

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

March 10, 2016

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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION
#4 Capitol Mall
Little Rock, AR

March 10, 2016
10:00 A.M.

APPEARANCES:

Mr. Johnny Key	Commissioner
Ms. Toyce Newton	Chairperson
Ms. Mireya Reith	Vice Chairman
Ms. Vicki Saviers	Board Member
Mr. Joseph Black	Board Member
Dr. Jay Barth	Board Member
Ms. Diane Zook	Board Member
Ms. Susan Chambers	Board Member
Ms. Charisse Dean	Board Member
Mr. R. Brett Williamson	Board Member
Ms. Ouida Newton	Teacher of the Year/ Non-Voting Member

LEGAL COUNSEL FOR THE BOARD:

MS. KENDRA CLAY	ADE General Counsel
MS. JENNIFER DAVIS	ADE Attorney

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Exhibit One (1)
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P R O C E E D I N G S

A-1: CONSIDERATION OF THE LITTLE ROCK SCHOOL DISTRICT REPORT OF PROGRESS

CHAIRPERSON NEWTON: We'll move then to our action agenda and the first item on the action agenda is Superintendent Baker Kurrus; Consideration of the Little Rock School District Report of Progress.

SUPT. KURRUS: Good morning. And I know how to use a microphone. I play in a band, so the deal is get your face about four inches away and sing loudly, with confidence.

I'm Baker Kurrus. It's nice to be here. Ms. Jackson is going to give the CAC report and then I'm going to kind of give you an abbreviated report in light of the lengthy agenda.

DR. JACKSON: Good morning. I just have a brief report this morning from the Little Rock School District Civic Advisory Committee. During our February visit with you we mentioned that it was time for our community forums to begin. We are on the last leg of our community forums. Our last forum is tonight at 6:00 p.m. at Don Roberts, and it's our fifth forum. These forums have been very successful. We've had them across the city of Little Rock. We've had over 400 participants in our forums and we're

1 expecting at least 100 more participants tonight.

2 Just to give you a snapshot of what our forums
3 have looked like, they begin with an artistic
4 presentation from one of our local schools. So this
5 week's forum on Tuesday morning we had students from
6 Booker Arts Magnet, from their orchestra and choir,
7 to present. And then we transition in -- as folks
8 transition in and eat, enjoy the arts entertainment,
9 we begin by opening with a video segment, a 10-minute
10 segment produced by the Little Rock School District
11 that features our superintendent, Superintendent
12 Kurrus, and he talks about the status of the school
13 district and what we can look forward to in the
14 future. Then we begin to break up into small groups.
15 We've had about six to nine small groups with
16 professionally trained facilitators who facilitate
17 small group conversations about what their concerns
18 are or questions are about the Little Rock School
19 District, and then from there what action items we
20 can take as a community to move our district forward.
21 And so we've received a lot of great feedback from
22 our forums, from our community members, and I want to
23 just share some of those, some of the broad strokes
24 of what we're hearing from our community.

25 One of the things that we've heard consistently

1 from our first four forums is the need for more
2 transparency in regards to information about the
3 district and state and information being shared with
4 parents, students and teachers about expectations
5 both now and in the future.

6 Also, there's been general concern at each forum
7 about whether those who make decisions for the
8 district will really include the community in that
9 decision-making and whether the feedback that we're
10 receiving will be taken into consideration and
11 whether there will actually be action steps connected
12 to the ideas that are shared. And actually what we
13 have affirmed with them, as far as the Civic Advisory
14 Committee is concerned, is that we are working
15 towards getting action steps for the things that are
16 recommended. We actually will bring all of those who
17 participate in the forums together late this spring
18 to get commitments. Everyone has signed commitment
19 cards saying how they're willing to commit to work
20 with the district to help move our district forward.
21 So we'll bring them back and we'll talk about
22 specific action steps we'll take based on the
23 community input and connect people to those action
24 steps so we can begin to implement those action
25 steps.

1 There's been encouragement to think about the
2 refocus on academic achievement of our school
3 district. Several people have mentioned that there's
4 been a lot of focus on thinking about balancing the
5 financial end of our district, but they want to hear
6 more about what's going on with academic achievement
7 and how we can move forward with that. Things
8 regarding smaller classroom sizes, more cohesive
9 school communities have also been mentioned.

10 And, lastly, one other thing that has been
11 mentioned is equity as far as resources are concerned
12 for our district and thinking about the broad strokes
13 of our district and how we can provide wraparound
14 services for those students in need when it comes to
15 equity of resources.

16 So we're looking forward to our last community
17 forum tonight. We're looking forward to speaking
18 more in our Thursday night meeting of next week about
19 the work of the forums and how we're going to move
20 forward to re-engage the community and taking action
21 from the statements that were made. And I'm happy to
22 entertain any questions about our forum and our work
23 moving forward.

24 CHAIRPERSON NEWTON: Any questions? Ms. Zook.

25 MS. ZOOK: No, I just want to thank you for

1 doing that. I've been anxiously awaiting getting out
2 in the community and letting the people have a voice.

3 DR. JACKSON: Yes, ma'am.

4 MS. ZOOK: And we all know that the more
5 involved a parent is the more likely the child will
6 succeed throughout life.

7 DR. JACKSON: Yes.

8 MS. ZOOK: So I commend you and your committee
9 for that.

10 DR. JACKSON: Thank you.

11 CHAIRPERSON NEWTON: Any further questions? If
12 not, thank you.

13 DR. JACKSON: Thank you.

14 SUPT. KURRUS: Good morning again. We've had a
15 good month. I've given you a package of information
16 that was assembled quickly. When we saw the agenda
17 and I spoke with the Commissioner we decided that
18 rather than run through a whole bunch of data we'd
19 get it to you in writing. It was done quickly but I
20 hope you'll have a look at all of that.

21 A couple of things I want to highlight that are
22 in that package: we've done our pre- and post-
23 testing, almost completed for the third quarter. We
24 used the ACT Aspire, which we think gives us a leg-up
25 when we take the high-stakes test starting in April.

1 There's a ton to brag about in our school district
2 and some of that is in there. Most of these things
3 are things you know already. We have 16 National
4 Merit Finalists, a number of Achievement Finalists,
5 Hispanic Scholars, Seimen Scholars; we have people
6 doing wonderful, marvelous things in our school
7 district and some of that is in there, just a taste
8 of that. And we're doing a thousand things every day
9 to be sure that every child has the opportunity to
10 achieve at the highest level.

11 I also want to highlight just because I know
12 it's been a point of emphasis with some of you on the
13 Board, as it well should be, that we're rapidly
14 gearing up with dyslexia interventions and we've got
15 a report in there that addresses the specifics of
16 that. We now do 600 dyslexia interventions every
17 day; 600 students in our school district are
18 receiving services with respect to dyslexia and other
19 services too that go hand-in-hand with that.

20 I want to talk generally about school district
21 turnaround, then I want to give you a big picture
22 view of what we've done and what we hope to do
23 between now and June 30, approximately. And then I
24 want to give you some information and then I'll take
25 questions, if that's okay. I'll try to be brief

1 because I do respect your agenda today.

2 Of course, school district turnaround is a huge
3 challenge as we all know. We've all gone through
4 this some and we're going through it now almost
5 monthly with all of us. And the problem I see is
6 that educational turnaround has been built on a
7 transactional leadership model, which is a common
8 leadership model that deals with rewards and
9 punishments. It's common in the auto business. If
10 you sell a car, you get a commission; if you sell a
11 bunch of cars, you get a bonus. Little Rock was run
12 that way. Little Rock School District was run that
13 way, and it's not a transactional environment.
14 People generally make the same amount of money on a
15 salary schedule; people generally do the same things.
16 There aren't a series of incentives in education like
17 there are in the private sector, but that was the way
18 the district was run. But the transactions so-to-
19 speak from the leadership standpoint were better
20 jobs, more job security, maybe a stipend or two here
21 and there for some such thing. We've transformed
22 that leadership model completely, so -- and it sounds
23 like mumbo-jumbo but I'm going to give you some
24 examples of why that's important.

25 In a transactional model you meet with teachers,

1 you bargain, and there are winners and losers, and
2 the big picture sometimes gets lost. In a
3 transformational model where you say we're not trying
4 to change the outcomes daily, we're trying to change
5 the organization completely, you take a much
6 different view in the series of negotiations with
7 teachers. And the biggest thing that we've done --
8 the most important thing that we've done is we've
9 transformed our relationship with the most important
10 employee body that we have: teachers. Teachers
11 comprise -- we have 2,000-plus teachers and if you
12 can change that relationship you can change your
13 school district. So if you want to know, "Baker,
14 what's the big news, what's the big thing," that's
15 the big thing. Because if you can change that
16 relationship -- and it's an ongoing process to build
17 trust. To build some sense of common unity of
18 purpose, to collaborate and cooperate, and then have
19 impacts on students that are absolutely aligned with
20 common goals is a huge step forward for Little Rock
21 School District, and I don't want to over-emphasize
22 that. You say, "Well, that's business mumbo-jumbo,
23 Baker; there you go again." But just as a couple of
24 things you might be interested in, last year we had
25 over 90 grievances; this year we're tracking to maybe

1 have 30. Okay. I met with the National Education
2 Association president, Mr. John Stotts, and we had a
3 really wonderful discussion about how we could
4 transform education with a pilot program that we're
5 going to work with NEA on for on-boarding teachers so
6 that young new teachers can really get the things
7 they need to be secure in the profession, to be
8 effective earlier in their careers, and then to have
9 long productive, fulfilling careers so they want to
10 come to work and they'll be there more often and
11 they'll really strive with a good start. And NEA is
12 a partner in that. And then he and I have also
13 talked about how could we -- he as president of NEA
14 and me with my background and experience, how could
15 we partner up and try to build a model where we
16 change the way that school districts, principals,
17 administrators, superintendents and teachers work
18 together. And he and I are exploring that right now
19 because that's the kind of transformational change
20 that makes a difference. If you look at Detroit and
21 Chicago, what did they fail to do? They failed to
22 build that bridge early in their transformations and
23 they're failing now because they don't have that
24 trust and confidence in one another. And so Kathy is
25 here, and she and I, we work very well together, very

1 informally. I mean, I just go over there; she comes
2 over and brings Sadie Mitchell a Diet Coke and then
3 gives that to Sadie and comes to my office. Anyway,
4 it's a really good big step. So we're focused more
5 on the way we work and how we relate to one another
6 and how the organization functions, no matter what
7 our tasks or goals. So I don't want you to overlook
8 that.

9 But now I want to tell you that's paying off and
10 I want to tell you how it's paying off, and then I
11 want to give you some benchmarks because I think --
12 again, I won't single out -- I listen to these board
13 meetings after we have them, and you asked me, "What
14 does success look like?" I know who asked me that
15 question. I want to tell you what we've done because
16 I think you hear all this mumbo-jumbo from me and you
17 say, "Well, what are you doing?" Well, by June 30
18 we'll have 17 new principals in our school district,
19 17 new principals heading up buildings. We'll have
20 22 school improvement specialists working
21 cooperatively with our principals in a very
22 structured way with the help of -- I see Andrew is
23 back there, at least he was. We work hard on how to
24 figure out how to work. We just didn't hire school
25 improvement specialists and throw them in the

1 buildings and say "good luck, let's hope this works."
2 We talked long and hard with Dr. Wilde and other ADE
3 personnel about how these people are going to work.
4 And it's working pretty well. We were going to bring
5 you that today, but it's a long -- it's a relatively
6 lengthy presentation. We'll show you that next
7 month. But we have 22 school improvement specialists
8 working and working well. We're working with ADE on
9 a personnel development grant. I think that's got a
10 lot of potential because it has long-term benefits if
11 we can develop our personnel in a different way.

12 Let me give you a few other things that are
13 concrete things that we've done. We've reorganized
14 Baseline Elementary School and we came upon a young
15 man who was a Teacher of the Year and he's running
16 that school. And, frankly, we're learning a great
17 deal. We're learning a lot not just about Baseline
18 and not just about that school or that person or that
19 staff; we're learning things that are going to
20 leverage us in other elementary schools. That's the
21 whole point. By next June we'll have a new HR
22 department; it'll be reorganized with a new director.
23 We'll have a new special education director; it will
24 be reorganized with a new director. We've got a new
25 safety and security director already. We'll have a

1 new transportation director. We will have located,
2 contracted for, and I hope closed on 23-1/2 acres in
3 west Little Rock. We've already hired architects.
4 We have the plans designed to build a new middle
5 school in west Little Rock. We already have a school
6 zone. We have kids assigned. We have a staff.
7 We've hired another great hire to run that school.
8 And we've got litigation next week on the 22nd, 23rd
9 -- that's week-after-next -- and we're prepared for
10 that litigation and I hope we can proceed without any
11 delays. We have planning teams and architects that
12 are working on the southwest Little Rock school. You
13 have a -- in that package you have a timeline. We're
14 focused and going as hard and as fast as we can
15 there. We don't want to make any mistakes, but we
16 don't have any time to waste. We've made substantial
17 budget cuts. We're down about 125 positions right
18 now with a lot more coming and we've done that
19 without impacting teaching and learning in the
20 classroom. In fact, I think we're more effective in
21 the classroom and in the buildings now than we were
22 before we made those job cuts.

23 Let me give you the number that's -- it's a
24 preliminary number, but right now we've spent
25 \$16,000,000 less on personnel and benefits, as of

1 February 29th, than we did February 28th of last
2 year. Let me say that again: \$16,000,000 less money
3 spent on personnel from February 28th of 2015, at
4 that point in our year, up to February 29th this
5 year, which was obviously leap year. That's big
6 news. That's big news because if we can continue to
7 do that, become more efficient and more effective,
8 save money and leverage that money into new buildings
9 we'll transform the whole school district --
10 transform the whole school district -- and that's
11 very important to me.

12 We don't have any school closures planned for
13 16-17. I go to meetings and there are rumors, people
14 talk. We're not closing any buildings next year.
15 We're going to get the Civic Advisory Committee
16 report. We're going to try to work with the
17 community and find out what makes the most sense,
18 what can we afford, and make prudent judgments. That
19 will be driven by the work of that committee, with my
20 help, and then it will go to the Commissioner as our
21 school board. I think that's very important.

22 We don't have the first test under our new
23 system, the first high-stakes test. I came May 6th
24 last year. Do y'all realize it's 10 months? I've
25 been up here 10 times, I guess, but it's been 10

1 months. We've done these things in 10 months. The
2 first high-stakes test comes next month and we'll see
3 how we do, but I think we're ready. And I'm so proud
4 of our team. I know we all want change and we want
5 dramatic change for the kids of greatest need.
6 That's what I'm looking for. And we want results and
7 I think we're going to deliver, but we'll know a lot
8 more after next April. And it won't all happen at
9 once. It didn't take a year or 10 months or a couple
10 of hours to get in the problems we're in. We've got
11 a lot of big, big challenges -- and when I say "we,"
12 I mean "we" -- okay -- you, me, the Commissioner.

13 We've got to reverse some very disturbing trends
14 that are moving in our community right now. Since
15 2004, our percentage of students on free and reduced
16 lunch has gone up 20 percentage points -- 20
17 percentage points, from about 55% to about 75%.
18 That's an alarming change within the range of our
19 student body. And we obviously don't care how much
20 money somebody makes. We want to educate every child
21 and we consider it a duty and an honor to educate
22 every child. And that's where our greatest work is
23 actually done. It's not on those scholars who get
24 National Merit Finalist and that sort of thing. Our
25 best work is with students of great need. But what

1 we find is that index of poverty is health, it's
2 wellness, it's family stability; it's the ability to
3 have a good car that runs, it's -- all those things
4 are tied to poverty -- nutrition, reading readiness,
5 kindergarten readiness. Everything that we talk
6 about is a proxy for income. So if you see a
7 dramatic jump in the number of students who are on
8 free and reduced lunch in any group you know you've
9 got a tremendous and building challenge. That's an
10 incredibly daunting challenge for us right now. If
11 that percentage continues to go up our work will be
12 very, very difficult.

13 We have 2855 kids, or about 12.33% of our
14 students, with limited English proficiency. It's a
15 tremendous challenge. That number continues to
16 increase. We have 3,003 students on our rolls as of
17 day-before-yesterday who identify as Hispanic --
18 3,003. We have about 4,000 who identify as
19 Caucasian. We love that challenge and we love the
20 diversity and we love -- I'm so energized by these
21 families that we have from all backgrounds. But I'll
22 tell you this, [Spanish phrase spoken here]. How
23 many of y'all understood that?

24 CHAIRPERSON NEWTON: Mireya.

25 SUPT. KURRUS: Well, just one. Our community is

1 rapidly changing. Our competitors, we have other big
2 school districts in our footprint. They have a total
3 of 72 kids who are of limited English proficiency --
4 72. We love the challenge. I'm just imagining
5 schools where kids who get out of the 6th grade are
6 bilingual. That's what I just want to do. I just --
7 can you imagine the value of that for a young student
8 to be able to speak two languages and learn that and
9 then get acquainted with culture and diversity and
10 understanding? That is the power of the Little Rock
11 School District, so we embrace it. But on the other
12 hand, it costs money to do these things and if that's
13 all we do -- special ed. is the same way. We now
14 have special ed. students, and we love every one of
15 them; about 12.5% of our kids are special ed., and
16 that's okay. We love that and we do our best work
17 there, I think. But if that's all we do, if we -- if
18 that challenge continues to grow as a percentage of
19 our total student body we are going to face a great
20 deal of trouble. So these are facts. These aren't
21 arguments; these are simple facts. I have all the
22 data. And our team is so good now, we can crank some
23 data and we can come up with ideas and we are nimble
24 and we are working hard and I think we can solve a
25 lot of these problems. But if they continue to

1 escalate, get bigger, it's going to be different.

2 Let me just wind up by saying all these things
3 are important to you -- they're important to me,
4 they're important to you. I'm the superintendent,
5 Commissioner Key is the board. Under Arkansas state
6 law, it's up to the board to determine the direction
7 of the school district. That's in state law; it's 6-
8 13-620, item 2. So it's not up to me to determine
9 the direction of the school district; it's to execute
10 a plan. We need a plan. We need a plan, and we need
11 to understand that I am driving an aircraft carrier.
12 Okay. It's not a speedboat. It's a very large
13 organization and we're trying to become more nimble,
14 but we need a plan. We need a plan that's
15 comprehensive and that makes sense for everybody
16 involved, everybody in the community. So your
17 planning for this general, suitable and efficient
18 system is vitally important to us.

19 And, again, it's been an interesting week,
20 interesting couple of weeks, and I thank you for your
21 service. I've served on the school board and, as one
22 who's done so, I appreciate your service so very much
23 and I appreciate everything you do for our students.
24 We're honor-bound to educate them and I thank you for
25 your service.

1 CHAIRPERSON NEWTON: Thank you for your report,
2 Mr. Kurrus. Before we go into questions by the
3 Board, after the questions we've had two folks to
4 sign up for public comment. And the procedure -- our
5 procedure for the board to accept public comment is
6 by a majority vote by the Board. So you might want
7 to stay there, Mr. Kurrus.

8 SUPT. KURRUS: Okay.

9 CHAIRPERSON NEWTON: I'm not asking you to leave
10 yet --

11 SUPT. KURRUS: I'm sorry.

12 CHAIRPERSON NEWTON: -- because I'm sure we have
13 some questions. So after the questions, then that
14 will take place. Also, I don't want to go any
15 further without recognizing our legislators here
16 today, Senator Keith Ingram and Senator Alan Clark.
17 So thank you for coming. Is there anyone else here
18 that we need to acknowledge?

19 Okay. Thank you.

20 Then any questions to Mr. Kurrus from the Board?
21 Ms. Zook.

22 MS. ZOOK: Yes. Thank you. So I went back and
23 read a lot about you and a thing that you had
24 written, Baker's Dozen, when you went off the board.
25 And I noticed there you were really enthusiastic

1 about a strategic plan that had been developed. And
2 are you saying you don't think that strategic plan is
3 appropriate for now?

4 SUPT. KURRUS: Well, there's been a lot of --

5 (COURT REPORTER'S NOTE: Dr. Barth's cell phone
6 began playing an automated message.)

7 [Laughter]

8 SUPT. KURRUS: What did the man in the telephone
9 say?

10 MS. ZOOK: That's okay; my phone doesn't
11 understand me, nor does Jay's, so --

12 SUPT. KURRUS: Well --

13 DR. BARTH: I'm just happy it said that.

14 SUPT. KURRUS: Yeah. It was a good plan. It
15 was community-driven and there are elements of that
16 we're still executing, but we're in a dynamic
17 environment and that's the thing. And your question
18 goes right to the heart of some things you're going
19 to talk about later today. I mean, how do you plan
20 in a dynamic environment? I have six letters of
21 intent for charter schools, all of which will be
22 located in our school district, and now that would
23 make 19. They won't all make it, but -- I know that.
24 So elements of that plan we're still working on, and
25 it's a pretty good plan, but we'll develop a

1 different plan. But it's up to you to do that too.
2 I mean, we don't have a school board anymore.

3 MS. ZOOK: Okay. And another question: you had
4 mentioned last month that you were going to offer the
5 opportunity for teachers who chose to notify you by
6 March 1st -- I think it was March 1st --

7 SUPT. KURRUS: It was, exactly.

8 MS. ZOOK: -- that they would offer them a buy-
9 out if they wanted to let you know that so you could
10 get in on the early pool of quality teachers. Has
11 that happened? Are you -- did you get response?

12 SUPT. KURRUS: It did. And I'm so glad you
13 asked. It did. It just didn't make the cut. I've
14 got a million things of that size and that was right
15 at the bottom. But, no, we did that and it was very
16 well received. And I don't know the total number;
17 it's over 200, I think. It's over \$4,000,000 in
18 salaries. If we can reduce those -- and they're good
19 people; we hate to lose a lot of them; they're
20 experienced people. But they wanted to retire; it
21 was voluntary.

22 MS. ZOOK: Uh-huh.

23 SUPT. KURRUS: Several hundred people accepted.
24 I think it was -- I don't know the number. I'll get
25 you the number. But it was over \$4,000,000 in

1 salaries. So just imagine if we could reduce those
2 salaries by even 15%, that's \$600,000. And then --
3 and we are; we're offering binders now. We're very
4 aggressive in personnel because we need high-quality
5 teachers.

6 I didn't mention TFA, I don't think, in my
7 remarks. That's another one that didn't make the
8 cut. We're going to have 15. We have over 2,000
9 certified teachers; we're very proud of our certified
10 teachers. But we're excited about TFA; 15 teachers
11 will be in here and they'll spice it up, I bet.

12 MS. ZOOK: Also, as you and Mr. Key, or any
13 input you want from us, are making the plan, the
14 legislature passed an opportunity for waivers for a
15 traditional school district, any waivers that the
16 charter schools have. So that might be something
17 that wants to play into it too. If you think that
18 there is something that's holding you back from being
19 able to do the kinds of things that you think need to
20 be done in the Little Rock School District
21 traditional schools that a waiver is then -- you know
22 -- that may be part of what you want to present, as
23 well.

24 SUPT. KURRUS: Well, if that's a policy thing
25 that we need to do I'll push that upstairs, but --

1 MS. ZOOK: Well, no, it's not you need to; it's
2 you can. It's an opportunity.

3 SUPT. KURRUS: Okay. I get that.

4 MS. ZOOK: Okay.

5 SUPT. KURRUS: I understand that.

6 MS. ZOOK: Okay.

7 SUPT. KURRUS: And I think that's on your agenda
8 today, Helena-West Helena, is it not?

9 MS. ZOOK: It's one of them. Yes, that and
10 Pangburn.

11 SUPT. KURRUS: I'm going to stay all day. I
12 can't wait to hear this stuff.

13 MS. ZOOK: Yeah.

14 (COURT REPORTER'S NOTE: Ms. Saviers arrived at
15 the meeting at 10:35 a.m.)

16 CHAIRPERSON NEWTON: Any other questions? Dr.
17 Barth.

18 DR. BARTH: Mr. Kurrus, in the packet that we
19 got, on the pre- and post-test reporting, near the
20 back of this, is that ACT Aspire data or is that --
21 do you know what assessment that is?

22 SUPT. KURRUS: That's the third one and that's
23 -- is Dennis here?

24 DR. BARTH: Third-quarter data.

25 SUPT. KURRUS: I'm going to -- rather than -- is

1 Mr. Glasgow here?

2 And while he's coming I want to make a point.
3 If you read a little about transformational
4 leadership, you'll realize you don't have to change
5 the players to have a better team. Keep that in the
6 back of your -- I know that's what y'all are
7 thinking, these are the same people they've had all
8 these years. It's not -- it's different.

9 Dennis, did you hear the question?

10 MR. GLASGOW: I did.

11 DR. BARTH: Thanks, Mr. Glasgow.

12 MR. GLASGOW: The data that's in your report is
13 the pre- and post-test data, similar to what we
14 presented last month. It's the teacher-made test, a
15 three-week unit.

16 DR. BARTH: So it's the district test?

17 MR. GLASGOW: Yes.

18 DR. BARTH: Okay.

19 MR. GLASGOWS: Yes, sir.

20 DR. BARTH: Okay. Great.

21 MR. GLASGOW: We have ACT Aspire, the third
22 interim, that we've just completed giving. We'll
23 probably have some data on that that maybe we can
24 share next time.

25 DR. BARTH: Okay. Great. Thank you.

1 CHAIRPERSON NEWTON: Any further questions for
2 Mr. Kurrus? Okay.

3 SUPT. KURRUS: Thank you.

4 CHAIRPERSON NEWTON: At this time we have two
5 individuals signed up for public comment and they are
6 Stephanie Jared Harpole and Gary Newton. So what is
7 the pleasure of the Board?

8 I mentioned, Ms. Saviers, before you came that
9 the procedure outline says that we have to have a
10 motion and majority vote of the board to hear
11 comments from -- public comments.

12 So, what's the pleasure of the Board on hearing
13 comments relative to A-1?

14 DR. BARTH: I'll move approval for public
15 comments on this item.

16 CHAIRPERSON NEWTON: Moved by Dr. Barth.

17 MS. DEAN: Second.

18 CHAIRPERSON NEWTON: Second by Ms. Dean. All in
19 favor?

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRPERSON NEWTON: Any opposed? Then the
22 motion carries.

23 Ms. Harpole?

24 While she's making her way here we want to
25 emphasize this time, among many times, I'm sure,

1 within the next agenda items that the limitation is
2 three minutes and the timekeeper will let you know
3 when your three minutes are up.

4 So, is she here, Ms. Harpole? Okay. She
5 doesn't appear to be here. She was --

6 COMMISSIONER KEY: She may be in the ATN room --

7 CHAIRPERSON NEWTON: Oh, okay.

8 COMMISSIONER KEY: -- down the hall. Ms. Clay
9 will go check.

10 CHAIRPERSON NEWTON: While she's checking, Gary
11 Newton is the second person. We can start with him.

12 MR. NEWTON: Madam Chair, thank you for the
13 opportunity but I respectfully decline.

14 CHAIRPERSON NEWTON: Okay. She's not here but I
15 think she had been instructed that it would likely be
16 at the end of our agenda this afternoon. So if in
17 fact she comes we'll allow her to have a comment
18 later on this evening.

19 So with that said, A-1, what is the pleasure of
20 the Board relative to action item A-1?

21 MS. ZOOK: Move to approve.

22 CHAIRPERSON NEWTON: Moved by Ms. Zook. Is
23 there a second?

24 MS. REITH: Second.

25 CHAIRPERSON NEWTON: Second by Ms. Reith. All

1 in favor?

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIRPERSON NEWTON: Any opposed? Motion
4 carries. Thank you, Mr. Kurrus, and thank your team.

5 A-2: CONSIDER REMOVAL OF PULASKI COUNTY SPECIAL SCHOOL
6 DISTRICT FROM FISCAL DISTRESS CLASSIFICATION AND STATE CONTROL
7 (RECONSTITUTION) EFFECTIVE UPON THE ELECTION AND TRAINING OF
8 THE LOCAL SCHOOL BOARD

9 CHAIRPERSON NEWTON: A-2 is Consideration of
10 Removal of Pulaski County Special School District
11 from Fiscal Distress Classification and State Control
12 (Reconstitution) Effective Upon the Election and
13 Training of the Local School Board; and Mr. Rogers,
14 Ms. Smith, and likely the Commissioner.

15 MS. SMITH: Hello. I'm Cindy Smith with Fiscal
16 Services and Support -- and I'm going to break the
17 microphone. It is our recommendation to release
18 Pulaski County School District from fiscal distress.
19 They have completed all activities and strategies
20 outlined in their fiscal distress improvement plan.
21 Their fund balance over the last three years has
22 steadily increased and is projected to increase again
23 at the end of this fiscal year. They have addressed
24 all the issues in their audits, the state and the
25 federal findings. And our recommendation is to

1 return the district to the control of a locally
2 elected school board upon the election and training
3 of the new board.

4 CHAIRPERSON NEWTON: Okay. Commissioner.

5 COMMISSIONER KEY: Thank you, Madam Chair. Over
6 the last few months I know you all have studied this
7 issue and have received feedback. I think this board
8 chose to do a very positive and unprecedented thing
9 with regards to the final year, and that is to have
10 an on-site review and opportunity for discussion and
11 community feedback. This recommendation certainly
12 does not diminish the challenges that Pulaski County
13 faces concerning the detachment and the continued
14 desegregation obligations. We studied this and just
15 really -- those challenges we feel confident that Dr.
16 Guess and his team will continue to successfully
17 address during this transition. We feel like though
18 that it is important here at the end of this five-
19 year period, as they have done such a good job of
20 correcting the fiscal issues, the audit issues, the
21 balance issues that they were encountering five years
22 ago, that it is time for this board to take that
23 action to release them.

24 CHAIRPERSON NEWTON: Any questions by board
25 members?

1 MS. ZOOK: Yes. I'd like to -- I'm still
2 concerned and I want you to have your school board
3 back. I fully believe in that. But I'm concerned
4 because we still don't have the facilities to the
5 point that the judge will consider them unitary. I
6 know they'll be getting -- I think the number is
7 \$15,000,000 from Jacksonville to buy those buildings
8 and that will go a long way. But at the same time
9 they'll be losing the -- or the deseg money will
10 stop. I'd like to know what Dr. Guess thinks about
11 these kinds of things since you're the one who's done
12 such a good job of getting the district in good
13 fiscal order, and I commend you for that.

14 DR. GUESS: Thank you, Ma'am. I appreciate
15 that. We have -- of course, when we -- when I came
16 onboard we faced two significant challenges; one was
17 the issue of fiscal solvency and the other was the
18 mandate to achieve settlement to the desegregation
19 case. Ms. Smith has reported our improvements in
20 finance and we're proud of those. I'm working with
21 some really great people. We did achieve a global
22 settlement in the deseg case; however, we did also
23 achieve some unitary declarations in areas such as
24 special education, student assignment, and gifted and
25 talented. We still have five areas remaining that we

1 are not unitary in: student discipline, student
2 academics, facilities, staffing, and monitoring. So
3 facilities is just one of five. We are making
4 progress with the construction of the Mills High
5 School, which we will propose to the judge indicates
6 our commitment to parity in facilities. We will do
7 the best we can to convince the judge of that. But I
8 would say that we face other significant challenges,
9 particularly in leadership and -- I mean, in
10 discipline and achievement.

11 CHAIRPERSON NEWTON: Okay. Any additional
12 questions? Ms. Saviers.

13 MS. SAVIERS: I just want to say I feel like we
14 owe you a huge debt of thanks.

15 DR. GUESS: Thank you.

16 MS. SAVIERS: You've done an amazing job and I
17 can't imagine anyone doing a better job. So thank
18 you so much.

19 DR. GUESS: Thank you very much. I appreciate
20 that. It has been a privilege to work with some
21 really great people.

22 CHAIRPERSON NEWTON: Dr. Barth.

23 DR. BARTH: Well, I just want to pick up on
24 that. And I think we all recognize how complicated
25 this district is geographically, demographically, in

1 terms of its history, and then the events that have
2 happened during your time there. And I really want
3 to thank you personally for the candor that you have
4 always provided to this board about the challenges
5 you're facing. You have been a superintendent who
6 did not try to sugarcoat things and I think that
7 forced us to do some tough thinking about all these
8 issues. And so we know this is not over and this is
9 perhaps the biggest challenge, right, to return a
10 district to true local control, and that's a big
11 step. But I just want to pick up on Ms. Saviers and
12 thank you for just what great leadership you've
13 shown, not just in terms of dollars and cents but in
14 some more human ways as well.

15 DR. GUESS: Thank you, Dr. Barth. And I do
16 agree that it's a difficult time. The detachment of
17 Jacksonville is expected to reduce our revenue by
18 some \$40,000,000. The loss of the deseg money is in
19 excess of \$20,000,000. The changes that we're facing
20 regarding meeting those challenges are significant.
21 We have RIF'd; we've sent notices of reduction-in-
22 force to employees of J&PSD. We're receiving
23 requests for hearings on those. So we have a number
24 of challenges that we face, any of which could have a
25 significant impact on the district's future. So it

1 is a very challenging time.

2 MS. ZOOK: I have a question that I don't know
3 if it's for legal or the Commissioner. I know that
4 -- I think last month or month before we voted to
5 renew his contract. And I know once the new board is
6 elected that will be a decision that that board
7 makes. So do we have any assurance that he will be
8 able to stay and provide the institutional knowledge
9 with the new board or are we taking a chance that
10 someone with that level of expertise in the big
11 picture could be replaced in the first year of the
12 new board?

13 COMMISSIONER KEY: There are no guarantees on
14 that, Ms. Zook. When a board is elected and seated
15 then they have the authority to make those decisions.
16 So that is something we are cognizant of and have had
17 discussions about, but knowing that any time a
18 district is returned to local governance those
19 employment decisions are left up to those elected
20 members.

21 CHAIRPERSON NEWTON: Any further questions?
22 Okay.

23 MS. ZOOK: Do we know when the election will be
24 or will that be decided within the 2016 school year?

25 COMMISSIONER KEY: It will be in the 2016.

1 Yeah. The vote today is the step that authorizes the
2 release, and then the process of returning will be
3 after the election and seating of that local board
4 and it will be in the 2016 calendar year.

5 CHAIRPERSON NEWTON: Okay. Thanks. Any further
6 questions? If not, we don't have anyone signed up
7 for public comment on A-2, so I'd ask for a motion by
8 the Board relative to A-2.

9 MR. WILLIAMSON: Madam Chair?

10 CHAIRPERSON NEWTON: Yes.

11 MR. WILLIAMSON: I move the Pulaski County
12 Special School District be removed from fiscal
13 distress, effective immediately, and returned to
14 control of a locally elected board of directors
15 pending the election and training of the board.

16 CHAIRPERSON NEWTON: Okay. So we have a motion
17 by Mr. Williamson. Is there a second?

18 MS. REITH: Second.

19 CHAIRPERSON NEWTON: Second by Ms. Reith. All
20 in favor?

21 (UNANIMOUS CHORUS OF AYES)

22 CHAIRPERSON NEWTON: Okay. Motion carries.
23 Were any opposed? The ayes have it. Thank you.

24 DR. GUESS: Thank you.

25 CHAIRPERSON NEWTON: And thank you, Dr. Guess.

1 A-3: CONSIDER REMOVAL OF HELENA-WEST HELENA SCHOOL DISTRICT
2 FROM FISCAL DISTRESS CLASSIFICATION AND STATE CONTROL
3 (RECONSTITUTION) EFFECTIVE UPON THE ELECTION AND TRAINING OF
4 THE LOCAL SCHOOL BOARD

5 CHAIRPERSON NEWTON: Our next agenda item is
6 Consideration of Removal of Helena-West Helena School
7 District from Fiscal Distress Classification and
8 State Control (Reconstitution) Effective Upon the
9 Election and Training of the Local School Board.
10 And, again, Ms. Smith.

11 MS. SMITH: It is our recommendation that the
12 Helena-West Helena School District be released from
13 fiscal distress. They have completed all activities
14 and strategies outlined in their fiscal distress
15 plan. They have maintained a fund balance over the
16 last three years and it appears that at the end of
17 this fiscal year that balance will still be
18 maintained. And they have addressed all of their
19 audit findings, federal and state. So it is our
20 recommendation that the district be returned to the
21 control of a locally elected school board upon the
22 election and training of the new board.

23 CHAIRPERSON NEWTON: Okay. Commissioner, I
24 think that this would be the same with the exception
25 of the deseg order?

1 COMMISSIONER KEY: The deseg and detachment.
2 This one is -- for lack of a better descriptor, this
3 is cleaner because the challenges -- while the
4 district, as all districts do, face challenges, this
5 district does not have the same type of legal and
6 detachment issues going on. And as you all know from
7 our visit to Helena-West Helena, they have a strong
8 community support base that have been very vocal in
9 their efforts to want to support the superintendent
10 and his team moving forward. What I would like to
11 say, in reminder, is this district, this is the
12 second time that they have been under state control
13 and released. So it is imperative that this
14 continued community support be positive and that they
15 continue to work to grow that support in the
16 community so that this system can be successful. And
17 while the challenges there, again, are not
18 insignificant, they are different than Pulaski
19 County. But in looking at what they have done with
20 regard to fiscal, the fiscal conditions of that
21 district we feel that they are indeed ready to return
22 to that local governance based on the fiscal work
23 that they've done.

24 CHAIRPERSON NEWTON: I think that Mr. Hoy is
25 here. I don't know if the Board has any questions,

1 but -- there he is, Mr. Hoy.

2 COMMISSIONER KEY: And Senator Ingram is here
3 and may want to speak to this too.

4 CHAIRPERSON NEWTON: Again, we welcome those
5 comments.

6 As you come forward, I just, you know, want to
7 say that certainly I don't know if three strikes and
8 you're out, but certainly, hopefully the district --
9 and that's just my comment -- but that's not
10 necessarily true because I'm moving on. But we hope
11 that the lesson learned or etched in such a way in
12 the community's memory that we don't go down this
13 same path again. I'm saying this as a general
14 comment, Mr. Hoy, because it would be very
15 distressing I think for students first and families
16 to have the mistakes repeated and for us to be back
17 in the position again to have to deal with this
18 matter. So understand the positive -- we appreciated
19 your invitation to Helena-West Helena. I think what
20 we got to see is vibrant energy and attitudes toward
21 change and sustaining change. So I just -- that's my
22 stump speech for this situation and it only serves to
23 increase the capacity of the community and also
24 increase the capacity of young people and families to
25 move their lives forward, both educationally and

1 economically. So I place that on your shoulders
2 completely. No, seriously -- but to the community.
3 So are there any questions for Mr. Hoy? Dr. Barth.

