

In The Matter Of:
ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION

November 12, 2015

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Original File BOE - 11-12-15.prn

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

November 12, 2015
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
MR. CORY BIGGS, ADE Attorney Specialist

I N D E X

	Page
Exhibits Index	4
A-1: ABC One Time Cost of Living Increase	5
A-2: ABC Funding Request	12
A-3: LRSD Progress Report	13
A-4: Hector School District	49
A-5: Pine Bluff School District	51
A-6: Teacher Residency Nontraditional Pathway	71
A-7: 3-8 PARCC Cut Scores	73
A-8: Student Performance Requisite Scale Score	75
A-9: Waiver Request - Melanie Williams	87
A-10: Waiver Request - Danna Strozyk	92
A-11: Waiver Request - Sharon Davis-Williams	93
A-12: Waiver Request - Kerri Williams	123
Clarification of A-12 Motion/Vote	130
A-13: Waiver Request - Bruce Maddox	129
A-14: Future School of Fort Smith	132
A-15: Redfield Tri-County Charter	134
A-16: Northwest Arkansas Classical Academy	136
A-17: Quest Middle School of WLR	140
A-18: Bauxite Miner Academy	142
A-19: Rogers New Technology High School	144

(Cont.)

A-20: Background Checks 145
A-21: Teacher Excellence and Support Programs 146
A-22: Leader Excellence and Development System 147
A-23: Arkansas Computer Science Week 148
Court Reporter's Certificate. 151

E X H I B I T S
(Under Separate Cover)

A-9: WAIVER REQUEST - MELANIE J. WILLIAMS

EXHIBIT ONE (1)
PLSB File

A-10: WAIVER REQUEST - DANNA M. STROZYK

EXHIBIT ONE (1)
Emails between PLSB and Ms. Strozyk re: Waiver Hearing
(10/21/15)

A-11: WAIVER REQUEST - SHARON DAVIS-WILLIAMS

PLSB EXHIBIT ONE (1)
PLSB File

EDUCATOR EXHIBIT ONE (1)
Educator's File

A-12: WAIVER REQUEST - KERRI WILLIAMS

PLSB EXHIBIT ONE (1)
PLSB Correspondence

EDUCATOR'S EXHIBIT ONE (1)
Timeline of Events, Georgia Legal Records,
Misc. Correspondence

A-13: WAIVER REQUEST - BRUCE MADDOX

PLSB EXHIBIT ONE (1)
Statement by Mr. Maddox and Character References

EDUCATOR'S EXHIBIT ONE (1)
Educator's File

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

A-1: CONSIDERATION OF ARKANSAS BETTER CHANCE ONE TIME COST OF LIVING INCREASE

CHAIRPERSON NEWTON: We'll move on to the action agenda. Mary Kaye McKinney, A-1, Consideration of Arkansas Better Chance One Time Cost of Living Increase.

MS. MCKINNEY: Thank you. The action agenda on A-1 and A-2 are closely connected --

CHAIRPERSON NEWTON: Okay.

MS. MCKINNEY: -- in the fact that A-2 is listed that Mulberry, in August, was approved for 15 children. And we're requesting an additional five children to give them a full classroom of 20 with it being retroactive back to the first day of school. There was a problem; I know that the superintendent of that district was terminally ill at the time and there was some confusion about how those five children were being paid through DHS child care development funds. And, in fact, it was through a private entity and the entity had pulled those five and moved the money someplace else, so that left these five children being the burden of the Mulberry School District financially. So we're asking for it to go retroactive back to August.

1 CHAIRPERSON NEWTON: Okay. So we'll start with
2 A-1, the one-time cost of living increase.

3 MS. MCKINNEY: Well, A-1, in there I went --

4 CHAIRPERSON NEWTON: That's for A-2?

5 MS. MCKINNEY: A-2, assuming or thinking that
6 you may be willing to approve Mulberry with the 20
7 children, I have calculated the 20 children in
8 Mulberry into the A-1 request --

9 CHAIRPERSON NEWTON: Okay.

10 MS. MCKINNEY: -- for one-time funding for COLA,
11 cost of living.

12 CHAIRPERSON NEWTON: Okay. But we'll still need
13 to consider them separately as action items.

14 MS. MCKINNEY: Okay. That's fine.

15 CHAIRPERSON NEWTON: Okay. So with the
16 explanation of Ms. McKinney, do we have a motion on
17 A-1?

18 MS. ZOOK: I have a question.

19 CHAIRPERSON NEWTON: Okay.

20 MS. ZOOK: COLA meaning cost of living increase,
21 will this be added to their salary scale? Is there a
22 salary scale? How are the preschool teachers paid?

23 MS. MCKINNEY: Each --

24 MS. ZOOK: Because COLA typically is a cost of
25 living increase, not based on the number of people

1 you serve, but it's just -- if you're working there
2 or you've been working there awhile or you're degreed
3 or whatever.

4 MS. McKINNEY: Correct. It would be our
5 expectation that it would go into their salary. But
6 as far as -- and they do have salary scales, but the
7 only way we could look at how it would be equitable
8 is to look at the number of children that they were
9 serving so that all the teachers would receive some
10 level of funding. I don't know if that's clear or
11 not.

12 MS. ZOOK: Well, funding in my mind is one thing
13 and a cost of living increase is another, meaning
14 your teacher gets a raise or the supervisor or
15 whatever.

16 MS. McKINNEY: Correct.

17 MS. ZOOK: So is this for raises or is this for
18 funding the program?

19 MS. McKINNEY: It should be for giving the
20 additional amount of money, which is only \$62.00 per
21 child, if we look at it that way.

22 MS. ZOOK: Right. But is there anything that
23 says that the place has to use this for salaries?

24 MS. McKINNEY: No, ma'am. Well, I mean, the
25 cost of living increase would imply that it would

1 have to be used to give them an extra sum of money.

2 MS. ZOOK: Let me -- because --

3 COMMISSIONER KEY: If I may --

4 MS. ZOOK: Okay.

5 COMMISSIONER KEY: Well, if I may, Ms. Zook,
6 this is only for -- and it may be a term that isn't
7 necessarily a correct term, but it's an adjustment to
8 the per-pupil amount --

9 MS. ZOOK: Right.

10 COMMISSIONER KEY: -- that is granted to these
11 providers.

12 MS. ZOOK: Okay.

13 COMMISSIONER KEY: Which they have not had one.
14 There has not been any type of increase on the per-
15 pupil amount since the inception of the ABC program.

16 MS. McKINNEY: Correct.

17 COMMISSIONER KEY: So this is -- these are funds
18 that -- from the Governor's -- I think it was a \$3
19 million amount, so half of that is being allocated
20 for a COLA, but the COLA is for the per-pupil. We
21 would probably need to check with Ms. Williams, Tonya
22 Williams at DHS, but I don't think there are any
23 requirements that this go to salaries or any other
24 directive. This is just a one-time with hopeful --
25 being hopeful that Legislature may fund this in the

1 future, but they wanted to make sure that these
2 programs got, at least this year, some increase in
3 that per-pupil funding without a directive of how to
4 spend that money.

5 MS. ZOOK: Okay.

6 MS. MCKINNEY: That is --

7 COMMISSIONER KEY: The salary schedules are -- I
8 mean, for ABC programs they are bound by the salary
9 schedule of -- you know -- the teacher salary
10 schedule in statute. So each year as they go up in
11 the step they get that, teachers get that, but the
12 providers have not received any money to offset that.
13 So this is kind of a one-time offsetting of those
14 added expenses.

15 MS. ZOOK: Okay. And --

16 COMMISSIONER KEY: Did I explain that --

17 MS. ZOOK: Yes.

18 COMMISSIONER KEY: Okay.

19 MS. MCKINNEY: That is my understanding, because
20 we have been flat -- this program has been flat
21 funded since its inception.

22 MS. ZOOK: Yeah. The COLA reference is what
23 threw me off. Who supervises and/or trains the
24 directors of these programs and then who does the
25 ongoing training and professional development and

1 evaluating of those who teach in this program?

2 MS. MCKINNEY: The ongoing professional
3 development is two-fold. We, being DHS, the Division
4 of Child Care, does set up and provide ongoing staff
5 development for all the staff and the teachers and
6 the coordinators that exist within the program.
7 Also, there's an expectation related to the number of
8 hours that they have to maintain in professional
9 development. We do provide funding to contractors
10 who also do on-site training and assistance to their
11 classrooms individually and the different assessments
12 that they have to go through, such as through the
13 Environmental Rating Scale. As far as the monitoring
14 of the program, we have program specialists that are
15 hired through the Department of Human Services that
16 goes out and monitors the program routinely every
17 year. Then, as far as the monitoring or the
18 evaluation of the instructor in the classroom it
19 would be the responsibility of the program that's
20 being funded.

