what Ms.  
8 Pfeffer presented earlier with only nine participants  
9 in UAPB's teacher prep program, which is our nearest  
10 feeder, and with no APPEL program in our co-op, which  
11 is right down the street from us, we would need five  
12 years for those external factors. Those internal  
13 things that you have expressed concern about,  
14 definitely we can turn those around within three  
15 years. The recruiting part, that may take the whole  
16 five years.

17 MS. ZOOK: Okay. I understand. I appreciate  
18 your clarity and honesty.

19 MR. LEE: Yes, ma'am.

20 CHAIRPERSON REITH: Did my colleagues have any  
21 additional questions or comments related to getting  
22 to a motion?

23 Okay. Then I will formally entertain a motion  
24 now. Ms. Dean.

25 MS. DEAN: I move to approve or grant the

1           waivers for Pine Bluff.

2                   CHAIRPERSON REITH: As requested?

3                   MS. DEAN: As requested.

4                   CHAIRPERSON REITH: Okay. Motion made by Ms.  
5 Dean.

6                   MR. BLACK: Second.

7                   CHAIRPERSON REITH: Seconded by Mr. Black. All  
8 in favor?

9                               (MAJORITY CHORUS OF AYES)

10                   CHAIRPERSON REITH: Any opposed?

11                   DR. BARTH: No.

12                   CHAIRPERSON REITH: May the record show Dr.  
13 Barth voted no, but motion carries and we wish you  
14 the best of luck. Again, please know a lot of our  
15 conversation today came from the bigger perspective.  
16 Just as we did with the application prior to you, we  
17 hope you will help inform those conversations for us  
18 and wish you the best of luck. And please utilize  
19 the Department's resources as you move forward.

20                   MR. LEE: Definitely. Thank you.

21                   CHAIRPERSON REITH: Thank you. Thank you so  
22 much.

23                   And with that, we'll take a 10-minute break now,  
24 to 10-to-3:00. Upon return, we're going to revisit  
25 consent agenda items 10 and 11. If anyone has any

1 pending questions, or if there's staff that they  
2 would like present to ask questions, please do so at  
3 the beginning of the break so that they can be  
4 present. But those will be the last items of the  
5 action item. So we'll return 10-to-3. Thank you.

6 (BREAK: 2:41 - 2:55 P.M.)

7 CHAIRPERSON REITH: I'm going to recall us to  
8 order. The remaining items on our action agenda are  
9 just consent items 10 and 11 from previous today is  
10 my understanding. Is that also your understanding,  
11 Ms. Coffman, as well?

12 MS. COFFMAN: Yes.

13 CHAIRPERSON REITH: Okay. So with that, again,  
14 these items were tabled. I don't think -- if Ms.  
15 Davis or Ms. Freno could confirm -- that we don't  
16 need any particular action to consider them because  
17 they were tabled and I had indicated that it would be  
18 at the end of the agenda; correct? So there's no  
19 point of order in terms of us picking up these two  
20 items; correct?

21 MS. FRENO: That is correct. Since it's the  
22 same board meeting you do not have to un-table it;  
23 you can just hear it --

24 CHAIRPERSON REITH: Okay. Fantastic.

25 MS. FRENO: -- and decide.

1 CHAIRPERSON REITH: Fantastic.

2 C-10: CONSIDERATION OF THE RECOMMENDATION OF THE DEPARTMENT  
3 FOR RECOGNITION OF PRIVATE ORGANIZATIONS AS AN ACCREDITING  
4 ASSOCIATION FOR THE PURPOSE OF ESTABLISHING PRIVATE SCHOOL  
5 ELIGIBILITY FOR THE SUCCEED SCHOLARSHIP PROGRAM

6 CHAIRPERSON REITH: So the first of the items  
7 then we will consider is consent item 10 in regards  
8 to the consideration of the two additions in terms of  
9 private school eligibility for the Succeed  
10 Scholarship Program. We did have quite a bit of  
11 conversation at lunch, although I did sense that  
12 there might have still been some remaining questions.  
13 And so I did want to commence by first offering Ms.  
14 Salas-Ford, if you had any comments based on what you  
15 heard at lunch, any framing comments you wanted to  
16 make. And then, otherwise, I did want to just give  
17 one final look to my colleagues about questions or if  
18 they felt satisfied from the conversation at lunch to  
19 be able to proceed with a motion.