4 DR. BARTH: Actually not a question, a comment,
5 so I'm fine.

6 CHAIRPERSON NEWTON: Yeah, a comment.

7 DR. BARTH: Well, you know, I -- your comment
8 about three strikes, this case, as the Commissioner
9 said, is cleaner in some ways but this is a case
10 where the, you know, the sole high school, the only
11 high school in the district is in academic distress.
12 And while I think that the fiscal house is clearly in
13 better order there still are some major achievement
14 issues in this district. And I'm comfortable
15 releasing them from academic -- excuse me -- from
16 fiscal distress and moving us towards elections, but
17 my strong preference would be that in the next couple
18 of months that the committee on fiscal distress does
19 look at academic distress -- we've got too much
20 distress going on -- on academic distress, does look
21 at the case of Helena-West Helena. And so when the
22 time comes I will probably move that we get a report
23 back from the committee by the June meeting so that
24 we have some real confidence before we get to school
25 board elections that indeed the trajectory is right

1 in terms of academic achievement in this district.
2 That would be my strong preference and it would make
3 me a lot more comfortable with this decision to move
4 towards return to local control.

5 MS. ZOOK: So are you saying that you would like
6 to table this until the academic distress report or
7 are you saying pass or not pass this and then also
8 have the --

9 DR. BARTH: My preference would be to go ahead
10 and pass this because, I mean, the motion on the
11 floor is fiscal distress and release from fiscal
12 distress. And I think -- I'm convinced that that's
13 been met. But I just -- and this would allow the
14 green-lighting of the election process. But we also
15 know there are a number of months between now and
16 when those elections take place and I would just feel
17 better that -- and feel like we have done due-
18 diligence related to this district and hopefully
19 lessen the possibility that they return for any
20 reason, fiscal or academic, if the committee takes a
21 look at this district and reports back to us on
22 what's going on with the trajectory. So I think the
23 motion on the agenda is accurate and fine, but I just
24 want -- I want something to make -- personally make
25 me feel a little better that we're going to be all

1 right in this district for the foreseeable future.

2 CHAIRPERSON NEWTON: But we haven't gotten to
3 the motion yet, but when we get there -- or have we?

4 COMMISSIONER KEY: No, we hadn't. We're still

5 -- CHAIRPERSON NEWTON: I thought I didn't miss
6 that. Ms. Reith.

7 MS. REITH: So, and to piggyback on my
8 colleague's comments, Dr. Barth, if I recall
9 correctly, one of the issues -- and it appears that
10 it has declining enrollment. Correct?

11 SUPT. HOY: Yes.

12 MS. REITH: And so as we look at, you know, the
13 academics of this, if there's some opportunities to
14 kind of keep our eye on where we're at -- and,
15 obviously, all of those are interrelated; as the
16 schools perform better hopefully students are coming
17 back in, and I know that there were strong stories
18 about efforts to bring people back in the district.
19 But it is a reality that obviously does relate back
20 to the fiscal elements and so it's also a
21 responsibility of us to monitor those numbers, to
22 keep a conversation going with you around those and
23 what the impact will be.

24 CHAIRPERSON NEWTON: Okay. Ms. Saviers.

25 MS. SAVIERS: And the public may not be aware

1 but our board took a road trip to Helena. We had a
2 great day, spent most of the day there, visited
3 several schools, attended a town hall meeting, got to
4 speak to several citizens. So we have a pretty good
5 understanding, I think, of what's going on on the
6 ground there. And I just -- I think that's important
7 for folks to know, that we're not here making
8 decisions about Helena-West Helena without actually
9 visiting and trying to understand better their
10 issues.

11 CHAIRPERSON NEWTON: Okay. Any other questions
12 or comments?

13 There is also -- before the motion there's also
14 Mr. Andrew Bagley has signed up for public comment.
15 So what's the pleasure of the Board on hearing the
16 comment, public comments relative to this agenda item
17 A-3?

18 MS. SAVIERS: I move to approve.

19 CHAIRPERSON NEWTON: Ms. Saviers moved to
20 approve.

21 MS. DEAN: Second.

22 CHAIRPERSON NEWTON: Second by Ms. Dean. All in
23 favor?

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRPERSON NEWTON: Any opposed? Motion

1 carries. Mr. Bagley, you have three minutes for a
2 comment.

3 MR. BAGLEY: Yes, ma'am. I want to thank y'all
4 for the recommendation that's on the floor. We've
5 worked very hard. Our entire advisory board is here.
6 They all intend to run in the elections. We've asked
7 the Commissioner -- it was our recommendation and our
8 policies to have those elections in November. We
9 want to maximize the turnout as much as we can. And
10 there's been considerable chatter about our community
11 and its ability to run its schools and are we ready
12 and all those things. But I just want to share with
13 the public, the board, the media that's here Helena-
14 West Helena is ready. I am more optimistic about our
15 ability to run these schools than I've been in 20
16 years. We've got a lot of change going on. Our
17 community is in a much different place than it was
18 five years ago. Our board has worked very hard.
19 We've got the fiscal house in order. We're trying to
20 do some very innovative things -- you're going to
21 hear about those on agenda item A-4 -- that are very
22 important as we move forward. But most of all, we
23 look forward to getting our schools back in the hands
24 of our community. We will not let the Scarlet F of
25 fiscal distress be placed on our forehead ever again.

1 I really believe that. Because we were embarrassed,
2 we were, but we're better for this experience and we
3 look forward. And as I told the Democrat-Gazette, I
4 wouldn't rest easy until y'all vote. So I want to
5 give y'all the chance to record the yeas and nay's
6 and I hope that they're favorable. Thank you.

7 CHAIRPERSON NEWTON: Okay. Thank you. Senator
8 Ingram.

9 SENATOR INGRAM: To the Board, I appreciate your
10 work and commitment to raising the standard of
11 education in our state. To my great friend the
12 Commissioner Johnny Key, who we all have so much
13 respect for, to Superintendent Hoy, to the advisory
14 committee that's here, this has been a long and
15 arduous road. You know, I pulled myself to be here
16 from a riveting pre-budget meeting to be here today.
17 So all I want to say is y'all came to Helena; they
18 didn't want you to leave. They tried to keep you
19 there as long to show you the pride they had and what
20 they were doing and what they were accomplishing so
21 they could get this back to local control. Our
22 community is eager, excited, enthused and ready to
23 embrace local control. The one thing that I would
24 ask is to give strong consideration to approving the
25 waiver. I think it was Churchill who said, "Those

1 who forget the past are doomed to repeat it." Let's
2 give the Helena-West Helena School District the
3 opportunity that the waiver presents to have a level
4 playing field so at the end of the day we know when
5 we have competition, level competition the kids win.
6 Thank y'all.

7 CHAIRPERSON NEWTON: Okay. Before we get a
8 motion relative to this agenda item, Mr. Hoy, I'd
9 like to thank you. And on behalf of the Board,
10 certainly this is not an easy thing to do but
11 certainly I enjoyed working with you and thank you
12 for your commitment and your solid attitude of
13 success. So I hope the folks in Helena-West Helena
14 know that they have a jewel and have a treasure in
15 terms of you and your ability to be able to get the
16 job done. So we thank you. We've seen different
17 approaches and yours certainly has been one that we
18 like to applaud. So thank you.

19 SUPT. HOY: Thank you. And I will just say this
20 in response to that, people give me way too much
21 credit. There are too many people working in our
22 district to just lay the credit on me. There are a
23 lot of people that were working from the Arkansas
24 Department of Education to help us as well. What
25 we've learned to do is learn to listen, learn to

1 grow, and learn to seize opportunities as they
2 arrive. So I would like to thank all of those people
3 that have supported us in our effort to remove
4 ourselves from fiscal distress, as well.

5 CHAIRPERSON NEWTON: And certainly that's a mark
6 of a great leader to recognize that it doesn't take
7 just the leadership, that you have to certainly rally
8 folks around your plan and your idea and your ideal.
9 So that goes without saying. And thank you again for
10 your leadership.

11 COMMISSIONER KEY: Madam Chair, let me just say
12 -- take a moment to say positive words about Mr. Hoy.
13 You know, when we were down there in the fall -- and
14 one of the things that I encouraged the district was
15 to get behind Mr. Hoy and support him and -- you
16 know, knowing that from the board books that come,
17 the employee issues that came in. And I encouraged
18 the folks that the atmosphere needed to be different,
19 seeking reasons to grieve against administration and
20 look for reasons to file lawsuits and all those
21 things that had been part of what was going on there.
22 And I can say that since we -- since the time that we
23 were down there, I think Mr. Kurrus' report probably
24 can be repeated with -- if Mr. Hoy were to repeat on
25 the same thing, is that the relationships there seem

1 to have been improving. There's much less discord
2 going on there and I just attribute that to a very
3 positive approach that Mr. Hoy has tried to bring to
4 that district. And I want to publicly express my
5 thanks to him for his work.

6 CHAIRPERSON NEWTON: Thank you.

7 SUPT. HOY: Thank you, sir.

8 CHAIRPERSON NEWTON: Okay. At this time we're
9 ready for a motion.

10 MR. WILLIAMSON: Madam Chair?

11 CHAIRPERSON NEWTON: Yes, Mr. Williamson.

12 MR. WILLIAMSON: I move that Helena-West Helena
13 School District be removed from fiscal distress,
14 effective immediately, and return to the control of
15 the local school board of directors pending the
16 election and training of the board.

17 CHAIRPERSON NEWTON: Okay. You've heard Mr.
18 Williamson's motion. Is there a second?

19 MR. BLACK: Second.

20 CHAIRPERSON NEWTON: Second by Mr. Black. All
21 in favor?

22 DR. BARTH: Just --

23 CHAIRPERSON NEWTON: Oh, I'm sorry. Question.

24 DR. BARTH: Well, just trying -- I would like to
25 include that provision of a report back to the Board

1 on academic distress by the June meeting. Is that
2 best as a separate motion or an amendment to this
3 motion?

4 CHAIRPERSON NEWTON: Ms. Clay.

5 MS. CLAY: I would recommend an amendment to
6 this motion.

7 DR. BARTH: Okay. I would offer an amendment
8 that the Board get a report back from the academic
9 distress committee no later than the June State Board
10 meeting.

11 MR. WILLIAMSON: I'm okay with that.

12 CHAIRPERSON NEWTON: Okay.

13 MS. SAVIERS: I thought of one thing, too. It's
14 funny, I was talking to Tony Wood this week and he
15 said -- we were talking about how it is working with
16 a brand new board, and he said, "Great, great
17 people." He said, "But they're all rookies." You
18 know, when you -- generally, a board is established
19 and one or two folks roll on, you know, at a time,
20 every year, every-other-year. So you've got some
21 institutional knowledge there and experience. And
22 with these districts, whether it's Pulaski County or
23 Helena, they're getting all of their school board
24 members, you know, at one time and they're all
25 rookies. So I might add that I wish there was

1 something specific that we could do and recommend
2 regarding training and maybe even some kind of
3 special monitoring when this occurs in districts.

4 COMMISSIONER KEY: The statute provides for the
5 training. We -- and we have taken it upon ourselves
6 to review the training and to improve that training,
7 and not just with the new boards but with the
8 community advisory boards. Dr. Saunders is actually
9 I think going down there next week -- isn't that
10 right, Mr. Hoy --

11 SUPT. HOY: Yes, sir.

12 COMMISSIONER KEY: -- to provide training. And
13 as Mr. Bagley said, each one of the members that are
14 currently serving on the advisory board intend to
15 run. So there will be a ramp-up in training that the
16 ADE will provide and continued support. I don't know
17 that I would say monitoring; I would say support.
18 Because when they're in place if, you know, working
19 through the superintendent, we are happy to support
20 their efforts as they ramp-up as a newly elected
21 board.

22 MS. SAVIERS: Are you aware that the School
23 Board's Association steps in in a particular way for
24 a brand-new board?

25 COMMISSIONER KEY: We are collaborating with the

1 School Board's Association. As a matter of fact,
2 when we returned Lee County -- I think it was back in
3 October -- they had their board training. Mr.
4 Tolbert and I traveled to Marianna and participated
5 in that training with the School Board's Association
6 folks. So, yes, we're working very closely with
7 them.

8 MS. SAVIERS: Great. Thank you.

9 CHAIRPERSON NEWTON: Okay. So does that clear
10 -- there's no need for an amendment. Then you're in
11 agreement with the amendment, Dr. Barth?

12 DR. BARTH: Yes.

13 CHAIRPERSON NEWTON: So motion made by Mr.
14 Williamson, amended by Dr. Barth. Is there a second?

15 COMMISSIONER KEY: Mr. Black seconded.

16 MR. BLACK: Second.

17 CHAIRPERSON NEWTON: Oh, I'm sorry. Second by
18 Mr. Black. All in favor?

19 (UNANIMOUS CHORUS OF AYES)

20 CHAIRPERSON NEWTON: Any opposed? Okay. Thank
21 you.

22 We're down -- does anyone need a break?

23 MS. REITH: Just a congratulations to the
24 Helena-West Helena School District.

25 MR. BLACK: Congratulations, Guys.

1 COMMISSIONER KEY: He's next too.

2 CHAIRPERSON NEWTON: Okay. Yeah.

3 A-4: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT
4 CHARTER: HELENA-WEST HELENA SCHOOL DISTRICT

5 CHAIRPERSON NEWTON: We're still with Helena-
6 West Helena and A-4 is the District Request for
7 Waivers Granted to Open-Enrollment Charter: Helena-
8 West Helena School District.

9 I wanted to acknowledge, while Ms. Perry is
10 coming, Representative John Walker is in the
11 building.

12 MS. PERRY: Good morning. I'm Mary Perry, the
13 coordinator with the Division of Learning Services.
14 And item A-3 [sic] is the District Request for
15 Waivers Granted to Open-Enrollment Charter, and it's
16 from Helena-West Helena. Act 1240 of 2015 allows a
17 school district to petition the State Board of
18 Education for all or some of the waivers granted to
19 open-enrollment public charter schools that draw
20 students from the school district. Representatives
21 of Helena-West Helena School District are appearing
22 before the Board with a petition for waivers. What I
23 just passed out to you is a chart that lists the
24 waivers by topic, which is not how they were
25 presented in your book but I thought this might be

1 handy for you. And before the representatives from
2 Helena-West Helena come forward Ms. Clay is going to
3 go over the procedures for this hearing.

4 MS. CLAY: Good morning. Kendra Clay, general
5 counsel for the Department of Education. You do not
6 have official hearing procedures for these district
7 waivers but I will go over the past practice that you
8 have followed and would recommend that you follow
9 those for this hearing. All persons with the
10 exception of attorneys need to be sworn in. The
11 district will have 20 minutes to present its waivers
12 that it's requesting and any parties opposed will
13 have 20 minutes to present their opposition. After
14 opposition, the district will have an additional 5
15 minutes to make any closing arguments or statements.
16 And then the Board will follow the presentation with
17 discussion and questions.

18 You have the option to grant in whole or in part
19 or deny in whole or in part the proposed waivers and
20 issue a final decision today or take the matter under
21 advisement. If you do take the matter under
22 advisement you will have to issue a decision within
23 90 days of receiving the petition. So if you get to
24 the point where you want to take it under advisement
25 we can talk about dates at that time.

1 Do you have any questions about the procedures?

2 CHAIRPERSON NEWTON: No. Thank you.

3 Okay. Would those individuals that intend to
4 give testimony, with the exception of attorneys,
5 please stand to be sworn? Okay. Mr. Bagley. Mr.
6 Hoy, do you intend to --

7 SUPT. HOY: Yes.

8 CHAIRPERSON NEWTON: Would you raise your right
9 hands? Do you swear or affirm that the testimony
10 you're about to give is the truth, the whole truth
11 and nothing but the truth?

12 (ALL WITNESSES ANSWERED AFFIRMATIVELY)

13 CHAIRPERSON NEWTON: Okay. Thank you. Then
14 we'll start with the district, 20 minutes for
15 presentation.

16 SUPT. HOY: Madam Chair, thank you for the
17 opportunity. And I know you have this document in
18 front of you in terms of my waiver requests, but the
19 rationale and my thinking for requesting these
20 waivers are written therein. And for the general
21 public that may be curious and may not have a copy of
22 it, I'll simply read it and that will be the end of
23 my statement.

24 The Helena-West Helena School District is
25 requesting all waivers on the same basic premise. A

1 number of students in Helena-West Helena School
2 District have requested and received permission to
3 attend the charter school in our district. We
4 understand that our parents want an option to enroll
5 their children in a program that emphasizes
6 successfully placing children in college and
7 preparing them to be successful in college. As a
8 part of a strategic plan being developed and
9 implemented in the district, we are seeking to
10 implement academies that are based on the same or
11 similar philosophies, methodologies, procedures, and
12 practices as KIPP Delta charter school. It is our
13 intent to implement these academies in K-6 beginning
14 in the 2016-17 school year and expand to the high
15 school beginning in 2017-18 school year. It is our
16 belief that we will not need or use all of the
17 waivers requested, but we feel that it is in the
18 district's best interest to request all waivers at
19 one time. Not requesting all the waivers allowable
20 by law may unnecessarily burden the district with
21 having to reappear before the State Board each time
22 we find ourselves needing a waiver that we did not
23 need or that we did not request. The district
24 requests these waivers for a period of five years
25 with an annual review for reconsideration to the

1 State Board of Education beginning in the spring of
2 2017. That concludes my statement.

3 CHAIRPERSON NEWTON: Okay. Mr. Bagley.

4 MR. BAGLEY: Our board voted unanimously on
5 multiple occasions to request these waivers. We feel
6 that they are essential for us moving forward. As I
7 was preparing for this meeting, I was reminded of Dr.
8 Barth's word in October of 2014 in the Arkansas Times
9 that he saw Helena as an almost impossible situation.
10 Well, if that's the case then we deserve every tool
11 that is available moving forward so that we can
12 provide the absolute best educational opportunities
13 for our students.

14 I'm a very competitive guy. I like to win. And
15 if we're going to have competition the rules of the
16 game have to be the same; otherwise, we would be
17 asked to shoot a 3-point shot while a charter school
18 in our area is asked to shoot a lay-up. We have to
19 have a level playing field and that's why we're
20 asking for all these waivers, because we all know
21 that KIPP has been praised nationally for the work
22 that they do. And so it only seems right, it only
23 seems fair, it only seems logical that we be able to
24 do those same things. Because the competitive
25 situation as it is today in the Helena-West Helena

1 School District is like we've got one hand tied
2 behind our back trying to fight Apollo Creed. So
3 that's why we're asking for these. We want to level
4 the playing field; we want to make the rules of the
5 game the same. And I'll give you some examples. We
6 have had situations where it's been hard for us to
7 recruit math and science -- well, teachers of all
8 varieties. In one particular situation we had
9 somebody that had been previously certified in
10 another state who wanted to work for us. But because
11 of the bureaucratic morass that we were having to go
12 through to try to get her a certificate in the
13 meantime KIPP Delta hired her. We weren't able to
14 have that teacher and our kids got a long-term sub,
15 which I think is unconscionable. We should have been
16 able to hire her on the spot. This would enable us,
17 if we -- for our radio and TV program at some point
18 if we wanted to hire somebody who had worked in the
19 field to do that. KIPP has hired John Brummett to
20 teach journalism on occasion. We couldn't do that
21 because he's not certified. So we're wanting to be
22 able to do all of these wonderful innovative things
23 and these waivers are essential to do that.

24 We are grateful that you have voted to release
25 us, but we want to be able to fight on an even keel

1 because we believe if we get these waivers we're
2 going to make the Helena-West School District not
3 just good, we're going to make it great. And those
4 700 and some-odd students that are currently choosing
5 a charter option are going to be wanting to come back
6 because we've got plans. Mr. Hoy mentioned the
7 academies. We're going to be wrapping up some things
8 at the high school. We're almost finished with the
9 master facilities plan for our high school, which are
10 going to greatly upgrade the facilities; which will
11 be wonderful if we can get the millage passed because
12 I've been getting pictures all day of water in the
13 hallways and cafeterias and those sorts of things.

14 So I'm imploring, I am begging, whatever words
15 that you want to use that you grant us these waivers
16 because we deserve the same opportunities to provide
17 for our children and our students -- and they're
18 ours; there's no me and my and all that -- that other
19 institutions are doing. And that's all this is.
20 This is leveling the playing field. This is making
21 the rules of the game the same. And this is saying
22 you want the Helena-West Helena School District to
23 succeed. That's what a vote in favor of these is.
24 And we believe that this will allow us to transform
25 and transmogrify the academic situation in our

1 district by allowing us to do a great many things.
2 But with that, do you have any questions of me while
3 I'm under oath?

4 CHAIRPERSON NEWTON: You'll continue under oath,
5 even if we bring you back.

6 MR. BAGLEY: I was just joking, Madam Chair.

7 CHAIRPERSON NEWTON: But before we do that,
8 before we do questions, I want to recognize
9 Representative Murdock and ask him if he has
10 comments, or Senator Ingram, either one, on this
11 particular item?

12 REP. MURDOCK: Yes, ma'am. Thank you.
13 Transmogrify, I don't know about that word.
14 Obviously, I'm excited about this waiver request
15 because it's a bill that I sponsored and I think it
16 can do the great things that the district wants to do
17 and many other districts are trying to do. So I'm
18 just in favor of it, obviously, and I think it will
19 do great things to helping districts in these areas
20 to try to level the playing field and really, really
21 make a difference for our students in those areas.
22 It's very critical that this -- in my opinion, that
23 these waivers, that chance it's giving. And by you
24 saying yes you're saying at least we've done all we
25 can do to help you, and that's what this is all

1 about. Thank you.

2 CHAIRPERSON NEWTON: Thank you. We'll call Mr.
3 Hoy back to start -- I'm sorry; anyone here in
4 opposition to these -- the proposition that these
5 waivers be granted? If not -- if you are here, this
6 is your opportunity to speak in opposition.

7 (BRIEF MOMENT OF SILENCE)

8 CHAIRPERSON NEWTON: Okay. If not, Mr. Hoy,
9 come back for closing and possibly start the
10 questions.

11 SUPT. HOY: Just as a follow-up, in closing, it
12 occurred to me that at some point during this session
13 you may ask why I chose to push this issue in the
14 district, so I figure I'll go ahead and answer it on
15 the front-end. This push did not start when I
16 arrived at Helena-West Helena. This push started
17 when I left Lee County the first time. My heart is
18 in the Delta and that part of the state. I left for
19 personal reasons a while back. Seven years ago, when
20 I left I promised that at some point I was going to
21 get back to that part of the state and try to make a
22 positive difference in the lives of children.

23 CHAIRPERSON COFFMAN: Could you speak up just a
24 little bit?

25 SUPT. HOY: Sure. Dr. Barth is concerned about

1 academic distress; I am too. Because my push --
2 while finance has been the issue before us over the
3 last two years, since I've been there, my push has
4 been on the academic end. We're seeking ways to try
5 to push the envelope on the effectiveness of
6 academics in our district. I have found that having
7 worked in successful programs in another state that
8 sometimes you start off by emulating those programs
9 and then try to push to success and make it your own.
10 This attempt is an attempt to start with a successful
11 program and then create one of our own based on that
12 program. Again, the request for all the waivers is
13 simply due to the fact we're not certain that we will
14 use them all; just absolutely we're not certain.
15 What we do know is this: when the charters were --
16 well, when KIPP Delta first went in place they
17 requested a number of waivers but what they found is
18 they did not request all the ones they needed. There
19 are certain nuances of the law that if you request
20 this law waiver but you don't request this rule
21 waiver, then you can't effectuate the law because of
22 the rule. The idea is to try to just request them
23 all, hoping that they have got it right. I think
24 that they have. And then if we need them use them;
25 if we don't need them, don't use them. But certainly

1 we don't want to not request something and then find
2 out you've really got to have that to make this thing
3 work and then have to start this process over again.

4 That ends my comment. So at this point I think
5 if you have questions that will help clarify other
6 things that you may be curious about, so I will go to
7 questions if you have them.

8 CHAIRPERSON NEWTON: Any questions? Ms. Reith.

9 MS. REITH: Thank you so much, Mr. Hoy. In the
10 other districts that have asked us for these waivers
11 frequently we've had some pushback from teachers from
12 a specific district. And so I'm just prompted, since
13 we've heard no opposition here, any sort of email
14 correspondence or other kind of correspondence, to
15 what extent have you had this conversation beyond
16 your citizen advisory board and actually with
17 teachers and administrators in your district?

18 SUPT. HOY: Had conversations with both.
19 Actually, met with the teachers, myself and Mr.
20 Andrew Bagley, advisory board president, and there
21 were concerns; there were concerns about teacher
22 quality, about Teacher Fair Dismissal. Those were
23 two things that were major in the minds of teachers.
24 After that particular meeting I went back to not only
25 the advisory board but also to our school improvement

1 team and also to our district leadership team and we
2 discussed those issues again. The principals and the
3 administrators of the district leadership team felt
4 that they really didn't want and didn't need a system
5 where teachers did not have a hearing. What we were
6 looking at is trying to adopt all of the waivers that
7 KIPP Delta has. But what we've done is we've
8 modified our request to the point of not necessarily
9 Teacher Fair Dismissal; if you read that, you'll see
10 we've gone back to just fair hearing. That way
11 everybody gets a hearing and everybody's got a
12 contract, so it's not at that particular state. Now
13 in terms of teacher quality I know that's an issue as
14 well. But if you look at what we are currently -- we
15 still have an issue with trying to maintain teacher
16 quality. The example Mr. Bagley pointed out is just
17 one of many teacher quality issues that we have. So
18 our thinking is, is if we have someone with a degree,
19 as right now we have a gentleman with a degree in
20 chemistry teaching our chemistry class but he's not
21 certified chemistry. So with that being said, we pay
22 him at a substitute's pay. Now if -- and I almost
23 hesitate to say that because if that word gets out
24 then we may not have that person because that person
25 can be hired as a full-time teacher in other places,

1 not just in Helena but around the state at other
2 charters that exist. It's just -- but we did have
3 that -- and I went back to the teachers and had that
4 conversation again. And after about 30 minutes or so
5 in having the conversation with the teachers and
6 updating them on what we had talked about in our
7 administrative circles, the session ended with two
8 really, really important questions. Question number
9 one was: can we trust you? A very, very important
10 question. And the answer I had to give, because it's
11 just the nature of the way I think, and it's simply
12 this: we have to earn your trust. We just do, which
13 means we've got to do the right thing.

14 Now one of the reasons why that statement is in
15 there about the opportunity for reconsideration by
16 this board is that if we do some things in Helena
17 that are not trustworthy I imagine people will be in
18 contact with you and then you will probably say,
19 "Let's bring them back for reconsideration because we
20 think they're abusing those waivers that we gave
21 them." So that's available to you.

22 The second question came from a young lady who
23 wanted to know: what does this have to do with
24 helping to educate children? Probably the most
25 important question, and I've really thought about

1 that answer a lot. The idea is simply this: Mr.
2 Bagley talked about competing. I don't intend to try
3 to shirk from the fact that we have competition in
4 our district. KIPP Delta is not the only one. But
5 the reality is regardless of who's educating the
6 children all of them deserve to have the best
7 opportunity for an education in front of them
8 possible. So what we are doing is we're trying to
9 open the avenues to give our kids the best avenues
10 for an education. The idea, again, is to have
11 academies with the same college push. I know some
12 have really emphasized, "Well, maybe you should just
13 push vocational." And while we have a number of
14 vocational opportunities available to our students --
15 when you stepped out of the car this morning and on
16 the NPR you hear that the students that have a high
17 school degree or high school diploma have around
18 about a 9% unemployment rate but those kids with a
19 college degree have about a 2.9% unemployment rate,
20 you kind of think about closing the achievement gap
21 and giving our students the opportunity for success
22 that I think they deserve. As a matter of fact, one
23 of our board members here, Mr. Earnest Simpson -- I
24 don't know if he wants to speak or not -- but in
25 conversations with him about the middle school they

1 talked about how the expectation was everybody was
2 going to college when you went in that school, and he
3 is a representative of the graduates of that school.
4 So I don't see a problem with pushing college as a
5 major thing for our kids, but I also see preparing
6 them for the vocational world. So we've got both.
7 So we're not talking about whole school; we're
8 talking about school-within-a-school in terms of the
9 academies.

10 CHAIRPERSON NEWTON: Okay. Any further
11 questions? Ms. Zook.

12 MS. ZOOK: Okay. I wasn't on the Board when
13 KIPP got approved and the waivers. I think the
14 concerns that I have were how many of these waivers
15 that they have actually found prompted and they can
16 credit that waiver for achievement. I know they're
17 not on academic distress, so apparently some of these
18 things are aiding and helping and, you know, a lot of
19 other factors. So rather than I guess go through
20 each of my concerns, like on the gifted and talented
21 and the student/teacher ratio and those things, I
22 would encourage you if these waivers are approved to
23 talk with the people who also have these waivers who
24 can say, "You know, we have this but it really isn't
25 used much and we don't think it attributes to the

1 student success or this hurts our really bright kids
2 and this harms our struggling kids." And so I
3 applaud Representative Murdock for the legislation
4 and I can see the -- I understand all of the sports
5 analogies, but I do have concern that if -- to
6 approve a waiver that there's not specific
7 information as to how that waiver will help student
8 achievement. Because, as you know, we're concerned
9 about the academic distress and hopefully these
10 waivers will make that difference. You know, I don't
11 know; time will tell. But that is the hesitation
12 that I have and the thing that gives me pause is not
13 knowing which of these that KIPP has or why they were
14 granted them to begin with what their rationale was
15 to begin with. And I guess what I don't know is, I
16 know they as a charter have a contract and if they
17 violate any part of that contract then their charter
18 is removed. I don't know how this legislation -- how
19 that effects this legislation. So if you violated
20 one of these waivers, I've never heard of somebody
21 disassembling a traditional public school. So I
22 guess maybe I would like to know from Legal how this
23 -- would these waivers differ from a charter who gets
24 a waiver and then is held to that as a part of their
25 contract.

1 MS. CLAY: Ms. Zook, I think what you're asking
2 is what is the mechanism under these waivers under 6-
3 15-103, which is a result of Act 1240 for revocation
4 of those waivers. And there is not a method, which
5 is why, if you'll remember when you first started
6 hearing these this past summer, you all were more
7 comfortable with granting them for a particular time
8 period so that it wasn't just an open-ended grant of
9 the waiver, because there's not a mechanism in the
10 law to revoke those waivers like there is with a
11 charter school.

12 MS. ZOOK: So if the charter ceased to be that
13 might be one or if they didn't adhere to the waiver
14 as far as the spirit of the law?

15 MS. CLAY: Yes. Well, the only way that the law
16 talks about the duration of a waiver is it says that
17 it will be valid for the duration of the waivers that
18 are valid for the open-enrollment charter school.
19 So, you're right; if the charter schools were to no
20 longer exist or no longer have a particular waiver,
21 then that would in effect indirectly pull it from the
22 traditional school.

23 MS. ZOOK: Because I think like Mr. Hoy was
24 saying and a teacher said, "Can we trust you," I have
25 incredible trust in Mr. Hoy. I don't know who will

1 be the next superintendent and -- you know -- or if
2 there will be a next one during the time I'm on the
3 Board. But that is the part of this law that gives
4 me pause.

5 MS. CLAY: Well, and one thing I should point
6 out in their -- in Helena-West Helena's request they
7 did request these for a five-year period. So I
8 didn't mean to say that they requested for an open-
9 ended time period.

10 MS. ZOOK: Yes. I was aware of that.

11 MS. CLAY: Okay.

12 MS. ZOOK: Thank you.

13 MS. CHAMBERS: May I ask you one more question
14 before you step away from the mic? Do we have a
15 standard approach to what that annual review looks
16 like as we review the waivers for the public schools,
17 the traditional public schools?

18 MS. CLAY: We don't. So this set of waivers
19 would -- or this set of legislation would have gone
20 into effect July 22nd, I believe, of this past year.
21 So we have yet to complete a year with any districts
22 that have these waivers. I don't know if we have
23 talked about the process -- Ms. Perry, have we?

24 MS. PERRY: We have not.

25 MS. CLAY: -- and what that will look like. So

1 we don't know at this point.

2 CHAIRPERSON NEWTON: Okay. Dr. Barth.

3 DR. BARTH: I think I share some of what Ms.
4 Zook was saying at the beginning, in that we have --
5 this is different than the other waiver requests
6 along these lines that we've looked at, in that
7 they've -- those schools have come to us with a plan
8 of action and said, "We need these waivers to achieve
9 this vision." This is a more wholesale request and
10 that troubles me because I think we've shown some
11 willingness to grant some waivers when there is that,
12 you know, that clarity about "this is the end-point
13 and this is what we need to get there and the waivers
14 that will help us get there." And that's what's
15 troubling in general about this. I do have more
16 specific concerns with some of these waivers than
17 others, Teacher Fair Dismissal being first and
18 foremost because I think that is so fundamentally
19 important in terms of the security of teachers but
20 also our symbolic respect for teachers. So I've got
21 a major problem there. But I'm befuddled, I must
22 say, about the school board request because, you
23 know, we've just heard with a lot of passion the
24 desire for local control to come back to Helena-West
25 Helena and that means, of course, community

1 engagement. Yet, these requests, several of them,
2 would water that down fairly significantly moving
3 potentially to quarterly meetings and things like
4 that. But I think at a time when, you know, this
5 district, you know, really needs community buy-in and
6 a healthy successful school board -- I'm just a
7 little confused why a community that's, you know,
8 really arguing for local control then wants to kind
9 of give that away through these school board waivers.

10 SUPT. HOY: Yes, sir. And if you don't mind, I
11 would like to respond to Ms. Zook's question as well
12 because I didn't have the opportunity to respond to
13 those. Actually, I remember one about the fact of
14 having open-ended and not necessarily tying a
15 rationale to it. And you're correct in terms of the
16 length of time that KIPP Delta has been in operation.
17 But in my research what I found is that when KIPP
18 Delta has requested waivers a number of times they've
19 -- and I've got an example here -- in 2005, they
20 requested a specific waiver for the grading scale
21 exemptions. But it says, "We plan on using the
22 grading scale exemptions granted in 6-15-902 but
23 request to remain as flexible as possible in this
24 area." In other words, they asked for the waiver
25 even though they knew that they did not necessarily

1 intend to use it. Now subsequently they have changed
2 a little bit because I understand they don't give
3 D's. But the request was made without saying we
4 necessarily want to tie it to an end-result or that
5 we would necessarily use it. And as you look through
6 a history of the waivers that they've done, which
7 I've done a little research on that, that has
8 occurred not just at that time but several times.
9 And the idea of "well, if we mess up can you pull our
10 charter," on that one what I've tried to do -- and
11 maybe I didn't get it right exactly in my request in
12 the initial introduction to why I needed a waiver,
13 why we're asking for them, we included a request for
14 reconsideration every single year by this Board. So
15 it's not like if we mess up then we don't get to come
16 back before you and get to defend or whatever again.
17 Now if we need to make that clearer so that if we get
18 down there and we don't keep the public's trust then
19 you can take the waivers away, then we could make
20 certain that we kind of include that, because that
21 was the thought when I put that statement in there.

22 Now in regards to the school board and the
23 possibility of not having a school board, that waiver
24 is in there because of the overall rationale for the
25 waiver, which was to ask for all of the waivers that

1 KIPP Delta has now. And I will give you a specific:
2 as you know, in our district for a while we did not
3 have all seven members on the board. Also, what you
4 will know is that with the advent of school choice,
5 which we are a part of now, our district base could
6 potentially draw from all of the areas in that
7 district, not just Helena-West Helena. I don't think
8 we will use that particular waiver; I don't, but we
9 wanted to have it, you know, just in case. And just
10 for openness and clarity, there's also a waiver in
11 there in terms of superintendent. I am not immune.
12 The thinking is we need to do a good job or we need
13 to find someone that will do a good job. And if I
14 don't get it done, that community deserves to have
15 somebody that will.

16 MS. ZOOK: Okay. Does the waiver say -- I mean,
17 do the waivers -- does the legislation say they can
18 have any waiver that the charter has or they can
19 request any waiver that the charter has? Mr. Murdock
20 -- Representative?

21 CHAIRPERSON NEWTON: He's deferring to Ms. Clay.

22 MS. CLAY: Mr. Murdock -- Representative Murdock
23 is coming up behind me, and I believe our answers
24 will differ. The law says that a district can
25 petition for any waiver that an open-enrollment

1 charter school that draws students from its district
2 has. It then gives you as the State Board the option
3 to deny in whole or in part those waivers.

4 REPRESENTATIVE MURDOCK: We have met and talked
5 about the intent of the legislation as it was
6 promulgated and put out by ADE. And the intent was
7 that we're able to parallel what those districts --
8 those charter schools are able to do in those
9 particular districts. That simple: to have that same
10 opportunity. Now there is a checks-and-balance
11 within the legislation because there's the school
12 board, there's the State Board that has to say okay.
13 So there is some review, as we're doing now. So it's
14 not without any accountability. Okay? And, you
15 know, if we've got to give you the answer to all of
16 our suggestions now, then somehow we'll never have
17 the ability to be innovative. Because some things we
18 want to do from a creative standpoint, or they may
19 want to do, or any district, that you have an
20 intention but you don't know what their answer is
21 going to be. But you know if I can use this tool or
22 if I've seen the tool used by my competitor, if you
23 will, then we want to use that tool for our students
24 within our district to attract them back or to
25 maintain them. So that's the purpose and intent of

1 this. I mean, it could be what-if, really. And,
2 trust me, when I went through -- when it went through
3 the legislative process, Dr. Barth, it was well
4 debated, all of those things, all of those that we
5 all care about. We care about the teachers; we care
6 about their protection; we care about their
7 employment. We care about all of that. Okay. No
8 superintendent, as Mr. Hoy stated, wants to have a
9 bad situation. So I don't think nobody is going to
10 do this to get worse, to come before you and become
11 taken over again. So I think the intent is to give
12 us a chance, give those districts a chance, not just
13 Helena-West Helena, any district that comes before
14 you, because it's for everybody to have a chance.
15 But that was the intent of the petition.

16 CHAIRPERSON NEWTON: Ms. Zook has a question.

17 MS. ZOOK: No question, but I'm ready for a
18 motion when the time comes.

19 CHAIRPERSON NEWTON: Okay. Any other questions?
20 Ms. Saviers.

21 MS. SAVIERS: I just have one question -- this
22 is related but unrelated -- for Mr. Hoy. Mr. Hoy,
23 what is your teacher turnover every year?

24 SUPT. HOY: I cannot give you the specific
25 number, but I can tell you this as a specific: right

1 now I believe we have six math teachers at our high
2 school that is in academic distress. Math is an area
3 for us that's an issue. And we've got the letters of
4 intent back; it appears we're going to lose four of
5 them.

6 MS. SAVIERS: And do you find -- we hear over
7 and over again from other districts in your area that
8 it's particularly difficult in the STEM areas?

9 SUPT. HOY: Yes, ma'am. But I will tell you
10 that's not just in our area. I go to a lot of
11 meetings with a lot of superintendents and that's an
12 issue statewide in the STEM areas.

13 MS. SAVIERS: Yeah.

14 SUPT. HOY: It is. And it's particularly acute
15 in our district because we don't have a lot of the
16 amenities that other communities have, so we have to
17 be innovative, creative and do what we can to try to
18 attract teachers.