21 MS. ZOOK: Okay. And I would encourage, since
22 this -- we're the ones in one way, financially, I
23 guess, working with this but don't have the oversight
24 in making sure of the quality of the programs and the
25 quality of instruction, that perhaps the Commissioner

1 and the new head of DHS can work together and get
2 Learning Services and those people -- because we
3 receive -- K-12, we receive the children that you
4 educate. But we all know that the quality of pre-K
5 is the determiner of whether the children succeed,
6 not just going to pre-k. So we want to be sure that
7 the quality of this -- and since in a way we control
8 the purse strings, then I think that's not
9 unreasonable for us to have input and encourage those
10 two departments to work together in being sure that
11 the children are getting a high quality program.

12 MS. MCKINNEY: We do have -- each one of these
13 programs are expected to go through our quality
14 review, which we call Better Beginnings. And we do
15 work very closely with the Department of Education
16 and the different departments on the standards
17 development and also trying to look at the
18 kindergarten entry requirements so that we are in
19 fact connecting the two together.

20 MS. ZOOK: Terrific. We'll just add to that.
21 Thank you.

22 MS. MCKINNEY: Okay. Thank you.

23 CHAIRPERSON NEWTON: Okay. Any other questions
24 on A-1 and A-2? The first item for action is
25 Consideration of Arkansas Better Chance One Time Cost

1 of Living Increase. Do we have a motion?

2 MS. REITH: Move for approval.

3 CHAIRPERSON NEWTON: Moved by Ms. Reith. Is
4 there a second?

5 MS. SAVIERS: Second.

6 CHAIRPERSON NEWTON: Second by Ms. Saviers. All
7 in favor?

8 (UNANIMOUS CHORUS OF AYES)

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

11 A-2: CONSIDERATION OF ARKANSAS BETTER CHANCE FUNDING REQUEST
12 FOR THE MULBERRY SCHOOL DISTRICT

13 CHAIRPERSON NEWTON: A-2 is Consideration of
14 Arkansas Better Chance Funding Request for One Time
15 -- Funding Request for Mulberry School District. Do
16 we have a motion?

17 MS. ZOOK: So moved.

18 CHAIRPERSON NEWTON: Moved by Ms. Zook. Second?

19 MS. REITH: Second.

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

22 (UNANIMOUS CHORUS OF AYES)

23 CHAIRPERSON NEWTON: Any opposed? Motion
24 carries. Thank you, Ms. McKinney.

25 MS. MCKINNEY: Thank you.

1 A-3: CONSIDERATION OF THE LITTLE ROCK SCHOOL DISTRICT REPORT
2 OF PROGRESS

3 CHAIRPERSON NEWTON: Next, Mr. Baker Kurrus,
4 Consideration of the Little Rock School District
5 Report of Progress.

6 SUPT. KURRUS: Good morning.

7 CHAIRPERSON NEWTON: Good morning.

8 SUPT. KURRUS: Nice to be with you this morning.
9 Mr. Greg Adams is in the hall -- and he's here now
10 and is going to -- if it pleases Madam Chair, will
11 give a report from the CAC. Then I'll step back up
12 and proceed with our report and I've got some folks
13 that are going to help --

14 CHAIRPERSON NEWTON: Okay.

15 SUPT. KURRUS: -- and I think it will go well.

16 CHAIRPERSON NEWTON: Thank you.

17 MR. ADAMS: Good morning.

18 CHAIRPERSON NEWTON: Good morning.

19 MR. ADAMS: Dr. Jackson sends her regrets; she
20 is not able to be here because of a work conflict. I
21 just want to give a brief report for our Civic
22 Advisory Committee. Our subcommittees have begun to
23 meet, as reported last month, and each of the
24 committees are working with different staff in order
25 to get a better understanding of the situation and

1 trying to find out how we can work collaboratively
2 and come up with some new ideas and some helpful
3 things for the district.

4 Our Communications Committee is working with Ms.
5 Pamela Smith about what's already being done and
6 looking at some new ideas, perhaps even developing a
7 new app that can be used. And the ideas that they're
8 coming up with are ideas of where we could increase
9 two-way communication: communication of good things
10 to the community but also ways the community could
11 have communication back to the district.

12 Our Community Engagement group, they have met
13 with Ms. Debbie Milam and our BIFS [ps] group. That
14 group in the past years has had their staff reduced
15 significantly and there are things that they want to
16 do but they're just not able to do because of limited
17 staff. And so the Community Engagement group is
18 trying to see if there are some things that they
19 might be able to do to help support what BIFS would
20 like to be able to do in community partnerships and
21 so they're having some beginning conversations there.

22 Our Distressed Schools group is planning to meet
23 with Mr. Dennis Glasgow, who works with
24 Accountability and Instruction, and hoping to get a
25 better understanding of what the plans are in the

1 distressed schools and planning to make some school
2 visits to those particular six schools.

3 Our Facilities subcommittee is working with Mr.
4 Kurrus and he has been providing us a great deal of
5 information about data around schools and capacities
6 and enrollment figures, looking at the issues of the
7 possibility of consolidating or closing schools,
8 particularly in the elementary area, in order to not
9 only save money but to open up other possibilities
10 for perhaps eventually down the road some new
11 schools. And so what the group is trying to
12 understand better is what some of the justification
13 is or would be for that and also trying to think
14 about if that is done how could it be done as
15 logically and orderly as possible so that it's easier
16 on the district and easier on the families, because
17 we know that that's a difficult thing for everybody
18 involved and we want to make -- try to minimize the
19 stress that would be involved with that. But I think
20 the overall general feel for that Facilities
21 Committee is that there is a need to look at that
22 issue of consolidating and possibly closing some
23 elementary schools, but we're getting the details.

24 Just as a reminder, our committee as a whole, we
25 don't see ourselves as an approving committee. That

1 is not something where the administration comes to us
2 and we vote to approve or disapprove a plan; we
3 really look at ourselves as giving feedback. And so
4 we know that we may be giving some diverse kind of
5 feedback and some folks may think these are good
6 ideas and some things, these are concerning ideas and
7 there may be some ways that we will give feedback to
8 say, "If we do this, these are things to think about
9 and things that we think should be taken into
10 consideration."

11 Also, just as a general reminder, our committee
12 is looking -- we are working and doing as many things
13 as we can to be useful between now and May, the end
14 of this school year, knowing that after this school
15 year that there's a question about whether or not the
16 committee will continue. That will be not our
17 decision; it will be your decision in any form or in
18 some form. So we're going to be putting our focus on
19 this, trying to be as constructive as we can between
20 now and May.

21 CHAIRPERSON NEWTON: Any questions?

22 MS. ZOOK: I'd like to recommend that you have
23 the ForwARd group meet with your group because they
24 have a lot of ideas on community and so the two can
25 dovetail and not be working in different directions.

1 Because I know since you do have distress schools and
2 that's one of their focuses at least have them
3 present so that both groups know what the other is
4 thinking, and then ultimately whether or not Little
5 Rock or parts of Little Rock become a ForwARd
6 community will be up to that community. But at least
7 make sure that people are aware of what's going on so
8 that they can make an informed decision. Thank you
9 for your help.

10 MR. ADAMS: Thank you, and thank you for the
11 suggestion. I will take that back to the committee.

12 CHAIRPERSON NEWTON: Any other questions?
13 Commissioner.

14 COMMISSIONER KEY: And, Mr. Adams, in Dr.
15 Barth's charge to the Community Advisory Committee
16 one of the things that I thought was very important
17 -- I know at the time you thought it was important,
18 so I think it's still important -- is that through
19 your work that you identify the conditions that led
20 to the academic distress. And certainly I don't want
21 to speak for him but in our conversations I recall,
22 Dr. Barth, you were looking more for -- or less at
23 test scores and what were the environmental, what
24 were the organizational, what were the other factors
25 underlying the symptom becoming the test scores.

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DR. BARTH: Right.

COMMISSIONER KEY: And so I'm curious if that is something that is being tackled by the Academic Distress Committee or some other committee?

MR. ADAMS: I think there have been some discussions in that vein, trying to understand, you know, how we got here. In fact, there was -- you know -- the committee has reached out, you know, to Mr. Kurrus and to you to try to get a better -- a good understanding about the organizational pieces about how this happened. Frankly, I think most of our focus at this point has tried to be more -- not as much looking back but looking forward. With the limited time we have and the people that we have, we've been trying to think about what can we do now that would maximize the understanding -- maximize the effectiveness of the efforts that are happening. Certainly, part of that is trying to get some understanding about what has happened before, but there has been some searching to try to figure out what our lane is. We don't want to get out of our lane and we know that Mr. Kurrus and the administration is working very hard to improve instruction in the classrooms and communication within the district. And so we want to be careful

1 that we don't get into that, where we want to come in
2 and try to say, you know, "At Henderson this kind of
3 approach should be used as opposed to this type of
4 approach," or "That was an approach that was bad in
5 the past." We're trying to look more I think at
6 where things are now and where we can go.