20 MS. SALAS-FORD: I have no additional comments;  
21 just available if you have any questions.

22 CHAIRPERSON REITH: Thank you so much, Ms.  
23 Salas-Ford. So with that, additional -- I see a  
24 couple -- I saw Ms. Zook first; so Ms. Zook, and then  
25 Dr. Barth.

1 MS. ZOOK: Mr. Williamson had asked Mr. Rogers a  
2 question and the whole group -- I don't know if he  
3 answered you directly, but the whole group didn't get  
4 to hear the answer. Could you either sum it up or  
5 could we get Mr. Rogers to answer?

6 MR. WILLIAMSON: Sure. Well, I mean, being a  
7 recovering banker I like following the dollar through  
8 the process -- just something we bankers like to do -  
9 - and I was just having trouble understanding how the  
10 funds flowed. The state, you know, will cut the  
11 check to whatever approved group, I guess, and then  
12 that approved group cuts a check to the parent, and  
13 then they help the parent endorse that check over to  
14 the private school. The approved agency has a zero  
15 balance account, meaning that, you know, the  
16 positives and negatives in the account have to match  
17 up and, you know, there's -- if you do that right,  
18 there's no interest income; you know, it's all clean.  
19 And after hearing all that and asking all the  
20 questions to get to the bottom dollar, if you will,  
21 of it all, I'm satisfied with it all. I don't have  
22 any problems with it.

23 MS. ZOOK: So, basically, what the state ADE is  
24 approved to do is write one big check as opposed to  
25 monthly checks. So that's basically the function of

1 that agency. Is that correct, Commissioner?

2 COMMISSIONER: Yeah. And Mr. Rogers is here and  
3 standing in case you need him.

4 MR. ROGERS: Greg Rogers. Yes, the way that it  
5 was set up was the Reform Alliance receives the check  
6 and they will be in charge of doing the monthly  
7 disbursements to the parents, to the approved  
8 institutions. So that's how that's being handled  
9 there. Instead of us having to try to track and  
10 audit each one of those it will be part of the Reform  
11 Alliance's responsibility, who will report that  
12 information back to us and keep up with the fund  
13 balance and how much, what parents have it, which  
14 schools are being paid to it, and those type of  
15 reconciliations.

16 MS. ZOOK: Is there any other instance that you  
17 have had experience with where a state agency with  
18 taxpayer dollars have sent money to a nonprofit to  
19 handle those taxpayer dollars?

20 MR. ROGERS: Yeah. I mean, there's -- any time  
21 that we put out any types of grants or anything --  
22 they could be to a different nonprofit entity or to a  
23 co-op or anyone. So there's different situations  
24 where that has happened.

25 MS. ZOOK: Okay. Thanks.

1 MR. ROGERS: It's not uncommon.

2 CHAIRPERSON REITH: Dr. Barth.

3 DR. BARTH: For Ms. Salas-Ford. If -- on the  
4 issue of the addition of accredited -- accrediting  
5 associations, if we added one today we could add --  
6 we could add additional ones in the future; right?

7 MS. SALAS-FORD: Yes.

8 DR. BARTH: Okay.

9 MS. SALAS-FORD: At this time only two are  
10 seeking the approval, but you can choose to do one  
11 and table the other or if others should seek approval  
12 at a later time I would bring those to you at that  
13 time.