19 MS. SAVIERS: And how many Teach For America
20 teachers do you have?

21 SUPT. HOY: Okay. See, I wasn't prepared for
22 that question.

23 MS. SAVIERS: That's okay.

24 SUPT. HOY: I think we've probably got about
25 eight, something like that.

1 MS. SAVIERS: Uh-huh. Thanks.

2 CHAIRPERSON NEWTON: Okay. Any other questions?
3 Okay. If not, we're ready for a motion.

4 MS. ZOOK: I move that we grant the waivers
5 requested by the Helena-West Helena School District
6 with the understanding that you would come back at a
7 point in time -- I don't know that it has to be in
8 March, but, you know, it might be in the summer after
9 you've had it a year, you know, a full year to
10 measure. Because, as you know, we're concerned about
11 the academic distress and the overall achievement of
12 the students and closing the gap. But I do move that
13 we grant the waivers as requested with a yearly
14 review for the five-year period.

15 CHAIRPERSON NEWTON: Okay. You've heard the
16 motion. Is there a second?

17 MR. BLACK: I second that motion.

18 CHAIRPERSON NEWTON: Mr. Black. All in favor?

19 DR. BARTH: Well, on previous --

20 CHAIRPERSON NEWTON: Questions?

21 DR. BARTH: Yes. On previous cases like this we
22 have taken them topic-by-topic. And so I guess I
23 would request us to split the question into the
24 various topics, which I think Ms. Perry has laid out
25 quite well.

1 CHAIRPERSON NEWTON: Okay.

2 DR. BARTH: That would be my preference.

3 MS. REITH: I would second that preference.

4 CHAIRPERSON NEWTON: So you're amending the
5 motion?

6 DR. BARTH: I think that's a different
7 parliamentary -- that's a request to split the
8 question. Right?

9 CHAIRPERSON NEWTON: I think it may be a
10 question of voting it up or down.

11 MS. CLAY: If there's a motion and a second on
12 the floor, I believe you have to vote on that motion,
13 unless the person who made the motion is willing to
14 amend.

15 DR. BARTH: Okay.

16 CHAIRPERSON NEWTON: Okay.

17 MS. ZOOK: Sure. I'm happy to amend.

18 CHAIRPERSON NEWTON: So the amendment is that --

19 MS. ZOOK: Does he have to second it?

20 CHAIRPERSON NEWTON: Okay. Well, then would you
21 have to withdraw because we have to vote
22 individually?

23 MS. REITH: Yeah.

24 CHAIRPERSON NEWTON: Yeah. You would still --
25 your motion is not relative based on his

1 recommendation, I think.

2 MS. ZOOK: I withdraw my motion.

3 CHAIRPERSON NEWTON: Mr. Black?

4 MR. BLACK: And I will withdraw my second.

5 CHAIRPERSON NEWTON: Okay. So let's start
6 again. Is there a motion relative to this action
7 item?

8 DR. BARTH: I'll move approval of the waiver on
9 School Year Dates.

10 MS. REITH: Second.

11 CHAIRPERSON NEWTON: Okay. So if you're going
12 to make a motion from this point, you should specify
13 your addition. Otherwise, it's not in the motion.
14 What I understand you to say, you want to --

15 MS. REITH: By topic.

16 CHAIRPERSON NEWTON: By topic.

17 DR. BARTH: By topic.

18 CHAIRPERSON NEWTON: But is there a time limit?
19 Is there a time limit like -- yeah --

20 DR. BARTH: Yes. Yes. So for a five-year
21 period with annual review as laid out in the
22 proposal.

23 CHAIRPERSON NEWTON: Okay. So, Ms. Coffman, did
24 you get Mr. Barth's motion?

25 COMMISSIONER KEY: While she's looking, let me

1 -- yeah, let me ask, Madam Chair, if the intent is to
2 go individually on all three pages?

3 DR. BARTH: Well, it is by topic.

4 MS. REITH: By topic, not by --

5 DR. BARTH: That one just happens to be a single
6 -- it's going to take a while, but I -- there are
7 some I'm very comfortable with and some I'm very
8 uncomfortable with.

9 CHAIRPERSON NEWTON: Well, let's just do them
10 one-by-one because he may be comfortable and somebody
11 may be uncomfortable. So we'll go item-by-item or
12 category or topic-by-topic. So, Dr. Barth, where are
13 we again on your motion?

14 MS. CHAMBERS: May I ask a question before we
15 start, just kind of a basic process question? Do you
16 know if the intention relative to the legislation was
17 to administer these in such a customized way by
18 school? Was that -- because I'm torn back and forth
19 between the consistency of allowing each district,
20 based on the charter schools in that district, to be
21 able to submit the same kind of waiver opportunities
22 and select the ones that they want to use.

23 CHAIRPERSON NEWTON: Mr. Murdock is moving
24 toward the mic and Mr. Hoy has --

25 MS. REITH: If I could say though to that

1 answer, consistency also within how we voted. And as
2 Dr. Barth has said, we have set somewhat of a
3 precedence of looking at not necessarily as a whole
4 but by individual areas.

5 MS. CHAMBERS: We have. And I think there's
6 more to come. And the fact that we've not yet
7 completely agreed to what the annual review would
8 look like and what's included in that, it just seems
9 like a good time to pause for a second and to think
10 about how we want to administer this going forward.

11 CHAIRPERSON NEWTON: So you had a question. I
12 think Mr. Hoy is going to give you an explanation,
13 also Mr. Murdock, and perhaps Mr. Bagley -- I mean,
14 Senator Ingram.

15 SUPT. HOY: It's not an explanation. I just
16 have a concern. The concern is simply this one:
17 again, as I looked over the history of the request
18 from KIPP Delta Charter School, what they found is
19 when they requested some then they found out they
20 couldn't really implement the some that they had
21 requested and got permission to have, effectively,
22 unless they had the others. When you start to
23 piecemeal it and pull them apart then you break away
24 from that opportunity to be able to enact them in
25 whole, which is what the request is. It is just a

1 concern.

2 CHAIRPERSON NEWTON: And I understand the
3 concern, but one of the things that we discovered
4 early on was looking at them individually allowed us
5 to be able to do in whole or in part, like Ms. Clay
6 said. So, you know, I think the anxiety, for lack of
7 a better word, would be to approve the whole, if
8 there's some clear concerns by a majority of the
9 members. And maybe Dr. Barth may have a concern
10 that's not the concern of the majority, but it gives
11 us individually and collectively an opportunity to
12 have a voice. So I think that would be the benefit.
13 Senator Ingram.

14 SENATOR INGRAM: Might the Board go ahead and
15 approve everything that they agree on, pull out the
16 sections that you don't, and then let us answer the
17 concerns? I will say -- I want to make sure that
18 we're all on the same page here in that it is my
19 understanding that KIPP Charter has each and every
20 one of these waivers. So the question that -- first
21 question that you know that's going to be asked is
22 why would you allow KIPP Charter to have that and not
23 allow Helena-West Helena to have that. I think
24 that's --

25 CHAIRPERSON NEWTON: And I don't know the answer

1 to that question, but my question is automatically
2 did they get them all at once or did they add them on
3 as needed, you know. So I don't know whether that --

4 SENATOR INGRAM: Well --

5 CHAIRPERSON NEWTON: And what's good for the
6 goose is not necessarily good for the gander. So,
7 you know, I think if you -- you know -- it may be
8 apples and oranges at this point because clearly
9 they're at a point of a level that you're trying to
10 get to. So, you know, I think it's something that is
11 good to have some dialogue about.

12 SENATOR INGRAM: Yes. I do think that they got
13 the waivers all at once. And certainly the success
14 that they've enjoyed should be an indicator that
15 those waivers are working. So I might suggest, as we
16 have done when Senator Key was in the Senate with
17 budget issues, let's go ahead and pass everything and
18 pull the items of concern, and then let's -- if the
19 committee wants to --

20 CHAIRPERSON NEWTON: I think Ms. Clay --

21 SENATOR INGRAM: -- the Board would like to go
22 --

23 CHAIRPERSON NEWTON: Ms. Clay might be our
24 advisor in that area because that may not be possible
25 once we pass everything or if that happens.

1 MS. CLAY: If there was -- I mean, this may just
2 have to come about by discussion. If there was
3 consensus on several of these topics, then -- and I
4 don't know how you do that without voting on them
5 individually, other than someone taking a stab at a
6 motion; then you could take a group of them together
7 and then vote on if there were ones that needed
8 additional discussion or maybe you weren't
9 comfortable with take those individually.

10 CHAIRPERSON NEWTON: Ms. Saviers.

11 MS. SAVIERS: I'd like to go back to what Ms.
12 Chambers said. I think as a board we need a little
13 education on how this works with charter schools; you
14 know, do they receive all these waivers at one time,
15 have there been violations of waivers, have they been
16 withdrawn. I think that would be interesting to
17 know. I think, secondly, we need to think about, as
18 she said, as we move forward -- because I think we're
19 all in consensus that this is a -- this is something
20 that we want to help districts accomplish. It's not
21 -- I don't -- I think as a group we're all saying
22 yes, this is a good thing. But help us, we need to
23 figure out how to do this in the most effective,
24 efficient way so that we're not changing the rules
25 for every district that stands before us. So let's

1 -- how do we get there?

2 CHAIRPERSON NEWTON: We may have an option that
3 may make people comfortable, may not. Because our
4 options are to approve in whole or in part, or to ask
5 for -- well, it wasn't a continuance -- what was your
6 term?

7 MS. CLAY: Basically to table.

8 CHAIRPERSON NEWTON: To table it. Right. To
9 table it --

10 MS. CLAY: You just have to make a decision
11 within --

12 CHAIRPERSON NEWTON: -- until, you know, a date
13 until -- to possibly get more information. I don't
14 know. But that's just a review of the options that
15 we have before us.

16 MS. CLAY: You certainly have that option. And
17 I can just briefly talk about how charters get their
18 waivers, if that would be helpful to you.

19 CHAIRPERSON NEWTON: Okay.

20 MS. CLAY: Now the majority of the charter
21 schools' waivers are going to come in the form of
22 their original application. And so, you know, until
23 the Charter Authorizing Panel was in place you all as
24 the State Board heard all of those initial
25 applications and had those hearings. So that is

1 where the bulk of any waiver comes from. Now, after
2 a charter has been granted a charter school can come
3 back and ask for an amendment and that can be an
4 additional waiver. So that would add to the list.
5 Or, when the charter school comes back for renewal
6 part of the renewal process is "do you need any
7 additional waivers or do you have any waivers that
8 you want to rescind?" So that's the process of how
9 the packet -- or how the charter packet, what I call
10 a charter group, gets to where it is. So I can't say
11 that they get them all at once, but they get a
12 majority of them at the initial application, and then
13 through the amendment process and renewal process add
14 and take away as needed.

15 As far as -- okay. Alexandra is telling me that
16 since 2002, KIPP has added waivers on at least six
17 different occasions. You know, when we typically see
18 those it's one or two; it's not a huge packet. And
19 it's also -- you know -- when legislation changes and
20 there's new laws or the waivers they currently have,
21 that's a lot of the clean-up process that comes
22 about.

23 As far as consistency on, you know, granting all
24 of the waivers to one district and maybe not all to
25 another, the initial question is whether a district

1 requested all the waivers. The district is the one
2 that has to decide, "Hey, these are what waivers we
3 want." We can't make the district come in and say,
4 "If you want to petition the State Board, you've got
5 to ask for all of them." So that's something to
6 consider, that some of the districts -- actually, I
7 don't know of any districts that have been in front
8 of you to date, except for Helena-West Helena, have
9 requested everything. They've picked and chosen the
10 ones that they thought that they needed and it wasn't
11 the complete spectrum that you see today.

12 You know, this is a new process and I think
13 you're getting your feet wet and figuring out how
14 it's going to go, and there's certainly room where we
15 can talk about what we can do on our end to help make
16 it easier. But this is the first district that we've
17 seen just ask for every waiver that the local open-
18 enrollment charter school has. So I don't think
19 there's -- there's not precedent for it at this
20 point.

21 CHAIRPERSON NEWTON: Okay. Dr. Barth.

22 DR. BARTH: So, I mean, I just think we need to
23 be very cautious what we're doing here, especially
24 with virtual charters -- right -- which are in the
25 vast majority of districts. And, you know, let's --

1 I mean, we could really be getting rid of Teacher
2 Fair Dismissal statewide, in essence, with every
3 district coming in and asking for certain waivers.
4 We could be getting rid of school boards, in essence,
5 statewide, which I think would have major voting
6 rights implications actually. So I think we really
7 need to think about what we're doing with a wholesale
8 set of waivers, especially when it comes to some
9 pretty fundamental things about how we do public
10 education in the state of Arkansas, which are
11 included in here. And we know especially because
12 some of the virtual schools' waivers and their
13 statewide breadth really I think set us up for some
14 -- either some problems of that sort or some problems
15 where we have said "some districts get them, some
16 districts won't," because I think that's another kind
17 of inconsistency that is problematic. So I just
18 think this wholesale waiver request is very, very
19 problematic, despite the fact that some of these make
20 perfect sense and are not a problem at all.

21 CHAIRPERSON NEWTON: Mr. Hoy.

22 SUPT. HOY: I do have an observation, if you
23 don't mind, Madam Chair. It simply goes like this: I
24 understand that KIPP Delta has a wholesale slew of
25 waivers that we're asking for the same ones on and I

1 know they didn't ask for them all at one time. I
2 have spoken with Scott Shirey many times and I find
3 him to be a highly intelligent gentleman, and I think
4 what he's done is over the years he has new ones to
5 find out exactly what makes his particular situation
6 work. I think that I am asking for that because the
7 model that we're looking at adopting has a similar
8 philosophy, similar methodology to it in terms of
9 setting up academies -- specifically, the design --
10 to go toward college preparation for our kids. I
11 think that will also help our ACT scores which we
12 need to have improve. It would also help us on ACT
13 Aspire, which is the same thing, which becomes the
14 state-mandated test. We're looking for an
15 opportunity for success and we're asking you to give
16 that to us. And it's not that I'm asking for all of
17 these at once; it's only -- it's that KIPP Delta has
18 asked for all of these over time as they found they
19 worked. And so, therefore, I'm looking at having all
20 of them that work that's available to us so we can
21 then put together what we need to put together to be
22 successful. Again, I'll tell you this, it is not
23 necessarily my intention to use all of them. I don't
24 know if we will use all of them. I just don't want
25 to have this conversation every-other-month.

1 Also, I do understand the possibility of virtual
2 schools throughout the state of Arkansas. But I've
3 gotten a lot of advice on this particular push and
4 one of the advice -- some of the advise that was
5 given to me early on was, "John, look, ask for all
6 the virtual schools' charter." But I don't need
7 that. What I want to do is I want to be able to have
8 available to me those same waivers that the district
9 -- what the school system in our district has to
10 them. Because we're in one population area, one pool
11 of students. This is not the bigger Arkansas town;
12 this is about Helena-West Helena. And for me, as I
13 go back to my original statement, this is about me
14 having the opportunity to make a difference in that
15 part of the state. And that's what I'm seeking.
16 That's what I want to do.

17 CHAIRPERSON NEWTON: Okay. Ms. Reith.

18 MS. REITH: No, and please understand when we
19 express our concern it's not in any way of wanting to
20 limit you or the district to have innovation. But it
21 continues to concern me and you keep using this as an
22 argument, and for me it keeps bringing me as a
23 concern that there's waivers there that you're not
24 going to use. I think for us the waivers that we've
25 supported thus far have been tied with a really tight

1 academic vision, and that's what you said; that's why
2 KIPP got to where it is. It has its academic vision
3 and so it knew what waivers it needed to achieve that
4 vision. And where you've talked about academies,
5 it's not been fleshed out to the point where other
6 districts have come to us with a very clear plan of
7 exactly how they're using which waivers, which ones
8 they're using, and we've never had a district come to
9 us and say, "There's a waiver we're not using." And
10 so that does gravely concern me and that you keep
11 coming back that you want flexibility, and we want to
12 give you that flexibility and we're grateful that
13 there are other options as well -- schools of
14 innovation, open, you know, enrollment, or district
15 conversion charter schools. I mean, we want to see
16 innovation; we don't want to impede it. But it's not
17 innovation for innovation's sake; it's innovation
18 tied to a strong vision -- right -- of exactly what
19 you're implementing. And that's where I agree with
20 Dr. Barth. I think there's things in here that we
21 would like to be able to give you to walk away with
22 and be competitive for next year. But to say that
23 "I'm asking for waivers and I'm not even knowing
24 which ones of these I will or will not use," it's
25 just a hard sell for me personally.

1 SUPT. HOY: Okay. So, may I respond? May I
2 respond?

3 CHAIRPERSON NEWTON: Yes, please.

4 SUPT. HOY: If I sound argumentative I really
5 don't intend to. I think that just may be the
6 passion for the students over in our district coming
7 through. In terms of the vision, let me tell you
8 this, and I think Mark Gotcher may be able to back me
9 up on this because I had to send the documentation to
10 him. He kind of evaluates me in this process. I
11 didn't want to do anything until I set about trying
12 to establish a vision for where this district should
13 go in Helena-West Helena. And I did not want it to
14 be the superintendent's vision; I wanted it to be the
15 community's vision. So I spent the first year
16 working on the vision and the mission of the district
17 and it wound up something like this: Being fully
18 prepared for life after school as productive,
19 responsible, caring citizens. And what the advisory
20 board and what the community seemed to be saying at
21 that particular time is to be fully prepared means
22 you're ready for college, as well. So it's not a
23 haphazard vision. It really is one that we fleshed
24 out. As a matter of fact, part of that vision in
25 terms of the goals that we've set, being at or above

1 the state average on the ACT is one of them. So it
2 is a well thought-out vision in our perception and I
3 hope that I did not come across as not having a
4 thought-out vision. The academies is one part of
5 that in terms of helping us reach that vision.

6 CHAIRPERSON NEWTON: Ms. Zook.

7 MS. ZOOK: Yes. And I think also as in my
8 original motion when you are going to come back at
9 the end of a year and say "we used these, we didn't
10 use these, this is going, we know we're going to need
11 these," I think that yearly review gives me comfort
12 as far as the overall request. You know, I don't
13 mind voting yes as each one comes up individually or
14 voting yes on the whole. But, you know, there is
15 another motion on the floor to take them one-by-one
16 and so we either need to vote on that or we need to
17 kill it and then have another motion.

18 CHAIRPERSON NEWTON: Okay.

19 MS. CHAMBERS: I just -- I also had one comment
20 to Ms. Zook. I want to make sure that we've conveyed
21 in principal we don't ever want the traditional
22 public schools to feel like they're disadvantaged in
23 comparison to charter. Obviously, the way the
24 legislation plays out and the way our duties play out
25 we administer or support them a little bit

1 differently. But I'd like for us to continue to
2 think; we are getting our feet wet here. And if we
3 continue -- could continue to push towards the best
4 way to hold the districts accountable through an
5 appropriate review process so that you have the
6 privilege until you don't -- right -- and start with
7 that. So I don't want to try to speak for everybody,
8 but I think in spirit that is largely where we are as
9 a board and we're just kind of caught early in the
10 process.

11 SUPT. HOY: Yes, ma'am. And I understood that
12 was a possibility. That's why I wanted to include
13 the piece in there about the reconsideration after
14 every single year.

15 CHAIRPERSON NEWTON: Dr. Barth.

16 DR. BARTH: And we are challenged a bit because
17 we don't have rule-making authority on this law and
18 that has created some challenges. We don't know what
19 this annual review is and will look like. And if we
20 had more freedom to get it right I think everybody
21 would feel better about it and it would be a way of
22 doing innovation that doesn't get us into
23 dramatically unintended consequences.

24 CHAIRPERSON NEWTON: Mr. Bagley.

25 MR. BAGLEY: Yes. And, you know, there was

1 concern about community input, first of all. We had
2 multiple meetings of the advisory board. We went
3 out, we talked about this. I met with the teachers'
4 association myself, took some criticism, as Mr. Hoy
5 saw part of it. But you've got -- yes, it says five
6 years in there but, as Mr. Hoy has pointed out, we're
7 up every year for review. It seems to me that that
8 gives you a lot of accountability on us. So if you
9 would, give us a chance to make this work. If we
10 don't get it right, as we've found through some of
11 our other previous experiences, y'all know how to
12 step in. So if we could have an up or down vote on
13 our application, if the majority agrees on our
14 application, we'll go, we'll implement with fidelity;
15 if we don't get some things right, we'll adjust. If
16 you want to take them away, you can take them away at
17 the end of the next school year. But I really do
18 believe in this application -- our board fully
19 supports Mr. Hoy in this application. You know at
20 the meeting in Helena Mr. Hoy talked about we've kind
21 of learned to grow together, you know, but we're of
22 one accord here today and moving forward. The board
23 and Mr. Hoy share the same vision, which is
24 excellence for the Helena-West Helena School District
25 and its students. So please give us these tools. We

1 will implement with fidelity and we will do well.

2 And to answer the question from Mr. Barth about
3 the board, in that waiver it's not just a quarterly
4 meeting; it's the ability to participate
5 electronically. Sometimes during the summers we have
6 people on vacation and if we could set up conference
7 calls that would make it easier to get a quorum if we
8 needed to have a special meeting and some things like
9 that. I don't think you'll ever see this board want
10 to not meet, to be honest, because we've had to have
11 special meetings for any of a number of things.
12 We've all shown up every time Mr. Hoy has called.
13 And that's assuming we win; I know that. But we
14 intend to win, all seven of us. So, please, if you
15 would give Ms. Zook's original motion a
16 reconsideration, give us an up or down vote. If the
17 majority agrees we will go forth and we will do well
18 and you will be proud.

19 CHAIRPERSON NEWTON: Well, you brought it up,
20 Mr. Bagley, when you said "if we win." And, of
21 course, that little --

22 MR. BAGLEY: Well, let me rephrase that.

23 CHAIRPERSON NEWTON: Well, no, no.

24 MR. BAGLEY: When we win.

25 CHAIRPERSON NEWTON: No, no. But it looms on

1 the horizon. You could say it either way, but the
2 thing that looms on the horizon is the possibility
3 that you would not be in place, nor Mr. Hoy, heaven
4 forbid, either situation. But that's looming on the
5 horizon also. So the commitment and the dedication
6 and the -- you know -- that all comes with the two of
7 you --

8 MR. BAGLEY: And that's why your one-year review
9 gives you a safety valve and --

10 CHAIRPERSON NEWTON: Just to mention it.

11 MR. BAGLEY: And so -- and, of course, we're not
12 going to have elections till November, assuming
13 everything goes in the transition, Mr. Key, to have
14 November elections, because that's our preference
15 since the law allows it. So there's a lot of the
16 time right there.

17 CHAIRPERSON NEWTON: Okay.

18 MR. BAGLEY: And we won't take office till right
19 before Christmas, so then you're only looking at a
20 few months on this first year under an elected board.
21 By then, you know, we're well into the process of
22 implementation. We'll know who the board members are
23 after that, and hopefully things will go well. But
24 the one-year safety valve I think should be
25 sufficient comfort to give us a chance to try all

1 these.

2 CHAIRPERSON NEWTON: Okay. Thank you. Dr.
3 Barth.

4 DR. BARTH: So, Ms. Clay, so there is the -- in
5 the law the possibility of up to 90 days. Is that
6 the --

7 MS. CLAY: Yes. You may take the matter under
8 advisement as long as you consider it within 90 days
9 of receipt of the petition, and the petition was
10 received -- do you --

11 MS. PERRY: February 10th.

12 MS. CLAY: -- on February 10th.

13 DR. BARTH: And that would -- so --

14 CHAIRPERSON NEWTON: May.

15 MR. WILLIAMSON: May 9th.

16 MS. CLAY: May.

17 DR. BARTH: May.

18 MS. CLAY: May-ish.

19 DR. BARTH: Okay. Okay. So our May meeting
20 early enough to --

21 MS. CLAY: Let's see.

22 DR. BARTH: I don't know my calendar.

23 MS. CLAY: No. The May meeting is the 12th and
24 the 13th.

25 DR. BARTH: Okay. And what I was thinking was

1 since we're asking the academic distress committee to
2 look at the academic performance in the school, I was
3 hoping -- my hope was that we could let that happen
4 and then use that wisdom to guide us in our analysis
5 of this.

6 MS. CHAMBERS: And perhaps have an annual review
7 draft so we could have some sensibility of what would
8 be reported on annually.

9 DR. BARTH: Right. Right.

10 MS. ZOOK: My only objection to that would be in
11 the school business what you're doing right now is
12 what your plans are starting in August. You don't
13 wait until June to plan for next year; you start that
14 with your master schedule and your flexibility and
15 your hiring of teachers. And I think particularly at
16 the high school, who's in academic distress, I think
17 to delay a month or two would tie their hands for
18 their success in the 16-17 school year.

19 MR. WILLIAMSON: I agree with that. And I think
20 that not accepting all the waivers sets us up to
21 criticism. I mean, that opens the door for the
22 school district to come back and say, "Look, I mean,
23 this is why we weren't successful, because you didn't
24 give us all these waivers that we asked for."

25 DR. BARTH: But that is our responsibility under

1 the law --

2 MR. WILLIAMSON: I understand that.

3 DR. BARTH: -- to make -- to use our judgment to
4 use our -- and there are things we don't grant that
5 districts want at every meeting. Right?

6 MS. ZOOK: Can we have a vote on the motion
7 that's on the table and then --

8 CHAIRPERSON NEWTON: That's what I was trying to
9 get.

10 MS. ZOOK: Okay.

11 CHAIRPERSON NEWTON: So back to Dr. Barth's
12 motion, remind us again what your motion was.

13 DR. BARTH: It seemed so simple. School Year
14 Dates, allowing a waiver on school start and end
15 dates.

16 CHAIRPERSON NEWTON: Okay.

17 MS. ZOOK: Oh, I thought it was whether or not
18 to take them item by item.

19 DR. BARTH: Oh, was that -- well --

20 MS. ZOOK: Can she read it back to us?

21 DR. BARTH: I probably need to --

22 CHAIRPERSON NEWTON: Ms. Coffman, would you read
23 it back to us, please?

24 MS. COFFMAN: Motion by Dr. Barth, seconded by
25 Ms. Reith to consider the dates, which is the first

1 item on your sheet.

2 CHAIRPERSON NEWTON: Okay. So that's the first
3 item. And so it's been moved by Dr. Barth and
4 seconded by Ms. Reith. All in favor?

5 (SEVERAL AYES)

6 CHAIRPERSON NEWTON: Let's do a voice vote.
7 Well, two ayes.

8 MS. ZOOK: I'm an aye.

9 CHAIRPERSON NEWTON: Okay. Voice vote.

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRPERSON NEWTON: The ayes have it. Any
12 opposed? Seriously, any opposed? Then the motion
13 carries.

14 We're going to take a much needed break at this
15 point, unfortunate for some, fortunate for others.

16 MS. REITH: Well, I think we have to --

17 MS. ZOOK: Go all the way through.

18 MS. REITH: -- finish the rest of the topics.

19 CHAIRPERSON NEWTON: Do we -- should we or do we
20 have to? That's the question. You know, the desire
21 of the Board could be one thing and the need for a
22 break is something else. So whether we do or whether
23 we have to is two different things. I don't think we
24 have to, but we will if that's the pleasure of the
25 Board to proceed through the rest of the items, the

1 listed waiver requests. What is the pleasure of the
2 Board?

3 MS. ZOOK: I'm always for getting the school
4 people back into the school, so I would --

5 CHAIRPERSON NEWTON: You know what, that's good
6 too. But if they leave right now, they can't make it
7 back before school is out. So what is the -- they've
8 got to eat lunch too. So what is the pleasure of the
9 Board? Do we continue?

10 MS. SAVIERS: Yeah.

11 CHAIRPERSON NEWTON: Okay. Good. And most of
12 you give up the whole day anyway, don't you? You
13 don't rush back to finish out, that's what I'm
14 thinking. I know that's what my staff does.

15 SUPT. HOY: I can't answer for most of us.

16 CHAIRPERSON NEWTON: So moving right along, the
17 next waiver is --

18 MS. REITH: Move to approve the request for
19 waiver about superintendent licensure.

20 CHAIRPERSON NEWTON: Okay.

21 MS. ZOOK: Where are y'all reading from? Okay.
22 All right.

23 DR. BARTH: So this is a question for Ms. Clay.

24 COMMISSIONER KEY: Was there a second?

25 MS. REITH: No one seconded.

1 COMMISSIONER KEY: Oh.

2 CHAIRPERSON NEWTON: Let's get a second before

3 --

4 MS. DEAN: Second.

5 MR. WILLIAMSON: I'll second that.

6 MS. DEAN: Second.

7 CHAIRPERSON NEWTON: I saw you. Ms. Dean

8 seconds. Okay. Any discussion, Ms. Reith?

9 MS. REITH: No, the question was Dr. Barth.

10 CHAIRPERSON NEWTON: Oh, Dr. Barth.

11 DR. BARTH: So, Ms. Clay, so my -- just my
12 understanding of this set of rules and statutes, so,
13 for instance, in the Little Rock case where Mr.
14 Kurrus did not have necessary credentials it came to
15 us as a board to ascertain whether that was --
16 whether he was an appropriate candidate to fill that
17 superintendent spot. Correct? Is that -- this would
18 take that away from the State Board and simply give
19 it to the local board to make that determination. Is
20 that correct?

21 MS. CLAY: Yes. And the State Board only had
22 the -- I may be a bit confused on your question. In
23 Little Rock, the State Board had that authority
24 because the district was in state takeover.

25 DR. BARTH: Okay. So, okay. So now in a --

1 let's imagine that the Helena-West Helena -- after a
2 year, when they are fully back in local control, if
3 the local board wished to hire someone who did not --
4 who was -- who is not properly credentialed, what
5 would that process normally be? Would it simply be
6 no way or would they have the ability to come to the
7 State Board and ask for a waiver of that credential
8 for that particular person?

9 MS. CLAY: They would not have that ability.
10 They would have to have waivers through this process.

11 DR. BARTH: Okay. And why could we do it for
12 Little Rock but not for --

13 MS. CLAY: Because under the academic distress
14 statute it allows you as a board, one of the actions
15 that's listed there in -- I believe it's 6-15-430 is
16 that you may waive laws except for Teacher Fair
17 Dismissal.

18 DR. BARTH: Okay.

19 CHAIRPERSON NEWTON: Okay. Any other questions?
20 So we have a motion and a second. What is the
21 pleasure -- any other questions? All in favor?

22 (MAJORITY CHORUS OF AYES)

23 CHAIRPERSON NEWTON: Any opposed?

24 DR. BARTH: No.

25 CHAIRPERSON NEWTON: Okay. Motion carries.

1 Next, is School Board.

2 MS. DEAN: I move to approve the waivers
3 associated with school boards.

4 CHAIRPERSON NEWTON: Okay. It's been moved by
5 Ms. Dean.

6 MS. ZOOK: Second.

7 MR. WILLIAMSON: Second.

8 CHAIRPERSON NEWTON: Second by Mr. Williamson.
9 Any discussion?

10 DR. BARTH: I think this is a huge mistake if we
11 go this way. So I've said my concerns earlier. I
12 think this is very problematic.

13 MS. REITH: And I agree, especially setting the
14 tone with just having given them back for local
15 control.

16 MS. SAVIERS: Me three.

17 CHAIRPERSON NEWTON: Okay. Well, we'll see by
18 voting. All in favor?

19 MS. DEAN: Aye.

20 CHAIRPERSON NEWTON: One aye. Any opposed?

21 MR. WILLIAMSON: Aye. No, I'm an aye.

22 MS. ZOOK: Aye.

23 CHAIRPERSON NEWTON: No, two ayes, three ayes.

24 (COURT REPORTER'S NOTE: Two other people said
25 aye.)

1 CHAIRPERSON NEWTON: Four, five. Y'all need to
2 vote quicker. Okay. So we've got Ms. Chambers, Mr.
3 Black --

4 COMMISSIONER KEY: Madam Chair, would you -- do
5 you want me to call roll?

6 CHAIRPERSON NEWTON: I would like that.

7 COMMISSIONER KEY: Dr. Barth.

8 DR. BARTH: No.

9 COMMISSIONER KEY: Mr. Black.

10 MR. BLACK: Yes.

11 COMMISSIONER KEY: Ms. Chambers.

12 MS. CHAMBERS: Yes.

13 COMMISSIONER KEY: Ms. Dean.

14 MS. DEAN: Yes.

15 COMMISSIONER KEY: Ms. Reith.

16 MS. REITH: No.

17 COMMISSIONER KEY: Ms. Saviers.

18 MS. SAVIERS: No.

19 COMMISSIONER KEY: Mr. Williamson.

20 MR. WILLIAMSON: Yes.

21 COMMISSIONER KEY: Ms. Zook.

22 MS. ZOOK: Yes.

23 COMMISSIONER KEY: Okay. Five notes yes, three
24 no.

25 CHAIRPERSON NEWTON: Okay. The motion carries.

1 Moving on to the Grading Scale.

2 DR. BARTH: Move approval of this waiver
3 request.

4 MS. REITH: Second.

5 CHAIRPERSON NEWTON: Moved by Dr. Barth, second
6 by Ms. Reith. Any discussion? All in favor?

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRPERSON NEWTON: Any opposed? The motion
9 carries.

10 Teacher Licensure.

11 MR. WILLIAMSON: Move to approve the teacher
12 licensure waiver.

13 CHAIRPERSON NEWTON: Moved by Mr. Williamson.
14 Is there a second?

15 MS. DEAN: Second.

16 CHAIRPERSON NEWTON: Second by Ms. Dean. All
17 right. Any discussion? All in favor?

18 (MAJORITY CHORUS OF AYES)

19 CHAIRPERSON NEWTON: Any opposed?

20 DR. BARTH: No.

21 CHAIRPERSON NEWTON: One opposed. Dr. Barth.
22 Motion carries.

23 Okay. Alternative Learning Environment is the
24 next waiver requested.

25 MS. DEAN: Move to approve the waivers

1 associated.

2 CHAIRPERSON NEWTON: Moved by Ms. Dean to
3 approve the waiver. Is there a second?

4 MS. ZOOK: Second.

5 CHAIRPERSON NEWTON: Second by Ms. Zook. All in
6 favor? Any discussion? I'm sorry.

7 MS. SAVIERS: I just want to make a statement
8 here. This is really hard for districts going
9 forward. This is really hard when we don't have an
10 educational program in which these waivers fit so
11 that we know what you're -- you know -- what
12 specifically -- why you're specifically asking for
13 this. It feels like this is being done in a void.
14 So just my comment. It's hard to do.

15 MS. REITH: And my concern with this one is
16 because we actually did see your alternative learning
17 program in action, and knowing and acknowledging the
18 importance and value that you all put on it it just
19 surprises me that you asked for this.

20 SUPT. HOY: And I can comment on it. Our
21 alternative learning environment is not what we would
22 like for it to be. I've known that since before I
23 arrived. Actually, I did some research -- oh, I
24 guess about eight, nine years ago, when I was in Lee
25 County in terms of something that I would like to

1 accomplish. One of the people that I talked with
2 quite sometime ago about what I intended to put in
3 was Dr. Denise Hoy, who is my sister up in
4 Fayetteville, Arkansas, and she's implemented a lot
5 of what she and I talked about up in Fayetteville.
6 It's getting quite a few good reviews up there. So
7 what I'm looking at in terms of trying to do an ALE
8 environment is quite akin to that. So it's not that
9 that one is coming without vision, as well. What you
10 saw was what we had when I arrived. It is not where
11 I intend to go with our program.

12 MS. ZOOK: And I think that's the kind of
13 explanation that would give each of the board members
14 more confidence and maybe we can write these into the
15 rules for further -- in the future.

16 DR. BARTH: Well, we don't have rule-making
17 authority on this law. That's what's very troubling.

18 MS. ZOOK: Well, there are times when ADE
19 attorneys explain the rule or explain the legislation
20 within the rules. It then comes to us for approval,
21 and then it goes back to the five-member committee
22 and the legislature can then say, "No, we didn't want
23 that," or significant change or whatever. So I think
24 we could add it in our rationale and then we could
25 see what -- you know -- if they didn't want to pass

1 it, then they don't pass it.

2 DR. BARTH: Ms. Clay, doesn't the statute have
3 to give us rule-making authority for us to carry out
4 rule-making?

5 MS. CLAY: Yes. And this statute does not.

6 DR. BARTH: Thank you.

7 MS. ZOOK: So where did we get the rules by
8 which we are doing this?

9 MS. CLAY: We don't have any rules.

10 MS. REITH: I mean, that's why we're --

11 MS. CLAY: It's past procedure, is how we're
12 operating. And when I went through the procedures,
13 that's why I said, "We don't have official
14 procedures; here's what you've done in the past."

15 DR. BARTH: Right.

16 MS. CLAY: This -- I rarely say I wish that
17 legislation gave us rule-making authority, but I wish
18 that this one did.

19 MS. ZOOK: Well, could this be part of
20 procedures for -- to use the exact accurate word?

21 MS. CLAY: Would what be part of -- could what
22 be part of procedures?

23 MS. ZOOK: Well, we have some way it appeared on
24 the agenda and some direction that you're basing your
25 recommendations on. So is that called procedures or

1 rules or whatever that we know how to proceed when
2 this comes before us for an action?

3 MS. CLAY: They appear on your agenda pursuant
4 to if the district has submitted the petition that
5 has the requirements that are in the statute. Ms.
6 Perry's office has created a form and created
7 suggestions for how these get to you, but nothing
8 requires a district to follow that. If they submit
9 what the law calls "a petition" that contains the
10 list of waivers that they would like, and Ms. Perry's
11 office verifies that they in fact draw students -- a
12 charter school draws students from their district,
13 and that charter school has those waivers, the law
14 tells us to bring them to you for approval or denial.
15 So, no, I don't think we have a lot of authority to
16 develop specific procedures. Those are rules that we
17 don't have authority to make. I know that kind of
18 takes us in a circle, but that's just --

19 MS. REITH: Correct me if I'm wrong, Ms. Clay,
20 though, at least I remember the first round of these.
21 We did send some back or some districts actually
22 voluntarily pulled them when they saw the concerns
23 and conversation that we had, and I know that we saw
24 a refinement in the second round of applications --
25 right -- that were a little bit more specific and

1 time constrained and things like that. So it mostly
2 has been through guidance, through this conversation
3 -- right -- where we don't have rules but the most
4 we've been able to do is offer guidance, feedback.

5 MS. CLAY: That's correct. Suggestions.

6 MS. REITH: Through dialogue.

7 MS. ZOOK: So Ms. Perry could in her form say
8 the rationale for this waiver.

9 MS. PERRY: It does.

10 MS. CLAY: And it does.

11 MS. ZOOK: Okay.

12 CHAIRPERSON NEWTON: Okay. Any other questions,
13 comments? We have a motion on the floor by Ms. Dean,
14 a second by Ms. Zook. All in favor?

15 (MAJORITY CHORUS OF AYES)

16 CHAIRPERSON NEWTON: Any opposed?

17 DR. BARTH: No.

18 MS. REITH: No.

19 CHAIRPERSON NEWTON: Two opposed, Ms. Reith and
20 Dr. Barth.

21 Okay. The next waiver consideration is for
22 Local Task Force on Closing the Achievement Gap.

23 MS. DEAN: I move to approve the waiver.

24 CHAIRPERSON NEWTON: Okay. Ms. Dean moved to
25 approve. Is there a second?

1 MR. BLACK: I second.

2 CHAIRPERSON NEWTON: Mr. Black seconds. Okay.
3 Any discussion?

4 DR. BARTH: Yeah. I think we know the
5 challenges this community faces in terms of
6 achievement gaps and I think it is important that
7 there be true community buy-in to strategies to close
8 the achievement gap. And so I will -- I'll vote no.