7 CHAIRPERSON NEWTON: Ms. Saviers.

8 MS. SAVIERS: Thanks, Mr. Adams; great report.
9 I'm really excited that you're approaching this and
10 helping what they're doing there. I mean, they do
11 amazing work with a staff of two.

12 MR. ADAMS: Yes.

13 MS. SAVIERS: And I think if nothing else your
14 support of what they do could be huge for the
15 district and that's a great way to make a big impact.

16 MR. ADAMS: Thank you.

17 CHAIRPERSON NEWTON: Dr. Barth.

18 DR. BARTH: Really a question for the
19 Commissioner and maybe for Ms. Clay just to get our
20 heads around timeline in terms of this group, but
21 then also what the statute requires in terms of the
22 Community Advisory board, right, which would kick in.
23 When does that kick in? When -- I'm just trying to
24 get my head around --

25 COMMISSIONER KEY: And certainly Ms. Clay can

1 come, but I'm pretty sure the statute says that in
2 the second year of State takeover the State Board may
3 appoint -- if the Board feels like sufficient
4 progress is being made, then they may appoint a
5 Community Advisory Board that has more official
6 standing in the statute.

7 MS. CLAY: That's correct. It's during the
8 second year and it's if you determine that sufficient
9 progress has been made then you can appoint that more
10 official board.

11 DR. BARTH: And so in the second year do we go
12 to the January 28th date as kind of the magic point
13 or is it academic -- the second academic year?

14 MS. CLAY: It's during the second school year.

15 DR. BARTH: Okay. So really we would be looking
16 at going in the lead-up to the 16-17 or to the 17-18?

17 MS. CLAY: So let me do -- okay. The takeover
18 was January 28th of 2015.

19 DR. BARTH: Right.

20 MS. CLAY: So actually the first school year
21 will be the 16-17 --

22 DR. BARTH: No, 15-16. We're in the -- no.

23 MS. CLAY: Yes. The first -- the way the law is
24 written -- because we look at that when dealing with
25 how long a school can be in any sort of distress,

1 it's the -- we need a full school year to start the
2 calendar ticking.

3 DR. BARTH: Okay. So it would start at the
4 start of this school year, the start of '15, the 15-
5 16 school year?

6 MS. CLAY: Yes.

7 DR. BARTH: Okay.

8 MS. CLAY: Yes. I'm sorry. There's a reason I
9 went to law school is because numbers and
10 calculating, they don't work very well, especially in
11 my head. So, yes, you're correct.

12 DR. BARTH: Okay. So in the -- then in the
13 second year, right, is when --

14 MS. CLAY: Yes.

15 DR. BARTH: So it may be appointed at the start
16 of -- it will lead up to the 16-17 school year. So
17 we're about eight months away from that decision
18 about what to do related to a Civic Advisory Board.
19 Correct?

20 MS. CLAY: Yes.

21 DR. BARTH: Okay. Okay. Thanks.

22 MS. CLAY: Thanks. Sorry about that.

23 CHAIRPERSON NEWTON: Any other questions? Thank
24 you.

25 MR. ADAMS: Thank you.

1 SUPT. KURRUS: It's been a busy month since I've
2 seen you, very busy, and some of what I'm going to
3 talk about will take a little bit of explanation.
4 But before I do I want to thank you, Commissioner,
5 and Ms. Dean for going with me to a PTA meeting at
6 McClellan. I've done a lot of that sort of thing,
7 and then also devoted a lot of thought and time to
8 major strategic issues, even tactical issues and
9 transactional issues. But what I want to do today,
10 and I hope very briefly, is tell you that, you know,
11 we had some big things that we've done. We've got
12 our teacher contract worked out; that's a real big
13 plus. We're working hard and meeting with respect to
14 new schools, whether that's a new middle school, a
15 new big school out in Southwest. But what I'd like
16 to do today is tell you that we're in week 13 and
17 we're not taking our eye off of the ball, which is
18 teaching and learning in the classroom. That's
19 critical and the most important thing that we do.
20 And we now have the results of the first nine weeks.
21 And what I've done with the staff and what I've
22 worked very hard to be sure that we're doing across
23 the district is analyzing our results in a systematic
24 way. And I won't repeat what I've said before, but
25 we've tackled the first nine weeks in a very

1 systematic way, meaning to say that we've aligned our
2 curriculum with the standard; we've set up pacing
3 guides to teach that curriculum; we've had teams of
4 teachers blocked together three-week units of
5 instruction with pre and post testing. I won't go
6 all the way through that but I just want you to know
7 that we have a very systemic and systematic way of
8 approaching that education. So now we've got results
9 after nine weeks and rather than celebrate our
10 successes and mourn our failures, what I've insisted
11 that we do as a school district is a systems
12 analysis, meaning to say we've componentized so-to-
13 speak the elements of what we wanted to do. We now
14 see nine weeks worth of results. Now I've asked and
15 very cooperatively gotten the assistance of so many
16 people to analyze every single component of that work
17 to determine where we succeeded and where we failed.
18 And then we're very systematically approaching the
19 failures and the successes to learn from those
20 successes and then to change the failures. And that
21 sounds almost elemental but frequently in a large
22 organization when you encounter failure it's almost
23 very difficult to do that. You tend to reload
24 completely; it's sort of panic and fret, and then
25 say, "Well, that didn't work. What are we going to

1 do next?" That's not what we're doing. We're very
2 intentionally going about a continuous improvement
3 process, and let me tell you why it's so important.
4 It's so important across the school district, not
5 just in the -- we've got schools that score in the
6 high 90's and the mid 90's in literacy and math, but
7 there are still students in those schools, very few,
8 who aren't succeeding. Likewise, in order to really
9 solve the problems that we have in high schools and
10 middle schools we have to improve performance even in
11 the schools that aren't distressed because we have to
12 consistently produce students who are capable of
13 learning in middle and high schools with the tools
14 that they need. So we can't overlook any school. If
15 we just after nine weeks ran straight to the schools
16 that were at the lowest performing schools, that
17 would -- that's something we've done okay. But we're
18 not just looking at those; we're looking at every
19 school systematically so that we can continuously
20 improve. And rather than sort of go through all the
21 results, Sadie is going to get up and she's going to
22 have to brag a little bit on a couple of schools and
23 I hope you'll indulge her. But I wanted you to get a
24 sense of what we're doing. We're involving our
25 school improvement specialists; that's going well,

1 we're learning. You know, we're just -- that's a new
2 thing for us, but it's working, I think. We've got
3 some real problems though. We've got real problems
4 that we're addressing in all of our schools. But I
5 thought it might be helpful with that systems
6 analytical mind that we're all using right now to ask
7 Dr. Perkins to step up and just tell you a little bit
8 about a very -- just a vignette about a problem that
9 we saw, how we analyzed it, and what we're doing.
10 So, Dr. Perkins, could you come up? This relates to
11 curriculum alignment and pacing primarily. And then,
12 Dr. Mitchell, after that would you come up please and
13 then address some of the issues and problems that we
14 saw within the system on the elementary level? And
15 then I will step up and answer any questions and
16 close, if that's okay.

17 DR. PERKINS: So good morning.

18 CHAIRPERSON NEWTON: Good morning.

19 DR. PERKINS: I am Veronica Perkins and I
20 currently serve as the Chief Academic Officer for
21 Little Rock School District. And a little bit about
22 what Mr. Kurrus was sharing with you, in context what
23 my division does is to make sure that we align
24 curriculum instruction and assessment. And so we've
25 done a lot of work around making sure we have an

1 aligned assessment system. That way, we can truly
2 monitor how our students are performing. So with the
3 assessment piece we have to date trained about 62
4 teachers from Priority and Focus schools in the
5 common formative assessment creation. And that
6 doesn't seem like a lot of teachers but it is a 12-
7 hour intensive professional development where we
8 really help teachers understand how to create those
9 units of instruction, how to deconstruct the
10 standards so they really know what it is they want
11 students to know and be able to do, and then how do
12 you create that corresponding assessment that you can
13 get. Then, if those units of instruction are aligned
14 we want that aligned to the interim assessment in
15 which the district is going to monitor from the
16 district level. So what we did, we heard a lot of
17 mumblings around whether those assessments were
18 really aligned. We brought in facilitators,
19 teachers, to come in, "Let's look at that assessment.
20 Let's take it assessment question by assessment
21 question, see where in the curriculum that standard
22 is represented, and then see if the way the
23 assessment item was created, if it matches how we are
24 teaching it in the standard." So what we're trying
25 to do is to create the systems where we are

1 constantly reflecting. Then, once we got finished
2 with making sure the assessment was aligned we took
3 the assessment, we brought facilitators back in, now
4 let's look at the results; where is it that we did do
5 well and where are our challenges, where are we going
6 to have teachers go back to re-teach, to intervene.
7 And so we are creating a system of reflection where
8 we are constantly looking at the performance, where
9 it is we need to go. Then we are looking forward to
10 the next unit of instruction and the next interim
11 assessment, so trying to create an intentional focus
12 on teaching and learning. And so that's been a feat
13 but I feel confident in the work that we're doing.
14 We're going to try to -- our goal is to train as many
15 of the teachers in the Priority and Focus schools as
16 we possibly can. Again, it is such an extensive
17 commitment but we are seeing teachers rise up to the
18 expectation of looking and creating those
19 assessments.