14 DR. BARTH: Okay. Thank you.

15 CHAIRPERSON REITH: Okay. Any additional  
16 questions from the Board? Otherwise, I --

17 MR. WILLIAMSON: I just have a motion whenever  
18 you're ready.

19 CHAIRPERSON REITH: I don't see any questions,  
20 so please proceed with your motion.

21 MR. WILLIAMSON: I move to approve the  
22 recommendation of the Department.

23 CHAIRPERSON REITH: Okay. Do I have a second?

24 MS. NEWTON: Second.

25 CHAIRPERSON REITH: Okay. Motion made by Mr.



1 Williamson, seconded by Ms. Newton. All in favor?

2 DR. BARTH: Actually, I have a substitute  
3 motion.

4 CHAIRPERSON REITH: Sorry. Apologies.

5 DR. BARTH: I have a substitute motion which was  
6 Ms. Zook's original motion, which was at this time --  
7 because this is a pilot program, to approve AdvancEd  
8 as an accrediting association. I guess that's it. I  
9 mean, the other would just -- could always be added  
10 at a later date.

11 MS. ZOOK: I'll second that so as to give  
12 Montessori an opportunity to come and present, like  
13 AdvancEd did today, and it might help us become more  
14 comfortable.

15 CHAIRPERSON REITH: Okay. And just looking at  
16 Ms. Davis, because it's a substitute motion and not  
17 an amendment to the motion, the substitute motion is  
18 what stands; correct? And that's the one that would  
19 be -- we would be taking --

20 COMMISSIONER KEY: You vote that one first.

21 CHAIRPERSON REITH: Yeah, you would vote on that  
22 one first, the substitute, since it received a  
23 second. I gotcha. Okay. So is everyone clear on  
24 the motion that it's to take the recommendation of  
25 the Department only as in regards to AdvancEd at this

1 time?

2 Commissioner, I'll go ahead and ask for a roll-  
3 call on this one please.

4 MS. DAVIS: Hang on one second.

5 CHAIRPERSON REITH: Yes.

6 MS. DAVIS: Did we have a second on the first  
7 motion?

8 CHAIRPERSON REITH: We did.

9 MS. DAVIS: Okay. If you have a second on the  
10 first motion, then that motion still stands out  
11 there. So either the maker of that motion has to be  
12 willing to accept the substitute or withdraw their  
13 own motion, if you have a second. If it didn't have  
14 a second, then you would've taken the substitute.

15 CHAIRPERSON REITH: I gotcha.

16 MS. DAVIS: But if that motion -- if the maker  
17 is unwilling to either accept the substitute or  
18 withdraw their motion, then you need to vote on that  
19 and then at that point in time you can, if it fails,  
20 accept --

21 CHAIRPERSON REITH: Another motion?

22 MS. DAVIS: Yeah. I was not thinking that we  
23 had a second on the first motion.

24 CHAIRPERSON REITH: We did. The first one was  
25 made by Mr. Williamson and seconded by Ms. Newton.

1 MS. DAVIS: Right. Okay. So if it had a  
2 second, then you need to deal with that motion,  
3 unless the maker is willing to amend.

4 MR. WILLIAMSON: And I'm not.

5 DR. BARTH: So point of order. I mean, a  
6 substitute motion is a substitute motion and it is  
7 substituting for a motion that is sitting out there  
8 live. And we had this confusion back in March on  
9 another issue, and that's the way I've always  
10 understood substitute motions is that it is actually  
11 taking the place of the motion. If it fails, then  
12 the initial motion is on the floor. That is my --  
13 that is my --

14 CHAIRPERSON REITH: We're checking right now, so  
15 -- and for the purpose of the public or anyone  
16 watching live-stream, we're consulting the Robert's  
17 Rules at this time to make sure that we are accurate  
18 in doing this. So thank you, everyone, for your  
19 patience while we double-check this. But it is and  
20 would be important so that we all have clarity moving  
21 forward how substitute motions work. So thank you  
22 all for your indulgence.

23 I don't see it; I apologize. So, Commissioner  
24 -- in the list that was given it doesn't give us  
25 specific reference here, Ms. Davis.

1 MS. DAVIS: Right. And there are -- and here's  
2 the thing: in any operation that I have worked in the  
3 substitute motion -- otherwise, everybody can make a  
4 motion and it kind of defeats the purpose of actually  
5 not voting for a motion. So, I mean -- but I am  
6 consulting Robert's Rules because there is a 99%  
7 chance that I have always done it wrong.