9 MS. SAVIERS: I have a question. Mr. Hoy -- oh,
10 I'm sorry.

11 SUPT. HOY: It is a valid concern, Dr. Barth.
12 Currently, we have a school improvement team in
13 place. What a number of districts have done, they
14 have named their school improvement team the closing
15 the achievement gap team because they essentially do
16 the same thing. The makeup of that particular team
17 are members of the community, parents and our
18 advisory board president. We have one advisory board
19 member on it at all times. So we're seeking input
20 from the community and we're trying to be very
21 transparent in our district. So it's one of those
22 things that we're going to do anyway. Again, the
23 thing is -- the reason that KIPP Delta requested this
24 particular waiver is because they thought it was
25 redundant because the whole idea is to close the

1 achievement gap and that's what all your meetings are
2 about. So we intend to close that achievement gap.
3 By the way, our achievement gap in our district takes
4 on new meaning because our district is like 99%
5 poverty anyway. So the achievement gap we're trying
6 to close is between that of our district and the rest
7 of the state as we move forward.

8 CHAIRPERSON NEWTON: Any other questions? Okay.
9 Ready for a vote. All in favor?

10 (MAJORITY CHORUS OF AYES)

11 CHAIRPERSON NEWTON: Any opposed?

12 DR. BARTH: No.

13 MS. REITH: No.

14 CHAIRPERSON NEWTON: Two no's, Ms. Reith and Dr.
15 Barth.

16 Okay. Duty-Free Lunch.

17 MS. ZOOK: Move we approve the waiver.

18 MS. REITH: I'll second.

19 CHAIRPERSON NEWTON: Moved by Ms. Zook to
20 approve and second by Ms. Reith. All in -- I'm
21 sorry; discussion?

22 DR. BARTH: I mean, I opposed these on all the
23 previously done waivers that we've looked at from
24 other schools. And I just think that what we know
25 about effective teaching and learning gives teachers

1 time to take a break and get their head together and
2 go back into the classroom.

3 CHAIRPERSON NEWTON: Okay. Any other comments
4 or questions? All in favor?

5 (MAJORITY CHORUS OF AYES)

6 CHAIRPERSON NEWTON: Any opposed?

7 DR. BARTH: No.

8 MS. SAVIERS: No.

9 CHAIRPERSON NEWTON: No, Ms. Saviers and Dr.
10 Barth. So two opposed.

11 Okay. Daily Planning.

12 MS. ZOOK: Can we have some explanation on that,
13 Mr. Hoy?

14 SUPT. HOY: I believe that is one of those
15 waivers that we might've marked it; we don't intend
16 to use. We're asking for the flexibility in case we
17 need it. There's already things in place to allow
18 our teachers to give up their planning period in the
19 statute now; you have to pay them for that planning
20 period, which we would do. So, again, that's one of
21 those waivers that we're not necessarily looking to
22 use. Because I will tell you this and it's real,
23 real simple: the concern in our district is trying to
24 get good quality teachers in. If we put things in
25 place by default that would cause teachers to run

1 away, we're hurting our students, and that's just
2 absolutely true. So as we request the waivers,
3 again, we're requesting them on that basic premise.
4 We don't necessarily intend to use them, don't think
5 that we will, don't know that we will. However, I
6 would also venture to say that the charter school in
7 our district don't use all of the waivers either that
8 they have. It's the flexibility to do what they feel
9 is best at this particular time, so I'm seeking the
10 same flexibility on all the waivers. And that's the
11 answer I have for you at this particular time.

12 CHAIRPERSON NEWTON: Any other questions? We're
13 ready for a vote.

14 COMMISSIONER KEY: We need a motion and a
15 second.

16 CHAIRPERSON NEWTON: I'm sorry. I thought we
17 had one. It's daily planning. Do we have a motion?

18 MS. DEAN: Move to approve the waiver.

19 CHAIRPERSON NEWTON: Moved by Ms. Dean to
20 approve the waiver.

21 MS. CHAMBERS: Second.

22 CHAIRPERSON NEWTON: Second by Ms. Chambers --
23 was that Ms. Chambers?

24 MS. CHAMBERS: It was.

25 CHAIRPERSON NEWTON: Okay. Chambers. Okay.

1 Any further questions or explanations? All in favor?

2 (MAJORITY CHORUS OF AYES)

3 CHAIRPERSON NEWTON: Any opposed?

4 DR. BARTH: No.

5 MS. REITH: No.

6 CHAIRPERSON NEWTON: No by Dr. Barth and Ms.

7 Reith.

8 Personnel Policies/Salary Schedules.

9 DR. BARTH: I think these are very fundamental
10 aspects of employment in the public schools in
11 Arkansas. And so I will -- I'll move to deny this
12 set of waivers.

13 MS. REITH: Second.

14 CHAIRPERSON NEWTON: Moved by Dr. Barth, second
15 by Ms. Reith. Discussion? All in favor of denying
16 this waiver?

17 DR. BARTH: Aye.

18 MS. REITH: Aye.

19 MS. SAVIERS: Aye.

20 CHAIRPERSON NEWTON: Three? Three. And all
21 opposed?

22 (COURT REPORTER'S NOTE: The remainder of board
23 members voted aye.)

24 CHAIRPERSON NEWTON: Okay. So the motion fails.

25 So I guess by virtue of it failing it passes?

1 COMMISSIONER KEY: No.

2 CHAIRPERSON NEWTON: It doesn't? I thought it
3 did. Okay. Is there another motion?

4 MS. DEAN: I move to approve the personnel
5 policies/salary schedules.

6 CHAIRPERSON NEWTON: Okay. Waiver. Okay.

7 MR. BLACK: Second.

8 CHAIRPERSON NEWTON: Moved by Ms. Dean and
9 second by Mr. Black. Any discussion? Okay. All in
10 favor?

11 (MAJORITY CHORUS OF AYES)

12 CHAIRPERSON NEWTON: Any opposed?

13 MS. SAVIERS: No.

14 DR. BARTH: No.

15 MS. REITH: No.

16 CHAIRPERSON NEWTON: Two opposed. I don't even
17 have to look up; Dr. Barth and Ms. Reith. Okay. I'm
18 sorry; Ms. Saviers. I'm sorry. Okay. So, three.

19 Superintendent Mentoring. Is there a motion?

20 MS. ZOOK: I move that we deny this waiver for
21 fear that a superintendent might be hired by the new
22 board who needed mentoring.

23 MS. REITH: I'll second.

24 CHAIRPERSON NEWTON: Moved by Ms. Zook and
25 second by Ms. Reith. Okay. Any questions, comments?

1 All in favor?

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIRPERSON NEWTON: Any opposed? Okay.

4 The next item or requested waiver is Student
5 Services.

6 MS. REITH: I move to deny this waiver. There's
7 a shortage of counselors already and we understand
8 that, but so valuable I think especially for these
9 districts.

10 CHAIRPERSON NEWTON: Moved by Ms. Reith to deny
11 this waiver. Is there a second?

12 DR. BARTH: Second.

13 CHAIRPERSON NEWTON: Second by Dr. Barth. All
14 in favor?

15 DR. BARTH: Aye.

16 MS. SAVIERS: Aye.

17 MS. REITH: Aye.

18 CHAIRPERSON NEWTON: Three. Any opposed?

19 (COURT REPORTER'S NOTE: The remaining board
20 members voted in opposition.)

21 CHAIRPERSON NEWTON: Okay. The motion fails.
22 There's an opportunity on the floor for another
23 motion relative to student services.

24 MR. WILLIAMSON: Move to grant the waiver.

25 CHAIRPERSON NEWTON: Moved to grant the waiver

1 by Mr. Williamson.

2 MR. BLACK: Second.

3 CHAIRPERSON NEWTON: Second by Dr. Black -- Mr.
4 Black. I'm delusional.

5 MS. ZOOK: He's been here so long he has a
6 doctorate.

7 CHAIRPERSON NEWTON: Okay. Any discussion? All
8 in favor?

9 (MAJORITY CHORUS OF AYES)

10 CHAIRPERSON NEWTON: Any opposed?

11 DR. BARTH: No.

12 MS. REITH: No.

13 CHAIRPERSON NEWTON: Two opposed. Okay.
14 Moving right along to Gifted and Talented.

15 MS. ZOOK: I move to deny the waiver.

16 CHAIRPERSON NEWTON: Moved to deny by Ms. Zook.
17 Is there a second?

18 DR. BARTH: Second.

19 CHAIRPERSON NEWTON: Second by Dr. Barth. Any
20 discussion?

21 DR. BARTH: I would might just note that we tend
22 to have dramatic under-identification of gifted and
23 talented students in districts of this sort and it is
24 crucial that those students get the services they are
25 entitled to.

1 CHAIRPERSON NEWTON: Okay. Any other questions,
2 comments? All in favor?

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRPERSON NEWTON: Any opposed? Okay. The
5 motion fails to grant this waiver for gifted and
6 talented.

7 Okay. We're at the next request for waiver,
8 Library and Media Services.

9 MS. ZOOK: I move that we grant the waiver.

10 MS. CHAMBERS: Second.

11 CHAIRPERSON NEWTON: Moved by Ms. Zook and
12 second by Ms. Chambers. Any questions? All in
13 favor?

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRPERSON NEWTON: Any opposed? Motion
16 carries.

17 Then we're down to Teacher Fair Dismissal/Public
18 School Employee Fair Dismissal.

19 MS. REITH: I move to deny this waiver.

20 MS. CHAMBERS: Second.

21 CHAIRPERSON NEWTON: Moved to deny by Ms. Reith,
22 second by Ms. Chambers.

23 MS. ZOOK: I have a question before we vote. Is
24 this for our licensed educators or is this for if you
25 get someone to come over and teach a class that

1 doesn't have a teacher's license in a non-core
2 subject?

3 SUPT. HOY: Actually, the way I understand it,
4 Ms. Zook, is this, Teacher Fair Dismissal applies to
5 certified staff in the district and everyone that's
6 not a certified employee of the district will have
7 the fair hearing. And to be clear, we're not asking
8 for a waiver of all of the due-process for teachers.
9 What we're simply saying and what it equates to is
10 everybody that's employed get that same fair hearing
11 that are entitled to many of the employees in the
12 district. So a hearing is still in place.

13 MS. ZOOK: Ms. Clay has something.

14 MS. CLAY: We may need some clarification on
15 what Mr. Hoy just said because they have asked for a
16 waiver of both the Teacher Fair Dismissal Act and the
17 Public Employee Fair Dismissal Act, which is the
18 process for employees who are not licensed.

19 SUPT. HOY: If I asked for that, then I will
20 withdraw that one, the fair hearing -- I mean, we
21 withdraw the fair hearing because we want to keep
22 that in place for all employees.

23 DR. BARTH: But you would keep Fair Dismissal in
24 place, Teacher Fair Dismissal?

25 SUPT. HOY: Fair hearing for all employees.

1 Okay. So here's what I'm asking for. Right now
2 there are two different sets of processes for
3 employees in the district. Some have fair hearing,
4 some have fair dismissal. We're seeking fair hearing
5 for everyone.

6 DR. BARTH: And you are seeking to get rid of
7 Teacher Fair Dismissal?

8 SUPT. HOY: Down to fair hearing. Yes.
9 Everyone would have the same process.

10 MS. ZOOK: The certified and non-certified?

11 SUPT. HOY: Yes.

12 CHAIRPERSON NEWTON: Okay. Any other questions?
13 So we have the motion on the floor by Ms. Reith and
14 second by Ms. Chambers. All in favor?

15 MS. ZOOK: Can you repeat the motion? I'm
16 sorry.

17 MS. REITH: I moved to deny this waiver, to deny
18 the --

19 CHAIRPERSON NEWTON: Deny the waiver. Okay.
20 All in favor?

21 (UNANIMOUS CHORUS OF AYES)

22 CHAIRPERSON NEWTON: Any opposed? The waiver is
23 denied.

24 The next is Curriculum. Is there a motion
25 relative to granting a waiver for curriculum?

1 MS. ZOOK: Explanation.

2 CHAIRPERSON NEWTON: Mr. Hoy.

3 SUPT. HOY: The explanation is the same as
4 before in terms of this is one that the charter
5 school has. They have used it in their program, I
6 suspect, in terms of trying to meet what they need to
7 do for their kids in their program. I'm not certain
8 that we will use this. I have no intention at this
9 particular point to use it, but it is my intention to
10 ask for all the waivers that KIPP Delta has in case
11 we need it. And that has also been something that
12 they have done historically in the past, ask for
13 flexibility in case the need is there, not
14 necessarily because they need to implement it.

15 MS. ZOOK: Okay. I move for approval of the
16 waiver.

17 CHAIRPERSON NEWTON: Okay. Moved to approve by
18 Ms. Zook.

19 MR. WILLIAMSON: Second.

20 CHAIRPERSON NEWTON: Second by Mr. Williamson.
21 Any discussion?

22 DR. BARTH: Yes. And I just want to reiterate
23 what is a source of some concern about what you just
24 said, is that, you know, there's no real plan; there
25 is "this is what might happen." And I disagree with

1 something Ms. Zook said earlier that, you know, you
2 have to have all this freedom to be innovative. I
3 think this board has been incredibly embracing of
4 innovation when that innovation has come as a plan of
5 action from the district. We have, I think, been
6 concerned when there is just getting rid of the rules
7 of the game and hoping that innovation will emerge
8 out of that. And that's a real concern.

9 CHAIRPERSON NEWTON: Any comments or remarks?

10 DR. BARTH: It's no disrespect to you. I mean,
11 your heart is in the right place for the students of
12 your district, but I'm just -- it's just a -- you
13 know -- I think we're setting a lot of precedence
14 today and I think we need to be really, really,
15 really careful in terms of doing that in a thoughtful
16 way.

17 SUPT. HOY: May I respond?

18 CHAIRPERSON NEWTON: Absolutely.

19 SUPT. HOY: And I hope this is the last time I
20 hope I have to respond because I know it's getting
21 kind of in the day and you've got a long agenda ahead
22 of you. But let me respond this way, Dr. Barth, and
23 I understand your concern, but that concern I think
24 has already left the gate when we said yes to charter
25 schools in the state. That's what I think.

1 DR. BARTH: Well, my response would be I think
2 it happened when there were some charter schools that
3 were created that did not have a truly innovative
4 program, which was a part of the original statute. I
5 think that's where the gate got opened.

6 SUPT. HOY: Okay. And I said I wasn't going to
7 respond but since you said that let me say this: I
8 agree with you. As a matter of fact, I had a part in
9 closing some of those charter schools and I know the
10 damage it can do to kids.

11 DR. BARTH: Yeah.

12 SUPT. HOY: And, again, I want to re-emphasize
13 that if you find that we're doing damage to kids,
14 teachers, cafeteria workers and anyone else you will
15 hear from the constituents in Helena and they will
16 say, "Call them back for reconsideration."

17 DR. BARTH: And I'm sorry to get in a
18 conversation but we can't close down traditional
19 public schools and basically just end public
20 education. We can in charter schools when they fail
21 to live up to their end of the bargain. And so, yes,
22 you have put in a provision here where we could
23 reconsider these and I appreciate that and I'm aware
24 of that. But I do think there is a fundamental
25 difference between what happens in traditional public

1 education and where all students must be taught and
2 in charter schools where we know the rules are a
3 little bit different. I think you know that very,
4 very well.

5 CHAIRPERSON NEWTON: Okay. Any other questions?
6 Okay. If not, we have a motion by Ms. Zook and a
7 second by Mr. Williamson. All in favor?

8 (MAJORITY CHORUS OF AYES)

9 CHAIRPERSON NEWTON: Any opposed?

10 DR. BARTH: No.

11 MS. REITH: No.

12 CHAIRPERSON NEWTON: No, two no's. Okay.

13 We're down to Teacher/Administration Contracts.
14 What is the pleasure of the Board?

15 MS. ZOOK: I move that we approve the waiver.

16 MS. DEAN: Second.

17 CHAIRPERSON NEWTON: Okay. Moved by Ms. Zook
18 and second by Ms. Dean. Any comments, questions?
19 All in favor?

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRPERSON NEWTON: Any opposed? Motion
22 carries.

23 Class Size and Teaching Load.

24 MS. DEAN: I move we approve the waiver.

25 MR. WILLIAMSON: Second.

1 CHAIRPERSON NEWTON: Moved by Ms. Dean and
2 second by Mr. Williamson to approve the waiver. Any
3 questions or comments? All in favor?

4 (MAJORITY CHORUS OF AYES)

5 CHAIRPERSON NEWTON: Any opposed?

6 DR. BARTH: No.

7 CHAIRPERSON NEWTON: Motion carries.

8 Advanced Placement.

9 MR. BLACK: I move that we approve the waiver.

10 CHAIRPERSON NEWTON: Okay. Mr. Black has moved
11 to approve the waiver. Is there a second?

12 MS. ZOOK: I have some discussion on this one.
13 I haven't --

14 CHAIRPERSON NEWTON: We have to get a second
15 first.

16 MS. DEAN: Second.

17 CHAIRPERSON NEWTON: Okay. Ms. Dean has
18 seconded. Sorry. Okay. Ms. Zook, your question?

19 MS. ZOOK: I happen to be aware that the
20 advanced placement waiver that KIPP requested is
21 because KIPP's organization has a training program
22 for teachers separate and apart from the -- whatever
23 that board is called, College Board that trains the
24 others. So they in fact do get extensive training;
25 it's just not from that entity. So --

1 SUPT. HOY: That's correct.

2 MS. ZOOK: -- without another group that's going
3 to do this training, then I would ask you who is
4 going to -- or how are the people who teach these AP
5 courses going to receive the training they need to be
6 able to teach AP at that level?

7 SUPT. HOY: The current intent is to keep what
8 we've got in place.

9 MS. ZOOK: Which is through the Board?

10 SUPT. HOY: Yes.

11 MS. ZOOK: Okay.

12 CHAIRPERSON NEWTON: Any other questions?

13 DR. BARTH: I just voice -- I have to say my
14 concern is similar to that for the gifted and
15 talented program.

16 CHAIRPERSON NEWTON: Ms. Saviers.

17 MS. SAVIERS: Just curious, Mr. Hoy, how many AP
18 classes do you have?

19 SUPT. HOY: Oh, we've got all of them that meet
20 the standards. I think we -- I don't want to in this
21 forum give you a number on that.

22 MS. SAVIERS: That's okay. I was just curious.
23 I'm just so interested in your program, so just
24 curious.

25 SUPT. HOY: Well, I will tell you this in terms

1 of where we are -- again, it's one of those areas I'm
2 not satisfied. We have been looking at -- we've had
3 some conversations with Dr. Ken James' office and
4 AIMS. The thinking was it was too late in the year
5 to try to bring them in and implement this year.
6 What we have discussed in a leadership team meeting
7 was possibly bringing them in during the summer, if
8 they can fit that in, to maybe look at that. Right
9 now we've got Gear Up and At It in place --

10 MS. SAVIERS: Yeah.

11 SUPT. HOY: -- just kind of helping us with
12 those areas. But we want to make a stronger push in
13 that area; that's why we want to take the time and
14 keep what we've got in place currently and then take
15 a look at what -- make a run at doing the research on
16 what may work better for us in the upcoming 16-17
17 school year.

18 MS. SAVIERS: That's great. It can make a huge
19 difference for your school.

20 CHAIRPERSON NEWTON: Okay. Any other questions
21 or comments? All in favor?

22 (MAJORITY CHORUS OF AYES)

23 CHAIRPERSON NEWTON: Any opposed?

24 DR. BARTH: No.

25 MS. REITH: No.

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MS. SAVIERS: No.

CHAIRPERSON NEWTON: No, three no's.

Mr. Hoy, would you step back to the podium? I have a comment. This is a dangerous place to be, 71 days from the end of my service. But in all honesty, in reference to the KIPP analogy and the success they've had I'd just like to say from my observation -- and that doesn't necessarily mean that I'm right -- that there has been a strength in leadership at KIPP. And I think a lot of what has happened in terms of them being successful has been consistent leadership. And I just cannot -- I think this all either rises or falls based on continuation in leadership -- and I'm not the John Hoy employment agency, so I'm not -- but my mother says, and I remember, that you shouldn't trade horses in the middle of the stream; you're almost destined to failure. So I think that whatever happens here will -- and we trust you and I think it's obvious by the Board, and certainly there's some concern. So I think the trust is there that you will carry forth the vision. And I'm just hoping that the citizens and the board not will give you a carte blanche but would give you an opportunity to take these ideas to fruition. I think you have certainly the support of

1 the board and the Division of Education to do that,
2 but it does cause me -- you know -- I take
3 responsibility for the success or failures of the
4 different things that have happened while I'm on the
5 Board, and I'm still on the Board, so I don't want to
6 look back on this as one of those things that we made
7 a misstep on. So I know what our desire is. And
8 certainly the KIPP example is a good example but they
9 brought with them -- we can't forget this -- a
10 national organization with a history of best
11 practices. So it's not like they showed up one day
12 and all of a sudden they just got a bunch of waivers
13 and it worked, but they did it on a historical best
14 practice program. So I wish you all the best because
15 the families there and the children deserve the best.
16 So thank you again.

17 Ms. Chambers.

18 MS. CHAMBERS: Madam Chair, I think everyone
19 would agree that what we've just done reflects
20 calculated risk that is motivated by our belief in
21 the leadership that you will provide the direction
22 that is required for students to perform. It
23 obligates us to a rigor -- to a degree of rigor that
24 we maybe -- whether we've seen it before or not, it
25 will definitely be part of our future. I think it's

1 really important that we get a sense of what this
2 annual review will require so that as you accept the
3 waivers that you have been granted you know the
4 implication on what then you will need to produce
5 year over year to show the success that we are
6 cheering you on to go achieve.

7 So, is that something that we can -- could we
8 see an early version of what that review content
9 might look like in our April meeting? Is that
10 possible?

11 COMMISSIONER KEY: I'm getting a nod from Mary
12 Perry, from Ms. Perry. So, yes.

13 CHAIRPERSON NEWTON: Yes.

14 MS. CHAMBERS: Because I think it's just as
15 important for the district, maybe more so, because
16 it's a contract, if you will; it's an agreement. I
17 shouldn't use the word contract. But it is
18 definitely an agreement on what success looks like
19 based on what it is that you will be doing with your
20 program this next year.

21 SUPT. HOY: Thank you.

22 CHAIRPERSON NEWTON: Okay. Thank you and thank
23 all of you for coming. You've got one last comment?

24 SUPT. HOY: Final comment.

25 CHAIRPERSON NEWTON: Okay.

1 SUPT. HOY: Based on the consistency issue of
2 leadership, there is something I disclosed to my
3 state superintendent, Mr. Andrew Tolbert, that I did
4 not disclose to anyone else to give you a little bit
5 more confidence in the ability of this board to
6 possibly maintain leadership, and that is this:
7 during my tenure in Helena-West Helena I decided that
8 if what I was doing there was not satisfactory to the
9 local body that I probably should not be there. So
10 I've asked this board two years in a row, in January,
11 whether or not they wanted me back, and for two years
12 in a row they said yes. Because if they would have
13 said no then I felt like my destiny would have been
14 some other spot in that same delta, trying to make
15 this same difference.

16 CHAIRPERSON NEWTON: Thank you.

17 SUPT. HOY: Thank you.

18 CHAIRPERSON NEWTON: Thank you. Okay. That
19 concludes that action item. We're going to break for
20 lunch and return at 1:30.

21 (LUNCH BREAK: 12:43 - 1:33 p.m.)

22 A-5: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT
23 CHARTER: PANGBURN SCHOOL DISTRICT

24 CHAIRPERSON NEWTON: We're calling the meeting
25 to order and we're going to resume our action agenda

1 with A-5, which is the District Request for Waivers
2 Granted to Open-Enrollment Charter: Pangburn School
3 District. Ms. Perry.

4 MS. PERRY: Yes. Yes. Act 1240 of 2015 allows
5 a school district to petition the State Board of
6 Education for all or some of the waivers granted to
7 open-enrollment public charter schools that draw
8 students from the school district. Representatives
9 of the Pangburn School District are appearing before
10 the Board with a petition for waivers. You have the
11 principal David Rolland who will come and speak to
12 you once you're ready for him.

13 CHAIRPERSON NEWTON: We're ready. Your name is,
14 again?

15 MR. ROLLAND: David Rolland.

16 CHAIRPERSON NEWTON: David Rolland. Is there
17 anyone here, Mr. Rolland, with you that intends to
18 have comments?

19 MR. ROLLAND: I have our superintendent Dr.
20 Kathy Berryhill and my assistant principal Ms.
21 Suzanne Louks.

22 CHAIRPERSON NEWTON: Last name?

23 MR. ROLLAND: Louks.

24 CHAIRPERSON NEWTON: Louks. Okay.

25 MR. ROLLAND: L-o-u-k-s.

1 CHAIRPERSON NEWTON: Okay. Is there anyone
2 speaking in opposition of the waivers that Pangburn
3 District is requesting? If not, will those that are
4 expecting to testify to information stand please to
5 be sworn in. Raise your right hand. Do you swear or
6 affirm that the testimony you're about to give is the
7 truth and nothing but the truth?

8 (ALL WITNESSES ANSWERED AFFIRMATIVELY)

9 CHAIRPERSON NEWTON: Thank you. You have 20
10 minutes.

11 MR. ROLLAND: All right. Like I said, my name
12 is David Rolland and I'm speaking on behalf of the
13 Pangburn School District today. I'm joined by Dr.
14 Kathy Berryhill and Ms. Suzanne Louks. And I
15 appreciate this opportunity to come before you today
16 and speak on how we want to attempt to redesign
17 Pangburn High School. Pangburn High School is
18 already a good school. We have a rich tradition and
19 good test scores. Our last state report card we
20 scored a B. A great -- we have great students, a
21 dedicated staff with very little turnover, beautiful
22 facilities, excellent parental and community
23 involvement.

24 Why are we looking to redesign is because as I
25 look to the future, the 21st century classrooms

1 should reflect the needs of the students who are
2 growing up in this environment. It hasn't been too
3 long ago I was watching the news and I saw scrolling
4 across the bottom of the screen, it said in the next
5 few years 83% of jobs that pay \$20 or less an hour,
6 which are your unskilled jobs, will soon be
7 automated. So it got me thinking are we doing
8 everything to make sure that these kids leave high
9 school with the skills that they need to be
10 productive in the 21st century workplace. The 21st
11 century classroom should be personalized, learner
12 driven, tech enabled, and prepare the students for
13 the workplace and college. We need to include a
14 combination of work-related soft skills and STEM
15 education.

16 As we begin on our journey to look at how to
17 redesign our high school, I put together a team of
18 teachers and we began by going to the Wilbur D. Mills
19 Co-op and we met with people from Arkansas Virtual
20 Schools' administration and started brainstorming
21 ideas about what we wanted our school to look like.

22 The second step, I took that team to Pea Ridge
23 High School, who has a modified flex schedule and a
24 career academy. I also after that met with then-
25 assistant commissioner of education Debbie Jones and

1 director of curriculum and instruction Stacy Smith
2 and brainstormed our ideas and got their input.
3 Kathy Turner, the deputy director of the career and
4 technical education, brought a team to my campus,
5 visited with me and other staff members on how can we
6 develop students to have the soft skills needed for
7 industry and career pathways.

8 After that, we began to put our plan together
9 and then we introduced our plan to the entire high
10 school staff. Teachers had a chance to give input,
11 questions, feedback, criticism, anything that they
12 had to say about the plan they presented. In
13 January, I presented the plan to our local school
14 board with the same -- they could also give input and
15 give any suggestions that they wanted to strengthen
16 our plan.

17 So our plan -- the plan for Pangburn High School
18 and the one we're wanting to design has five major
19 components: a flexible school schedule, emphasis on
20 soft skills, more opportunities for career
21 certification, project based learning using STEM
22 skills, and community service learning. So I would
23 like to go in one at a time and talk about those.
24 We'll start with the flex schedule.

25 The flex schedule uses blended learning to allow

1 students to move flexibly through different learning
2 modalities with the goal of optimizing their learning
3 experiences based on their specific needs. Each
4 student is enhanced with a customized fluid schedule
5 among different modalities. The teacher-of-record is
6 on-site and the teacher-of-record and other faculty
7 members provide face-to-face support on flexible and
8 adaptable learning activities for that student. It
9 includes online learning, small group learning, group
10 projects, individual tutoring. As I look at this
11 schedule, I really can't find a kid that wouldn't
12 benefit from this schedule. If you are a kid at the
13 top of the class, you can accelerate through courses;
14 you can accelerate through contents; you know, you
15 can just use more of your school day to better equip
16 you for what you're going to need in the future.
17 When I think about kids who struggle, we have done a
18 lot this year in RTI. We have taken every 9th and
19 10th grader. We have given -- we have measured them
20 for their reading and math level. We're monitoring
21 their progress. But here's the issue: a flex
22 schedule allows me to use my best teachers to do the
23 interventions instead of instructional aids. The
24 flex schedule allows for those best teachers to do
25 interventions. It also allows for more small group

1 and project based learning. It allows for them to
2 have more time to explore career and learning
3 opportunities outside of the normal classroom. A
4 phrase I like to -- I got this from Jon Laffoon, the
5 principal of Pea Ridge; he said, "A flex schedule
6 allows the time to serve the kids, not the kids serve
7 the time, eliminating the regular bell schedule."

8 Okay. The second part of my plan I alluded to
9 was work-related soft skills. I think we have heard
10 from industry. We have heard from colleges that kids
11 are not graduating high school with the soft skills
12 that are needed.

13 Is it okay if I pass out a handout?

14 CHAIRPERSON NEWTON: Yes.

15 MR. ROLLAND: Okay.

16 (WHEREUPON, A5 Exhibit One (1) was marked for
17 identification and entered into the record.)

18 MR. ROLLAND: Last year I had a motivational
19 speaker come to my school, Paul Vitale. Probably
20 many of you are familiar with him. He works for many
21 industries such as he works for Wal-Mart, ESPN, the
22 NFL, Southwest Airlines, Tyson; he works with a lot
23 of industries and he also does motivational speaking.
24 After he spoke at my school it really motivated my
25 kids and I thought, how can I use this motivation to

1 lead to something greater, because a lot of times
2 I've been in motivational speaking environments that
3 last maybe a day, a week. How can we do something
4 that would make what he told the kids more impactful
5 on their lives? So I talked to him after he got done
6 at our school and we talked about a lot of different
7 things. I asked him to talk to the industries that
8 you work with, Wal-Mart, Tyson; what are their --
9 what are they looking for in their employees. And we
10 have developed a curriculum that next year will be a
11 local requirement for graduation and it is on the
12 non-essential skills for the workplace. We have
13 gotten input from industry, we've gotten input from
14 the career education people, and we broke it down
15 into the non-essential skills. It is going to be an
16 81-lesson online class. And what we do is, since
17 it's divided into nine and there's pretty much nine
18 months in the school year, we will make each one of
19 these a focus for a month. So the first month we
20 might do the structuring of work ethic, second month
21 respecting human dignity, strengthening connectivity,
22 understanding business etiquette, achieving through
23 collaboration, becoming an intentional planner,
24 transitioning with confidence, dispelling
25 entitlements, and computer and digital literacy. But

1 as I looked at my school there were bits and pieces
2 of this falling in certain courses, but it wasn't an
3 overall theme. So my plan is to make this a 9th
4 grade course and during the 9th grade they will learn
5 about these 81 -- the non-essential skills and the 81
6 sub-skills and we will start developing an electronic
7 portfolio similar to what teachers have to do in
8 BloomBoard. And over the course of their four years
9 they provide evidence and artifacts that meet the
10 needs of these nine essential skills. That could be
11 research they've done on a skill; that could be input
12 that if they do an internship or they do -- let's say
13 they do something in a classroom that demonstrates
14 these skills that teachers can write them
15 recommendations and they can put into these -- these
16 artifacts into their portfolio. But the biggest part
17 of the plan is just to get them that these are
18 focused, these are a big focus to your education.
19 And I think for a long time we've kind of alluded to
20 them but we haven't given them the primary focus that
21 they deserve. And something I learned a long time
22 ago that I was told, Don't expect things that aren't
23 inspected. If you're not going to inspect it, don't
24 expect that any adults, kids, anybody are going to do
25 it. So this is a cornerstone of our new school and

1 it's going to be talked to -- and it's going to be
2 talked to in a way these are coming from an uplifting
3 motivational message; this isn't preaching down to
4 kids; this isn't that type of mentality. This is
5 going to be talked to with parents in this fashion.
6 It's going to be said, you know, "We want to give our
7 kids here at Pangburn High School the edge. We want
8 them to develop these skills so when they go to the
9 workplace they know that a Pangburn graduate has had
10 these skills taught to them and just covered over and
11 over." And they also -- this will not be part of
12 their transcript but each kid gets a grade on each
13 one of the nine essential skills. So over the course
14 of their four years we will grade them periodically.
15 Every kid in our school will have an AIP which will
16 include work-related soft skills. And how we measure
17 them -- now I'm using my combination of teachers and
18 industry people to come up with rubrics and
19 measurement tools to how do we grade -- how do we
20 grade, for example, work ethic; how does that look in
21 a grade. But this is something that we're going to
22 pilot next year and see how it comes up. I'm very
23 excited about that being part of our program.

24 The third part of our program is the career
25 certifications. Like I said, our society is going to

1 have a big dilemma someday with so many people being
2 unskilled. We have got to have skills in place,
3 career certifications that make kids employable. We
4 already partner with the ASU Regional Career Center
5 to offer student courses in welding, auto body,
6 electrical systems, medical office management, dental
7 assistants. We've already got things like that in
8 place, but I've got students who aren't interested in
9 those programs. So one of the waivers I'm requesting
10 is can I work with local industry, businesses to
11 develop new pathways. For example, I had a student
12 move in from Texas last semester. She was two-thirds
13 away -- two-thirds through a vet tech program. Okay.
14 You know, I've got vets in the area that maybe could
15 work with her and help her finish that program. You
16 know, you hate to see a child due to circumstances
17 outside of her control, her education and her career
18 pathway be disruptive, you know; and just because I
19 don't have it or the regional career center in my
20 area don't have it why can't I go to somebody in that
21 profession and help her finish that course of study.

22 And the next part of my plan, of course, is the
23 community service. We've been recognized nationally;
24 a lot of it is through our FBLA chapter on our
25 community service. We teamed with Habitat for

1 Humanity and built a house for a family there
2 locally. We built a veterans memorial in town that
3 has all the names of the veterans who live in our
4 community. We did a town museum and a community
5 garden. But there's something I've learned about
6 community service: when it's done outside the school
7 day it limits what kids participate. You know, the
8 kid who has to work 40 hours a week to pay -- help
9 pay bills don't get to communicate. So I think the
10 flex schedule allows for more kids to be involved in
11 the community service. A major part of my community
12 service I want to do though is involved around early
13 childhood literacy. We have partnered with
14 Imagination Library to give each child in our
15 district one book a month starting at birth. And I
16 want the kids to do this program with adult and staff
17 members facilitating it. But here's what I think
18 about this program; there's several things. When I
19 talk to my high school kids I talk about leaving a
20 legacy, why don't we start something that will go
21 down and make our high school greater. When you look
22 at early childhood literacy kids are already behind
23 before they start. They just are. I mean, kids who
24 live in poverty, kids who don't have the support at
25 home, they're behind. So why can we not develop --

1 it seems -- you know -- I know businesses have tried
2 Imagination Library; it just seems commonsense why is
3 your local public school not running that program to
4 get the kids reading and the parents involved before
5 they start to school. And I'll tell you something
6 else. In the year 2016, kids who are born in 2016
7 they're going to start school in 2021 and '22; those
8 parents are going to have options; they're going to
9 have home-schooling, they're going to have charter
10 schools, they're going to have church schools,
11 private schools. You know, it seems like a good tool
12 for public schools to get involved in to build those
13 relationships with parents from the beginning. Also,
14 another part of my community service is putting high
15 school kids in elementary classrooms to help, to help
16 with literacy. I have a high school English teacher
17 who is a former lit coach who talks to the kids about
18 fluency, talking about how to get kids to read. And
19 a funny story: I put a boy in a 3rd grade classroom
20 this year; he's an 11th grade boy. And the 11th
21 grader read to the 3rd grade classroom. After he
22 left one of the 3rd grade boys came to the teacher
23 and said, "Man, that's the coolest thing I've ever
24 seen." She said, "What's so cool about it?" The 3rd
25 grade boy said, "I've never heard a man read." When

1 you don't hear people who look like you and are like
2 you that's the disconnect. That's why early
3 childhood literacy -- I believe if we do more things
4 like that early childhood literacy could be greatly
5 impacted.

6 Okay. Also, and another thing --

7 CHAIRPERSON NEWTON: You have one minute-and-a-
8 half.

9 MR. ROLLAND: Okay. I'm hurrying.

10 CHAIRPERSON NEWTON: You've used up your time
11 and the other two ladies' too probably.

12 MR. ROLLAND: Do y'all want to talk? Okay. I'm
13 good. I'm good. I will hurry through this.

14 The early childhood literacy, putting high
15 school kids in those classrooms, a flex schedule
16 allows you better opportunities to do that and that's
17 why I want to do that.

18 Let me go through these two things and I'll wrap
19 up. How to insure the effectiveness of a program --
20 well, we get the teachers', students', parents' input
21 and feedback. We have grade level parent meetings.
22 I've already picked my grade level staff that's going
23 to be in my flex groups and they will meet with the
24 parents to help make sure every kid gets what they
25 need. We're going to collect data from the

1 portfolios. On the soft skills, we are going to work
2 with local industry to provide feedback and
3 opportunities for our students. And measuring
4 effectiveness will be through improving the math and
5 literacy skills of our students. We can measure that
6 by the ACT scores, ACT Aspire scores. And a high
7 percentage of our students will obtain more college
8 hours and certifications due to the need for the flex
9 schedule. Allowing them to move at their own pace,
10 more kids will get to move through our programs
11 faster. And we're asking for these waivers for five
12 years.

13 CHAIRPERSON NEWTON: Okay. You're right on
14 time.

15 MR. ROLLAND: Okay. I started rambling there.
16 My wife told me not to do that, so -- and I'm sorry.

17 CHAIRPERSON NEWTON: Again, I'll ask if there's
18 anyone here to speak in opposition of the waivers
19 that the Pangburn District has requested.

20 (BRIEF MOMENT OF SILENCE)

21 CHAIRPERSON NEWTON: And if not, we'll go into
22 any questions the board members might have. Ms.
23 Zook.

24 MS. ZOOK: Good afternoon. Thank you for your
25 presentation.

1 MR. ROLLAND: Thank you.

2 MS. ZOOK: How many students from Pangburn are
3 enrolled in Virtual Academy?

4 MR. ROLLAND: In Virtual Arkansas?

5 MS. ZOOK: I mean Virtual Arkansas.

6 MR. ROLLAND: Oh, Virtual Academy, the home-
7 school?

8 MS. ZOOK: Well, isn't that the one that you're
9 asking --

10 MR. ROLLAND: Yes. Yes.

11 MS. ZOOK: -- for waivers?

12 MR. ROLLAND: Three?

13 MS. PERRY: It's not very many. I don't
14 remember but there are some.

15 MR. ROLLAND: I think three.

16 MS. ZOOK: Okay.

17 CHAIRPERSON NEWTON: Okay. Any other questions?
18 Dr. Barth.

19 DR. BARTH: Just a question probably for Ms.
20 Perry. I just need a refresher. If suddenly there
21 were no students from Pangburn in Virtual, what would
22 happen to any waivers granted?