20 CHAIRPERSON NEWTON: Any questions? Ms.
21 Saviers.

22 MS. SAVIERS: Thank you. That's a great report.
23 So you feel confident that your formative assessment
24 is now aligned to curriculum?

25 DR. PERKINS: I feel confident that we are

1 aligned to the curriculum. We have looked at the TLI
2 pacing guides; we've looked at our own curriculum
3 guides; we see where they interface. We have been
4 intentional about sending out those standards. We're
5 not leaving it to chance. We don't want teachers to
6 guess about it. We aren't trying to set you up for
7 failure; we're trying to set you up for success. We
8 want you to know exactly what we're going to assess
9 when we get to that interim assessment. They know
10 when the window is open; they know that November 16th
11 through December 4th we'll be administering that
12 second module. We sent that out to you. You know
13 what's going to be assessed and you know that we're
14 going to be there to help build capacity. If we fall
15 down again, we're going to continue this cycle of
16 reflection and we'll help -- we'll be there to help
17 them, support them in identifying their weaknesses
18 and identifying some intervention strategies,
19 professional development that we need in order to
20 address that and help them move forward.

21 MS. SAVIERS: What's your biggest challenge?

22 DR. PERKINS: Well, the biggest challenge --
23 there are lots of -- I don't know if there are any
24 challenges that are any bigger than others but it's
25 the mindset, I believe you'll see. So in the past we

1 have looked at covering standards. We're not asking
2 you to cover standards. We're asking you to look at
3 where your students are in terms of mastery. So if
4 they didn't get it, we can't just keep moving on and
5 leave them behind. You're going to have to circle
6 back around; you're going to have to re-teach; you're
7 going to have to intervene. And that's not -- that's
8 just a non-negotiable. So having that -- sometimes
9 you heard them say, "Well, I taught it." Well, if
10 you didn't -- if they didn't get it the way you
11 taught it, then we're going to have to teach it the
12 way they can get it. So trying to impact that
13 mindset and trying to get them to understand that the
14 days of leaving students behind -- and I shouldn't
15 reference that -- but we can't leave students behind.
16 We have to double back around and get them.

17 CHAIRPERSON NEWTON: What have you found, if
18 anything, that motivates one school to take on the
19 challenge and excel? I would imagine sometimes it
20 would be -- like examples with raising my children, I
21 didn't necessarily motivate one by telling them what
22 the other one did, but there was a unique way, you
23 know -- is that something that you look at to help
24 schools catch fire?

25 DR. PERKINS: Well, and you don't look at -- in

1 comparison, when I go and talk with a school we're
2 talking about what you did well. We're celebrating
3 that, and a lot of times they need that
4 encouragement. And we're not out to pass judgment.
5 It just means that there's a misalignment somewhere.
6 So you're having these conversations about "here's
7 some pockets of excellence that you're doing very
8 well, but there's some opportunities for growth as
9 well and we want to help you see that."

10 CHAIRPERSON NEWTON: Any other questions? Thank
11 you.

12 DR. MITCHELL: Madam Chair, Commissioner Key,
13 and Board Members, thank you for allowing us to be
14 here to present to you today. But I want to share
15 with you a few things --

16 CHAIRPERSON NEWTON: Would you state your name,
17 please?

18 DR. MITCHELL: I'm Dr. Sadie Mitchell, Associate
19 Superintendent for Elementary Schools. Mr. Kurrus
20 said that I might brag a little bit but he told me
21 that I couldn't, but that's just like asking me to
22 get my makeup on in one minute. So we do have a lot
23 of great elementary schools in the district. We have
24 about 31 elementary schools and I'm very proud to
25 work with them each and every day. We have four

1 magnet schools, two specialty schools, 13 Focus
2 schools, and two Priority schools that have now been
3 restructured and are doing quite well, I might say.
4 We have a wonderful pre-k education program with four
5 pre-k centers, 52 other pre-k classrooms, and 20 P3
6 classrooms that we just added. Thanks to the State
7 for the resources we needed to enhance our early
8 childhood program. And in addition to that, we have
9 two onsite health clinics that are working well in
10 our community within -- that are embedded in our
11 schools.

12 I just want to talk a little bit about the
13 process that we use in the Little Rock School
14 District because there are 1,000 decisions made each
15 and every day. But in order to do that, you've got
16 to have some kind of structure. And so the structure
17 that we use in the elementary schools, beginning in
18 the -- at the beginning of the school year our
19 schools organize their instructional leadership
20 teams. They have grade level teams. And then they
21 also have campus leadership teams which many times
22 parents are serving on these teams to help make
23 instructional and education decisions on the school
24 level. The instructional teams might meet bi-weekly,
25 every week; it varies from building to building. But

1 agendas are established from each one of these
2 meetings and minutes are kept and they are shared
3 with the prospective associate superintendents. So
4 what happens in these meetings really affects the
5 instruction in the classroom. And so as it relates
6 to accountability, the assessments are administered
7 to determine the baseline of each one of the students
8 in every classroom. And Dr. Perkins talked about the
9 alignment of the curriculum, but we do want you to
10 know that we have on the elementary level identified
11 every single student with a learning disability or
12 problem, every single student who needs to have an
13 intervention to have wraparound services for that
14 child. And in many cases we have identified issues
15 that we might be having at the home level, in the
16 home and with the parent, which is helping us out a
17 lot.

18 I don't know what happened to my PowerPoint here
19 but it's somewhere. It's coming. But while it's
20 coming, I just want to share that there's all kinds
21 of assessments that we use each and every day to work
22 with our students. And I'm going to keep talking
23 while she's doing that. But we have just now
24 finished our incremental assessments from The
25 Learning Institute, TLI, and we are excited about the

1 results from that. But that's not the only
2 assessment that we look at. In grades 3 through 5 we
3 look at the literacy. In past years we did the TLI
4 twice a year; this year we are doing the TLI --
5 conducting the TLI four times and so we just got the
6 very first one. But we're also conducting pre and
7 post assessments along the way. Our Focus and
8 Priority schools have developed the test for the
9 school-based teams for their focus -- for the pre and
10 post tests. We have reading level assessments for K-
11 5 where we use our developmental reading assessments
12 for DRA and the writing and reading assessment
13 profile which measures each student's reading
14 proficiency through the systemic observation and
15 evaluation of the performance for each one of those
16 kids. At the beginning of the year every teacher
17 took a -- collected a writing sample from each one of
18 the students so we could assess progress for their
19 writing domains, including the content, the sentence
20 formation, usage and mechanics. We also assess their
21 foundational literacy skills through our Houghton
22 Mifflin Reading adoption. We identify the areas of
23 strengths and needs for all these kids. And I could
24 go on and on and on about all of the different
25 assessments that classroom teachers are using. These

1 assessments that we have -- let's see. Okay. There
2 are other assessments that we use too. They're using
3 the report cards, the discipline referrals, the
4 student absences and tardiness, the teacher's
5 absences, the parent and teacher conferences; they
6 use the climate surveys that we've done with the
7 students and the teachers and the parents. And we
8 have an electronic classroom observation tool that we
9 are using with our building principals. We have
10 trained them to -- some very intense training on how
11 to provide quality feedback to classroom teachers in
12 the classroom. And we, Mr. Kurrus or myself or the
13 other associate superintendents, can actually monitor
14 the quality of feedback that our principals are
15 giving to our teachers so that we can insure that
16 they are ready to move to the next level of
17 instruction. Because if they're not getting feedback
18 about their instruction in the classroom, then we
19 know we have some serious problems. And if our
20 principals, who are supposed to be overseeing
21 instruction, don't really know how to provide quality
22 feedback to teachers, then that's even -- that even
23 compounds the problem even more. Our teachers and
24 our leadership teams use all of this data. I know
25 you've heard about data walls, but you can go in any

1 of our schools today and you might find the data wall
2 in the hallway; you may find it in the classroom; you
3 may find it in a room where -- I know you've heard of
4 war rooms or whatever but where teachers, they
5 collaborate and they talk about individual students
6 and how might we do this better, how might we provide
7 -- look at our content area and make sure that it's
8 aligned within the classroom; look at our lesson
9 plans and make sure that those are done really well.
10 So there are a lot of things that they're looking at
11 each and every day.