8 CHAIRPERSON REITH: And then just to clarify,  
9 Ms. Davis, you're looking that up for us right now?

10 MS. DAVIS: I am.

11 DR. BARTH: Thanks.

12 CHAIRPERSON REITH: Thank you so much. We  
13 appreciate this, and this will be helpful moving  
14 forward. Thank you. And it will give us a sec to  
15 clean up some Dr. Pepper. No, it's my fault. I  
16 should leave it capped. I'm just so used to easy  
17 access to caffeine. But the thing is it doesn't  
18 stain. I know, seriously, right. The good thing is  
19 it wasn't dark, no stain, no harm done.

20 COMMISSIONER KEY: No electronics were involved.

21 CHAIRPERSON REITH: No electronics. I love it;  
22 Dr. Barth has gotten the attorneys all consulting, so  
23 that's -- you know it's a good sign when -- it's a  
24 good question.

25 MS. DAVIS: Okay. And I think some of the

1 confusion comes in, as we're having some discussion  
2 back here --

3 CHAIRPERSON REITH: Yes. Yes.

4 MS. DAVIS: -- of whether or not -- an amendment  
5 versus a substitute. An amendment --

6 CHAIRPERSON REITH: Yes.

7 MS. DAVIS: -- would be like changing it from a  
8 three- to five-year period.

9 CHAIRPERSON REITH: Yes. Correct.

10 MS. DAVIS: And that's a technical correction.

11 CHAIRPERSON REITH: Yes.

12 MS. DAVIS: This is a complete substitute.

13 CHAIRPERSON REITH: Yes. Correct.

14 MS. DAVIS: So that's where some of this  
15 confusion is. So we are -- give us a few more  
16 minutes, please.

17 CHAIRPERSON REITH: No, we'd rather this be  
18 gotten right and that we are correct in how we  
19 proceed moving forward, so we appreciate the due-  
20 diligence. But then the question was whether it was  
21 seconded or not, so that's what they're trying to --

22 MR. WILLIAMSON: My motion was seconded.

23 MS. DAVIS: Yeah. The question is -- okay.

24 CHAIRPERSON REITH: That's what was my  
25 understanding.

1 MS. DAVIS: That's what I'm saying. We're  
2 checking.

3 (COURT REPORTER'S NOTE: At this point, several  
4 of the board members and the chairperson are  
5 conversing off the record while waiting on Legal's  
6 opinion.)

7 MS. DAVIS: Okay. So, okay. So we're kind of  
8 in this predicament at this point because even in  
9 looking in the Robert's Rules and like the definitive  
10 guide, it is somewhat unclear of how a substitute  
11 motion -- so we're not crazy. But it says a motion  
12 to substitute -- it says if the motion passes, the  
13 chair then throws the substitute motion open to  
14 debate and it must be voted on and is subject to  
15 amendment. So we're kind of there. It says there's  
16 no provision for technically a friendly amendment.  
17 So it's kind of unclear of what you do with the  
18 original amendment because at this point you also  
19 have to look at practicality, that if there's a  
20 motion on the floor at any point in time somebody  
21 could say, "Well, then I want a substitute." Well,  
22 somebody else is going to go, "Well, I want a  
23 substitute," and you're always going to trump that  
24 versus handling the original and letting it pass or  
25 fail and then dealing with it, so --

1 MS. ZOOK: It seemed on what you read that it  
2 sounds like you vote on the original motion and if it  
3 fails, you vote on the substitute.

4 DR. BARTH: No.

5 MS. ZOOK: And y'all are thinking it's the  
6 opposite?

7 DR. BARTH: Yes.

8 MR. WILLIAMSON: Here I am practicing law  
9 without a license again, but I believe that we have  
10 to vote on the substitute motion first. If it fails,  
11 it falls back onto the motion that I made and Ouida  
12 seconded.

13 DR. BARTH: Yes. And then another alternative  
14 would be an amendment --

15 CHAIRPERSON REITH: Then why would you need a  
16 substitute?

17 DR. BARTH: I could've had a motion for an  
18 amendment.

19 MS. ZOOK: It was like they were saying -- Jay  
20 said to me, "Do you accept my substitute," and I said  
21 no. So that's what --

22 CHAIRPERSON REITH: Well, that's an amendment is  
23 if you say do you accept these changes and then they  
24 accept. To me, that's an amendment.