23 MS. PERRY: Well, once the waiver is granted
24 it's not -- it's no longer dependent that you have to
25 be granted when they have a student in the charter

1 school. According to the statute, it goes away when
2 the waiver is taken back from the -- when the waiver
3 is taken back from the charter school.

4 DR. BARTH: Uh-huh. So at the end of a five-
5 year period, if there were no Virtual Academy
6 students in the district, then there would not be a
7 renewal process under this statute?

8 MS. PERRY: I'll give that to Kendra.

9 MS. CLAY: That's correct. If you granted a
10 waiver for a five-year period, then they would have
11 to come back and request additional waivers if they
12 wanted to continue. And if they did not have
13 students that were enrolled in an open-enrollment
14 charter school then they would not be eligible for
15 the waivers with the law as written. Five years,
16 there's a couple of legislative sessions --

17 DR. BARTH: Well, yes.

18 MS. CLAY: -- that will happen between now and
19 then.

20 DR. BARTH: Okay. Thank you very much.

21 CHAIRPERSON NEWTON: Okay. Ms. Reith.

22 MS. REITH: And if I could piggyback off that,
23 one -- first, let me say how much I appreciate the
24 attention and effort that you put into this
25 application. This is the vision and focus that when

1 we were talking earlier today that, you know, excites
2 us. Right? We want to be able to support this
3 innovation. Where I continue to have some question
4 -- and, actually, Ms. Perry, you could probably best
5 help me with this -- why is this not a district
6 conversion charter or why is it not a school of
7 innovation? And when a district comes to you is
8 there not a guidance process? Because what I'd love
9 to see is that this isn't tied on to the Virtual
10 Academy but that it's, you know, something that on
11 its own right and merit gets its own level of
12 accountability and process and support.

13 MS. PERRY: I won't say that folks are directed
14 if they come and they tell me what they want to do.
15 We've held some workshops. We had the webinar
16 earlier in the year in which I participated,
17 Alexandra Boyd participated, Cindy Hogue with Schools
18 of Innovation participated, and we were all present.
19 We put together a chart that's on the website for
20 requesting district waiver requests that talks about
21 the differences in getting a waiver through a
22 district conversion charter, through a school of
23 innovation, and through just requesting a waiver from
24 an open-enrollment charter. So there are many
25 reasons why a district will go through this. We've

1 even seen, as you'll recall, the one district that
2 came and requested waivers so they could begin this
3 spring but had submitted -- were in the process of
4 submitting their charter application and you granted
5 them the district conversion charter that will begin
6 next year. So it can look many different ways.

7 MS. REITH: Was there any intention with this to
8 become a district conversion charter?

9 MR. ROLLAND: All options were open. We just
10 came with our goals and talked to different people
11 about what the best avenue was. We had already
12 missed the date, I believe, for the conversion
13 charter.

14 MS. REITH: I gotcha, I gotcha.

15 MR. ROLLAND: And we were pressing the date on
16 the school of innovation, but we were not against
17 either one of those options being options. We just
18 came with our goals and ideas and --

19 MS. REITH: Well, those are great goals and
20 great ideas.

21 MR. ROLLAND: Okay.

22 MS. REITH: And I wonder, would you be open here
23 -- and, again, this isn't forcing my colleagues but
24 just out of curiosity of options here, like we've
25 done before where it starts in this process but then

1 could become a standalone district conversion --

2 MR. ROLLAND: We are open to anything --

3 MS. REITH: -- or school of innovation?

4 MR. ROLLAND: We are open to anything that's
5 going to benefit the students of Pangburn Schools.
6 So, yes, we are definitely open to whatever avenue we
7 have to use to get the flexibility that we need.

8 MS. REITH: Thank you.

9 CHAIRPERSON NEWTON: Okay. Any other questions?
10 Okay. Are we ready for a motion?

11 MS. DEAN: I move to approve the waivers.

12 CHAIRPERSON NEWTON: Moved by Ms. Dean to
13 approve the waiver request. Is there a second?

14 MS. ZOOK: Second.

15 CHAIRPERSON NEWTON: Second by Ms. Zook.
16 Questions?

17 DR. BARTH: And just to clarify, it is for a
18 five-year period. Right?

19 MR. ROLLAND: Yes, sir.

20 DR. BARTH: Okay.

21 CHAIRPERSON NEWTON: Okay.

22 MS. REITH: And I just wonder about adding in
23 something about intentions to this becoming a
24 district conversion. I don't know if we -- I can't
25 recall, I apologize, if we built that into the last

1 case that we had that was similar to this.

2 CHAIRPERSON NEWTON: I don't know that --

3 MS. CLAY: I don't think we --

4 MS. ZOOK: I don't think they could do it
5 without the board --

6 MS. REITH: Okay.

7 MS. CLAY: I don't think it was built into the
8 last one. At the -- the timing of the last one was
9 important --

10 MS. REITH: Okay.

11 MS. CLAY: -- because they had actually already
12 applied for the district conversion. It just had not
13 completed the approval process yet.

14 CHAIRPERSON NEWTON: So the motion stands for
15 the approval of waivers and the second by Ms. Zook.
16 All in favor? Any further discussion? All in favor?

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIRPERSON NEWTON: Any opposed? Motion
19 carries.

20 MS. CHAMBERS: May I ask a question? Does it
21 assume an annual review?

22 CHAIRPERSON NEWTON: No, not unless it's
23 specified.

24 MS. REITH: But if I could put a strong
25 recommendation, if you could also, to continue and as

1 you think of the future of this, put in an
2 application so this could become a district
3 conversion charter or a school of innovation.

4 MR. ROLLAND: Okay.

5 MS. REITH: It just creates its own entity and
6 sustainability that's outside of the relation to the
7 Virtual Academy.

8 MR. ROLLAND: Okay. Yeah. I will take that
9 under advisement. Thank you.

10 DR. BARTH: Can I follow on Ms. Chambers'
11 question? On previous ones we've approved for five
12 years have they typically included an annual review?

13 MS. BOYD: (Shaking head from side to side.)

14 DR. BARTH: Okay. Just when -- so it's been
15 hit-and-miss. Okay.

16 MS. REITH: Well, and on that -- oh, sorry.

17 CHAIRPERSON NEWTON: No, go ahead.

18 MS. REITH: Sorry. On that note, I did want to
19 share something that -- now that we've approved this
20 application; I think this is the last one for today
21 of these ones -- that I did reference to the
22 Commissioner and some of our colleagues over lunch
23 that I would like to see a work session take place
24 specifically about these district-related waivers so
25 that we can give better guidance as a state board to

1 Ms. Perry's office so when districts do approach or
2 in future trainings with districts we can create some
3 continuity through this guidance -- right -- where it
4 may not be a rule but through the processes and
5 talking points that are out there. And then I had
6 Ms. Coffman -- she was so kind to check when our next
7 availability for a work session would be and
8 indicated that we're currently free for May. And so
9 I just wanted to pose that to my colleagues on the
10 Board. And then for everyone here in the audience
11 that may have pulled away different reactions from
12 our votes today and such, definitely a commitment to
13 try and create some continuity and structure within
14 what we are allowed to do and a commitment to do that
15 at the as soon as possible availability, which seems
16 to be May. And so if there's no objections from our
17 colleagues here to see if Ms. Coffman might be able
18 to start moving in that direction for a May work
19 session.

20 CHAIRPERSON NEWTON: Okay. I'd like to
21 apologize for an oversight. On A-5 there had been a
22 gentleman that signed up for public comment, David
23 Pollard. Is that person still here, that individual
24 still here? Mr. Pollard?

25 (BRIEF MOMENT OF SILENCE)

1 CHAIRPERSON NEWTON: Okay. Mr. Pollard,
2 relative to this action item? Okay. So Mr. Pollard
3 is not here, so that's not relevant then.

4 Before we move on I'd like to acknowledge the
5 presence of Senator Joyce Elliott and Representative
6 Clark Tucker here today.

7 COMMENTS BY REPRESENTATIVE JOHN WALKER

8 CHAIRPERSON NEWTON: Before we move on A-6,
9 Representative Walker is here and wanted an
10 opportunity to make some comments before he left.

11 REP. WALKER: My foot got numb waiting. Thank
12 you, Madam Chair. I have some comments that I've
13 prepared and reduced to writing, but I noticed a
14 number of errors and so I'd now like to submit an
15 erroneous document to you, other than to let you know
16 that it is erroneous so if you have it you can
17 somewhat follow me. But my remarks will deviate
18 somewhat. So therefore I'm going to pass on to you
19 with that caveat so that you'll be able to follow me,
20 the comments that I wish to make regarding the
21 academic distress waivers for alternative learning
22 environments. Would you do that, ma'am?

23 (WHEREUPON, Rep. Walker's Exhibit One (1) was
24 marked for identification and entered into the
25 record.)

1 REP. WALKER: If I may begin, Your Honor.

2 CHAIRPERSON NEWTON: Yes.

3 REP. WALKER: It has become a tradition for the
4 State Board to identify ALEs for the academic
5 distress list and then remove the ALEs from the list
6 after the State Board voted to allow these schools to
7 be waived from all accountability related to academic
8 distress.

9 The ACTAAP rule, in Section 3.02.2.1, states
10 that "a school MAY be identified as in academic
11 distress if 49.5% or less of its students achieve
12 proficient or advanced in math and literacy on the
13 state-mandated criterion referenced assessments
14 administered for the most recent three-year period."

15 This ACTAAP rule acknowledges that the ADE
16 and/or the State Board have the discretion to decide
17 which schools are designated in academic distress.
18 And in recent years the State Board has decided to
19 waive ALEs from the academic distress rule requiring
20 the schools to have 49.5% or more of their students
21 score proficient on state-mandated tests.

22 I would like to offer two comments on this
23 tradition:

24 First, when the ADE waives the academic distress
25 rules for the ALEs, the ADE is actually encouraging

1 districts to use the ALEs as a hiding place for
2 nonproficient students. It is well known that the
3 students who are sent to the ALEs are mostly black
4 and Hispanic students who are not achieving on grade
5 level. And it is also well known that the ALEs offer
6 minimal services and educational opportunities to
7 these students. Some of these schools are, at most,
8 a holding facility for students with very little
9 academic activity at all. So perhaps it makes sense
10 to waive the ALEs accountability regarding 49.5% of
11 their students scoring proficient since you know the
12 schools are not really focused on educating their
13 students.

14 But a more beneficial option for the State Board
15 to consider, rather than waiving accountability for
16 the ALEs, would be for the State Board to insure that
17 the ALEs are focused on educating their students.
18 However, this would require the State Board to hold
19 the ADE staff accountable. The ADE staff would have
20 to be more involved in the ALEs than they currently
21 are. We all know that Act 1118 of 2011 removed the
22 requirements of the ADE to monitor the ALEs at least
23 once every three years. And so now the ADE only
24 receives a count, head count, of students enrolled in
25 the ALE and a Statement of Assurance that the school

1 -- from the school saying that all is well and good
2 at the school. No accountability at the school level
3 either.

4 The ADE has moved away from on-site monitoring
5 of all schools, not just ALEs but all schools, and
6 technical assistance provided by the ADE staff is
7 just not heard of any longer. Commissioner Woods
8 [sic] and now Commissioner Key have greatly
9 diminished the level of support the ADE staff offers
10 to schools. There are no detailed ACSIP reports now;
11 we now only have an Indistar system that keeps
12 minimal information on federal and state funds, and
13 no longer are details on educational programs
14 included. More over, there is not school ACSIP
15 monitoring any longer. When the monitoring team goes
16 out to a school district once every six years, the
17 team just goes to the district office and views a
18 district plan. It doesn't matter that some -- when
19 schools are visited. Some of the schools are not
20 visited, nor are school plans reviewed even when the
21 schools are sitting next to the district office and
22 when schools are in deep levels of school
23 improvement. It does not matter. So this trend to
24 waive accountability for ALEs, and charter schools
25 too, is a similar trend -- a trend that ensures that

1 the ADE staff are not accountable for insuring these
2 schools are effective educational systems.

3 The current ADE rule regarding ALEs states that
4 the schools will be evaluated for effectiveness of
5 their educational program. But there is no vehicle
6 for that. Instead of conducting and reporting
7 evaluations, the State Board simply now waives the
8 achievement measures for these schools and therefore
9 waives the ADE's responsibility to insure that these
10 schools are effective.

11 So if you have a group of students who are not
12 doing well, and you know who they are likely to be,
13 you take them out of the regular classroom and you
14 put them in an alternative learning environment and
15 their scores are not counted and the rest of the
16 scores are counted and they are supposed to be high
17 achieving.

18 My second point relates to fairness across
19 schools. There are traditional schools identified
20 for academic distress this year that missed the 49.5%
21 standard by less than 2%. I want to deviate here,
22 Ms. Newton, and just say something and I hope I don't
23 offend anybody. But I use Crossett. More than 49%
24 of the students in Crossett who are African American
25 are below the 49.5% standard. They are not --

1 Crossett is not listed as a school in academic
2 distress because it has 50% white students and most
3 of them are higher achieving. Now, Dermott appears
4 right now in the present rules to need one student to
5 make the required 49.5% -- just one. They had
6 49.445% even with the concordance that was contrived
7 in order to put them in distress. Mineral Springs
8 had 48.13% and appears to need four students to make
9 the standard. Once you announce that a school is
10 going to be in academic distress that means your
11 teachers start running and your students do too. So
12 you have four or five good students who leave and
13 that puts the school immediately into distress simply
14 by the announcement. And there are other schools in
15 the state that were also very close. These schools
16 miss the standard by 1% or 2% and ALEs miss the mark
17 by as much -- by much more than that, some 20% to 30%
18 from the standard. Yet, the State Board selectively
19 approves waivers for these schools. Some of these
20 ALEs appealing to you today will receive their third
21 year of waivers from the 49.5% standard. And you
22 some of those schools are all black charters and they
23 are schools that are located in minority communities.
24 You might rationalize -- sometimes you might
25 rationalize that inattention to these students -- you

1 may rationalize that inattention to these students by
2 saying, "Well, the ALEs serve the most needy
3 students, students with discipline issues or special
4 needs." But that's not why you're supposed to have
5 ALEs, by your own rules. But you're supposed to
6 teach those children and y'all just put them over
7 there and say they're ALEs and you don't teach them.
8 The traditional students -- the traditional schools
9 also serve these types of students as well. But if
10 they don't have an ALE they get taught and their
11 scores get counted in the regular school environment.

12 Now I want to thank you all for allowing me to
13 make these comments. But the conclusion that I reach
14 is that ADE, that is the staff -- and there is no --
15 nothing to show that the staff has caused any school
16 in academic distress to be removed from academic
17 distress in history. None. AL -- ADE must hold
18 districts just as accountable as it does traditional
19 public schools and the so-called model charter
20 schools. Accountability, if you're going to have it,
21 has to be across the board; it has to be meaningful,
22 and you can't waive it in order to allow another kind
23 of system to replace the public school system. And
24 we ask that you don't waive it for these schools
25 because in Little Rock, for instance, the kids who

1 are at Central High School have been put out of
2 Central, they go into the ALEs and their scores are
3 not counted as Central. Central is held as a model
4 school. Other schools -- I don't want to pick on
5 Central, but other schools are being treated in the
6 same way.

7 So I ask that you all look at the reality of
8 this situation. If you're serious about educating
9 these children and removing them from so-called
10 academic distress labels and having them proficient,
11 you put them all in the same educational environment
12 and you teach them and you don't separate them and
13 you don't segregate them. Thank you.

14 CHAIRPERSON NEWTON: Thank you. Commissioner
15 Key.

16 COMMISSIONER KEY: Madam Chair, with all due
17 respect to my former colleague in the legislature,
18 there's one thing I agree with him on and that's his
19 prefacing comment that there are a lot of errors in
20 his written statement.

21 The staff of this Department work very hard
22 every day. The assertions that he makes that they
23 are not out there providing technical assistance,
24 providing the type of support that they need is just
25 completely false. They are doing that. The

1 accountability unit, the ALE unit, the schools around
2 the state -- I brag on many occasions about the work
3 that Ms. Lamb and the team that she has are doing
4 with ALEs. We have taken measures to improve the
5 process that we have in place and combining the
6 efforts of many of our accountability systems and the
7 reviews that take place with the on-site visits.

8 The issue with ACSIP and Indistar, that was
9 generated at the General Assembly to move us more
10 from a check-the-box model of ACSIP to a true school
11 improvement model. And Indistar is helping a number
12 of districts make that happen.

13 The history of academic distress I'll just
14 remind you -- many of you were here -- because the
15 history of our academic distress is less than two
16 years old in its current -- or just about two years
17 old in its current configuration with the 49.5%.
18 Many of these ALE students, the accountability for
19 those students rolls back to the schools from which
20 they are sent. So they're not a standalone looking
21 only at that; they are being looked at in the context
22 of the schools that send them.

23 So I would certainly want -- not want to belabor
24 this, but to allow you all to hear those statements
25 and to leave you thinking that somehow ADE is

1 neglectful and not taking care of the business that
2 we are supposed to be doing is unequivocally not
3 true. Thank you, Madam Chair.

4 CHAIRPERSON NEWTON: Thank you.

5 A-6: CHARTER AUTHORIZING PANEL ACTION ON DISTRICT CONVERSION
6 RENEWAL APPLICATION: CROSS COUNTY HIGH SCHOOL, A NEW TECH
7 SCHOOL

8 CHAIRPERSON NEWTON: Okay. Then our next order
9 of business is A-6 which is the Charter Authorizing
10 Panel Action on District Conversion Renewal
11 Application: Cross County High School, A New Tech
12 School. Ms. Boyd.

13 MS. ZOOK: Before she starts, I'd like to -- I
14 attended all three days of the Charter Panel hearings
15 and I know many of you probably watched it online.
16 But I want to commend the ADE staff for the in-depth
17 study they did before, the questioning and the
18 listening they did during, and the presentations of
19 the various charter groups that came. But, you know,
20 I know at different times especially Ms. Saviers is
21 real quick to compliment them on the different
22 aspects of their work, but I think you would have
23 been extremely impressed with them. It was three
24 very long days, very complicated issues, and they did
25 an exceptional job and I want to applaud not only Ms.

1 Boyd and her department but the individual panel
2 members and their levels of expertise. I was proud
3 to be associated with them.

4 CHAIRPERSON NEWTON: Okay. Ms. Boyd.

5 MS. BOYD: Thank you, Ms. Zook, Madam Chair.
6 Before we get started with my items -- I have 13 for
7 you today -- I just want to remind the Board that
8 your motion on these items should be to review or to
9 not review. That's it. Okay.

10 CHAIRPERSON NEWTON: We've got it.

11 MS. BOYD: All right. Perfect. A-6. On
12 February 17, 2016, representatives of Cross County
13 High School appeared before the Charter Authorizing
14 Panel requesting a renewal of their charter. By
15 unanimous vote, the Panel approved the request,
16 granting the charter a five-year renewal. No request
17 for the State Board to review that decision has been
18 made. The State Board may exercise its right of
19 review and conduct a hearing on the Charter
20 Authorizing Panel's decision at the State Board's
21 April 2016 meeting.

22 If you have any questions, we have
23 representatives from the school here.

24 CHAIRPERSON NEWTON: Okay. Any questions?

25 MS. SAVIERS: I just have one.

1 CHAIRPERSON NEWTON: Okay. Ms. Saviers.

2 MS. SAVIERS: I just had one, just curious.
3 After reading the packet and it just -- for anybody
4 who's here from there -- the graduation rate?

5 DR. McCLURE: I knew you were going to get me up
6 here.

7 MS. SAVIERS: I was trying.

8 DR. McCLURE: I'm Matt McClure, Chief Learning
9 and Financial Officer for the Cross County School
10 District. So when we started the charter five years
11 ago one of the things that we did realize is that we
12 were going to increase the rigor in the classroom.
13 And, consequently, that was going to be initially
14 that we were going to have to have more
15 interventions, we were going to have to have -- we
16 were going to have more children struggling. And we
17 have implemented those interventions. Our graduation
18 rate now is going up considerably.

19 The other piece -- I'll just go ahead and touch
20 on it, so -- because I know everyone has read the
21 report. At the end of the day -- and Dr. Gooden and
22 I were just talking about this also -- at the end of
23 the day it's not about a program; it's about the
24 human capital that you have in the building. We've
25 had some turnover, some of it being with TFA, and so

1 that has influenced some of our test scores. So
2 we're in the process now of building capacity as we
3 move forward. But I'm going to use Mr. Key's word
4 that he used just previously. If you were to ask our
5 students, parents, community members, anyone are our
6 kids more prepared to be successful when they leave,
7 when they graduate high school than they were five
8 years ago, it's unequivocally yes. We typically in
9 the past have had 30 -- between 30 and 35 percent of
10 our graduating class attend some type of
11 postsecondary, you know, whether it's university,
12 community college, any of those things. This year we
13 have 74%. We are definitely moving in the right
14 direction.

15 And I want to caution you not only in this case
16 but in all moving forward that the PARCC tests in the
17 past, and even the Aspire in the future, that's two
18 measures of multiple measures that we should be
19 looking at in whether or not kids are successful.
20 And it is not the end-all be-all. I'm still looking
21 for that research that says because a kid was
22 proficient on those tests that it means that they're
23 going to be successful in life. It is one indicator,
24 but it's not all of them. So I went way past, Ms.
25 Saviers, what all -- what you asked me, but I wanted

1 to state that.

2 CHAIRPERSON NEWTON: Okay. So the question to
3 the Board is review or not review. That's the
4 question for a motion at this time.

5 DR. BARTH: I move not to review.

6 MS. SAVIERS: Second.

7 CHAIRPERSON NEWTON: Moved by Dr. Barth and
8 second by Ms. Saviers not to review. All in favor?

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRPERSON NEWTON: Any opposed?

11 DR. McCLURE: Thank you.

12 MS. ZOOK: I want to mention something that they
13 did that I really, really like, and it was a visual.
14 So they say to the kids, "Here visually, if you do
15 this, this will get you an A. If you do this, this
16 will get you a B. If you do this, this will get you
17 a C." So for the visual, the tactile, the can't-
18 remember-from-one-day-to-the-next, I was really
19 excited about that. Every time I hear these I want
20 to go back and start teaching again because they come
21 up with ideas I hadn't thought of.

22 A-7: CHARTER AUTHORIZING PANEL ACTION ON DISTRICT CONVERSION
23 PRIORITY STATUS: BLYTHEVILLE HIGH SCHOOL - A NEW TECH SCHOOL

24 CHAIRPERSON NEWTON: Action item A-7, Charter
25 Authorizing Panel Action on District Conversion

1 Priority Status: Blytheville High School - A New Tech
2 School. Ms. Boyd.

3 MS. BOYD: Thank you, Madam Chair. On February
4 18, 2016, representatives of Blytheville High School
5 appeared before the Charter Authorizing Panel to
6 address the charter's priority status. By unanimous
7 vote, the Panel decided to take no action on the
8 charter. No request for the State Board of Education
9 to review the decision has been made. The State
10 Board may exercise its right to review the Charter
11 Authorizing Panel's decision -- and if it does so,
12 they will do that at the State Board's April 2016
13 meeting.

14 CHAIRPERSON NEWTON: Okay.

15 MS. BOYD: We have representatives on the phone
16 from Blytheville if you have any questions.

17 CHAIRPERSON NEWTON: In the event that we need
18 them. So the question is on this action item to
19 review or not to review. And I'll go through these.
20 There will be some I'll stop and pause because we do
21 have some folks that are signed up for public
22 comment, but there are none here on A-7. So what is
23 the pleasure of the Board?

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

25 CHAIRPERSON NEWTON: Okay.

1 MR. WILLIAMSON: Second.

2 CHAIRPERSON NEWTON: Moved by Ms. Zook and
3 second by Mr. Williamson not to review. All in
4 favor?

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRPERSON NEWTON: Any opposed? The motion
7 carries.

8 A-8: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT
9 PRIORITY STATUS AND RENEWAL APPLICATION: COVENANT KEEPERS
10 COLLEGE PREPARATORY SCHOOL

11 CHAIRPERSON NEWTON: A-8 is the Charter
12 Authorizing Panel Action on Open-Enrollment Priority
13 Status and Renewal Application: Covenant Keepers
14 College Preparatory School.

15 MS. BOYD: On February 17, 2016, representatives
16 of Covenant Keepers appeared before the Charter
17 Authorizing Panel requesting a renewal to their
18 charter and to address the charter's priority status.
19 By a 6-to-2 vote, the Panel approved the request
20 granting the charter a three-year renewal. No
21 request has been made for the State Board to review
22 the decision and you may chose so if you so desire.

23 CHAIRPERSON NEWTON: Okay. So, Ms. Saviers.

24 MS. SAVIERS: Move to review.

25 CHAIRPERSON NEWTON: Moved to review, motion by

1 Ms. Saviers. Is there a second?

2 DR. BARTH: Second.

3 CHAIRPERSON NEWTON: Second by Dr. Barth. All
4 in favor?

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRPERSON NEWTON: Opposed? Okay. The motion
7 carries.

8 A-9: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT

9 AMENDMENT REQUEST: eSTEM PUBLIC CHARTER SCHOOL

10 CHAIRPERSON NEWTON: Moving on to A-9, Charter
11 Authorizing Panel Action on Open-Enrollment Amendment
12 Request: eStem Public Charter School. And we'll hear
13 from Ms. Boyd but in addition to that, we have again
14 some folks that have signed up for comment. And the
15 procedure of the Board is -- Ms. Saviers --

16 MS. REITH: She's recusing.

17 CHAIRPERSON NEWTON: Oh, she's recusing. Okay.
18 Ms. Saviers is recusing.

19 On this, like we've done with one or two in the
20 past, there has to be a motion from the Board and a
21 second and a majority vote to have public comment.
22 So, again, we have three people signed up for public
23 comment on A-9. What is the pleasure of the Board?

24 DR. BARTH: Move to open for public comment.

25 CHAIRPERSON NEWTON: Moved by Dr. Barth.

1 MS. REITH: Second.

2 CHAIRPERSON NEWTON: Second by Ms. Reith. All
3 in favor?

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIRPERSON NEWTON: Any opposed? Okay. So
6 after Ms. Boyd, then we'll hear in order, in this
7 order from Bill Kopsky, Joyce Elliott -- Senator
8 Joyce Elliott, and Representative Clark Turner.

9 DR. BARTH: Tucker.

10 MS. BOYD: All right. Item A-9 --

11 CHAIRPERSON NEWTON: What did I say? Did I
12 mispronounce his name?

13 DR. BARTH: Yeah. Tucker.

14 COMMISSIONER KEY: Tucker.

15 CHAIRPERSON NEWTON: Tucker. I'm sorry.

16 MS. BOYD: All right. Item A-9 is the Charter
17 Authorizing Panel Action on the Open-Enrollment
18 Amendment Request for eStem Public Charter School.
19 On February 19, 2016, representatives of eStem
20 appeared before the Charter Authorizing Panel
21 requesting an amendment to their charter. By a 6-to-
22 1 vote the Panel approved the request. No request
23 for the State Board to review the decision was made.
24 The State Board may exercise their right to review
25 that decision in April 2016.

1 CHAIRPERSON NEWTON: Okay. I have an additional
2 name for public comment and that's Patsy Bates
3 Abraham.

4 So, Mr. Kopsky, if you're here -- okay, you have
5 three minutes.

6 MR. KOPSKY: I will hopefully be less than that.
7 Good evening -- or good afternoon; not evening yet.
8 Thank you for considering this. A couple of points
9 that -- first of all, I'm a father of a 3-year old
10 and a 5-year old in Little Rock Public Schools. They
11 are at Rockefeller Early Childhood Center which I
12 encourage you all to go visit. It is a wonderful
13 place and a shining star in Arkansas for what we
14 should be doing to help close the achievement gap and
15 help all kids learn. At Rockefeller I am also the
16 PTA president and I represent parents who have
17 between 17 and 14 more years living with the Little
18 Rock School District that you all now control, and
19 we're deeply concerned. Most of the parents at
20 Rockefeller had no idea these charter applications
21 were even going to the Charter Authorizing Committee,
22 did not have an opportunity to be involved in that
23 process.

24 You assumed responsibility for our district when
25 you disbanded our school board. You are now the

1 Little Rock residents' only representatives on school
2 policy in Little Rock. There's no one else
3 accountable to us, except you. There is too much
4 riding on this to defer to a staff committee that
5 most residents in Little Rock had no idea was
6 meeting, no idea it was considering. It is your
7 responsibility to have a full and fair hearing by
8 you. I'm very disappointed that one of the State
9 Board members has walked out of this hearing.

10 CHAIRPERSON NEWTON: She didn't walk out. She
11 recused.

12 MR. KOPSKY: I understand. Again, you assumed
13 control of this school district. This is your
14 responsibility. You need to be in your chairs, you
15 need to be considering the facts. I think when you
16 consider the facts you'll find that the timing on
17 this is wrong. Little Rock School District, the new
18 superintendent has only had 10 months to make
19 changes; the changes are taking place. I'm deeply
20 involved in the school district. I can tell you that
21 there's reforms happening. I can tell you the
22 parents are engaging. The biggest problem Little
23 Rock School District has had for a long time is a
24 break in trust, a break in public trust because of
25 dysfunction at the school board level, dysfunction in

1 the administration. It is -- the school district is
2 making strides to rebuild that trust right now.
3 Decisions like this that most people didn't even know
4 were coming are going to break that trust yet again,
5 erode confidence, and you're going to see more
6 families fleeing the district. You absolutely have
7 to review these, give it a full and fair hearing, and
8 then you will help rebuild the public trust that the
9 school district is working so hard right now to
10 create.

11 The other reasons that I think that this needs
12 review is I think that when you look at the facts,
13 when you do review this, you will find that these
14 proposals will be the further segregation of Little
15 Rock schools. The student body of these two charter
16 schools is vastly different than the public school
17 community in greater Little Rock. Our organization
18 where I work is -- I haven't mentioned that yet --
19 it's the Arkansas Public Policy Panel. We were
20 founded in 1963, by brave moms who risked their lives
21 to fight for desegregation in public schools across
22 this state. They fought for the very things that
23 we're all trying to create, which is a diverse
24 community, a public school system that reflects
25 everybody that lives in that. As a parent that is

1 incredibly important to me for my kids to go to a
2 school that looks like their community. These
3 charter schools fail that test. They say they're
4 trying, and that's fine, but the ultimate
5 accountability is whether they achieve that goal --
6 and by the data they are not. If you look at simply
7 limited English proficiency students, there's an
8 eight-times gap between the 1.5% of students at eStem
9 who need -- who are limited English proficiency and
10 the over 13% at the Little Rock School District who
11 are limited English proficiency. These are not the
12 same student bodies. These are not apples and apples
13 comparisons. You owe the school district, you owe
14 the residents of this city a full, fair review of
15 these charter applications. I beg you to do it.

16 CHAIRPERSON NEWTON: Thank you, Mr. Kopsky.

17 MR. KOPSKY: Thank you.

18 CHAIRPERSON NEWTON: Next is Senator Elliott.

19 SENATOR ELLIOTT: Good afternoon, Members.

20 CHAIRPERSON NEWTON: Good afternoon.

21 SENATOR ELLIOTT: Sometimes I amaze myself with
22 my choice of being here or at the DHS budget hearing.
23 So I guess you got the short straw. But I don't want
24 to say everything I feel about the issue, but I have
25 one major statement I want to make to you and one

1 thought I want to leave with you, and that is, of
2 course, I think having a full-blown hearing so that
3 the public has an opportunity to come and speak on
4 the issue. And I say that on behalf of both sides,
5 or if there are three sides. I think it's really
6 important that something that can have this kind of
7 far-reaching effect to suggest that we have had a
8 hearing because the Authorizing Panel has spoken I
9 think kind of belies the point of the Authorizing
10 Panel. The Authorizing Panel is there to review one
11 thing and one thing only: whether or not this is a
12 plan that is viable and makes sense. And what we
13 want from you is to make sure you hear from the
14 public at-large before you make a policy decision of
15 whether or not such an expansion will fit into your
16 vision of what the Little Rock School District can be
17 and should be and, more importantly, has an
18 opportunity to be. Because we're at a point now
19 where all of us are trying to think about what's
20 best, no matter which side you're on, and nobody can
21 plan, no matter which side you're on. And most
22 importantly my concern is about the Little Rock
23 School District being able to have a plan because if
24 we don't know -- if we don't fully vet what the
25 ramifications would be, we leave the Little Rock

1 School District as it is right now, not knowing how
2 to plan. Because it is very difficult to put a plan
3 in place, or the Board or whoever is going to do the
4 plan to put a plan in place, when we are actually
5 building it on quicksand. We don't know if we're
6 still going to have all the pillars or not.

7 And so with that in mind and with you as being
8 the policymaking body I think it's probably most
9 prudent and I ask you to set a date and have a
10 hearing so that especially parents who cannot come to
11 an 8:00 in the morning panel hearing maybe they'll
12 have an opportunity to plan for something that's a
13 month or so down the road and come and speak their
14 piece. And so that's what I ask you to do, and
15 because it is just fundamental to this country that
16 we have hearings, so we have transparency, so people
17 can be heard. If I did the most untoward thing right
18 now in front of everybody in this room, and everybody
19 knew I was probably guilty, the one thing I would get
20 because I live in America would be a hearing. And
21 the same kind of thought should be important here.
22 It's a big deal. We're working hard. I have -- like
23 Bill, I have a child I have great interest in at
24 Rockefeller; it happens to be my grandchild. But my
25 interest is for all the kids in this district and I

1 hope you will honor that for me and for all the other
2 parents and everybody else who cares and have that
3 hearing. Thank you very much.

4 CHAIRPERSON NEWTON: Thank you. Okay. We've
5 had two people to be added to the list but we're
6 still going to go in order that we stated earlier.
7 And added to the list are Senator Jane English and
8 Senator Alan Clark. But right now we're going to
9 hear from Representative Clark Tucker.

10 REP. TUCKER: Thank you, Madam Chair and thank
11 you, Members of the State Board for having me here
12 this afternoon. I had the same choice as Senator
13 Elliott, so y'all got the short end of my stick as
14 well. But one point I want to make clear is that I'm
15 not here to advocate for an outcome on the final
16 decision of whether these particular charter
17 applications are approved or not. I'm here to
18 advocate for a particular process. And one other
19 point I want to make is that I'm not here to speak
20 against eStem or LISA Academy, and I'll make these
21 comments apply to both charter applications because I
22 think they both serve the students in their schools
23 well. LISA Academy invited me to tour their facility
24 and I was impressed. They do a good job with their
25 students. And I think if they -- with the

1 applications they've submitted, the Charter Panel
2 Review Committee did their job and in my view their
3 job is to -- and to use Senator Elliott's language,
4 to determine whether those applications are viable
5 for those schools. But the way I view it is that
6 it's the State Board's job to determine whether those
7 applications for those particular charter schools are
8 viable for the city of Little Rock and the greater
9 community as a whole.

10 And so I would implore you to do what I feel is
11 your job to come up, particularly with the school
12 district that's under state control, and that is to
13 come up with a broader plan for the entire city.
14 Because if we review these applications one-by-one on
15 an individualized basis without a greater plan for
16 the city, then someday down the road we're going to
17 end up where a substantial chunk of students have
18 been left behind and I don't think that outcome is
19 acceptable for the city of Little Rock. And so if we
20 have a plan for the city and part of it is to expand
21 eStem and LISA Academy, then so be it. But I want to
22 make sure that plan is in place so we can think about
23 this in a thoughtful manner with input from all parts
24 of the community. And so that's the process that I'm
25 requesting you guys engage in today, to open it up to

1 everybody, for you to review not just the merits of
2 these schools, which I concede are strong, but the
3 merits for these applications as they apply to the
4 broader community as a whole. So thank you very much
5 for your time.

6 CHAIRPERSON NEWTON: Thank you for your
7 comments. Next, Ms. -- I think Bates Abraham. Is
8 that correct? You have three minutes.

9 MS. ABRAHAM: My statement is very short. My
10 name is Patty Bates Abraham and I'm here representing
11 the Little Rock Public Education Foundation. We're a
12 nonprofit organization that supports public schools
13 in our community. We believe that the expansion of
14 eStem and LISA Academy will have significant impact
15 on other public schools in our community. And we
16 feel very strongly that a public hearing will enable
17 all the members of our community to express their
18 views and we would like for you to vote to have that
19 hearing please. Thank you.

20 CHAIRPERSON NEWTON: Thank you. Senator
21 English.

22 SENATOR ENGLISH: Thank you. I am Jane English,
23 Senator from North Pulaski County. And I'm here to
24 speak on behalf of the eStem and the LISA Academy and
25 their charters. I think it's really important for

1 all of our kids and our parents to have a choice
2 about where they're going to live and where they're
3 going to send their children to school. I think one
4 of the things that -- this all seems to be coming up
5 as both of these schools want to expand. The reality
6 is they've been around for a good long while. And,
7 obviously, it's like competition if you have a car
8 dealership and more and more people want to buy from
9 your car dealership. Would we want to say to a car
10 dealer, "No, you cannot sell any more cars or you
11 can't expand because there are other people who would
12 like to be able to do what you're doing?" That
13 really doesn't seem to be the thing to do. I think
14 if we -- there was a really good article or editorial
15 in today's paper, and we start looking at how many of
16 these kids, the 6,000 students that are on a waiting
17 list for these schools, where they come from.
18 They're all -- we see kids coming back into the
19 public schools and going to charter schools. We
20 don't see everybody exiting, but they are making the
21 kinds of choices they want for their children. I
22 think that's what we all want is to be able to choose
23 for our kids what is the very best thing. I don't
24 know any place else in any part of our society that
25 you only have one choice and that people tell you you

1 can only have one choice. We don't live our lives
2 that way. We live our lives and being able to make
3 multiple choices of where we want to go shop, where
4 we want to go eat, where we want to go to college,
5 all those things. Why should we not be able to let
6 parents decide what they want to do for their
7 children and what's best for them? I certainly hope
8 you will support these expansions. Thank you.

9 CHAIRPERSON NEWTON: Well, Senator English, do
10 you want to speak to review or not review?

11 SENATOR ENGLISH: I beg your pardon?

12 CHAIRPERSON NEWTON: Would you like to speak to
13 whether -- the question is to review the Panel's
14 decision or not review.

15 SENATOR ENGLISH: I'm sure -- I don't know what
16 the means.

17 CHAIRPERSON NEWTON: Well, we're not making a
18 decision --

19 SENATOR ENGLISH: Oh.

20 CHAIRPERSON NEWTON: -- as to whether or not to
21 grant the charter, but the question is whether to
22 review or not review the Panel's recommendation.