12 Our schools are -- we're looking at trend data
13 and some of our trend data in past years really said
14 to us, "Maybe we need to do something different in
15 math." And that's why now we have math facilitators
16 in all elementary schools. They coordinate the teams
17 of teachers to desegregate data, look at it and make
18 informative decisions about instruction in the
19 classroom. They support the improvement of the Tier
20 1 core classroom instruction that Dr. Perkins was
21 talking about and they provide Tier 2 and Tier 3
22 interventions as part of modeling the practices in
23 the classroom that's needed. We look at trend data
24 with literacy and basically it told us, you know,
25 what we needed to do and so we've provided a reading

1 teacher in every last one of the elementary schools.
2 They provide the Tier 2/Tier 3 instruction. And then
3 we also have literacy facilitators in our Priority
4 and Focus schools who primarily work with the
5 classroom teachers to insure they are providing
6 quality instruction.

7 Mr. Burton during the last meeting talked to you
8 about the disciplinary literacy approach and we are
9 continuing to do vertical and horizontal planning
10 together from K through 12th grade, which is
11 something we haven't really done well in past years.
12 But we're really talking about the disciplinary
13 approach and how we teach in the elementary schools
14 may help our secondary schools, and we've had some
15 very rich conversations about how we can improve in
16 this area.

17 The other level of support that the schools are
18 getting, thanks to you, would be our school
19 improvement specialists. Some of them are playing
20 dual roles. They may be a literacy or math
21 facilitator but they are getting some very enriching
22 professional development and training from the ADE
23 staff. We were just here this week and we were
24 really pleased with the outcome of the training that
25 we received.

1 Now to the first quarter interim assessment TLI,
2 if you'll look at the 3rd through 11th grade here --
3 and at this time the first quarter of the year we
4 kind of expect the students to be somewhere around
5 60% and above. And so you can see that in the area
6 of reading that we're okay. We feel like our
7 students are on target, they're on the path to moving
8 in the direction that we want them to. We have
9 identified about five schools where we are really
10 digging deep down into the trenches on what they need
11 to do better in reading based on this data. The
12 leadership teams have gone as far as to identify the
13 particular content area and the trend data with a
14 particular teacher on how they might align
15 professional development to that teacher in those
16 five schools that may be having issues. And then we
17 have a few schools in language where we're doing the
18 same process; we're really trying to find out is it
19 the child, is it the instruction or is it the
20 classroom teacher. And so somewhere along the way
21 it's one of those three things. When we looked at
22 the data, the TLI data for math we're doing quite
23 well on the elementary level. They are somewhere
24 between 61% up to 83%. We're kind of having some
25 problems with Algebra I and Algebra II on the

1 secondary level but the leadership teams are really
2 working on that, and Mr. Burton shared some of the
3 activities that they have been engaged in. But on
4 the elementary level we have identified three
5 schools. We know they're on the 5th grade level; we
6 know exactly what their problems are. We have
7 already determined what the professional development
8 will be for those teachers on the 5th grade in order
9 to move this forward.

10 What else does the data tell us?

11 Either I'm not working this right or it doesn't
12 want to work.

13 SUPT. KURRUS: Shoot it this way.

14 DR. MITCHELL: Shoot it this way? Okay.

15 What else does the data tell us? One of the
16 things that it's telling us is that our principals
17 completed about 8,000 classroom observations last
18 year and that information gave us feedback on where
19 we needed to move forward. Based on the first
20 quarter data our elementary students we believe are
21 on the right path. Where we need to focus, we need
22 to focus on collaboration and planning on the data.
23 We also need to insure that we continue to do our pre
24 and post tests and our interim assessments. And we
25 also know that there are some schools where we need

1 to work with the culture in the school.

2 One of the things that I want to share with you
3 before I leave is that we are continuing to be in
4 collaboration with the ADE staff. We met with
5 Commissioner Key and his staff on a new grant that
6 we're receiving, the Staff Personnel Development
7 grant, to help improve the culture in some of our
8 schools. It's a wonderful grant and great resources.
9 We also have been in training with the ADE staff,
10 with our school improvement specialists, at least
11 twice since we met with you last, and even as
12 recently as this week we met with them. So we have a
13 lot of things going on but we feel like based on this
14 most recent data with TLI that we are right where we
15 need to be, on track in the elementary schools.

16 CHAIRPERSON NEWTON: Thank you.

17 MS. ZOOK: The assessments -- I know last year
18 Little Rock got a waiver and they gave them
19 paper/pencil instead of computer.

20 DR. MITCHELL: Yes.

21 MS. ZOOK: Will you be needing the waiver again
22 this year for your interim and your summative
23 assessments?

24 DR. MITCHELL: I believe we're moving forward.
25 We will not need the waiver. Yes.

1 MS. ZOOK: So are the students taking any of
2 these tests online?

3 DR. MITCHELL: Yes, they are.

4 MS. ZOOK: Okay.

5 DR. MITCHELL: Yes, they are.

6 MS. ZOOK: So they're also learning that skill?

7 DR. MITCHELL: Yes.

8 MS. ZOOK: Okay. Great. Thank you, Dr.
9 Mitchell.

10 COMMISSIONER KEY: Ms. Zook, if I may, because I
11 think we originally -- they sent a waiver just in
12 case to cover their bases, but they've been working
13 really hard to make sure that that was not going to
14 be needed. And I know Mr. Kurrus made that a
15 priority and his team has been working hard to make
16 that happen. So I don't want us to just gloss over
17 the importance of that because that's very critical.

18 MS. ZOOK: Thank you.

19 CHAIRPERSON NEWTON: Thank you. I'm sorry. Ms.
20 Saviers has a question.

21 MS. SAVIERS: Dr. Mitchell, real quickly, one of
22 the things that the ADE -- well, Dr. Wilde, when he
23 was doing his due diligence in Priority schools in
24 the Little Rock School District last year, before the
25 State took over the district, one of the big

1 criticisms was that there were a lot of things going
2 on but it didn't translate to student -- improved
3 student achievement. What of these -- you've got a
4 lot going on; it all looks great. But can you assure
5 me that what you're doing is really -- why would it
6 translate now when it didn't translate before?

7 DR. MITCHELL: Yes. I can assure you that we
8 are very focused. During my presentation you did not
9 hear me elaborate on any particular programs or any
10 interventions. We have streamlined those and Dr.
11 Wilde has been there right beside us. And one of the
12 things that he continues to tell us, "If you cannot
13 measure it, you should not be doing it." And so we
14 have tried to reiterate to schools that "yes, all of
15 the fluff things that you're doing are very nice" --
16 and I know that you all saw the nice article in the
17 paper about Terry Elementary. And if you read that
18 article, everything that the principal talked about
19 in that A school she could measure. And so that's
20 what we're really focusing on; if we can't measure
21 it, then we just don't do it.

22 MS. SAVIERS: Okay. Thank you.

23 CHAIRPERSON NEWTON: Thanks again.

24 SUPT. KURRUS: Thank you very much. I
25 appreciate y'all going through the detail of that,

1 but the point really simply was not to tell you
2 everything we're doing; that's not the point. The
3 point is is that we're doing it systematically; we're
4 intervening when we have problems. And we think -- I
5 do -- as nine-week periods roll, we will analyze
6 every nine-week period and the next nine weeks will
7 be better than the first. We will not be reinventing
8 the wheel; we will be tuning it up, down to the
9 student level. And so I won't beat that dead horse
10 any further. But there really aren't as many things
11 going on as there is one simple process that's
12 fundamental and analyzed very fundamentally and then
13 improved every day with the interventions that are
14 systematic. And that was the point I wanted to bring
15 forward and I hope that we've put that point across,
16 and then we'll see how it works and we'll be able to
17 analyze the parts that don't work and improve those.
18 I don't want to belabor any of the other issues. I'm
19 happy to take questions about anything you might want
20 to talk about that's strategic or substantial. You
21 know, we're moving out on a lot of different fronts.
22 But time is precious, so I'll take some questions or
23 stand down at your pleasure.