25 MS. ZOOK: No. He made the motion and it was

1           seconded and he wanted to give a substitute, and it's  
2           like I gave him --

3           MS. DAVIS: Can I make an alternate --

4           CHAIRPERSON REITH: Yes.

5           MS. DAVIS: -- solution or suggestion to advise  
6           this?

7           CHAIRPERSON REITH: Yes. We'll take some  
8           guidance.

9           MS. DAVIS: There are two -- are they  
10          accreditation -- agencies or affiliations in this  
11          motion. Could we possibly vote on them separately?

12          DR. BARTH: I'm fine --

13          CHAIRPERSON REITH: Well, and I think that's the  
14          intention of the --

15          MS. DAVIS: Right. I mean, just so that way --  
16          I mean, we're still -- I mean, we could still sit  
17          here -- I mean, we're reading documents that show  
18          conflicting -- like there are two different ways to  
19          handle them. So in the essence --

20          MR. WILLIAMSON: I'm okay doing that, if Ouida  
21          is okay.

22          MS. NEWTON: Yeah.

23          MS. DAVIS: Yeah. In the essence of --

24          DR. BARTH: So that would be splitting the  
25          motion?



1 MS. DAVIS: -- efficiency -- yes.

2 DR. BARTH: That's fine. Okay.

3 MS. DAVIS: Vote on each one of those  
4 separately.

5 DR. BARTH: That gets us to the same place.  
6 Yeah.

7 MS. DAVIS: Okay. And we will --

8 CHAIRPERSON REITH: And there's nothing wrong  
9 with the fact that we had some active -- like we can  
10 replace now --

11 MS. DAVIS: If the maker --

12 CHAIRPERSON REITH: If that's my discretion then  
13 -- oh, no.

14 MS. DAVIS: If the maker is willing --

15 CHAIRPERSON REITH: Okay.

16 MS. DAVIS: -- to pull that in lieu of handling  
17 them separately --

18 CHAIRPERSON REITH: So if everybody is willing  
19 to pull, which it sounds like --

20 MS. DAVIS: Yeah.

21 CHAIRPERSON REITH: So --

22 DR. BARTH: For future, between now and our next  
23 meeting --

24 MS. DAVIS: We are, yes.

25 DR. BARTH: -- it would be nice to have some

1 clarification on this issue.

2 MS. DAVIS: Like I say, we're reading --

3 CHAIRPERSON REITH: Yes.

4 MS. DAVIS: Or I'm reading conflicting  
5 information on different approaches to substitute.  
6 That's why I'm hesitant to say it is one way because  
7 if you read something else it's the other, and I  
8 don't want to steer you wrong.

9 DR. BARTH: That's fine.

10 MS. DAVIS: So in the essence --

11 CHAIRPERSON REITH: Most definitely.

12 MS. DAVIS: I would suggest maybe doing them  
13 separately.

14 CHAIRPERSON REITH: Well, and for the future as  
15 well if we could align with how the state legislature  
16 does it, if there is --

17 MS. ZOOK: No. Theirs is --

18 CHAIRPERSON REITH: No, that's completely  
19 different? I don't want to do that? Okay. Don't  
20 want to go there. Okay.

21 MS. ZOOK: They're Mason's Rules and we're  
22 Robert's Rules.

23 CHAIRPERSON REITH: I gotcha. I gotcha. I  
24 gotcha.

25 MS. DAVIS: And we're kind of getting into the

1 weeds on this, so hopefully --

2 CHAIRPERSON REITH: Okay.

3 MS. DAVIS: I mean, this is kind of more of a --

4 MS. ZOOK: And that may be where the difference  
5 is coming in.

6 CHAIRPERSON REITH: So with that -- so, well, if  
7 the record can just show that all the parties that  
8 have made motions are retracting their motions, and  
9 now we'll entertain a new motion.

10 DR. BARTH: So we have Brett's motion on the  
11 floor. I move to vote on the accrediting bodies  
12 separately or to split the motion.