23 SENATOR ENGLISH: That's fine. Yes. Thank you.

24 CHAIRPERSON NEWTON: Okay. Representative
25 Tucker. I'm sorry. Senator Clark.

1 SENATOR CLARK: Thank you, Members. I am here
2 to advocate a position and to speak for the thousands
3 that are on a waiting list, two-thirds of which I'm
4 told are minorities. I stand here before you today
5 with a little bit of shame; can't help it. I stand
6 before you here as a State Senator with a high school
7 education. The real shame of that is I stand here
8 before you with a high school education and I was a
9 National Merit semi-finalist. To this day I still
10 can't tell you what I needed to do to become a
11 National Merit finalist because no one ever told me
12 at the school I was at. What's even more ashamed is
13 that the school where I got that education that made
14 me a National Merit semi-finalist was three miles
15 from my home, but the State of Arkansas said I
16 couldn't go there anymore, that my family, my self
17 and my parents -- my dad was a teacher, which is how
18 I got to that school to begin with when he was
19 teaching -- we weren't the ones who should make that
20 decision. Now I have to tell you that this affects
21 real people and it affects real lives and they never
22 get to go back and change. I also stand here as a
23 manager of a family business, a building material and
24 floor covering retailer, and we're kind of the
25 charter school. You know, Home Depot and Lowe's are

1 the big public schools. And I work in a dynamic
2 environment every day; I have to plan every day. It
3 would be nice if somebody capped Home Depot and
4 Lowe's sales and said, "You can't -- after they reach
5 a certain number you can't go there until Clark's
6 gets to whatever it is they're trying to do and
7 whatever they're trying to change." But we do just
8 fine, thank you, in that environment and Lowe's gets
9 better and Home Depot gets better and I get better
10 every day. And this is first about the parents and
11 about these kids and it's secondly about making the
12 education in Little Rock and in the state the best it
13 can be. Because we didn't know what a PC was in
14 1980, we didn't know what an iPhone was in 1990; we
15 cannot imagine where we can go. We're making
16 decisions based on just what little we know. And the
17 people who want to stall just want to stall. They
18 won't want to move forward in five years and they
19 won't want to move forward in ten years when it comes
20 to school choice and charters. And so I ask you not
21 to review this. It's already been reviewed and
22 reviewed and reviewed. Let's just go forward and let
23 these kids and let these parents make the decision
24 that they believe is best for them. That's what
25 America is all about. Thank you for hearing me

1 today.

2 CHAIRPERSON NEWTON: And thank you, Senator, for
3 coming.

4 Okay. Now we're at the place of a motion to
5 review or not to review the Charter Authorizing
6 Board's recommendation.

7 MS. ZOOK: I move that we not review the
8 Charter's decision, the Charter Authorizing Panel's
9 decision.

10 MR. WILLIAMSON: Second.

11 CHAIRPERSON NEWTON: Moved by Ms. Zook and
12 second by Mr. Williamson not to review the Charter
13 Authorizing Panel's recommendation. Voice vote.

14 COMMISSIONER KEY: Discussion.

15 CHAIRPERSON NEWTON: Oh, I'm sorry. Absolutely.

16 DR. BARTH: May I make a comment? You know, I
17 think this is a really complicated issue. Beyond
18 these proposals themselves, there are a lot of
19 factors at work and with lots of moving parts. And I
20 do think that this board does have a special
21 responsibility to get it right because of the unique
22 situation that we're in with the state takeover. And
23 I think that we have to ultimately take ownership for
24 this decision and I think we can only take full
25 ownership with a full hearing. And I believe firmly

1 that the statute was written in the way that it does
2 -- that it was to give the State Board that
3 opportunity to take that ownership. And so I'll vote
4 against the motion. I think it is very important for
5 us to have a full hearing so that this community can
6 feel -- everyone in this community can feel confident
7 that this was a thoughtful decision by the folks who
8 are ultimate policymakers in this arena. So that's
9 my view.

10 CHAIRPERSON NEWTON: Any other -- Ms. Reith.

11 MS. REITH: And I would second Dr. Barth's
12 comments and also add to what was also revealed I
13 think in the comments today, which is that I do think
14 we owe this district, finally with all the decisions
15 that we've made, a hearing that's at a time when
16 parents can actually attend and to do something,
17 whether it's an evening hearing or a weekend hearing.
18 But this issue is too important. We've made too many
19 decisions during work days when parents and children
20 and teachers aren't able to come forth and share
21 their opinions, and I think this is on both sides of
22 the issue. And for us to be here in Little Rock and
23 at the heart -- we have just given Pulaski County
24 Special School District back to local control, but
25 for too long we've had control over these districts.

1 We have just a special responsibility and a
2 geographic opportunity being based here in Little
3 Rock to do something about it. So I am definitely
4 sympathetic to the arguments today that -- not that
5 the Charter Authorizing Panel didn't do their job;
6 they did. And we -- and this is not I think a
7 question of choice or not a choice, but a question of
8 process. And I think we have a tremendous
9 opportunity to do it right and to build some goodwill
10 that we now, as many have said, we owe to the
11 community. And I think all the pushback and
12 negativism that we felt around this Little Rock
13 School District takeover, for those that were there
14 at the time, was in part because we didn't make this
15 a more democratic and open process. And I think we
16 have a chance to rectify some of the mistakes and
17 learn from them and grow by doing right through the
18 process of this.

19 MS. ZOOK: I think --

20 CHAIRPERSON NEWTON: Ms. Zook.

21 MS. ZOOK: -- to respond to that, I know many of
22 you have been studying a lot of data. We've also
23 been listening and talking directly to parents and
24 patrons and teachers who express their opinion on
25 both sides of the issue. We've received lots of

1 emails. And because I realize that a lot of the
2 children are being raised by grandparents I made an
3 effort to go into a lot of the communities because
4 the people my age don't always have email or know how
5 to access and do those kinds of things. And I think
6 it's because of that and making a child-centered,
7 data-driven accurate information that I can feel
8 comfortable that my vote would be in accordance with
9 that of the Charter Panel.

10 CHAIRPERSON NEWTON: Any further comments? If
11 not, we're ready for a vote. We'll start with a
12 voice.

13 COMMISSIONER KEY: Do you want voice or you want
14 to call the roll?

15 CHAIRPERSON NEWTON: That's what I mean, call
16 the roll.

17 MS. DEAN: I'd like to make a comment --

18 CHAIRPERSON NEWTON: Okay.

19 MS. DEAN: -- before we get going.

20 CHAIRPERSON NEWTON: Ms. Dean has a comment.

21 MS. DEAN: For me -- and maybe I'm looking at
22 this the wrong way, but for me the hearing and the
23 motion to either review or not review for me is a
24 matter of -- if the charter school expansion, if the
25 charter school -- if they can handle the expansion

1 and if it's what's best for the students. I
2 understand wanting the community to have a say. But
3 for me, it comes down to whether or not there is a --
4 if there's a demand for that, for the expansion of
5 the charter school, if the parents want this, if the
6 -- if it's best for the students. Because in the end
7 I know we've had this discussion with the Little Rock
8 School District and how it will affect them. But in
9 the end it really comes down to is the expansion of
10 the charter school going to be what's best for
11 students. So the hearing, in my opinion, should be
12 on that merit, on whether or not it should be best
13 for students and for -- if parents can have the
14 choice of where to put their child. So for me -- and
15 the fact that it has been reviewed and it's a three-
16 day process and there was so much put into it and it
17 has -- it's not that it's not been public, because
18 we've all received several emails or calls. So for
19 me, I think it's a matter of whether or not the --
20 whether or not the Panel's decision should be upheld,
21 if I'm understanding that correctly. It's a matter
22 of whether the Panel's decision to authorize the
23 charter school should be upheld or not.

24 MS. ZOOK: Right.

25 CHAIRPERSON NEWTON: I think that is the

1 question in the larger issue, but I heard Senator
2 Elliott raise the issue of whether or not there was
3 adequate opportunity for the community to be heard.
4 I'm not saying one way or the other. So I think that
5 is the larger issue is to whether to review or not
6 review. But she added a caveat on the one hand and
7 Senator English and Senator Clark added another. But
8 I think that's not the question, but whether or not
9 it could be tweaked or -- one way or the other and
10 whether or not all -- that's what I'm hearing, you
11 know, from both sides. So I think -- Dr. Barth.

12 DR. BARTH: Well, now I just would make a plea
13 to my fellow board members that spending a couple
14 more hours on this as a board, not -- a vote to
15 review does not pre-ordain whatever it's going to be.
16 I voted to review charter proposals in the past and
17 I've ended up supporting them, and I don't think the
18 decision to review says how we're going to vote in a
19 month. But I do think if we can gain more confidence
20 as individuals and as a board that we've gotten it
21 right those couple of hours, especially if they
22 provide additional faith in the broader community
23 that we have gotten it right I think would be
24 incredibly beneficial.

25 CHAIRPERSON NEWTON: Okay.

1 MS. REITH: And if I would just add to then your
2 point, Ms. Dean, that that would give us -- those
3 additional two hours and feedback to make sure that
4 we are putting the kids first and the parents first
5 and to not assume that just -- that those that have
6 written us are necessarily reflective of all the
7 community, although we have heard from both sides.
8 But there is the reality that this process, right, is
9 predisposed for those that are informed, right, about
10 how these processes work. And there's still a whole
11 out-layer of individuals and students and parents
12 that I do think with this additional notice and doing
13 this at a time when it would be convenient for them
14 that we could hear and help elucidate all of our
15 thinking on this.

16 MS. CHAMBERS: In terms of pattern of practice
17 for those of us that are still newer, typically when
18 we are thinking about either introducing a charter or
19 in this case expanding is there a community hearing?
20 Is there -- do we listen to the community or the
21 district, the traditional part of the district, speak
22 to their perspective before we approve?

23 MS. ZOOK: We do if they want us to review or if
24 they object. Typically --

25 CHAIRPERSON NEWTON: Ms. Clay.

1 MS. ZOOK: Oh, sorry.

2 CHAIRPERSON NEWTON: Yeah. Let her answer that,
3 please.

4 MS. CLAY: When -- if you chose to review, it
5 would take place at one of your regular meetings or
6 it could also be at a special meeting. So just as
7 with any agenda item there's an opportunity for
8 public comment. There's also a built-in time period
9 for any of those individuals who are opposed to a
10 particular charter or the particular decision that's
11 before you.

12 Something that I think that's worth mentioning
13 that seems to have gotten lost is that the Charter
14 Authorizing Panel meetings are public, just like your
15 meetings. And the hearing that would happen before
16 you all next month or at a regular -- or at a special
17 meeting has taken place; the same process has taken
18 place. I understand that you all have a different
19 perspective. But I just want to be clear that there
20 has been a public meeting. Some of the statements
21 made it sounded like the Charter Authorizing Panel
22 meeting was closed and that no public was allowed to
23 be there or to receive comments. It was an open
24 meeting and public comments were allowed. So I just
25 wanted to be clear on that. I understand that you

1 all have a different view and a different role, but
2 mainly just for -- to clear any of that up.

3 CHAIRPERSON NEWTON: Any other questions? Ms.
4 Dean.

5 MS. DEAN: So if we're going to -- let's say we
6 vote -- the vote passes to review, are we planning to
7 -- is it -- will there be a stipulation that the
8 hearing to review, since we're going to -- if it's
9 going to be done with the spirit of allowing the
10 community to have a final say whether -- before we go
11 either way, does -- is there a way to stipulate that
12 it will be during a time where the community can be a
13 part of it? Because for me I don't see the
14 difference in them having an opportunity today at
15 this time and if we do the same thing in April at the
16 very same time. They could've been here, they
17 could've been there at the one in April. So if
18 there's going to be a review or a hearing, will there
19 be a stipulation that it will be during a time, since
20 that was mentioned several times, where --

21 CHAIRPERSON NEWTON: I think there is
22 opportunity if -- Commissioner, you can correct me if
23 I'm wrong -- that we will -- we could -- between the
24 Commissioner and myself and maybe others we'll have
25 an opportunity to either set it at a regular meeting

1 or a special meeting. So that could be something
2 that could be accommodated to a time, you know. So
3 to answer your question, yes, there could be a time
4 specific and date specific for that.

5 Any other questions?

6 MS. ZOOK: I haven't got a question. I know one
7 of the things that I kept coming back to, a lot of
8 the people that are on the waiting list are those who
9 are economically deprived and special ed. parents who
10 didn't know about it in the early days. They didn't
11 get the name of the child in or they didn't know that
12 the charter served kids who had special needs. So,
13 you know, that keeps going on in my mind too that we
14 always worry about the children whose parents aren't
15 involved or who come to information late. And now
16 that they've put their name on the list and they come
17 to the -- because they came to the information late
18 then one of the things that people worry -- or some
19 people worry about is that the representation in the
20 charter looks more like the city than it does the
21 district. But I think that has a lot to do with the
22 history in the Little Rock School District of private
23 schools and home schools, more than it does there
24 hasn't been significant change since the charters
25 opened in the percentages within the Little Rock

1 School District. So just, you know, just wanting to
2 be as transparent as I can about where I'm coming
3 from and why I'm coming from that position and the
4 kinds of things that I've been thinking about.
5 Because as we all know, we can't talk in between and
6 we each value each other's opinion and wanting to
7 know why we think why we do. So that's where I'm
8 coming from.

9 CHAIRPERSON NEWTON: Okay.

10 MS. CHAMBERS: I have one.

11 CHAIRPERSON NEWTON: I'm sorry; Ms. Chambers,
12 you have --

13 MS. CHAMBERS: I have another question. Does
14 anybody know what would be detrimental to eStem or
15 LISA Academy with a 30-day delay?

16 MS. BOYD: We have a representative from eStem.

17 MR. BACON: Detrimental, I don't know that I
18 would use that word. We certainly -- when we
19 scheduled our timeline we knew the potential for this
20 process to go. I can tell you we're on a very tight
21 schedule, so every moment that we wait is a moment
22 that we have less time to plan and prepare.

23 Obviously, if this doesn't occur in the 2016-17
24 school year it would start in the 2017-18 with our
25 first change. But we have a pretty extensive

1 timeline for construction work. So I wouldn't use
2 the word detrimental but I would say a delay -- any
3 delay just slows down our progress.

4 CHAIRPERSON NEWTON: Okay.

5 MS. ZOOK: Is it correct that the first time you
6 would add students would be 17-18 and it would only
7 be 100 students?

8 MR. BACON: The first part is correct, it would
9 be 2017-18. It would actually be about 400 --

10 MS. ZOOK: Okay.

11 MR. BACON: -- between 400 and 500 students the
12 first year. 17-18, grades 10-12 would move to the
13 UALR campus and we would basically be filling in the
14 seats at our current location at 3rd and Louisiana
15 with K-9 students, and it's about -- between 400,
16 450. The following year we would be seeking to open
17 the additional K-9 campus on Shall Street, which
18 would add more students, and then it grows, you know
19 --

20 MS. ZOOK: But nothing at all for a year-and-a-
21 half?

22 MR. BACON: Nothing in 16-17. And 17-18 would
23 be the first phase.

24 CHAIRPERSON NEWTON: Okay. Ms. Dean.

25 MS. DEAN: I just wanted to add to what I was

1 saying earlier and to kind of piggyback on what Dr.
2 Barth and Ms. Reith said and as well Senator Elliott,
3 as well, if there's any way that we can give parents,
4 give students, teachers, administrators an
5 opportunity to voice what they have to say and not
6 hurt the process with eStem or LISA I think it would
7 be the prudent thing to allow that process, to allow
8 people to have a voice. For me, one month -- let's
9 say the charter schools are approved; I'm not seeing
10 how one month's delay and allow people to have a say
11 will delay or cause any sort of harm to the process.

12 So in the spirit of community and allowing
13 people to have a final say before the final decision
14 is made in my opinion I think it's probably a wise or
15 prudent thing to do.

16 CHAIRPERSON NEWTON: Okay.

17 MS. DEAN: It doesn't affect -- I don't think it
18 will -- it's not going to affect the vote that comes
19 up in April, but I think just having the opportunity
20 for people to speak would be good.

21 MS. ZOOK: Do we need to know from LISA if
22 that's an issue for them?

23 CHAIRPERSON NEWTON: We're not discussing LISA
24 now.

25 MS. ZOOK: Oh, okay. Sorry.

1 CHAIRPERSON NEWTON: This is eStem. So at this
2 time we have a motion from Ms. Zook and a second by
3 Mr. Williamson to not review. We're ready for a
4 roll-call.

5 COMMISSIONER KEY: Okay. Dr. Barth.

6 DR. BARTH: No.

7 COMMISSIONER KEY: Mr. Black.

8 MR. BLACK: No.

9 COMMISSIONER KEY: Ms. Chambers.

10 MS. CHAMBERS: No.

11 COMMISSIONER KEY: Ms. Dean.

12 MS. DEAN: No.

13 COMMISSIONER KEY: Ms. Reith.

14 MS. REITH: No.

15 COMMISSIONER KEY: Ms. Saviers. Mr. Williamson.

16 MR. WILLIAMSON: Yes.

17 COMMISSIONER KEY: Ms. Zook.

18 MS. ZOOK: Well, I made the motion; I'd better
19 vote for it.

20 COMMISSIONER KEY: Okay. Five no votes, two yes
21 votes.

22 CHAIRPERSON NEWTON: Okay. The motion fails.
23 Is there a motion -- is there another motion?

24 DR. BARTH: I move to review the decision of the
25 Charter Authorizing Panel on the eStem amendment.

1 CHAIRPERSON NEWTON: Moved by Dr. Barth.

2 MS. ZOOK: Can we put on that at an evening --
3 or I don't know, a lot of people work in the evening,
4 so, you know, I don't --

5 CHAIRPERSON NEWTON: I think based on the
6 comments we can -- you can leave that to maybe me and
7 the Commissioner to work through those -- we'll work
8 through those concerns. And then not to be specific
9 now but certainly to take into account the comments.

10 So there's a motion to review by Dr. Barth.

11 MS. REITH: Second.

12 CHAIRPERSON NEWTON: Second by Ms. Reith. A
13 roll-call.

14 COMMISSIONER KEY: Dr. Barth.

15 DR. BARTH: Yes.

16 COMMISSIONER KEY: Mr. Black.

17 MR. BLACK: Yes.

18 COMMISSIONER KEY: Ms. Chambers.

19 MS. CHAMBERS: Yes.

20 COMMISSIONER KEY: Ms. Dean.

21 MS. DEAN: Yes.

22 COMMISSIONER KEY: Ms. Reith.

23 MS. REITH: Yes.

24 COMMISSIONER KEY: Mr. Williamson.

25 MR. WILLIAMSON: No.

1 COMMISSIONER KEY: Ms. Zook.

2 MS. ZOOK: Yes.

3 COMMISSIONER KEY: Six in favor, one no.

4 CHAIRPERSON NEWTON: Okay. The motion carries.

5 (COURT REPORTER'S NOTE: Ms. Saviers returned to
6 the meeting.)

7 A-10: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT
8 AMENDMENT REQUEST: FUTURE SCHOOL OF FORT SMITH

9 CHAIRPERSON NEWTON: So moving on to our next
10 agenda item which is A-10. Have we done this? Oh,
11 I'm sorry. A-10. Go ahead, Ms. Boyd.

12 MS. BOYD: Thank you, Madam Chair. Charter
13 Authorizing Panel Action on Open-Enrollment Amendment
14 Request for Future School of Fort Smith. On February
15 19, 2016, representatives of Future School appeared
16 before the Charter Authorizing Panel requesting an
17 amendment to their charter. By unanimous vote the
18 Panel approved the request. No request for the Board
19 to review the decision has been submitted. The State
20 Board may exercise their right to review at a later
21 meeting should they choose.

22 CHAIRPERSON NEWTON: Okay. Ms. Saviers needs to
23 be notified that she can -- oh, there you are.

24 MS. ZOOK: She's a tiny little thing.

25 CHAIRPERSON NEWTON: Oh my. I'm sorry.

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

2 DR. BARTH: Second.

3 CHAIRPERSON NEWTON: Okay. There's a motion by
4 Ms. Zook and a second by Dr. Barth not to review.
5 All in favor?

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRPERSON NEWTON: Any opposed? That motion
8 carries.

9 A-11: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT
10 RENEWAL APPLICATION: IMBODEN AREA CHARTER SCHOOL

11 CHAIRPERSON NEWTON: Okay. Charter Authorizing
12 Panel Action, A-11 -- yeah, A-11 -- Charter
13 Authorizing Panel Action on Open-Enrollment Renewal
14 Application: Imboden Area Charter School.

15 MS. BOYD: Thank you, Madam Chair. On February
16 17, 2016, representatives of Imboden Area Charter
17 School appeared before the Charter Authorizing Panel
18 requesting a renewal of their charter. By unanimous
19 vote the Panel approved the request granting the
20 charter a five-year renewal with an annual report of
21 enrollment, legal fund balance minus categorical
22 funding and minus federal funding. No requests for
23 the State Board to review the decision by the Panel
24 was submitted. The State Board may exercise their
25 right to review the decision should they choose.

1 CHAIRPERSON NEWTON: Okay.

2 MS. ZOOK: Before you have a motion may I say
3 something?

4 CHAIRPERSON NEWTON: Certainly.

5 MS. ZOOK: I know this will sound odd coming
6 from me because this is a school primarily for and
7 made up of students that are in need of special
8 education service. But somehow it bothers me that
9 perhaps some of these students could benefit from
10 being in a regular school where they have access to
11 and work alongside children who are not having the
12 same handicap as them. I don't know in-depth enough
13 about this school. I have not visited it. I know
14 Ms. Coffman has. But -- and I also know that we
15 realize that the -- at least the legislature's
16 thinking was that if a school had 350 or more kids
17 that more opportunities, more advantages -- and I
18 think the number here varies between 50 and 80. And
19 I don't know what I think about that. This one was a
20 hard one for me, so I don't have a motion one way or
21 the other. But I just wanted the board members to
22 know my thinking on that.

23 CHAIRPERSON NEWTON: Dr. Barth.

24 DR. BARTH: This I believe was one of the first
25 ones I considered when I came on the Board and it was

1 a very small school then. And I think a lot of the
2 conversation at that time was what were the
3 possibilities for this really kind of getting a
4 critical mass, and that has not yet happened. So
5 there are not the glaring red flags. That said, it
6 makes me nervous, especially for a five-year
7 extension. So I think I'm somewhere similar to Ms.
8 Zook on this in that part of me I think does want to
9 review this just to do due-diligence on it, not that
10 I would pre-judge my vote at all.

11 CHAIRPERSON NEWTON: Is that your motion?

12 DR. BARTH: Well, I was waiting to see if --
13 where my colleagues were at. I'm tired of losing
14 motions today.

15 CHAIRPERSON NEWTON: Any other comment or
16 encouragement for Dr. Barth?

17 MS. SAVIERS: I have a question. Where -- I
18 think I know where it is. Where is Imboden?

19 MS. ZOOK: Over by Walnut Ridge.

20 COMMISSIONER KEY: It's in northeast Arkansas.

21 MS. ZOOK: East Arkansas.

22 MS. SAVIERS: Is it -- how close is it to
23 another district? Do we know?

24 COMMISSIONER KEY: It's actually the Sloan-
25 Hendrix School District.

1 MS. SAVIERS: Oh, okay. So do you know how far
2 -- I mean, how close this school is?

3 COMMISSIONER KEY: It's right across -- it's
4 across the highway, almost.

5 MS. SAVIERS: Okay.

6 COMMISSIONER KEY: Yeah.

7 CHAIRPERSON NEWTON: Any other questions? And
8 are you ready now?

9 DR. BARTH: I mean, I will move to review but
10 I'm -- it is -- you know -- I would not be shocked if
11 I end up voting for it, if it is reviewed.

12 CHAIRPERSON NEWTON: Is there a second? A
13 motion by Dr. Barth. Is there a second?

14 MS. SAVIERS: Second.

15 CHAIRPERSON NEWTON: Ms. Saviers. Any other
16 questions? All in favor?

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIRPERSON NEWTON: Opposed? The motion
19 carries.

20 A-12: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT
21 AMENDMENT REQUEST: KIPP DELTA PUBLIC SCHOOLS, BLYTHEVILLE

22 CHAIRPERSON NEWTON: Okay. A-12 is the Charter
23 Authorizing Panel Action on Open-Enrollment
24 Amendment, KIPP Delta Public Schools, Blytheville.

25 MS. ZOOK: I'm recusing. Madam Chairman, I will

1 recuse.

2 MS. BOYD: Thank you, Madam Chair. On February
3 19, 2016, representatives of KIPP appeared before the
4 Charter Authorizing Panel requesting an amendment to
5 their charter. By unanimous vote the Panel approved
6 the request. No request for the State Board to
7 review the Panel's decision was submitted. The State
8 Board may exercise their right of review of the
9 Panel's decision should they choose.

10 CHAIRPERSON NEWTON: Okay. Is there any
11 discussion around this proposal for review or not to
12 review?

13 DR. BARTH: I move not to review.

14 MS. CHAMBERS: Second.

15 CHAIRPERSON NEWTON: Moved by Dr. Barth not to
16 review, second by Ms. Chambers. Any further
17 discussion or any discussion? All in favor?

18 (UNANIMOUS CHORUS OF AYES)

19 CHAIRPERSON NEWTON: Any opposed?

20 A-13: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT
21 AMENDMENT REQUEST: LISA ACADEMY

22 CHAIRPERSON NEWTON: We're now down to 13 and
23 we'll hear from Ms. Boyd, but before any action we'll
24 also hear from Ruth Bell, Luanne Barnes [sic], Bill
25 Kopsky, Joyce Elliott -- Senator Joyce Elliott, and

1 Senator Clark Tucker.

2 MS. BOYD: Madam Chair, are you ready? Are you
3 ready?

4 CHAIRPERSON NEWTON: I'm ready.

5 MS. BOYD: Okay. Thank you. A-13, Charter
6 Authorizing Panel Action on Open-Enrollment Amendment
7 Request: LISA Academy. On February 19, 2016,
8 representatives of LISA appeared before the Charter
9 Authorizing Panel requesting an amendment to their
10 charter. By a 7-to-1 vote the Panel approved the
11 request contingent upon the availability of the
12 proposed location. No request for the State Board to
13 review the decision made by the Panel was submitted.
14 The State Board may exercise a right to review the
15 decision made by the Panel at a later hearing.

16 And, Madam Chair, representatives from LISA
17 Academy wanted to make sure that they had an
18 opportunity to speak on how timing is very important
19 to them.

20 CHAIRPERSON NEWTON: Okay.

21 MS. BOYD: So if you would grant them that
22 opportunity after the comments.

23 CHAIRPERSON NEWTON: Okay. So we'll start with
24 the comments, starting with Ruth Bell.

25 MS. BELL: I'm shocked to be first. I am Ruth

1 Bell.

2 CHAIRPERSON NEWTON: Would you pull your mic
3 down a little closer to your mouth?

4 MS. BELL: Okay. I'm speaking for the League of
5 Women Voters of Pulaski County. And we ask that the
6 State Board of Education hear an appeal for LISA
7 expansion at your April meeting in order that the
8 concerns of the Little Rock School District, school
9 patrons, citizens, civic groups, and elected
10 officials can be heard and addressed. This continues
11 to be a divisive issue in our community and we the
12 League support a full public discussion of the
13 proposed expansion, hopefully as a way to move the
14 community toward at least a conversation about these
15 deeply felt and very important issues. Thank you.

16 CHAIRPERSON NEWTON: Thank you. Ms. Barnes,
17 Luanne Barnes. Is Ms. Barnes here? I'm sorry; are
18 we on 13? Oh, I'm sorry. Well, ahead of Luanne
19 Barnes -- so is it Baroni?

20 MS. BARONI: I'm with LISA Academy.

21 CHAIRPERSON NEWTON: Okay. You're with LISA.
22 Okay. So you're -- okay. No, this is another name.
23 Okay. Bill Kopsky.

24 MR. KOPSKY: I'll be crazy brief. Thank you for
25 recognizing the importance of parent input on the

1 eStem decision. The exact same comments that I
2 submitted to you via email last night and that I said
3 earlier today apply to this application as well.
4 Continuity and consistency in your decision-making is
5 critical; public engagement, transparency and
6 accountability are critical. LISA Academy's proposal
7 needs the same hearing. I'd actually suggest, if you
8 could, if you could do them at the same time or even
9 combine the two to make it easier. I know that
10 they're different proposals and that each school is
11 going to want to present the merits in and of
12 themselves. But I think a lot of the community is
13 going to want to have -- is going to have similar
14 comments on both. And to speak to Ms. Dean's
15 comment, Ms. Dean, I think you're exactly on point
16 that the decision ultimately should be about what's
17 best for all the children. I think it's going to be
18 -- my opinion should be about what's best for all the
19 children in the Little Rock School District since
20 that is what you all are responsible for since you've
21 assumed control of our state -- or our school board.
22 So thank you very much. I appreciate it.

23 CHAIRPERSON NEWTON: Okay. Senator Elliott.

24 SENATOR ELLIOTT: If you will be so kind as to
25 just assume I have said the same thing I said before

1 when I was up here I think that would be best for all
2 of us. And I really do appreciate your indulgence
3 and the weight that you put on this because I do
4 think it is very, very important that this community
5 is a part of whatever decision we're making, no
6 matter what we do. And I want to reiterate, I don't
7 think anybody is coming to you today to ask you to
8 make a decision about how you will vote in the end,
9 but just the process be something that's open and
10 transparent and something that the patrons can have
11 faith in.

12 And Representative Clark asked me to convey his
13 same thoughts again, as well. Thank you very much
14 for your time.

15 CHAIRPERSON NEWTON: All right. Thank you. Ms.
16 Baroni. Did I pronounce that correctly?

17 MS. SAVIERS: I have a comment.

18 CHAIRPERSON NEWTON: Okay. While you're coming,
19 Ms. Saviers has a word.

20 MS. SAVIERS: Well, it killed me to leave the
21 meeting because, as we all know, I usually have a
22 comment or two about something. So I did make some
23 -- I wrote a bit of a statement, if you'll indulge me
24 for just a minute. I've been disheartened and
25 frustrated by the charter versus district

1 conversation. Through all the chatter on both sides
2 I've worked hard to understand what is best for
3 students, all students, in traditional public schools
4 and students in charter public schools. The Little
5 Rock School District should -- when we think about
6 the Little Rock School District we should be thinking
7 about charter school students as well. How often
8 have you heard stories about students attending a
9 charter school, going to a traditional public school,
10 going back to a charter school, going to a private
11 school, going to a parochial school? This is what
12 Little Rock is. These are not your students or my
13 students; these are our students. We have created a
14 zero sum game of winners and losers in these
15 decisions about district and charter schools. If we
16 are unable to work together effectively to educate
17 all of our students in Little Rock, I believe the
18 only losers will be the students and families in our
19 town.

20 The emails that we got -- the hundreds of emails
21 that we got on one side or the other were talking
22 about our kids. One side is talking about our kids,
23 the other side was talking about our kids. We as a
24 board have to consider every child -- every child.
25 It doesn't matter if they go to charter school or

1 traditional public schools. Because then whose kids
2 are more important? The differences between charter
3 and district proponents inevitably lead to deathless
4 battles over charter schools creaming students and
5 canceling out the disruptive and low performing, and
6 complaints that comparisons between charters and
7 district schools are unfair. But these are arguments
8 that are almost certainly irrelevant to parents who
9 simply want good, safe schools for their kids. My
10 experience has always been that the most parents --
11 that most parents will do anything to provide a good
12 education for their kids. Consider the countless
13 families in Little Rock that create a false address
14 to get their kids into the good schools in the Little
15 Rock School District. Countless families. Also,
16 consider that we have selective enrollment in Little
17 Rock schools already. My children went to Central
18 High School but not everybody's kids could go to
19 Central High School.

20 I believe that the LRSD can and will do whatever
21 is necessary to fight for their kids, to retain
22 students in the system and provide a world class
23 education for them. But I also truly believe that
24 this will require a broad community effort.

25 In my frustration I started researching and

1 doing -- actually calling all over the country to see
2 what districts across the country are doing a good
3 job of work -- where charters and traditional public
4 schools are doing a good job of working together and
5 being innovative together. And the best example I
6 found was Indianapolis. The superintendent there,
7 Louis Ferebee, concluded that robust partnerships
8 with the city's charter leaders would be key in
9 helping him repair the city's ailing school system.
10 Together, they formed an innovative network of
11 schools under the district's umbrella and it's been
12 hugely successful.

13 This is an opportunity for the Little Rock
14 School District and charter schools within the
15 district to begin working together to create a great
16 system of education for all children in the district.
17 This is an opportunity to create winners and winners,
18 to create a vision of education excellence for all
19 students. Turning around chronically underperforming
20 schools is extremely hard work and requires a special
21 skill-set. I challenge the Little Rock School
22 District to consider giving their schools in academic
23 distress the same set of waivers that charter schools
24 have and create that level playing field that we talk
25 about of innovation. Districts in urban areas around

1 the country are realizing the value of partnerships
2 and team work among all of those who are working hard
3 for kids. Can Little Rock be such a place? Can we
4 strive for excellent education for all kids? Thank
5 you.

6 CHAIRPERSON NEWTON: Okay. What was your name?
7 Ms. Baroni?

8 MS. BARONI: We'll just make one up.

9 CHAIRPERSON NEWTON: You're from LISA. You're
10 here representing LISA?

11 MS. BARONI: Luanne Baroni.

12 CHAIRPERSON NEWTON: Okay.

13 MS. BARONI: And I'm the middle school principal
14 at LISA Academy.

15 CHAIRPERSON NEWTON: Okay. Go ahead.

16 MS. BARONI: A couple of things I did want to
17 mention on behalf of the earlier discussion is the
18 timing is a bit critical to us. We are looking to
19 open the new elementary school this fall. We also
20 have a property agreement that if we do not have
21 approval from the State by the end of April that
22 could become problematic with that contract. So the
23 timing is important to us. We're in a different
24 place than eStem is with what we're requesting in
25 several ways. One is that the timing is critical.

1 The other is that what we're asking for, as I've
2 joked about, is just a little-bitty thing in the
3 grand scheme of things. The school that we're
4 looking at opening would probably impact somewhere
5 around maybe 100 students from the Little Rock School
6 District who are not already a part of our district.
7 So --

8 CHAIRPERSON NEWTON: But you did understand the
9 process and the procedure, so I wouldn't anticipate
10 that it would be past our next meeting date, would
11 you, Commissioner, if it were voted to be reviewed?

12 MS. BARONI: Well, that's why I wanted to point
13 out the timing is critical to us.

14 COMMISSIONER KEY: The next meeting date or a
15 special meeting, that would be determined.

16 CHAIRPERSON NEWTON: Well, that would be
17 determined but our next meeting would be before the
18 end of April.

19 COMMISSIONER KEY: Yes.

20 CHAIRPERSON NEWTON: Yeah. All right. Thank
21 you.

22 MS. BARONI: Uh-huh.

23 MS. ZOOK: One thing I'd like to commend KIPP
24 with regard, as well as e -- I mean, LISA -- sorry --
25 as well as eStem, you both have a 95% teacher

1 attendance rate and I know that's one thing that's
2 been troubling us. So perhaps the people in the
3 administration in the Little Rock School District and
4 the teachers could find out what it is that is
5 affecting the fact that you have an excellent teacher
6 attendance rate. And that's something that they have
7 determined they want to improve on, so -- but anyway,
8 I do commend you for that.

9 CHAIRPERSON NEWTON: Okay. Are we ready for a
10 motion to review or not to review A-13? I'm sorry.
11 Ms. Clay.

12 MS. CLAY: Madam Chair, there is one additional
13 public comment, Ms. Patty Bates Abraham. The sign-in
14 sheet was not out there and she would like to make a
15 comment on this.

16 CHAIRPERSON NEWTON: Okay.

17 MS. ABRAHAM: Thank you. I'll be very brief
18 again. I'm representing the Little Rock Public
19 Education Foundation and we'd like for you all to
20 consider having a hearing for the same reasons that
21 you decided to do one for the eStem expansion, to
22 give the public an opportunity to participate in the
23 process. Thank you.

24 CHAIRPERSON NEWTON: Okay. Thank you. Okay. I
25 think we're ready for a motion if all hearts are

1 clear and minds clear on having said what's on your
2 mind. I ask for a motion to review or not to review.

3 MS. REITH: I think continuity is important with
4 these decisions, so I move to review.

5 MS. DEAN: Second.

6 CHAIRPERSON NEWTON: Moved to review by Ms.
7 Reith and second by Ms. Dean. We'll have a roll-call
8 consistent with our last Little Rock School District
9 involved charter request.

10 COMMISSIONER KEY: Dr. Barth.

11 DR. BARTH: Yes.

12 COMMISSIONER KEY: Mr. Black.

13 MR. BLACK: Yes.

14 COMMISSIONER KEY: Ms. Chambers.

15 MS. CHAMBERS: Yes.

16 COMMISSIONER KEY: Ms. Dean.

17 MS. DEAN: Yes.

18 COMMISSIONER KEY: Ms. Reith.

19 MS. REITH: Yes.

20 COMMISSIONER KEY: Ms. Saviers.

21 MS. SAVIERS: Yes.

22 COMMISSIONER KEY: Mr. Williamson.

23 MR. WILLIAMSON: To remain consistent, no.

24 COMMISSIONER KEY: Ms. Zook.

25 MS. ZOOK: Yes.

1 CHAIRPERSON NEWTON: Then the motion carries.

2 MS. ZOOK: I want to preface that by saying as
3 long as it is a timely meeting at a time for parents
4 and not wait until our April meeting.

5 MS. REITH: And with that, if I might ask, Madam
6 Chair and Commissioner, what will be the process of
7 determining the specific timing so that -- I imagine
8 charter representatives here, as well as members of
9 the community that want to know the next steps, by
10 when do you think you may decide with this? Would it
11 just be --

12 CHAIRPERSON NEWTON: We can't say. We have to
13 look at our schedules and certainly we'll take into
14 consideration what time is convenient. But I could
15 not say a time, but it will be adequate enough to
16 give proper notice to everyone including the press
17 and everybody else who we're obligated to notify.
18 Would you agree with that?

19 COMMISSIONER KEY: Yeah.

20 CHAIRPERSON NEWTON: Yeah.

21 Do we need a break or we move on? Moving right
22 along, A-14 --

23 MS. REITH: Wait, let's take a break.

24 CHAIRPERSON NEWTON: We'll take a break and
25 return at 3:30.

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(BREAK: 3:23 - 3:37 P.M.)

A-14: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT

PRIORITY STATUS: LITTLE ROCK PREPARATORY ACADEMY (5-8 CAMPUS)

CHAIRPERSON NEWTON: Okay. We're down to A-14, Charter Authorizing Panel Action on Open-Enrollment Priority Status: Little Rock Preparatory Academy (5-8 Campus).

MS. BOYD: Thank you, Madam Chair. On February 18, 2016, representatives of Little Rock Preparatory Academy appeared before the Charter Authorizing Panel to address the charter's priority status. By unanimous vote the Panel decided to take no action on the charter. No request for the State Board to review the decision has been submitted, and the State Board may exercise a right of review at a later date should they choose.