24 CHAIRPERSON NEWTON: Any questions of Mr.
25 Kurrus?

1 DR. BARTH: Yeah.

2 CHAIRPERSON NEWTON: Dr. Barth.

3 DR. BARTH: First off, I mean, thank y'all and
4 thank Dr. Mitchell too for, I mean, just a very
5 realistic report, I mean, and not over-selling but
6 really I think giving us good data. That leads to a
7 question. Y'all are really guinea pigs in this whole
8 endeavor in terms of the State takeover, but then
9 ongoing reporting in the way that y'all are doing
10 every month. And my question is: is it valuable for
11 y'all to do monthly reports in terms of -- I can see
12 the argument that would be good; it focuses you; it
13 obviously provides a platform for communicating key
14 things about the district. It also obviously takes
15 some time. And I really just have a question about
16 whether you're finding this a valuable thing or a
17 distraction?

18 DR. KURRUS: It's certainly not a distraction,
19 not at all. We're very focused right now in every
20 single school, on every single student, and every
21 single classroom and this just makes it real. So we
22 don't mind doing this. I hope they're not -- we're
23 not going to -- we can make it quicker next time; we
24 don't have to repeat everything so much. And I hope
25 they're uneventful reports. I hope we come back and

1 say, "The system that we're employing is working."
2 We're refining it every week. Every time we take a
3 test we learn something and we take what we learn and
4 improve. So if that's just repetition and it takes
5 three minutes, then we'll shorten these things quite
6 a lot. But I do like the routine nature of this.
7 I'll be happy to provide some written comments, if
8 that was what you desired. I know that was
9 discussed. And there's so much more we're doing that
10 I don't talk about. I mean, I can tell you some
11 things that we're doing that are really instructive
12 that are going to really change these distress
13 schools. I think we focus on them too much and we
14 need to focus on the other schools. As I said, I've
15 got some real need indicators. Ms. Newton, you asked
16 about something that had to do with schools and
17 analysis. I've got the move-the-needle analysis that
18 I do that's really important, that's really showing
19 us which schools are making big strides. We track
20 that every week. Maybe next time I'll talk about
21 that. So, no, I like to come here and we'll try to
22 crisp it up and make it snappy.

23 DR. BARTH: Well, I get a lot out of every
24 report, so I appreciate it. A much more specific
25 question: we talked a little bit last time about, of

1 course, the transition from 5th grade to 6th grade
2 and we know that parents are now moving into that
3 mode of thinking about "what about next year." What
4 direct outreach or new forms of outreach to those
5 parents who are in decision mode about their 6th
6 grade year, what's going on related to that?

7 SUPT. KURRUS: Uh-huh. Well, we're doing a lot
8 more in-school visits. We're very intentional about
9 getting people in the schools from the elementary to
10 their area schools and also our magnet schools. At
11 6:30 tonight I'm meeting at Roberts Elementary School
12 with all the parents, the PTA at Roberts, and I
13 betcha there will be 300 people there, maybe not, all
14 of whom are interested in that transition, that
15 middle school transition. A lot of the data you saw,
16 which is interesting, where you see the down-slope in
17 achievement from 3rd, 4th and 5th grade relates to
18 the loss of students, high-achieving students who
19 exit our middle schools. You're not comparing the
20 same group of kids there. You have to be very
21 cautious with this data. I could give you a thousand
22 examples of things I've seen that on first blush
23 appear to be one thing and on deep analysis are
24 something completely different. But we're doing --
25 to answer your question, we're talking to students --

1 we're getting students on tours, we're moving out --
2 tonight I'll be talking to the 5th grade -- primarily
3 5th grade parents from three schools in West Little
4 Rock. We'll keep going on that.

5 CHAIRPERSON NEWTON: Ms. Zook.

6 MS. ZOOK: Yes. I know at some point your
7 principals in some of your schools may want to look
8 at the things that are available to them, like
9 schools of innovation, conversion charters, waivers
10 that may not be helping as far as children and
11 achievement, and so those have been successful in
12 some other districts. And I know right now you've
13 got more than, as my grandmother would say, you can
14 say grace over. But I would encourage at some point
15 in the big picture that they look at some of those
16 things that might be helpful to students as well, and
17 partnerships with the business community. And, you
18 know, I just want to be sure that you and they are
19 aware that these things are available and if you
20 think that would be helpful to the students that you
21 look at that.

22 SUPT. KURRUS: We will. Thank you. And we are
23 working well with the business community. We're
24 having -- again, as late as yesterday I received a
25 substantial contribution by a prominent business here

1 to assist at McClellan in some of their efforts down
2 there. And we'll be shaking hands tonight with
3 several people who've made large contributions to
4 help our school district and that's very gratifying
5 to me. So we're reaching out in that respect.

6 The other thing we're doing -- and I don't want
7 to get off message but when you look at Terry, Terry
8 is a very good school. Terry was on the front page
9 and all that sort of thing. But by my calculation we
10 have four schools that are actually right there with
11 Terry in terms of moving the needle. I've compared
12 all of our schools with respect to their poverty
13 indexes and their achievement, and we have marvelous
14 schools and schools that score very, very highly,
15 higher than any other schools in the county by far.
16 We're well ahead of a lot of schools, private,
17 charter, all of them. We're beating them all in many
18 respects. But what's really gratifying is we have
19 schools that are moving the needle and so -- and
20 they're moving the needle by doing old-fashion things
21 like teaching bell-to-bell, by being committed to one
22 another, collaborating, communicating, all that sort
23 of thing. So we're really focused on that but we're
24 going to look at everything.

25 CHAIRPERSON NEWTON: Thank you.

1 SUPT. KURRUS: Thank you.

2 CHAIRPERSON NEWTON: I think your report, it
3 needs to continue. I think it serves to inform and
4 inspire us relative to the takeover of the Little
5 Rock School District. You know better than anyone
6 else how divisive that was from the Board's
7 standpoint. But I think on both sides of the coin it
8 helps us understand what's happening and feel that
9 some true progress is being made and your reports
10 help us understand that. Thank you.

11 SUPT. KURRUS: Well, thank you. We're glad to
12 be here. Thank you very much.

13 CHAIRPERSON NEWTON: We're going to take one
14 more agenda item and then we're going to break for
15 lunch, and that's A-4.

16 COMMISSIONER KEY: We need to take action.

17 CHAIRPERSON NEWTON: Oh, I'm sorry. Action on
18 Mr. Kurrus's report please.

19 MS. ZOOK: I move that we accept the report from
20 the Little Rock School District.

21 MR. WILLIAMSON: Second.

22 CHAIRPERSON NEWTON: Moved by Ms. Zook and
23 seconded by Mr. Williamson. All in favor?

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRPERSON NEWTON: Any opposed?

1 A-4: CONSIDER REMOVAL OF HECTOR SCHOOL DISTRICT FROM FISCAL
2 DISTRESS CLASSIFICATION EFFECTIVE NOVEMBER 12, 2015

3 CHAIRPERSON NEWTON: Then A-4, Mr. Greg Rogers,
4 Consideration of Removal of Hector School District
5 from Fiscal Distress Classification Effective
6 November 12, 2015.

7 MR. ROGERS: Thank you. Yes. Greg Rogers, ADE,
8 and I have Cherry Norris with me from the Fiscal
9 Services and Support Division. Hector School
10 District went on fiscal distress in May of 2014.
11 Since that time they've met all their objectives
12 under fiscal distress. They reduced their
13 expenditures by \$385,000 and their fund balance has
14 continually gone up. So they've met everything they
15 needed to and so we're asking for your consideration
16 to remove them from fiscal distress.

17 CHAIRPERSON NEWTON: Congratulations to the
18 Hector district for doing that in such an expedient
19 way and time. Is anyone here from the district?

20 MR. ROGERS: Yes, ma'am.

21 MS. NORRIS: Superintendent Walt Davis.

22 CHAIRPERSON NEWTON: And who's that guy you're
23 standing by?

24 MS. NORRIS: Norman Hill.

25 CHAIRPERSON NEWTON: Mr. Norman Hill. Okay.

1 Would you both come forward, please?

2 MS. NORRIS: And the Business Manager, Melody
3 Crane, is here.

4 CHAIRPERSON NEWTON: And the Business Manager,
5 please come also. Does anyone want to speak relative
6 to where you are today?

7 SUPT. DAVIS: We feel very good about where we
8 are in terms of sustaining our success. I want to
9 thank the fiscal support team. Certainly, I want to
10 thank Mr. Hill and Ms. Crane; they've been essential
11 in the process. And any time you have these things
12 come up -- we had a lot come up in a hurry, but we've
13 had great support from our school board in making
14 tough decisions. We've had great support from our
15 community, our faculty and all our employees and
16 students. It has been a team effort to be able to
17 get where we are and we're very appreciative of
18 everyone involved.

19 CHAIRPERSON NEWTON: And thank you for
20 cooperating as a district with our staff at the ADE.
21 And thank you Mr. Norman Hill and the rest of you
22 that played a part in it. Thank you very much.