13 MR. WILLIAMSON: And I'm fine with that.

14 CHAIRPERSON REITH: Okay.

15 MR. WILLIAMSON: I believe Ouida is fine; she  
16 seconded.

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

18 CHAIRPERSON REITH: And then I'm trying to think  
19 in terms of order if that needs a second. So the  
20 recommendation is to split the motion. So then if  
21 you want to offer in the form -- and with the  
22 retraction of that -- okay. Now you guys are really  
23 keeping me on my toes today. So if you want to offer  
24 a motion then in regards to each of them separately  
25 --

1 MS. ZOOK: So he just amended the motion; right?

2 CHAIRPERSON REITH: Yes.

3 MS. ZOOK: He's moving to amend it to vote on  
4 them separately and --

5 CHAIRPERSON REITH: And they've agreed. And so  
6 if you can then state your amended motion?

7 DR. BARTH: Well, my motion is to vote on  
8 AdvancEd and the Montessori Society separately; okay?

9 CHAIRPERSON REITH: Actually -- but I guess --  
10 because they've agreed to that, then you can just  
11 make a motion in regards to each of them separately.  
12 So I just need a motion of approve or deny in regards  
13 to each of them and then we'll vote on each of them  
14 separately. Is that --

15 MS. DAVIS: Yeah. I think that's correct.

16 CHAIRPERSON REITH: Okay. Yeah. I don't think  
17 we need an approval to split it, do we?

18 DR. BARTH: Okay.

19 MS. DAVIS: I don't believe so. No.

20 CHAIRPERSON REITH: No. Just make your motion.  
21 Essentially --

22 DR. BARTH: Okay. I move to recognize AdvancEd  
23 as an accrediting association for the purposes of  
24 this law.

25 MS. ZOOK: Second.

1 CHAIRPERSON REITH: Okay. Motion made by Dr.  
2 Barth, seconded by Ms. Zook. And I am going to ask  
3 for a roll-call on these. So, Commissioner, if you  
4 could kindly lead us through a roll-call please.

5 COMMISSIONER KEY: Certainly. Dr. Barth.

6 DR. BARTH: Yes.

7 COMMISSIONER KEY: Mr. Black.

8 MR. BLACK: Yes.

9 COMMISSIONER KEY: Ms. Dean.

10 MS. DEAN: Yes.

11 COMMISSIONER KEY: Dr. Hill.

12 DR. HILL: Yes.

13 COMMISSIONER KEY: Ms. Newton.

14 MS. NEWTON: Yes.

15 COMMISSIONER KEY: Mr. Williamson.

16 MR. WILLIAMSON: Yes.

17 COMMISSIONER KEY: Ms. Zook.

18 MS. ZOOK: No. Yes.

19 CHAIRPERSON REITH: So motion carries  
20 unanimously in regards to AdvancEd.

21 I'll now entertain a motion regards to the  
22 American Montessori Society.

23 MR. WILLIAMSON: Well, I move the same for  
24 Montessori.

25 CHAIRPERSON REITH: Okay. Do I have a second?

1 MS. NEWTON: Second.

2 CHAIRPERSON REITH: Okay. Motion made by Mr.  
3 Williamson and seconded by Ms. Newton. Once again,  
4 roll-call, Commissioner.

5 COMMISSIONER KEY: Dr. Barth.

6 DR. BARTH: No.

7 COMMISSIONER KEY: Mr. Black.

8 MR. BLACK: Yes.

9 COMMISSIONER KEY: Ms. Dean.

10 MS. DEAN: Yes.

11 COMMISSIONER KEY: Dr. Hill.

12 DR. HILL: Yes.

13 COMMISSIONER KEY: Ms. Newton.

14 MS. NEWTON: Yes.

15 COMMISSIONER KEY: Mr. Williamson.

16 MR. WILLIAMSON: Yes.

17 COMMISSIONER KEY: Ms. Zook.

18 MS. ZOOK: No.

19 CHAIRPERSON REITH: Okay. Motion also carries  
20 by a majority.

21 C-11: CONSIDERATION OF THE RECOMMENDATION OF THE DEPARTMENT  
22 FOR RECOGNITION OF NATIONALLY RECOGNIZED, NORM-REFERENCED TESTS  
23 FOR THE PURPOSE OF ESTABLISHING PRIVATE SCHOOL ELIGIBILITY FOR  
24 THE SUCCEED SCHOLARSHIP PROGRAM