CHAIRPERSON NEWTON: Okay. Are there any questions relative to A-14, Little Rock Prep Academy? Ms. Saviers.

MS. SAVIERS: I have a motion.

CHAIRPERSON NEWTON: Motion. Yes.

MS. SAVIERS: I move not to review.

CHAIRPERSON NEWTON: Okay. Motion not to review by Ms. Saviers.

MS. CHAMBERS: Second.

1 CHAIRPERSON NEWTON: Second by Ms. Chambers.

2 Any questions?

3 DR. BARTH: Just a quick comment. I mean, I
4 know that much like one that we voted to review
5 earlier this is obviously not for renewal. But, you
6 know, I think we're all very interested that there be
7 progress here and I think we recognize what a
8 challenging population that Little Rock Preparatory
9 Academy is working with and the good spiritedness of
10 that work. But, you know, I think by the time that
11 this full-scale -- a full -- a renewal request comes
12 up I think at least if I'm still here I'm going to
13 want to see some -- a little bit more progress than
14 we have seen to date.

15 CHAIRPERSON NEWTON: Okay. Any other comments
16 or questions? If not, we --

17 MS. CHAMBERS: May I ask just a general
18 question?

19 CHAIRPERSON NEWTON: Yes.

20 MS. CHAMBERS: Just being still new to this, why
21 is this of less interest than ones we were just
22 talking about?

23 MR. WILLIAMSON: Thank you.

24 CHAIRPERSON NEWTON: Mr. Williamson, your mic.

25 MR. WILLIAMSON: Everyone is concerned about the

1 education of the students in Little Rock. Why aren't
2 people lined up to talk about this one to say that
3 Covenant Keepers -- I mean --

4 CHAIRPERSON NEWTON: I think you've got to ask
5 --

6 MR. WILLIAMSON: But I'm just -- an observation.

7 CHAIRPERSON NEWTON: Yeah. It is an adequate --
8 I mean, a relevant observation.

9 MR. WILLIAMSON: That's all I have to say.

10 CHAIRPERSON NEWTON: For the record. All right.
11 And I cannot answer that.

12 DR. BARTH: Well, I'll just say -- I mean, from
13 my perspective, I mean, if this was up for renewal I
14 would definitely want to look at it more closely.

15 MS. ZOOK: I don't think they were talking about
16 you.

17 DR. BARTH: Oh, I know. Thank you. I thought
18 you were -- yeah.

19 MS. SAVIERS: But that really goes to what I was
20 saying. I mean, these kids are every bit as
21 important --

22 DR. BARTH: Sure.

23 MS. SAVIERS: -- as the kids that go to eStem
24 and LISA.

25 DR. BARTH: If not more.

1 CHAIRPERSON NEWTON: Okay. Ms. Zook, do you
2 need to move your mic down?

3 MS. ZOOK: I'm not saying anything I want --

4 CHAIRPERSON NEWTON: We're falling apart.

5 COMMISSIONER KEY: Maybe that break wasn't long
6 enough.

7 CHAIRPERSON NEWTON: So we have a motion by Ms.
8 Saviers and a second by Ms. Chambers to not review.
9 All in favor?

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRPERSON NEWTON: Any opposed? The motion
12 carries.

13 A-15: CHARTER AUTHORIZING PANEL ACTION ON DISTRICT CONVERSION
14 PRIORITY STATUS AND AMENDMENT REQUEST: OSCEOLA STEM ACADEMY

15 CHAIRPERSON NEWTON: Moving on to A-15, Charter
16 Authorizing Panel Action on District Conversion
17 Priority Status and Amended Request: Osceola STEM
18 Academy.

19 MS. BOYD: On February 18, 2016, representatives
20 of the Osceola STEM Academy appeared before the
21 Charter Authorizing Panel to address the charter's
22 priority status and request an amendment. By
23 unanimous vote the Panel decided to take no action on
24 the charter and approved the amendment request. No
25 request for the State Board to review the decision

1 made by the Panel was submitted. The State Board may
2 exercise their right of review, should they choose,
3 at their April meeting.

4 CHAIRPERSON NEWTON: Okay. Any questions
5 relative to A-15? If not, could I have a motion?

6 DR. BARTH: Move not to review.

7 CHAIRPERSON NEWTON: Moved not to review by Dr.
8 Barth. Second?

9 MS. DEAN: Second.

10 CHAIRPERSON NEWTON: Second by Ms. Dean. Any
11 further discussion? All in favor?

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRPERSON NEWTON: Any opposed? The motion
14 carries.

15 A-16: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT
16 ACADEMIC PERFORMANCE HEARING AND AMENDMENT REQUEST: QUEST
17 MIDDLE SCHOOL OF PINE BLUFF

18 CHAIRPERSON NEWTON: Down to 16, Charter
19 Authorizing Panel Action on Open-Enrollment Academic
20 Performance Hearing and Amendment Request for Quest
21 Middle School of Pine Bluff.

22 MS. BOYD: On February 19, 2016, representatives
23 of Quest-Pine Bluff appeared before the Charter
24 Authorizing Panel to address the charter's academic
25 performance and request an amendment. By unanimous

1 vote the Panel decided to take no action on the
2 charter and denied the amendment request. No request
3 for the State Board to review the decision made by
4 the Charter Authorizing Panel was submitted. The
5 State Board may exercise a right of review, should
6 they choose, at a later meeting.

7 CHAIRPERSON NEWTON: Okay. Any questions about
8 the Charter Authorizing Panel's actions relative to
9 Quest Middle School in Pine Bluff? If not, could I
10 ask for a motion?

11 MS. SAVIERS: I have a question. I have a
12 question. I watched the Charter Panel but I don't
13 remember this particular presentation. Is someone
14 here -- maybe Dr. Gotcher -- someone here who could
15 just give us a little recap of what the Panel said?

16 MS. ZOOK: Ms. Boyd.

17 MS. SAVIERS: Or Ms. Boyd. Somebody.

18 DR. GOTCHER: Ms. Saviers, I don't know that I
19 have --

20 MS. SAVIERS: You don't remember?

21 DR. GOTCHER: Well, there was a few over those
22 three days, so --

23 MS. SAVIERS: I know. I know. And that's why
24 -- but I guess my -- this one is problematic to me --

25 DR. GOTCHER: Yes, ma'am.

1 MS. SAVIERS: -- for the same reasons that
2 Covenant Keepers is. And I just wondered --

3 MS. BOYD: I think I can help a little bit, Ms.
4 Saviers. So Quest-Pine Bluff is only in its -- I
5 believe it's its second year of operation. So this
6 year will be its third time taking the state exam and
7 so that's one reason I think panel members decided
8 not to take action on them just yet. Another thing
9 is that they've recently had an overhaul in staff, so
10 the building is pretty much newly staffed top to
11 bottom and that's happened recently. And then the --
12 so they're struggling academically and then the
13 request was made to add grades -- lower elementary
14 grades to build up into the school. And that request
15 was denied I believe because the Panel wanted --

16 MS. SAVIERS: Right.

17 MS. BOYD: -- wanted them to show progress with
18 the students they had before adding more students to
19 a campus.

20 MS. SAVIERS: Okay. Thanks.

21 CHAIRPERSON NEWTON: Dr. Barth.

22 DR. BARTH: I just want to say that that was
23 worrisome that there was even a request for expansion
24 considering just how poor the performance is of
25 what's there now. And it raises some real worrisome

1 signs that there may be a little bit of a detachment
2 from reality in terms of where the school is at this
3 point and what it has the capability of achieving.
4 So now their charter is up -- they got an initial
5 five-year --

6 MS. BOYD: Yes.

7 DR. BARTH: -- when they were -- okay. So this
8 is -- this will be the end of their third -- they're
9 in their third year?

10 MS. BOYD: That's correct.

11 DR. BARTH: Okay.

12 MS. ZOOK: And one of the things, their
13 rationale, right or wrong, was that they were getting
14 kids that were three years behind and if they could
15 have the elementary grades then they could have them
16 on target and they would -- in their belief, they
17 would have them on target and not behind. So they
18 felt like they were being judged based on somebody
19 else's laying the foundation poorly.

20 CHAIRPERSON NEWTON: Okay. Any other comments?
21 If not, I'd ask for a motion.

22 DR. BARTH: I move not to review.

23 CHAIRPERSON NEWTON: Move not to review by Dr.
24 Barth.

25 MR. WILLIAMSON: Second.

1 CHAIRPERSON NEWTON: Second by Mr. Williamson.
2 Any further discussion? All in favor?

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRPERSON NEWTON: Any opposed? Motion
5 carries.

6 A-17: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT
7 PRIORITY STATUS AND RENEWAL APPLICATION: SIA TECH LITTLE ROCK
8 CHARTER SCHOOL

9 CHAIRPERSON NEWTON: Down to A-17, Charter
10 Authorizing Panel on Open-Enrollment Priority Status
11 and Renewal Application: SIA Tech Little Rock Charter
12 School.

13 MS. BOYD: On February 18, 2016, representatives
14 of SIA Tech appeared before the Charter Authorizing
15 Panel requesting a renewal of their charter and to
16 address the charter's priority status. By unanimous
17 vote the Panel approved the request granting the
18 charter a three-year renewal with an annual internal
19 review and an annual appearance before the Panel. No
20 request for the State Board of Education to review
21 the decision made by the Panel was submitted. The
22 State Board may exercise a right to review at a later
23 meeting.

24 CHAIRPERSON NEWTON: Any questions?

25 MR. WILLIAMSON: Another comment.

1 CHAIRPERSON NEWTON: Okay.

2 MR. WILLIAMSON: This is another Little Rock-
3 based charter that didn't get any attention from
4 those that allegedly support the education of Little
5 Rock students.

6 CHAIRPERSON NEWTON: Okay. Mr. Williamson's
7 comment. Any other comments or questions? Do we
8 have a motion?

9 MS. CHAMBERS: I move to not review.

10 CHAIRPERSON NEWTON: Moved not to review by Ms.
11 Chambers.

12 MR. WILLIAMSON: Second.

13 CHAIRPERSON NEWTON: Second by Mr. Williamson.
14 All in favor?

15 (MAJORITY CHORUS OF AYES)

16 CHAIRPERSON NEWTON: Any opposed?

17 DR. BARTH: I will oppose.

18 CHAIRPERSON NEWTON: You oppose. Okay.

19 A-18: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT
20 PRIORITY STATUS AND RENEWAL APPLICATION: PINE BLUFF LIGHTHOUSE
21 CHARTER SCHOOL

22 CHAIRPERSON NEWTON: We're down to A-18, Charter
23 Authorizing Panel Action on Open-Enrollment Priority
24 Status and Renewal Application: Pine Bluff Lighthouse
25 Charter School.

1 MS. BOYD: On February 17, 2016, representatives
2 of Pine Bluff Lighthouse appeared before the Charter
3 Authorizing Panel requesting renewal of their charter
4 and to address the charter's priority status. By
5 unanimous vote the Panel approved the request
6 granting the charter a three-year renewal with an
7 annual internal review and an annual appearance
8 before the Panel. No request for the State Board to
9 review the decision made by the Panel was submitted.
10 The State Board may exercise its right to review at a
11 later meeting.

12 CHAIRPERSON NEWTON: Any questions? Do I have a
13 motion?

14 MS. DEAN: I move to not review.

15 CHAIRPERSON NEWTON: Moved not to review by Ms.
16 Dean. Do we have a second?

17 MS. CHAMBERS: Second.

18 CHAIRPERSON NEWTON: Second by Ms. Chambers.
19 All in favor?

20 (MAJORITY CHORUS OF AYES)

21 CHAIRPERSON NEWTON: Any opposed?

22 DR. BARTH: I will oppose again. I just have --
23 I have problems with renewals when -- or signing off
24 on renewals. I think this one probably gets really
25 close but that's my reason for opposition.

1 CHAIRPERSON NEWTON: Okay. That ends your day.

2 MS. BOYD: Thank you, Madam Chair. We'll be
3 seeing you next month.

4 CHAIRPERSON NEWTON: Thank you.

5 A-19: CONSIDERATION OF ACADEMIC DISTRESS APPEAL FOR BADGER
6 ACADEMY

7 A-20: CONSIDERATION OF ACADEMIC DISTRESS APPEAL FOR BELLE
8 POINT ALTERNATIVE CENTER

9 A-21: CONSIDERATION OF ACADEMIC DISTRESS APPEAL FOR NORTH
10 LITTLE ROCK ACADEMY

11 A-22: CONSIDERATION OF ACADEMIC DISTRESS APPEAL FOR SUMMIT
12 SCHOOL

13 CHAIRPERSON NEWTON: We're down to A-19,
14 Consideration of Academic Distress Appeal for Badger
15 Academy. Commissioner has some comments and the
16 presenters will be Ms. Barnes and Mr. Ferren.

17 COMMISSIONER KEY: Madam Chair, A-19, A-20, A-
18 21, and A-22, these are all academic distress
19 designations for your consideration and all of these
20 schools are alternative learning environments,
21 dedicated ALEs. In the 2015 session the General
22 Assembly passed Act 1272. That statute allows you
23 all to adopt a rule, by rule an exemption for ALEs,
24 but part of that rule must also include an
25 alternative accountability approach. That was

1 passed; those rules are in process but they are not
2 ready to present. So under our current statute and
3 current rules we had no choice but to proceed with
4 the academic distress designations as they were
5 already existing in statute and rule. What I'm going
6 to recommend may shorten this agenda just a bit, but
7 based on your past practice, the past practice of
8 this board to not designate ALEs in academic
9 distress, it would be my recommendation that on these
10 four that you would take that action again given the
11 consideration of the General Assembly. And we are
12 working to implement what they passed that would give
13 some grace and an alternative measure to these ALEs.

14 CHAIRPERSON NEWTON: Okay. We have signed up to
15 speak on A-19, A-20 -- A-19 is Belinda Short and A-20
16 is Benny Gooden -- Shook, I'm sorry. When they sign
17 in names it's a little bit hard. Dr. Shook and Mr.
18 Gooden. So --

19 COMMISSIONER KEY: You may want to hear from Ms.
20 Barnes first.

21 CHAIRPERSON NEWTON: Okay.

22 COMMISSIONER KEY: I just wanted to preface
23 these four. You may not want to because, you know,
24 the previous discussion had been presentations,
25 appeals by the school districts, and then a vote. So

1 really it's up to you, but my -- just a simple
2 recommendation that if you choose to pursue the
3 previous practices these would not be placed in
4 academic distress.

5 CHAIRPERSON NEWTON: Does anybody want to hear
6 from Ms. Barnes? Nothing personal. We may want a
7 refresher. You may want to refresh the new members,
8 Ms. Barnes.

9 MS. BARNES: Good afternoon, Madam Chair and
10 Members of the Board. As Commissioner Key just
11 stated, we would like to make the recommendation that
12 the Board stay a decision at this time simply because
13 we do have legislation that has been passed in order
14 for us to accurately look at the mission and the
15 goals of these alternative learning environments who
16 are standalone. We recognize that we need to look at
17 multiple measures. We recognize that success looks
18 differently in different types of school settings.

19 I would like to also take this opportunity to
20 reiterate what Commissioner Key rebutted earlier.
21 Alternative Learning Environment students do not just
22 go without accountability. The superintendents in
23 the districts are requested to identify which school,
24 the sending school or the resident school that the
25 students' accountability should be levied to. And so

1 in that respect the students still will receive the
2 types of assistance that they need but they are in
3 the school for various reasons.

4 So what we would like to do is allow the rule-
5 making process to continue in order for rules to be
6 developed that will fit, measuring the success or the
7 lack thereof in these schools. And that's why we're
8 asking that you continue the past practice until we
9 complete that process.

10 MS. ZOOK: Do you -- can you give me some idea
11 about what the hold-up is on getting the rules
12 written, other than the fact that y'all have a lot of
13 other things going on? But is there --

14 COMMISSIONER KEY: I can.

15 MS. ZOOK: Okay.

16 COMMISSIONER KEY: Upon completion of the
17 legislative session -- and remember, keep in mind
18 that many of these statutes don't go into effect
19 until 60 days after, which many of these go into
20 effect July, and we start with the shalls. We start
21 doing rules on the "you shall do" and then we get to
22 the "you may do." In between, we -- our legal team
23 tackles numerous FOI requests, lawsuits; you name it,
24 our legal staff is addressing those issues, working
25 in the "you may do's" as we get to them. So it's

1 been asserted to me that somehow we should've already
2 done this. The priority is the shalls, then the
3 mays. And this, because it was a may, clearly, this
4 is still in process.

5 MS. ZOOK: Okay. And also, Ms. Barnes, there
6 are more ALEs than these four. So are the others
7 doing something differently that kept them from being
8 in this position today?

9 MS. BARNES: From filing the appeal?

10 MS. ZOOK: No. From being designated in
11 academic distress.

12 MS. BARNES: No, ma'am. They didn't -- you know
13 -- if your question is does our request only extend
14 to the four that's on this appeal, no, ma'am. Our
15 request extends to all alternative learning
16 environments. I cannot answer the question as to why
17 they did not file an appeal, but I can tell you that
18 they have all stated the same thing, "We keep coming
19 and we keep saying we're dealing with a different
20 measurement." And so I can't answer the latter part
21 but I can answer that we would like to extend it to
22 all alternative learning environments.

23 MS. ZOOK: Is there an ALE in the state that is
24 not in academic distress?

25 DR. SHOOK: Our ALE has a separate LEA number.

1 That's why we're --

2 MS. BARNES: Right. And, again, these are the
3 ones -- these are the separate LEA numbers, you know,
4 ALEs with LEA numbers.

5 MS. ZOOK: Right. I know.

6 MS. BARNES: And I would have to look to see.
7 Mr. Harvey, do you know if we have any alternative
8 learning -- standalone alternative learning
9 environments that are not currently identified in
10 academic distress?

11 MR. HARVEY: No, ma'am, I do not recall any.

12 DR. SHOOK: I can answer that.

13 MS. BARNES: You want to answer that? I don't
14 mind if they don't mind.

15 DR. SHOOK: Well, and that was going to be one
16 of my points. We have a separate LEA number. My
17 name is Belinda Shook and I'm the superintendent at
18 Beebe. We have a separate LEA number because our
19 alternative learning environment is a conversion
20 charter school. So we have a separate number which
21 means those students who attend that school, which is
22 a very small number, about 30 students, their test
23 scores are pulled separately. If we dropped our
24 conversion charter, we could easily absorb all those
25 scores in our school and it wouldn't make any

1 difference as far as our overall testing scores. But
2 we don't want to do that because we do have some
3 waivers that allows us to do some very special things
4 and we feel like we're being successful with those
5 students.

6 MS. ZOOK: Okay. Thank you.

7 CHAIRPERSON NEWTON: We have other folks. I
8 don't know if you're finished, Ms. Barnes --

9 MS. BARNES: Oh, I'm finished.

10 CHAIRPERSON NEWTON: -- but we have some other
11 individuals, Benny Gooden, Mr. Gooden, and --

12 DR. GOODEN: Yes, ma'am.

13 CHAIRPERSON NEWTON: If you'd like to comment
14 still, you had signed up to comment.

15 DR. GOODEN: I did.

16 CHAIRPERSON NEWTON: Okay.

17 DR. GOODEN: Well, I apologize for even being
18 here taking your time. You've had a long day
19 already. But the third time is charm; I've been here
20 three times. I was here on February 12, 20 -- no,
21 July 10, 2014, February 12, 2015. And your action,
22 as has been already reported, according to the
23 minutes, is to table action on these. Because it was
24 obvious to me after I talked to you Members of this
25 State Board got it; you understand that we're dealing

1 with a whole other environment to classify schools
2 using one test on one day; that there's a whole lot
3 more to this. And as the Commissioner has told you,
4 we got Act 1272 passed and -- because Commissioner of
5 Education Wood at that time took your directive and
6 worked to get a legislative remedy, because the
7 answer both of those times from your staff I think
8 was a correct one, was that legislation was so
9 specific it had to be changed. Well, we got it
10 changed and not to recite it but we don't have the
11 rules written to do this.

12 I'm telling you we're doing the same thing and
13 doing it better than we were the last two times that
14 I talked to you. And the young people that we serve
15 -- and I can't speak for all the other ALEs; I only
16 try to speak for mine. But the young people that we
17 serve have practically any problem you can name and
18 they've brought it to school with them. And our goal
19 is get them prepared where they can function in a
20 regular school environment, and we've done that. I
21 did just a check the other day and we transitioned 13
22 back to their regular school at semester. You know,
23 we're making progress on those things; we're seeing
24 good results.

25 Just to give you a flavor, about 80% of ours are

1 on some kind of juvenile probation or some type of
2 legal arrangement. Two-thirds of them have little or
3 no parental supervision and environment. It's
4 obvious they've got a lot of dysfunction in their
5 lives. No, they're not going to be 49-1/2%
6 proficient or some other number on the standardized
7 test but we want to get them where they can graduate.
8 We have a 96% pass rate on the GED because if they
9 get to 17 years old and they don't have enough
10 credits and they're not ever going to get enough
11 credits by staying in school we're going to get them
12 a GED. And our pass rate is excellent. Last year we
13 had 100% of our seniors GED or got a high school
14 diploma, because some of them do get enough credits.
15 So we're making progress.

16 One more thing: Belle Point was a recipient of a
17 SIG grant. They're the only ALE in Arkansas to get
18 one of those. They have adopted the New Tech
19 Network, which you all talked about in another
20 context today. We found out they're the only
21 alternative learning environment in the nation to use
22 that model. So we're working on college and career
23 readiness for these kids. First of all, we've got to
24 get their behavior in order and we're making great
25 progress on that.

1 I just thank you for the time and I apologize
2 for us having to go through this so many times.

3 CHAIRPERSON NEWTON: Thank you.

4 DR. GOODEN: Appreciate you.

5 CHAIRPERSON NEWTON: Thank you. Next, we can
6 hear from action item A-22, Consideration of Academic
7 Distress Appeal for Summit School. We have Kelly
8 Rodgers, Beth Stewart and Charles --

9 COMMISSIONER KEY: They're North Little Rock.

10 CHAIRPERSON NEWTON: I'm sorry. North Little
11 Rock? I'm sorry. North Little Rock, 21. That's
12 what I had down here, 21. Mr. Rodgers.

13 SUPT. RODGERS: Thank you, Madam Chair and Board
14 Members. I won't take up much of your time. I'll
15 echo a lot of what Dr. Gooden has already said and
16 just mention that the students in our alternative
17 school -- and I'll let Beth and Charles Jones speak
18 to it briefly -- students in our alternative school
19 do have many problems. And one thing we're proud of
20 in North Little Rock is they are making great
21 progress; went from 82% attendance rate to almost
22 91%. And with those many problems that these kids
23 have -- just like Dr. Gooden had said, you know,
24 they've got more problems than just academic
25 problems. And so with that I ask that you consider

1 our request today. And I'm going to let Dr. Stewart
2 and Charles Jones, our principal, speak briefly.

3 DR. STEWART: I'm not going to go through
4 everything that I prepared for you guys today. But I
5 do want to make sure that I communicate to you that
6 students don't come to the ALE just because they come
7 to school regularly and make good grades. That
8 doesn't happen; that's not why we assign them to an
9 ALE or they're placed in an ALE. Many of our
10 students are incarcerated in the Pulaski County
11 Juvenile Detention Center, the Division of Youth
12 Services, and/or short- and long-term stays with --
13 in mental health institutions. Many come to school,
14 yes, with ankle bracelets and we have a full-time
15 probation officer on staff. Those are the types of
16 students that are in our ALE. Even with that, you
17 can see that the academy does a really good job of
18 getting students ready to go out into the world where
19 they have the same exact struggles. Student
20 struggles in the traditional setting doesn't happen
21 in an ALE because of the class size being so small.
22 It's extremely important though for you to understand
23 that students on average are placed in our academy
24 for two years and then they transition back out
25 because our staff does such a great job at helping

1 them get caught back up. They're not sentenced to
2 never return to the traditional school.
3 Additionally, students placed in the high school,
4 which is our 9-12, have an instructional reading
5 level of 4.3. They do obtain growth at the academy,
6 as indicated in their STAR assessments. Matter of
7 fact, 45% of those 9-12 meet growth on a monthly
8 basis. So when you look at it in a broader scale the
9 percentage is much larger.

10 And by the way, you know, I said before,
11 students and teachers work real hard to get them to
12 where they are. But you need to understand even with
13 growth they're at 4.5 when they leave. We're not
14 talking about students that are traditional "I can
15 sit in rows and learn" students, and that is not what
16 our academy does with those students. They have some
17 very new approaches that they are going to be
18 implementing. We are very proud of those students.
19 They go on to be amazing things that they would not
20 be able to do without our academy.

21 CHAIRPERSON NEWTON: Mr. Jones.

22 MR. JONES: First of all, let me thank you all
23 for just listening to us today because I know you've
24 been here for awhile; I've been streaming you at home
25 trying to figure out what time I needed to get here.

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But let me thank you because I know you're tired.

I am the principal of North Little Rock Academy and let me first say this, we are an academy. And when I first got to the academy, about 15 years ago, I can tell you the perception of what people thought about alternative schools is what it really was. It was a dumping ground and it was a dumping ground across the state. I will say Lori Lamb and C.W. Gardenhire and the ALE people have done a great job, a tremendous job of oversight to make sure that the programs that are provided for the ALEs are programs that meet the needs of students, but also are in line with those programs that are in regular schools. Most of my -- well, our students are mostly highly mobile. You know, they come from other schools. But let me say this, not just from schools within our district, because we have one middle school now and one high school, but they come from other schools, especially from county and Little Rock transferring to our high school because of our program. Our program is a teacher-based program. Students are provided those same instructional tools and strategies that they are at our high school. And I can say this, our district provides oversight almost to a point where sometimes it's irritating because of

1 the oversight that they provide to make sure that
2 we're providing those programs for our students, just
3 as we do in the regular schools. Even students who
4 come to us -- and we do have a few students who come
5 who are GT, gifted and talented, and we have to
6 provide services for those students as well.

7 Our main focus is graduation, trying to get the
8 students to the point where they -- the reading
9 levels are low, but trying to get them to a
10 functional level where they can function on a daily
11 basis. I tell them, "If you can read the newspaper,
12 I feel like you can function." Now, what you do over
13 reading that newspaper is what we need to get to and
14 so we push our students.

15 We provide all types of services for our
16 students, afterschool services for credit recovery.
17 Our school is open till 6:15 every day. You know,
18 some students come in early; some students do credit
19 recovery throughout the school day. You know, most -
20 - every student gets traditional instruction within
21 the school day. Again, ALEs by design -- just the
22 word alternative education, that first word
23 "alternative" tells you that we need to find a
24 different approach to teaching kids, and that's what
25 we provide.

1 As far as academic distress status, Act 1272
2 gave us a little flexibility in not allowing us to be
3 designated as an academic distress school. But the
4 taskforce is working on those rules and regulations
5 that would govern and guideline ALEs to still give
6 accountability, and that's what we're looking for.
7 If you go back and you study the academy, you'll see
8 that we've won numerous awards for growth, you know,
9 for commitment, not just within our district, not
10 just within our state; we've received national
11 recognition because of the job that we do. Are we
12 going to graduate and send every kid to college? No,
13 because every kid doesn't want to go to college. And
14 sometimes when we push to put kids in a box, "here's
15 what we want," some kids want to go -- we just
16 implemented a garden program and it's amazing how
17 many kids want to be farmers. And now we're talking
18 about mostly African American females and males want
19 to be farmers. You know, not to say that we don't
20 have African American farmers, but that's not the
21 tradition of students here in inner-city Little
22 Rock/North Little Rock. And they're having fun and
23 so they look forward to coming to school. And that's
24 what we provide in North Little Rock. So we would
25 appreciate, you know, you and what you do every day

1 because I know it's a difficult task. And I heard
2 earlier -- when I was streaming I heard about ALEs
3 being a dumping ground. And I can assure you, based
4 on the people that you've put in charge, you know, of
5 the program, of the ALE program they won't allow it.
6 I can tell you Lori Lamb won't allow ALE programs to
7 be dumping programs and she does a good job. Matter
8 of fact, I was emailing her as we -- as I was
9 watching you. So, again, we appreciate all that you
10 do each and every day and just thank you for your
11 consideration because we know it's a difficult task,
12 because we know people ask for everything. And I'm
13 asking right now. So thank you for your time and
14 your effort.

15 CHAIRPERSON NEWTON: Thank you, Mr. Jones.
16 Commissioner, do you have a recommendation for A-19
17 through 22?

18 COMMISSIONER KEY: That you continue the
19 practice of previous decisions and that you -- I
20 don't know officially -- I don't know if it's to not
21 designate. What's the proper terminology, Kendra?

22 MS. CLAY: In the past it has been to table
23 those items.

24 COMMISSIONER KEY: Okay.

25 CHAIRPERSON NEWTON: So can we do one motion for

1 all four or do we --

2 COMMISSIONER KEY: Yes. You can do one.

3 CHAIRPERSON NEWTON: So I'd ask for a motion for
4 A-19 through 22 to not be tabled.

5 COMMISSIONER KEY: To be tabled.

6 CHAIRPERSON NEWTON: To be tabled.

7 MS. ZOOK: So moved to table.

8 CHAIRPERSON NEWTON: Okay. Moved by Ms. Zook.

9 MS. SAVIERS: Second.

10 CHAIRPERSON NEWTON: Second by Ms. Saviers. Any
11 further discussion? All in favor?

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRPERSON NEWTON: Any opposed? Thank you.

14 A-23 has been pulled; A-24 is pulled.

15 A-25: CONSIDERATION OF SCHOOLS RECOMMENDED FOR REMOVAL FROM
16 ACADEMIC DISTRESS

17 CHAIRPERSON NEWTON: We're down to Consideration
18 of Schools Recommended for Removal from Academic
19 Distress. And also A-26 and 27 have been pulled. So
20 we're down to A-25.

21 MS. SAVIERS: May I ask a question?

22 CHAIRPERSON NEWTON: Ms. Saviers has a question.

23 MS. SAVIERS: Mr. Key, why was -- why were 23
24 and 24 pulled?

25 COMMISSIONER KEY: Ms. Barnes can answer that.

1 It was a timing issue.

2 MS. BARNES: Yes. Ms. Saviers, the reason we
3 asked that those be pulled was so that the Board
4 could hear all of the appeals in order to meet
5 timelines. Under our rule from the time that we
6 publish the assessment data, we have 30 days to
7 notify any district or school that meets the criteria
8 for academic distress. After they receive that, then
9 the board has to hear their appeal from the date it
10 arrives in the Commissioner's office. What happened
11 here was the date for publishing and posting items
12 for the State Board came before some of those appeals
13 came in because somewhere in the mail it got delayed.
14 We looked at the date on the postmark and it was
15 within their timeframe, their 30 days. So we asked
16 to pull -- excuse me -- we asked to pull those in
17 order to have the Board hear all appeals with the
18 exception of the ALEs, partly because we have two
19 ALEs that fell outside of that 60 days so we needed
20 to go ahead and address those. And that's the main
21 reason. We didn't want to stagger those because with
22 respect also to the timelines the rule also requires
23 once classified then within 15 days we have to have a
24 team on the ground. And it was just going to create
25 such a chaotic period and you would wind up having to

1 classify some, add to the classification depending
2 upon the outcome of the appeal hearing.

3 MS. SAVIERS: Thank you.

4 CHAIRPERSON NEWTON: Okay.

5 MS. ZOOK: So would you tell me again which ones
6 were pulled?

7 CHAIRPERSON NEWTON: The ones that are pulled
8 are 23, 24, 26 and 27. So we're on 25.

9 MS. BARNES: Yes, ma'am. Madam Chair, Members
10 of the Board -- Mr. Ferren, would you please stand?
11 This is Mr. Louis Ferren. Some of you may have met
12 Mr. Ferren during your initial meeting of staff at
13 the ADE. Mr. Ferren is our systems coordinator for
14 school performance. He's one of the unsung heroes.
15 I wanted to make sure that I acknowledge him during
16 this particular time. He has a staff of two program
17 advisors and one analyst and they are responsible for
18 all of these mail-outs to the districts. They
19 provide all of the technical assistance, walking
20 through corrections windows, periods, making sure
21 that we get accurate data. And so while my face and
22 my name may be here, Mr. Ferren's office is the
23 office that is doing all of that legwork in order for
24 us to try to make sure we're getting it right for
25 districts. So because of that I wanted him to be

1 here in order for us to go ahead and introduce the
2 two schools that have met the criteria for renewal,
3 which means that they now have more than 49.5% of
4 their student population at proficient or above.
5 They are over a three-year period and so if you have
6 questions, I'm also going to let you ask him those
7 questions. But the two schools that have previously
8 been designated or classified in academic distress
9 and are now above 49.5% are Townsend -- excuse me --
10 are Oak Park in Pine Bluff and Baseline Elementary in
11 Little Rock School District. Now with that, this
12 board also approved the opportunity that once a
13 school closes that we no longer have to keep adding
14 it to the list and reviewing that. Oak Park has been
15 closed by the Pine Bluff School District, but they
16 did meet the criteria to be removed from academic
17 distress.

18 MS. ZOOK: I have a question.

19 CHAIRPERSON NEWTON: You have a question?

20 MS. ZOOK: I do.

21 CHAIRPERSON NEWTON: Ms. Zook has a question.

22 MS. ZOOK: Did Baseline drop a bad 2012 or did
23 they score a really good 2015?

24 MR. FERREN: Okay. The score -- I can give you
25 the score for the last couple of years. Their three-

1 year score for the last time was 46.2%. That was the
2 2012 through 2014, the academic distress calculation
3 of 46.2%. And then the 2013 calculation, Baseline
4 had a 48.25%. Let's see. I was trying to see
5 whether --

6 MS. BARNES: He's looking --

7 MR. FERREN: I can find their information on
8 this sheet here. Okay. Their percent proficient for
9 2015 -- let's see -- is 65%.

10 MS. ZOOK: And that's on the PARCC?

11 MR. FERREN: The math and literacy.

12 MS. SAVIERS: What did he say it was?

13 MS. ZOOK: On the PARCC?

14 MR. FERREN: Yes. That is the concordant score.

15 MS. ZOOK: Well, terrific.

16 MR. FERREN: Their literacy for 2015 was 63.3%
17 and their math for 2015 was 66.67%.

18 MS. ZOOK: Isn't that incredibly unpredictable
19 based on what we've been hearing about PARCC?

20 MR. FERREN: Yes.

21 MS. ZOOK: Great.

22 MR. FERREN: They did better than expected.

23 MS. ZOOK: So the question -- the answer to my
24 question is they had a really good '15.

25 MR. FERREN: Yes. That's right.

1 MS. ZOOK: Okay. Thanks.

2 MR. FERREN: Okay. You're welcome.

3 CHAIRPERSON NEWTON: Where do we go from here?

4 MS. BARNES: And in the midst of the
5 astonishment, we did find that there are several
6 schools that did do better than expected. However,
7 of course, these scores are the determination for
8 these classifications or removals or additions is
9 over a three-year period and that speaks to your
10 question. It may not have been necessarily a really
11 bad year that they dropped, but they picked up a
12 really good year. And so that is one of the things
13 that you can look in the data, in our assessment data
14 that is posted. It will show what these -- all
15 schools in the state -- it will show their 15 PARCC
16 scores; it will show their scores on their literacy,
17 scores on their math. We are in the process of
18 preparing specialized password protected data for
19 those schools that will be recommended for
20 classification next month. So they'll have a chance
21 to take a look at numbers of students that were
22 counted into that and help them understand a little
23 bit better that concordant process.

24 MS. ZOOK: Okay. So as we look at the
25 information -- for example, the information that Ms.

1 Allen has sent out that she'll discuss, I guess,
2 tonight sometime -- those are the scores prior to the
3 concordance being applied to them or after?

4 MS. BARNES: I believe hers are prior to the
5 corrected -- corrections process, but it will give
6 you an idea of how they were performing. So her
7 information is going to be just a little bit
8 different than what's posted on the actual website
9 under school performance for the status of the
10 assessment, PARCC assessments.

11 MS. ZOOK: Okay. Thank you.

12 CHAIRPERSON NEWTON: Okay. So what is the
13 action for this, Commissioner?

14 MS. BARNES: We're requesting that you approve
15 our recommendation to remove these two schools from
16 academic distress designation.

17 CHAIRPERSON NEWTON: The two schools?

18 MS. BARNES: Yes, ma'am.

19 CHAIRPERSON NEWTON: Okay.

20 MS. BARNES: Oak Park Elementary and Baseline
21 Elementary. And then after this, Oak Park would not
22 be identified on a list anywhere because it's a
23 closed school.

24 MS. SAVIERS: I have a motion.

25 CHAIRPERSON NEWTON: Okay.

1 MS. SAVIERS: I move to remove Baseline and Oak
2 Park from the academic distress designation.

3 CHAIRPERSON NEWTON: So it's been moved by Ms.
4 Saviers. Can we get a second?

5 MS. DEAN: Second.

6 CHAIRPERSON NEWTON: By Ms. Dean to remove Oak
7 Park Elementary at Pine Bluff and Baseline in Little
8 Rock from the academic distress list. Okay. All in
9 favor?

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRPERSON NEWTON: Any opposed? I'm trying to
12 find our way. Okay. The motion carries. Thank you,
13 Ms. Barnes.

14 MS. BARNES: Thank you.

15 CHAIRPERSON NEWTON: And thank you,
16 Commissioner.

17 A-28: edTPA CUT SCORE RECOMMENDATION

18 CHAIRPERSON NEWTON: Now where are we, 28?

19 COMMISSIONER KEY: 28.

20 CHAIRPERSON NEWTON: 28. edTPA Cut Score
21 Recommendation. Ms. Luneau.

22 MS. BARNES: Excuse me. The Deputy Commissioner
23 said that Ms. Allen wanted to make a correction. Her
24 data is going to be -- her data will be post appeals.
25 So it's not the raw data.

1 CHAIRPERSON NEWTON: Okay.

2 MS. BARNES: So that's part of a correction in
3 the statement that I just made.

4 MS. ZOOK: Okay. My question was: is it after
5 concordance or before concordance?

6 MS. BARNES: It would be before because the
7 concordance had to be a cut score --

8 MS. ZOOK: Okay.

9 MS. BARNES: -- that we would use in order to be
10 able to calculate across three years.

11 MS. ZOOK: Okay.

12 MS. BARNES: Two different tests.

13 MS. ZOOK: All right. Thanks.

14 CHAIRPERSON NEWTON: Okay. Ms. Luneau -- is
15 that the way you pronounce it?

16 MS. LUNEAU: All right. Good afternoon. I'm
17 Joan Luneau, the education preparation coordinator
18 here at the ADE. For the last two years edTPA has
19 been the subject of a pilot in our state by several
20 of our teacher prep programs. We've come to you a
21 couple of times in the last few months to give you
22 reports on that pilot, and then also in January I
23 gave you a report on some other teacher prep
24 assessments that we had been looking at. From the
25 pilot our participants have agreed that edTPA would

1 provide valuable candidate performance data in
2 Arkansas. Because of that, for candidates enrolled
3 in a program approved to use edTPA the ADE recommends
4 allowing a teacher candidate to substitute the
5 nationally scored edTPA in lieu of the state approved
6 pedagogical assessment if the edTPA score meets one
7 of the following minimum passing standards. For the
8 assessments that contain 13 rubric fields the score
9 would be a 32. For assessments containing 15 rubric
10 fields the score would be a 37. And for assessments
11 containing 18 rubric fields the score would be a 44.
12 These are based on national recommended scores. And
13 our scores that we've chosen are within one standard
14 error of measurement of the recommended cut score.