23 Okay. We're going to break for lunch now.

24 MR. WILLIAMSON: We need to make a motion.

25 CHAIRPERSON NEWTON: I'm sorry. Can we get a

1 motion for the Hector School District, relative to
2 Hector School District in fiscal distress?

3 MS. DEAN: I move to approve.

4 CHAIRPERSON NEWTON: Move to approve by Ms.
5 Dean. Second?

6 DR. BARTH: Second.

7 CHAIRPERSON NEWTON: Second by Dr. Barth. All
8 in favor?

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRPERSON NEWTON: Any opposed?

11 Now we'll go to lunch. We'll resume at 12:45.

12 (LUNCH BREAK: 11:53 A.M. - 12:44 P.M.)

13 A-5: CONSIDERATION OF PINE BLUFF SCHOOL DISTRICT ACADEMIC
14 DISTRESS PROGRESS REPORT

15 CHAIRPERSON NEWTON: We'll get started with the
16 rest of the action agenda and the next item on the
17 agenda, Mr. Harvey and Dr. Wilde, Consideration of
18 Pine Bluff School District Academic Distress Progress
19 Report.

20 MR. HARVEY: Elbert Harvey, Coordinator for
21 School Improvement Standards Assurance. Madam Chair,
22 Members of the Board, Commissioner Key, today we have
23 -- Dr. Wilde will be here to answer any questions you
24 may have related to Pine Bluff and their progress.
25 First, we'd like to afford Pine Bluff the opportunity

1 to present to you and then we'll make ourselves all
2 available for questions following the presentation.

3 CHAIRPERSON NEWTON: Okay. And that's Mr. Henry
4 Dabner. Come forth and introduce yourself and any
5 other -- is he Superintendent? I'm sorry. Mr.
6 Wallace.

7 MR. HARVEY: No. Dr. Wallace.

8 CHAIRPERSON NEWTON: Dr. Wallace is
9 superintendent, and Mr. Dabner. The superintendent
10 can decide how he wants to proceed here.

11 SUPT. WALLACE: Thank you, Madam Chair, Members
12 of the Board. It's always proper protocol to defer
13 to your board president, so I will have Mr. Dabner
14 come and address the Board and then I will follow-up
15 with some comments, providing information from our
16 last meeting. So, Mr. Dabner.

17 MR. DABNER: Thank you. Madam Chair, Board,
18 good afternoon.

19 CHAIRPERSON NEWTON: Mr. Dabner.

20 MR. DABNER: Yes, ma'am. And I'm delighted and
21 excited to be here today. I came to talk to you all
22 about some of the changes and different things that
23 we're doing right now since the last meeting, the
24 last time we met with you all. First of all, we had
25 a board retreat so the board got to sit out and

1 collaborate on some things that we were doing. We
2 had training with the Arkansas School Board
3 Association and we decided after that meeting to have
4 two meetings a month. One is a work session and in
5 that work session what we did is we rotate the
6 schools. Every first Tuesday of the month we go to
7 each school. And we started with the academic
8 distress schools and we invited the parents, the
9 teachers and the community out to have some input
10 sort of in what we were doing at the time and also to
11 set the agenda for our business meeting, which is the
12 third Tuesday of the month. We're having some
13 conversation basically about our superintendent,
14 opening up the process in January. We extended Dr.
15 Wallace's contract until June 30th so we could have
16 some stability until that time. Maybe we can get
17 someone to come in at that time and he can sort of
18 train them and show them what's going on. And the
19 last thing is we discontinued the contract with From
20 the Heart, so we don't have an external provider
21 right now and we're working basically with UVA. UVA
22 is the one who we're getting our feedback from. We
23 did meet with them and we're having contact with
24 them. So basically that's where we're at right now.

25 CHAIRPERSON NEWTON: Okay. Any questions for

1 Mr. Dabner?

2 MS. ZOOK: I noticed that -- and I can't
3 remember if it was in the report or if it was in the
4 newspaper clippings that were sent, that From the
5 Heart is saying that you all owe them money. Is that
6 in the courts at this point, the negotiation, or are
7 they --

8 MR. DABNER: No, ma'am. It's not in the courts
9 at this time. They just sent out a letter. I don't
10 even think a lawsuit has been filed at this time.

11 MS. ZOOK: Okay.

12 MR. DABNER: Yes, ma'am.

13 MS. ZOOK: All right. And has your
14 superintendent completed the needed requirements so
15 his provisional licensure does not expire in March,
16 if you're going to use him until June?

17 MR. DABNER: Yes, he has.

18 MS. ZOOK: Okay. Thank you.

19 CHAIRPERSON NEWTON: Okay. Any other questions
20 for Mr. Dabner? Okay. Thank you.

21 MR. DABNER: Thank you.

22 CHAIRPERSON NEWTON: Dr. Wallace.

23 SUPT. WALLACE: Thank you. Let me follow-up.
24 We have our leadership team here and we're going to
25 give an update on our schools that are in academic

1 distress. Just to report on some things from our
2 last meeting, we had a very successful community
3 forum and the venue that we used was not sufficient
4 to accommodate. So we did the accommodation. We had
5 great communication, conversation; we learned a lot.
6 We took what we learned and we responded to it. What
7 it told us is that we need our second one, which
8 we're planning in January, and we'll move that one to
9 a much larger facility. So that's some feedback for
10 our second one.

11 With respect to the certification, I completed
12 in October a five-year standard certificate that
13 expires in five years.

14 The other thing that we've been actively
15 involved in is engaging the community and the forum
16 was an opportunity to jumpstart that. And we have
17 participated as a leadership team, including members
18 of the board, in a variety of community activities
19 and we will continue that.

20 Three things that I want to mention: first of
21 all -- and you heard it in an earlier report -- we
22 have applied and received the opportunity to be a
23 participant in the Community Eligibility Program
24 where we now are serving all of our youngsters
25 breakfast and lunch. The other thing, we were

1 pleased that we were -- we had a visit from London,
2 England. You probably saw it in the news-clippings
3 where our band was invited to participate in 2017 in
4 the holiday activities in London, so we're very
5 pleased with that. And I think the final thing is
6 that progress is being made, slow but sure. We have
7 a lot of challenges, as we all know, and we've
8 identified and prioritized the challenges. If I had
9 to summarize our greatest challenge that is to
10 restructure the systems in our school district around
11 which we operate. So systems change is our big
12 initiative and specifically around three areas:
13 business and finance, human resources, and the whole
14 area of exceptional education. So we're focusing on
15 those three areas. We continue to make progress.
16 And at the end, if you have any additional questions,
17 you know, we'd be happy to answer them now or after
18 Dr. Wilde makes his presentation.

19 CHAIRPERSON NEWTON: Okay. Thank you. You say
20 you have a team here, so are they speaking in
21 addition to what you've done, you and Mr. Dabner?

22 SUPT. WALLACE: Yes. Yes. Our next presenter
23 is our Chief School Reform Officer, who is Ms. Alesia
24 Smith, who will give you an update on the academic
25 progress of our three Priority schools.

1 MS. SMITH: Good afternoon. Good afternoon.

2 (COURT REPORTER'S NOTE: Several BOE members
3 answered, "Good afternoon.")

4 MS. SMITH: All right. What I'm going to read
5 to you today are some just talking points. We had
6 our recent visit from the University of Virginia, our
7 fall site visit, and they gave us some great feedback
8 on some things that we were doing very well and they
9 gave us some areas for opportunity to grow. So the
10 first thing that they were very excited about that we
11 had accomplished was that we had re-looked at our
12 master schedule. And so we had added additional time
13 at the middle school of 15 minutes and we added 10
14 minutes of time at the junior high school and we have
15 double-blocked at the high school for mathematics
16 where our kids are really struggling there.

17 The other thing that they were very excited
18 about is that we put a lot of energy into our
19 transition. Because, you know, we reconfigured
20 schools, so we had to bring families together. So we
21 did a lot of work upfront to bring in the community
22 and we had parent meetings; we had transition
23 meetings where kids were allowed to come to the
24 school and tour the school and meet their teacher; we
25 had events where the teachers would come together so

1 that they can get to know each other. Still some
2 work needs to be done in that area because you're
3 combining schools, you're combining kids, but we did
4 put a lot of work in front of that. Also, we were
5 fully staffed this year for the first time. That was
6 amazing. We didn't have to be running around looking
7 for teachers and finding people; fully staffed at all
8 three of those schools.

9 The other thing that they were excited about
10 were the principals felt like they had some autonomy
11 around their site-based professional development.
12 And so we did some needs assessments, we looked at
13 our classroom walk-throughs, we looked at our focus
14 walks, and we began to see where teacher
15 effectiveness was an issue. But we had opportunities
16 where every school didn't need the same PD and the
17 principals felt really empowered by the fact that
18 they could choose their PD based on what their school
19 needed.