25 CHAIRPERSON REITH: Now we'll -- I'll entertain

1           either --

2                   MR. WILLIAMSON: (inaudible)

3                   CHAIRPERSON REITH: I agree there; I think some  
4 additional gray hairs just from that conversation.  
5 Although we will round off right now with consensus  
6 item 11, Consideration in regards to the norm-  
7 referenced tests. Ms. Salas-Ford, if you have any  
8 final comments for us to consider?

9                   MS. SALAS-FORD: I will add that if anyone has  
10 questions on the use of tests by private schools we  
11 did receive some of that data. And so if anyone had  
12 questions -- you and Dr. Barth had commented on the  
13 lists, on the length of the lists. It appears that  
14 there are two to three that are the primary ones that  
15 are being used and -- but we have additional data if  
16 you would like that.

17                   DR. BARTH: Okay. And I assume that's Iowa Test  
18 of Basic Skills?

19                   MS. SALAS-FORD: And the SAT, TN and the Terra  
20 Nova.

21                   CHAIRPERSON REITH: Okay. Questions or  
22 comments? Dr. Barth.

23                   DR. BARTH: Well, you know, I mean, I think the  
24 value of these norm-referenced tests provides us  
25 limited information. I know it's part of the law and

1 so we have to do it. I guess if -- you know -- what  
2 we heard from Ms. Allen this morning, these are --  
3 this is the list of nationally recognized. So I  
4 guess I'm fine with this longer list, recognizing  
5 that many of these will never be used.

6 MR. WILLIAMSON: Was that a motion?

7 DR. BARTH: I guess I'll --

8 MR. WILLIAMSON: Okay.

9 DR. BARTH: I'll move to accept this  
10 recommendation from the Department.

11 MR. WILLIAMSON: I'll second that.

12 CHAIRPERSON REITH: Okay. Motion made by Dr.  
13 Barth, seconded by Mr. Williamson. All in favor?

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRPERSON REITH: Any opposed? Motion carries  
16 unanimously.

17 And then with that, that should, if I -- and  
18 just a quick look to the Commissioner and Ms. Coffman  
19 -- I believe that concludes our action agenda for  
20 today.

21 (OFF THE RECORD)

22 (BACK ON THE RECORD)

23 MS. COFFMAN: We need to have a formal  
24 adjournment of the meeting.

25 CHAIRPERSON REITH: Oh, I apologize. Yes. I'll



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take a motion to adjourn.

(COURT REPORTER'S NOTE: Several board members said, "So moved.")

CHAIRPERSON REITH: Don't everybody -- let's say I heard Ms. Dean first. Can I get that in the format of a second, Mr. Williamson?

MR. WILLIAMSON: Yes. I second.

CHAIRPERSON REITH: So all in favor?

(UNANIMOUS CHORUS OF AYES)

CHAIRPERSON REITH: Any opposed? Then we are formally adjourned. Thank you.

(The meeting was adjourned at 3:21 p.m.)

## C E R T I F I C A T E

STATE OF ARKANSAS     )  
                                  ) ss.  
COUNTY OF SALINE     )

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter before whom the foregoing testimony was taken, do hereby certify that the same is a true and correct transcription of proceedings before the Arkansas State Board of Education, in Little Rock, Arkansas, on September 8, 2016, that the said testimony was reduced to typewritten form by me or under my direction and supervision; and that the foregoing pages constitute a true and correct transcription of all evidence heard and proceedings had in said matter.

I FURTHER CERTIFY that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken.

I FURTHER CERTIFY that I have no contract with any parties within this action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial agency, or that requires me to provide any service not made available to all parties to the action.

WITNESS, MY HAND AND SEAL, THIS DATE: September 19, 2016.

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SHARON K. HILL, CCR  
Certified Court Reporter  
Certificate No. 670

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