15 CHAIRPERSON NEWTON: Okay. You've heard her
16 recommendation for A-28. What is the Board's
17 pleasure? Dr. Barth.

18 DR. BARTH: I move to approve the acceptance of
19 edTPA as an alternative with the cut scores.

20 CHAIRPERSON NEWTON: Okay. Is there a second?

21 MS. CHAMBERS: Second.

22 CHAIRPERSON NEWTON: Second by Ms. Chambers.
23 All in favor? Or any discussion? Sorry. All in
24 favor?

25 (UNANIMOUS CHORUS OF AYES)

1 CHAIRPERSON NEWTON: Any opposed? Motion
2 carries.

3 MS. LUNEAU: Thank you very much.

4 CHAIRPERSON NEWTON: Okay.

5 A-29: CONSIDERATION OF RECOMMENDATION TO ADOPT PRAXIS SPECIAL
6 EDUCATION: CORE KNOWLEDGE AND APPLICATIONS (5354) FOR NEW
7 LICENSURE ENDORSEMENT IN SPECIAL EDUCATION RESOURCE

8 CHAIRPERSON NEWTON: A-29, Consideration of
9 Recommendation to Adopt Praxis Special Education:
10 Core Knowledge and Applications for New Licensure
11 Endorsement in Special Education Resource. And
12 that's you also?

13 MS. LUNEAU: Yes, ma'am. Michael Rowland is not
14 here today, so I'm going to take his place.

15 CHAIRPERSON NEWTON: Okay.

16 MS. LUNEAU: To accommodate educator licensure
17 requirements for a new licensure endorsement in
18 special education resource, the ADE recommends
19 adopting the Praxis special education core knowledge
20 and applications (5354) assessment. The special ed.
21 resource endorsement is for already licensed teachers
22 in either K6 or the subject areas of English Language
23 Arts, math, science grades 4-8 or 7-12. ETS provided
24 a technical report which was attached in y'all's
25 documents from a February 2010 multistate standard

1 setting study with a recommended passing score to
2 help education agencies determine an appropriate
3 operational passing score. For the Praxis special
4 education core knowledge and applications (5354), the
5 recommended passing score is 151. For the special
6 education resource endorsement, ADE recommends
7 adopting the Praxis special education core knowledge
8 and applications (5354) with a cut score of 151,
9 effective today, March 10, 2016.

10 CHAIRPERSON NEWTON: Okay. You've heard the
11 recommendation of the Department on A-29. What is
12 the Board's pleasure?

13 MS. ZOOK: I have -- go ahead.

14 DR. BARTH: I just have a question. On the
15 Praxis recommendations that we get, the cut scores
16 that we get, I've been curious, do other states
17 deviate much from these scores or is everybody -- is
18 this pretty much -- once the cut score is set through
19 this process that pretty much everybody goes that
20 direction? I'm just curious.

21 MS. LUNEAU: The majority probably go that
22 direction but there are some states that consistently
23 go up one standard error or down. So it varies by
24 state.

25 DR. BARTH: Okay.

1 CHAIRPERSON NEWTON: Ms. Zook.

2 MS. ZOOK: I think I'm pretty consistent in
3 saying that I don't feel uncomfortable if this was an
4 emergency licensing during an emergency period like
5 we're in when we have a shortage. But to make it a
6 permanent license bothers me. It bothers me that the
7 151 is only a 61%. That's -- in most schools that's
8 a low C. And, thirdly, many teachers, particularly
9 in the rural areas, they wind up working -- it may be
10 called a resource room but they have some students
11 who are in there all day. They have a mixture of
12 kids who are learning disabilities, intellectually
13 challenged, physically handicapped. And what I
14 observe as I go around in my other hat, which is my
15 CASA, is that in those rooms they are just watering
16 down and not adapting for the individual students.
17 So -- and it also bothers me that only two of the
18 states involved in this decision-making were in the
19 top 10 in the nation. And I think that two states of
20 the 10 and only two of them being the top 10 in the
21 nation, I'm not sure those were the best people to
22 make these decisions. I'm not challenging you --

23 MS. LUNEAU: Right.

24 MS. ZOOK: -- in any way. But for all of those
25 reasons I won't be supporting the motion.

1 CHAIRPERSON NEWTON: Any other questions or
2 comments? What is the Board's pleasure on A-29?

3 DR. BARTH: I'll move to follow the Department's
4 recommendation with the cut score of 151.

5 CHAIRPERSON NEWTON: Okay. Moved by Dr. Barth.

6 MR. BLACK: I'll second.

7 CHAIRPERSON NEWTON: Second by Mr. Black. All
8 in favor?

9 (MAJORITY CHORUS OF AYES)

10 CHAIRPERSON NEWTON: Any opposed?

11 MS. ZOOK: Aye.

12 MS. SAVIERS: Aye.

13 CHAIRPERSON NEWTON: Okay. Two opposed.

14 MS. LUNEAU: Thank you very much.

15 A-30: CONSIDERATION OF RECOMMENDATION TO ADOPT PRAXIS
16 PRINCIPLES OF LEARNING AND TEACHING (PLT): EARLY CHILDHOOD
17 (5621) FOR FIRST TIME LICENSE IN EARLY CHILDHOOD/SPECIAL
18 EDUCATION INTEGRATED (BIRTH-K)

19 CHAIRPERSON NEWTON: Moving on to A-30 -- it's
20 still you --

21 MS. LUNEAU: Yes, ma'am.

22 CHAIRPERSON NEWTON: -- for Mr. Rowland.

23 Consideration of Recommendation to Adopt Praxis

24 Principles of Learning -- okay, what are we doing?

25 MS. REITH: They just wanted to know who

1 opposed. They couldn't hear it.

2 CHAIRPERSON NEWTON: Okay. Ms. Zook and Ms.
3 Saviers opposed. Okay.

4 Consideration of Recommendation to Adopt Praxis
5 Principles of Learning and Teaching: Early Childhood
6 (5621) for First Time License in Early Childhood/
7 Special Education Integrated (Birth through
8 Kindergarten).

9 MS. LUNEAU: Okay. Again, to accommodate
10 educator licensure requirements, the ADE recommends
11 adopting the Principles of Learning and Teaching:
12 Early Childhood (5621) as the pedagogy test for the
13 first-time license in Early Childhood Special Ed.
14 Integrated (Birth to K). The content tests have
15 already been adopted for this license and that's
16 already been done, so we needed a pedagogy test for
17 first-time licensure. The programs have already been
18 started. It is anticipated another year before we'll
19 have candidates coming out of those programs. The
20 Principles of Learning and Teaching Early Childhood
21 (5621) is currently the required pedagogy test for
22 the Early Childhood P-4 license with a cut score of
23 157. Educational Testing Services provided a
24 technical report, which was also attached to your
25 documents, from a March 2011 multistate standard

1 setting study. ETS provided a recommended passing
2 score of 157. For the first time license in Early
3 Childhood Special Education Integrated (Birth to K)
4 the ADE recommends adopting the Principles of
5 Learning and Teaching: Early Childhood (5621) with a
6 cut score of 157, effective September 1, 2016.

7 CHAIRPERSON NEWTON: Okay.

8 MS. ZOOK: Are these primarily the people that
9 are at the co-ops that provide help and a liaison
10 between the co-ops and the ABC program?

11 MS. LUNEAU: For candidates coming out of this
12 program?

13 MS. ZOOK: Yes.

14 MS. LUNEAU: That would be some of them. But
15 they also can work in ABC programs in preschool
16 settings.

17 MS. ZOOK: And are there any mentoring programs
18 set up for them?

19 MS. LUNEAU: There will be by that time that
20 they are coming out. Again, it's at least another
21 year before we have candidates coming out of this
22 program.

23 MS. ZOOK: Okay. Thank you.

24 MS. LUNEAU: Yes, ma'am.

25 CHAIRPERSON NEWTON: Any other questions? Do we

1 have a motion on this recommendation from the
2 Department?

3 MR. BLACK: So moved.

4 CHAIRPERSON NEWTON: Moved by Mr. Black to
5 accept the recommendation. Is there a second?

6 MS. REITH: Second.

7 CHAIRPERSON NEWTON: Second by Ms. Reith. All
8 in favor?

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRPERSON NEWTON: Any opposed?

11 A-31: DECLARATION OF CRITICAL ACADEMIC SHORTAGE AREAS OF
12 LICENSURE FOR 2016-2017

13 CHAIRPERSON NEWTON: Moving on to --

14 MS. LUNEAU: Thank you very much.

15 CHAIRPERSON NEWTON: Excuse me?

16 MS. REITH: She said thank you.

17 CHAIRPERSON NEWTON: You're welcome. I'm
18 delayed by a few seconds.

19 Next is A-31, Dr. Frank Servedio, Declaration of
20 Critical Academic Shortage Areas of Licensure for
21 2016 -- you're not Mr. Servedio.

22 MS. PFEFFER: He's here with me. I apologize.

23 CHAIRPERSON NEWTON: Ms. Pfeffer.

24 MS. PFEFFER: Yes. I had thought I was going to
25 be out of town today.

1 CHAIRPERSON NEWTON: Okay.

2 MS. PFEFFER: And -- but I do want to recognize
3 Dr. Servedio. He has done the lion's share of this
4 work here and so I have him here to help with the
5 presentation and to answer some of the specific
6 questions that you may have. And I know it has been
7 a long day and we still have some things to go. I'm
8 just going to -- we do have a little more in-depth
9 presentation on this. We just gave you the materials
10 that kind of give you an overview of the critical
11 shortage areas that we would ask you to approve for
12 the 2016-17 school year. Is that right, the right
13 year? 16-17 school year. But we would like to just
14 walk you through a couple of things so you understand
15 where we are because the critical shortage areas are
16 also part of our larger work with equitable access
17 and to insure that we really are focusing on having
18 the teachers that we need in classrooms for students.
19 So if they can start that presentation -- that's
20 going to work there. Yes.

21 And so, as you know, each year the U.S.
22 Department of Ed. asks states to identify academic
23 shortage areas and teachers who prepare for and
24 license in these shortage areas may be eligible for
25 financial assistance. But it really goes much, much

1 deeper than that because as we really analyze and
2 look at these areas of shortage it's really helping
3 us to understand a greater issue that we have and a
4 greater need that we have so that there's a lot more
5 communication; there's a lot more planning; there's a
6 lot more collaboration between the Department,
7 between our educational preparation programs, between
8 our school districts and our cooperatives if we're
9 truly going to get to the day where every child in
10 our state is surrounded by a team of effective,
11 excellent educators.

12 So -- I forgot I had the clicker.

13 So doing this -- and this really is work that
14 Frank got going even before I started here. You
15 know, years in the past I think the critical shortage
16 areas were just looked at in terms of what are our
17 ALPs telling us, what -- you know -- and that is a
18 very important part of this data. But Frank has
19 really been instrumental in working on this supply-
20 and-demand formula to establish these shortage areas.
21 And as you know, we are working with the Center for
22 Great Teachers and Leaders as part of our equitable
23 access work because even now with the supply-and-
24 demand data that we have he will tell you that we're
25 limited because we are looking at data that's a year

1 old when we're predicting areas for the next year.
2 So the data that we're sharing with you right now is
3 from the 14-15 school year to predict areas of
4 shortage -- or not to predict but to name areas of
5 shortage for the 16-17 school year so we have that
6 gap. But his work has really helped to inform the
7 work with the Center for Great Teachers and Leaders
8 because what they're able to do is utilize some of
9 their statisticians and then their researchers that
10 are helping us not only with the quantitative
11 analysis but with the qualitative pieces that go into
12 this. It's helping to take multiple years of data
13 and put it together and bring it back to our
14 stakeholder groups so that we can have conversations
15 around is this what we're really seeing and then how
16 do we go even further into that to determine are
17 there some areas where even the need is more critical
18 than others. So we look at the supply-and-demand,
19 including the pipeline, and then in the demand what
20 are we seeing even in terms of potential retirees.

21 So in our calculation definitions you're going
22 to hear words like: preparing, so those are our
23 pipeline; the potential new hires, the ones who have
24 just been licensed; vacancy subs, so those would be
25 our ALPs and our long-term subs, including the

1 waivers. Okay, so let me back-up. The vacancy subs
2 are those by the long-term subs, the waivers are
3 those on an ALP; and then the potential need for
4 veterans. And we've got some pretty interesting data
5 to show you regarding the veterans. So Frank works
6 with the Teacher Retirement System to get some data,
7 so the average age of the retiree is 61 and the
8 average years towards retirement is 23. So we're
9 using the age plus years towards retirement in coming
10 up with the number of 84, looking at that to
11 determine who is eligible to be leaving. Because
12 we're looking at this as a critical number because
13 these people potentially, based on data, could be
14 walking out the door. So that's also a consideration
15 as we try to start looking to predict where our
16 shortages are.

17 So your chart that you have contains all of this
18 data. So you have the positive factors, the numbers
19 preparing and the numbers of first-time licensed
20 people. And then you have the negative factors,
21 those -- the vacancy, the waivers and potential
22 veterans. So when we put those data together scores
23 less than 100 indicated that the need was greater
24 than the supply. Again, there are probably other
25 considerations that could be made. Some of these

1 numbers we look at and depending on experiences you
2 have you may feel, "Well, this is really greater than
3 this." But what we're trying to do is take as an
4 objective approach as possible in looking at these
5 and then, as we said, in the future we're going to
6 have the ability to get more and more input and look
7 at whether there's some qualitative factors that need
8 to be in our future model.

9 So when we looked at all of our areas one of our
10 really important columns is that number of teachers
11 that are teaching in that area. It gives us a lot of
12 really good data. And then working all the way
13 across, all of those numbers are put together for the
14 total score. And when you just look at our shortage
15 areas here these are the areas where our demand --
16 where we had the numbers where our demand was greater
17 than our supply. And notice computer science is a
18 shortage area. We didn't have the data to include
19 there since this was our first year but we know that
20 we have a great need for computer science teachers,
21 so it is included as a shortage area.

22 Just some information on frequency of the
23 license areas, the shortage areas. Frank went back
24 and pulled the number of times that these areas have
25 been named as a shortage over the past 10 years. So

1 you can see there are some that typically -- and this
2 chart shows it, as well -- those that have the X in
3 the column are those that have been a shortage area
4 for many years. This year in the science, if we just
5 looked at science in general, because you have the
6 life science and the physical science, we now are
7 going to have separate licenses for the life science
8 biology, the physics, the chemistry separate. We
9 broke those apart because sometimes when you lump
10 them all together you mask an area of shortage in one
11 and not in the other. And because those licenses
12 will be separated we found that we did have a
13 shortage in the physics and chemistry but not in the
14 biology at this time. So that's why those are
15 separated. As well in the foreign language, the
16 French and the Spanish showed up. And, again, that's
17 because the need in those languages is greater.

18 Okay. We just pulled kind of a snapshot of our
19 shortage areas and the percentage of teachers that
20 are teaching on a waiver. I don't think it's
21 probably any surprise that we do have a pretty big
22 percent of our special education teachers that are
23 teaching on an ALP. If you were to add in the long-
24 term subs, the vacancies, it would be closer to 18%.
25 So, you know, almost one in five teachers in Arkansas

1 teaching special education are not fully licensed to
2 teach that. What's even more interesting is over the
3 last couple of weeks we've looked at data regarding
4 just novice teachers and 13% of our novice teachers
5 are teaching on an ALP. And when we break it down by
6 university we have some universities where that's an
7 even greater number. So what that's telling us is
8 we've got to do a better job with our preparation
9 programs to prepare our teachers that just come out
10 of the programs to be prepared for the jobs that are
11 out there. And, you know, I know a lot of times
12 candidates will graduate and they just -- they want
13 to find a job. When you have that big of a number of
14 our novice teachers who are struggling just learning
15 how to teach and not only that, they're not even
16 teaching what they were prepared for, what they just
17 came out the door prepared to teach, I think that
18 speaks to the longer retention problem. Because if
19 you struggle from day-one because you're not prepared
20 -- maybe you're prepared to teach something but not
21 what you actually wind up in the classroom teaching,
22 that has to be impacting our longer term retention
23 rate. So these are just so many pieces of data that
24 we are looking at and talking about. And I know at
25 some point the talk has to turn to action, so we're

1 trying to work as fast as we can towards those
2 solutions. But these are -- there are just so many
3 important factors for us to consider.

4 I spoke a minute ago about the veteran status
5 and I'm really -- I appreciate Frank for putting this
6 data together. If you look here, these are just
7 areas -- the tan colored are the ones that are
8 shortage areas this year. If you look at that
9 district level administrators, a little over 28% of
10 our current district level administrators -- or it
11 would have been those last year -- but almost a third
12 of them are at retirement age, veteran age. They
13 could be walking out the door. That's a pretty big
14 percentage, and you think about the institutional
15 knowledge and the experience that they have. And you
16 think about, you know, they're eligible to leave at
17 this time, so are we building that capacity in those
18 districts and within our leadership programs for
19 people to come in and take those district level
20 administrative spots. So, pretty interesting
21 information there. You can see even in special
22 education almost 13% are eligible to be leaving, so
23 just a little bit less than those who are teaching on
24 an ALP.

25 And then the next slide -- if it's going to

1 click for me -- okay, back one. I think this is also
2 interesting that the percentage of our newly licensed
3 educators in each of our areas -- so when you look
4 at, for example, special education, 13% of our
5 teachers teaching special education are first-time
6 licensed. So we've got a high percentage of new
7 people teaching in some of these areas. Physical
8 science, almost 18% of our physics and chemistry
9 teachers are brand-new teachers. So, again, it just
10 gives us a picture of what our workforce looks like.

11 And I think the next slide is the last slide.
12 And we broke these out into two things and if --
13 excuse me -- if I mess this up Frank is going to
14 clear it up for you. But those first three lines
15 there talk about our available educators based on
16 what was in the pipeline and the number of newly
17 licensed and their ratio in terms of the number of
18 jobs. So if you put that together mathematically we
19 had about one person for every job that was available
20 in a shortage area. Okay. So, I mean, that -- when
21 I first looked at it I said, "Well, that would be
22 good; you know, we've got enough people to fill the
23 jobs." But you think about where those jobs are and
24 that's with all the shortage areas together, so it
25 doesn't necessarily mean we've got them matched up

1 perfectly and you would -- basically, it's like Frank
2 said, "Well, if you had applications out there you'd
3 have one person interview for each of your jobs." So
4 that kind of puts it in perspective when you compare
5 the shortage areas to the non-shortage areas. The
6 non-shortage areas are going to have a little bit
7 better ratio. But if you take out those that were
8 newly licensed and just look at our pipeline -- so
9 those bottom three lines focus just on the pipeline
10 -- and remember it's declining every year. We didn't
11 put that slide in there, but it's declining. So our
12 pipeline from this last fall is even less than what
13 this is showing here when you look at it -- and that
14 should be ratio of persons to positions. We had only
15 enough people in the pipeline to fill about 63% of
16 the vacant jobs in shortage areas. So that pipeline
17 that continues to shrink is going to continue to
18 rapidly affect our ability. So if you had combined
19 it before with those that had licensed when the
20 pipeline was bigger, you know, we were going to have
21 less problems filling the jobs then. The further we
22 go just with our pipeline the fewer available people
23 we're going to have.

24 So that's kind of a quick run-through of those.
25 And if you have some questions, Frank and I will be

1 happy to answer. But we would just ask that you
2 consider the shortage areas that have been identified
3 and accept those. And I do think that that makes a
4 difference when educators have that to work from and
5 I know a lot of school districts use that data.

6 CHAIRPERSON NEWTON: Okay. Ms. Saviers has a
7 question.

8 MS. SAVIERS: Do you have this broken out
9 regionally?

10 MS. PFEFFER: Do you want to answer that?

11 DR. SERVEDIO: No.

12 MS. SAVIERS: Okay. Okay.

13 DR. SERVEDIO: Yeah. Right now we're just
14 looking at the numbers of teachers in all of these
15 areas. But one of the aspects -- good afternoon,
16 Members of the Board; Frank Servedio -- one of the
17 aspects of some of the work we're doing with the
18 equitable access is we're looking at everything by
19 school. And so once we know what school and we know
20 what district all of these factors are occurring,
21 then we'll be able to do some -- in fact, we've
22 already started to create some regional maps and we
23 can start seeing where --

24 MS. SAVIERS: That would be so interesting.

25 DR. SERVEDIO: -- some of the major shortages

1 are.

2 MS. PFEFFER: Yes.

3 MS. SAVIERS: Anecdotally, we hear over and over
4 again districts in certain parts of the state that
5 have a terrifically difficult time finding folks to
6 fill their -- especially the shortage areas that
7 you've described, so --

8 MS. PFEFFER: And just to add to that, Frank has
9 actually -- he's in conversations with our people who
10 supply the data, so -- within Dr. Saunders' unit.
11 And, for example, our attrition rates where, you
12 know, we know we lose about 17, 18 percent -- 15%
13 after one year and up to about 35% after five years.
14 He is working with them to see if we can identify
15 those individuals so we know what they taught and
16 then we can trace it back to where they were prepared
17 and where they taught so we can start putting that
18 information together. The issue is we just don't
19 have the data systems that -- where we can go and
20 easily gather that data. So sometimes it takes four
21 or five people to help pull that data together and
22 then to look at it. But we definitely are working on
23 that and we -- with our new online renewal, license
24 renewal process we will have a survey that educators
25 will fill out every time they renew their license.

1 It won't be anything too long. But just some of that
2 to give us an idea of what they've been teaching,
3 have they been on an ALP, do they intend to continue
4 teaching and continue to teach in the district where
5 they have been employed. So all of that data will be
6 very helpful.

7 CHAIRPERSON NEWTON: Okay. Ms. Reith.

8 MS. REITH: Thank you so much, both of you-all.
9 I know we've worked a little bit on the equity,
10 teacher equity piece, so to see this and the
11 connection is -- it's wonderful. I just want to make
12 sure how this data is going to be used later and
13 making sure I'm understanding correctly. So this
14 triggers the ability of our higher education
15 institutions to get financial aid for students that
16 apply to these areas? Is that correct? Or are there
17 other -- I guess I'm just trying to see how on the
18 proactive end, right, we're responsive to this. And
19 looking at your report I know there's at least that
20 reference there. But are there other ways
21 proactively that this data gets used?

22 DR. SERVEDIO: No. Actually, it's not the
23 institutions of higher ed. that would have access to
24 these. But it would be those teachers who are
25 licensing, who are preparing in these areas --

1 MS. REITH: Okay.

2 DR. SERVEDIO: -- who may apply for like loan
3 forgiveness and things like that for their college
4 tuitions.

5 MS. REITH: Okay. So it's for the students.
6 But the admissions office for the higher ed. -- or
7 for the teaching institutions, right, the teaching
8 education institutions, they're made aware of this.
9 And what about in design or recruitment? I guess --

10 MS. PFEFFER: Yes.

11 MS. REITH: -- just trying to think of the
12 pipeline, right, of making --

13 MS. PFEFFER: Yes.

14 MS. REITH: -- sure that our new generation,
15 right, of students are aware, just like we do in
16 other career areas. Are they aware of these shortage
17 areas and opportunities?

18 MS. PFEFFER: They are, and -- well, and I say
19 they are. This is one of the driving forces of our
20 conversation, and I'll give you an example of how it
21 was used the other day. I got to speak to a group of
22 students in Henderson State's teacher preparation
23 program and we showed them the shortage areas and
24 talked to them about how -- showed them the data on
25 the pipeline and they are now more valuable than ever

1 because there is such a smaller number of educators
2 enrolled in programs. And I talked to them about --
3 you know -- and I'd already done a little poll, how
4 many of you are, you know, going to be in elementary
5 education, special education, secondary, in a STEM
6 area, and so we'd already done some of that. When
7 they started looking at this we started talking about
8 their marketability. They're already going to be
9 valuable and marketable but are they going to be
10 valuable and marketable for the jobs in their area,
11 and how if they can certify in multiple areas how
12 much more marketable they're going to be. Those are
13 the conversations that I'll have with the deans of
14 the colleges of education that we're going to
15 continue to have as many different places as we can
16 go. It's still going to require the conversations
17 though until we have a system where we can really
18 show the data between the higher ed. and school
19 districts in the area. You know, we all know that
20 Dr. Peggy Doss has a very good relationship with her
21 educational co-op and districts in her area. Every
22 time you talk to anybody there they will talk about
23 the University of Arkansas at Monticello and about
24 her. That kind of relationship has to be replicated
25 everywhere because we have to know and be able to

1 tell students as they come in, you know, if you want
2 a job and you want to be able to have a job in this
3 area you're going to need to be able to teach these
4 classes. And I think the other thing we do is we
5 report data on our EPR report, so our EPR report will
6 keep having information posted with this kind of
7 information and we've got to show what preparation
8 programs are doing a really good job preparing
9 candidates who get jobs and are able to keep teachers
10 in their communities.

11 CHAIRPERSON NEWTON: Okay. Any other questions?
12 Okay. So the Department is asking us to support
13 their recommendation of declaring of critical
14 academic shortage areas for licensure for 2016 and
15 2017. So do we have a motion relative to that
16 request?

17 MS. DEAN: Move to approve.

18 CHAIRPERSON NEWTON: Move to approve by Ms.
19 Dean.

20 MS. REITH: Second.

21 CHAIRPERSON NEWTON: Second by Ms. Reith. Any
22 further questions? All in favor?

23 (UNANIMOUS CHORUS OF AYES)

24 CHAIRPERSON NEWTON: Any opposed? Motion
25 passes. Thank both of you.

1 DR. SERVEDIO: Thank you.

2 A-32: CONSIDERATION FOR FINAL APPROVAL: ADE POLICIES GOVERNING
3 EDUCATOR PREPARATION PROGRAM APPROVAL

4 CHAIRPERSON NEWTON: Okay. A-32 is
5 Consideration for Final Approval: ADE Policies
6 Governing Education [sic] Preparation Program
7 Approval. That's Ms. Reinhart.

8 MS. REINHART: Thank you. Cheryl Reinhart for
9 the Department of Education. I have provided you
10 with a fairly extensive summary of the rules. I can
11 go through that, if you'd like for me to, but as it's
12 late in the day I thought maybe not.

13 CHAIRPERSON NEWTON: "Not" is probably right.

14 MS. REINHART: But we did -- I will just say
15 this: we did have change following public comment and
16 that was primarily to clarify Section 7.05 where we
17 wanted to be clear that a person who already has a
18 degree in a particular area doesn't necessarily have
19 to get a second master's degree. They can work with
20 the university in order to get the courses that are
21 required for licensure, but it does not necessarily
22 have to amount to a second master's degree. So we
23 just clarified that in Section 7.05. I would be
24 happy to answer any other questions.

25 CHAIRPERSON NEWTON: Ms. Zook has a question.

1 MS. ZOOK: Not a question. I continue to be
2 frustrated by the fact that I don't see any specific
3 courses on the areas that we're concerned about,
4 closing the academic gap, study skills, discipline of
5 minority students, critical thinking skills. You
6 know, you see courses, some similar to what I took
7 way back when. And I don't know where these teachers
8 are going to learn to do the things they need to do
9 and help us with the things that we grapple with if
10 that is not happening in their training.

11 MS. REINHART: If you don't mind, I'd like for
12 maybe Joan Luneau to address some of that. She deals
13 very -- works very closely with the competencies that
14 make up those program approvals.

15 MS. LUNEAU: And that's exactly where you'll
16 find just what you commented on. Those are all
17 included in our competencies and in our Arkansas
18 state standards. The policies that you're looking at
19 are general policies for program approval and for
20 submission to programs, so that would not be
21 included. But if you read in there it says they must
22 meet the competencies and that's where you see the
23 detail for the courses.

24 MS. ZOOK: And those are the things that are
25 looked at when they're doing their internships?

1 MS. LUNEAU: Yes, ma'am. That would all be in
2 there.

3 MS. ZOOK: Oh, yea. Thank you.

4 MS. LUNEAU: It's very specific. Very specific.
5 We did not want these policies to be that -- because
6 we've got 35 areas of competencies and they're all
7 online. So, they're there.

8 MS. ZOOK: Okay. Thanks.

9 MS. LUNEAU: You're welcome.

10 MS. PFEFFER: And, Ms. Zook, if I may add, too,
11 within their accreditation through CAPE those will --
12 they also have to show that they're meeting
13 competencies and those standards, especially for
14 those areas that have the SPAs, the Specialized --

15 MS. REINHART: Professional Association.

16 MS. PFEFFER: Yes. Yes.

17 MS. ZOOK: Thank you.

18 CHAIRPERSON NEWTON: Any other questions? Okay.

19 DR. BARTH: I have a question.

20 CHAIRPERSON NEWTON: Dr. Barth.

21 DR. BARTH: On the -- in terms of the teacher
22 prep programs, their accountability provisions, do we
23 -- I mean, do we often or infrequently or ever have
24 programs that are kind of teetering there in terms --
25 because we've never seen -- or since I've been on the

1 Board we've never had a teacher prep program come to
2 us. Is -- I worry -- I guess my question is, you
3 know, are these right in being, you know, challenging
4 enough to teacher prep programs to be what we need
5 them to be in terms of their accountability?

6 MS. REINHART: I would say that their CAPE
7 accreditation -- because that's accreditation not for
8 the university itself, but for the educator
9 preparation program. That's very rigorous. And
10 those types of things are typically handled in that
11 accreditation process. We are instituting an audit
12 process from the Department; it's under the PLSB.
13 And that process will also be looking at sort of how
14 to -- a system of red flags when things come up and
15 we will be -- there have been in the past schools
16 that were -- they have identified areas in their
17 accreditation process that they're low on and the
18 CAPE accreditation will challenge them on that, and
19 we're aware of those. And we attend those meetings
20 with the accrediting association and so we do -- we
21 are aware of those when they do come up.

22 DR. BARTH: So I guess my question is if CAPE is
23 tough, a tough process to get through, do our own
24 accountability provisions somewhat become extraneous?

25 MS. REINHART: Not insofar as we do look very

1 closely at what the competencies are, whether or not
2 -- the syllabi, we look at those; whether or not the
3 internships are meeting what we consider appropriate
4 standards too. It's not really duplicative; it
5 really is two separate processes.

6 DR. BARTH: Okay. Thanks.

7 CHAIRPERSON NEWTON: Any other questions? Ms.
8 Pfeffer.

9 MS. PFEFFER: And this isn't a question; this is
10 a comment. We will -- when we get all of our data
11 ready for our preparation performance report -- I
12 think though we are at a point now where about 50% of
13 our educators who are prepared are now prepared
14 through nontraditional programs. Those include the
15 MAT programs. But in terms of educator preparation
16 we are going to have to really think more broadly;
17 we're going to have to think beyond just the
18 traditional programs at our institutions of higher
19 education. And my unit, we're building in those
20 audit processes but also those regular review of our
21 nontraditional programs, as well. So it's really a
22 changing landscape in terms of educator preparation.

23 CHAIRPERSON NEWTON: Okay. So the Department is
24 asking the Board for Consideration for Final Approval
25 on the ADE Policies Governing Educator Preparation

1 Program Approval. What is the pleasure of the Board?

2 MS. REITH: I move for final approval.

3 CHAIRPERSON NEWTON: Moved by Ms. Reith.

4 MR. BLACK: I second.

5 CHAIRPERSON NEWTON: Second by Mr. Black. Any
6 further questions? All in favor?

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRPERSON NEWTON: Any opposed? Motion
9 carries. Thank you.

10 MS. REINHART: Thank you.

11 A-33: CONSIDERATION FOR FINAL APPROVAL: PROPOSED ARKANSAS
12 DEPARTMENT OF EDUCATION RULES GOVERNING PUBLIC CHARTER SCHOOLS

13 CHAIRPERSON NEWTON: Next we have Ms. Davis,
14 Consideration for Final Approval -- excuse me --
15 Proposed Arkansas Department of Ed. Rules Governing
16 Public Charter Schools.

17 MS. DAVIS: Hi, good afternoon. Jennifer Davis,
18 staff attorney for the Department. These are the
19 rules regarding public charter schools. You gave
20 approval to open them up in January for public
21 comment. We did have a public comment period. We
22 did receive some comments but there were no
23 substantive changes made. So if you have any
24 questions about the rules themselves or any of the
25 comments, I'll be glad to answer them. Otherwise, we

1 do ask that you give final approval for these rules.

2 CHAIRPERSON NEWTON: Okay. Any questions? If
3 not, could I get a motion?

4 MS. CHAMBERS: Move to approve.

5 CHAIRPERSON NEWTON: Move to approve by Ms.
6 Chambers. Second?

7 MS. DEAN: Second.

8 CHAIRPERSON NEWTON: Second by Ms. Dean. Any
9 questions? All in favor?

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRPERSON NEWTON: Any opposed? Motion
12 carries.

13 MS. DAVIS: Thank you.

14 A-34: CONSIDERATION FOR FINAL APPROVAL: PROPOSED ARKANSAS
15 DEPARTMENT OF EDUCATION RULES GOVERNING THE MONITORING OF
16 ARKANSAS COMPREHENSIVE SCHOOL IMPROVEMENT PLAN (ACSIP)

17 CHAIRPERSON NEWTON: Okay. We're on A-34,
18 Consideration for Final Approval: Proposed Arkansas
19 Department of Education Rules Governing the
20 Monitoring of Arkansas Comprehensive School
21 Improvement Plan (ACSIP).

22 MR. BIGGS: Good evening. Cory Biggs, staff
23 attorney with the Department. These rules were
24 released for public comment. We did receive some
25 comments, mostly about things that we missed that

1 were in Act 841, which caused these rules to be
2 revised. We did get those changes made and we have
3 the Governor's approval, and mostly these changes are
4 just to streamline the ACSIP monitoring process. So
5 we'll ask for the State Board's approval.

6 CHAIRPERSON NEWTON: Okay. What is the Board's
7 pleasure on A-34?

8 MS. DEAN: Move to approve.

9 CHAIRPERSON NEWTON: Motion by Ms. Dean.
10 Second?

11 MR. WILLIAMSON: Second.

12 CHAIRPERSON NEWTON: Second by Mr. Williamson.
13 All in favor?

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRPERSON NEWTON: Any opposed? Okay.

16 A-35: CONSIDERATION FOR FINAL APPROVAL: PROPOSED ARKANSAS
17 DEPARTMENT OF EDUCATION RULES GOVERNING ACCESS TO PUBLIC SCHOOL
18 INFORMATION ON ARKANSAS COMPREHENSIVE SCHOOL IMPROVEMENT PLANS
19 (ACSIP)

20 CHAIRPERSON NEWTON: We're down to A-35,
21 Consideration for Final Approval: Proposed Arkansas
22 Department of Education Rules Governing Access to
23 Public School Information on Arkansas Comprehensive
24 School Improvement Plans. Mr. Biggs.

25 MR. BIGGS: Same song, second verse. The first

1 ones were for monitoring; these are for public access
2 to ACSIP plans. Act 841 brought on the revisions and
3 they're mostly just streamlining.

4 CHAIRPERSON NEWTON: Okay. A motion?

5 DR. BARTH: Move final approval.

6 CHAIRPERSON NEWTON: Moved by Dr. Barth. Do we
7 have a second?

8 MS. SAVIERS: Second.

9 CHAIRPERSON NEWTON: Second by Ms. Saviers.
10 Okay. All in favor?

11 (UNANIMOUS CHORUS OF AYES)

12 CHAIRPERSON NEWTON: Any opposed?

13 A-36: CONSIDERATION OF RESOLUTION FOR THE MONTH OF THE
14 MILITARY CHILD

15 CHAIRPERSON NEWTON: Consideration of Resolution
16 of the Month of the Military Child. This is John
17 Kaminar. Anybody here relative to A-36?

18 COMMISSIONER KEY: Well, let me -- I didn't know
19 if John was here or not. Okay. I have it here.
20 Madam Chair, it's simply a resolution of the Board
21 for April 2016 as Month of the Military Child. If
22 you -- the resolution, if you want me to read it in
23 its entirety I will. But the high points are we have
24 10,000 Arkansans that are serving in the Armed
25 Services. This recognizes these families and the

1 school age children of these families that attend
2 public schools in the state of Arkansas. And we
3 simply ask for your support for this resolution. We
4 are a member of the Military Interstate Children's
5 Compact Commission, partnering with the Department of
6 Defense and other organizations that recognize April
7 as the Month of the Military Child.

8 CHAIRPERSON NEWTON: Okay. I think we've done
9 this before when Mr. Lasiter was here. So what is
10 the Board's pleasure in the designation for the Month
11 of the Military Child? Is there a motion?

12 MR. BLACK: I move we adopt it.

13 CHAIRPERSON NEWTON: Move to be adopted by Mr.
14 Black. And a second?

15 MS. REITH: Second.

16 CHAIRPERSON NEWTON: Second by Ms. Reith. Any
17 further questions? All in favor?

18 (UNANIMOUS CHORUS OF AYES)

19 CHAIRPERSON NEWTON: Any opposed? Motion
20 carries and the resolution is adopted.

21 A-37: CONSIDERATION OF RESOLUTION FOR SCHOOL LIBRARY MONTH

22 CHAIRPERSON NEWTON: Consideration of Resolution
23 for School Library Month. And that's Ms. Cassandra
24 Barnett.

25 MS. BARNETT: Good evening.

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CHAIRPERSON NEWTON: Good evening.

MS. BARNETT: The Department requests that the State Board adopt a resolution recognizing April 2016 as School Library Month. This is something that's traditionally done throughout the United States. It's sponsored by the American Association of School Librarians. And we would like to promote that in the state of Arkansas.

CHAIRPERSON NEWTON: Okay. What is the Board's pleasure on A-37?

DR. BARTH: Move approval of the resolution of School Library Month.

CHAIRPERSON NEWTON: Moved by Dr. Barth. Is there a second?

MS. CHAMBERS: Second.

CHAIRPERSON NEWTON: Second by Ms. Chambers. Any further discussion? All in favor?

(UNANIMOUS CHORUS OF AYES)

CHAIRPERSON NEWTON: Any opposed?

MS. BARNETT: Thank you.

CHAIRPERSON NEWTON: Thank you.

That brings us down to our reports. Do we want a break or -- we need a 10-minute break.

(THE ACTION AGENDA WAS CONCLUDED AT 5:03 P.M.)

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A-1: LRSD PROGRESS REPORT

EXHIBIT ONE (1)

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A-4: HELENA-WEST HELENA SCHOOL DISTRICT

EXHIBIT ONE (1)

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A-5: PANGBURN SCHOOL DISTRICT

EXHIBIT ONE (1)

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COMMENTS BY STATE REPRESENTATIVE WALKER

EXHIBIT ONE (1)

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A-9: eSTEM PUBLIC CHARTER SCHOOL

EXHIBIT ONE (1)

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A-13: LISA ACADEMY

EXHIBIT ONE (1)

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 March 10, 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: March 22, 2016.

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

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