20 Okay. The other thing was they were very
21 impressed that the schools and the people that they
22 interviewed and the teachers that they talked to, it
23 was a data-driven conversation. They were very
24 excited that the culture had shifted. It had shifted
25 from talking about this group of kids to specifically

1 "these children need these skills and this is the
2 plan that we have for them." The one thing that they
3 offered us to do was to look at learning for leaders.
4 They had a whole chapter on what an effective
5 intervention and enrichment program looks like, how
6 to systematically put it in place, and we trained --
7 we had a PD on that on Monday. At each school we are
8 looking at how we're going to systematically make
9 sure that every child is getting what they need, not
10 just interventions but also enrichments for those
11 kids who have mastered the skills.

12 The other thing that they were excited about, we
13 have interviewed and hired our School Improvement
14 specialists. They will be beginning December 1. We
15 were very excited. We got some great candidates that
16 came out and we were -- we're elated. So they will
17 begin on December 1. Actually, recommendations have
18 been done and they will go through the board next
19 Tuesday.

20 Oh, the other thing that they really liked is
21 that we have really done -- our weekly PLC's were
22 aligned. The instructional coaches were aware of
23 what needed to be done. They were data-driven. We
24 are doing -- they are doing modeling. They are also
25 -- we had the KEG instructions and teachers were

1 actually doing the KEG instructions when they
2 arrived. Our TLI and the alignment of our curriculum
3 and our assessments are aligned. We're also doing
4 STAR testing for reading and math, looking at the
5 kids' levels. And when we looked at their levels we
6 realized that we need to do some school-wide where we
7 get kids books in their hands on the level in which
8 they're reading on. We've done the math assessments.
9 We're doing Fast Facts, so we're using the science
10 and social studies teachers to do those literacy
11 skills. So we have a lot of great things going on.
12 Yes, there are opportunities to grow because we
13 wouldn't be where we were if we could just fix it all
14 overnight. But we have put some key things in place
15 that we know will increase student achievement.

16 Our other big piece is culture. We're doing a
17 lot of things to build a culture in the school where
18 we're celebrating kids that are improving on their
19 assessments. We are doing Teachers of the Month. We
20 now have parking spaces for Teachers of the Month.
21 We are really trying to build the morale and get
22 people to believe in the purpose that we can turn
23 Pine Bluff School District around.

24 CHAIRPERSON NEWTON: Okay. Thank you. Is there
25 anyone else, Dr. Wallace, from the district?

1 SUPT. WALLACE: No.

2 CHAIRPERSON NEWTON: Okay. Dr. Wilde.

3 DR. WILDE: I'm Richard Wilde, School
4 Improvement Unit. Good afternoon. I think you all
5 have received our report from the School Improvement
6 Unit. Just to highlight a couple of items, if you
7 take a look at the three primary questions that we
8 approached our report with was: does the work of the
9 local school board support or distract from the work
10 of the administration? And I am very pleased to
11 report that at this time the school board's work is
12 not distracting from the work of the administration.
13 We have not yet arrived at where it's fully in
14 support but we have quit distracting and that was our
15 big issue from last year, was that the district
16 office was being distracted by the school board.

17 The second question was: does the work of the
18 district office then distract or support what's going
19 on at the building level? Last year, we would have
20 said that the district office was more of a
21 distraction from the school improvement work than it
22 was a contributory factor to improvement. We're also
23 pleased to report that there are some developing
24 systems and that there is more autonomy for the
25 principals in terms of how to address the problems.

1 And then the third question was: does the
2 building leadership and the building leadership teams
3 support or distract from the work of the classrooms?
4 And at this stage we would suggest that it is
5 beginning to turn the corner. So just like UVA is
6 reporting to the district that they're seeing a shift
7 in the culture, we too are seeing a shift in the
8 culture. We've also been collaborating with UVA in
9 terms of looking at what they would report and what
10 we would report, so that way we're speaking in a
11 unified voice to the district, not having one report
12 come from UVA and then one report come from the
13 School Improvement side.

14 That said, there is still a lot of work yet to
15 be done. You have the president of the board here;
16 you also have other members of their local board
17 here. You could ask questions in terms of do they
18 feel that ADE is supportive to them or are we
19 distracting from their work, and I think that would
20 be a fair question to ask them. The other part is we
21 have their Federal Programs Coordinator here. So if
22 there is question about how they have aligned their
23 categorical dollars to support school improvement,
24 Ms. Russell is here and is available to answer any of
25 those questions. Any questions for me?

1 CHAIRPERSON NEWTON: Any questions? Ms. Zook.

2 MS. ZOOK: As far as the alignment of the
3 curriculum to the standards, is that in place?

4 DR. WILDE: There has not yet been a curriculum
5 audit and so from that standpoint the perception is
6 that they have gone through alignment processes. The
7 proof of that comes when we take a look at alignment
8 between their post-test in the units and their
9 quarterly benchmarking assessments and then the year-
10 end assessment. So we have not arrived at the year-
11 end to make that, but we are starting that process
12 now to verify that there is alignment.

13 MS. ZOOK: Also, you mentioned in your report
14 that you had perceived that there was some
15 competition over the responsibilities of, I guess,
16 primarily the two leads in the building from Central
17 Office. Has that been resolved?

18 DR. WILDE: Actually, I would have said there
19 probably is competition between five directors. And
20 actually I'm going to ask Dr. Wallace to address that
21 because we have addressed that directly with him.

22 SUPT. WALLACE: That is a wonderful work in
23 progress. We have resolved many of the issues by
24 agreeing weekly as a cabinet to bring all issues to
25 the table and have good dialogue, reach decisions,

1 and then those decisions -- everybody is a part of
2 that decision-making process. And that is going very
3 well. It has extended our meetings from two hours to
4 about four to four-and-a-half, so we know we're
5 making progress. They're willing to put in the time
6 to do the tough work to make those decisions so that
7 we're able to support our buildings.

8 MS. ZOOK: Also, I don't know if you heard the
9 presentation this morning from ForwARd where they're
10 going to be going over the state and there are going
11 to be opportunities for ForwARd communities where
12 they will -- the community will get the help that
13 they need with regard to moving forward. And that
14 might be something at some point that Pine Bluff
15 wants to look at as well.

16 SUPT. WALLACE: And I think we should. Thank
17 you for that.

18 CHAIRPERSON NEWTON: Dr. Barth.

19 DR. WILDE: Dr. Wallace --

20 CHAIRPERSON NEWTON: Go ahead.

21 DR. WILDE: Dr. Wallace, when he said it's
22 working very well, they're still in the initial
23 phase. So I commend him for being positive; at the
24 same time there still is a little more work to be
25 done on that competitiveness. And part of it is the

1 process that has been -- we have -- they put in place
2 for new directors and with different
3 responsibilities. And there were meetings between
4 the superintendent and individual directors where a
5 decision would be made but they didn't then say what
6 impact would this have on the others. That is the
7 part that Dr. Wallace is saying by them coming
8 together they're scenario-ing their decisions to say
9 what impact will that have. But that process is
10 recent and still in the developmental stage. They're
11 doing it but they're also having to practice it to
12 get good at it.

13 That said, the last piece that I would have is a
14 recommendation. And in my report I submitted a
15 recommendation that the State Board would continue to
16 monitor the progress on a quarterly basis. It is
17 still our perception that part of the focus, the new
18 focus that has occurred has been in part because of
19 the scrutiny by the State Board of Education. And so
20 they're actually asking themselves, "Is this the
21 direction that we believe that the State Board was
22 indicating we should go?" So there is a positive
23 effect by having the district come back before the
24 board and the full board or the academic
25 subcommittee, just one or the other. So our

1 recommendation would be to continue this process.

2 MS. ZOOK: And do you think by February we will
3 actually be able to see some student achievement
4 data?

5 DR. WILDE: I think -- yes. Yes, we will.

6 CHAIRPERSON NEWTON: I think, Dr. Barth, did you
7 have something?

8 DR. BARTH: Yeah. Dr. Wilde, and this may be --
9 other folks may need to answer this as well. But I
10 just want some clarity on the relationship with the
11 University of Virginia and how long a commitment is
12 there. And do you feel good about the communication
13 link between that project and your office?

14 DR. WILDE: I feel very positive in terms of
15 them including us in the discussions and reviewing
16 draft documents and then talking with them in terms
17 of are they seeing the same things that we see.
18 Their intent, they were confused at the beginning of
19 this year in the sense of will they continue or not
20 continue because at the end of last year they were
21 somewhat frustrated with the district. Okay. So
22 they have -- they are committing on one year at a
23 time. But in reviewing their last report that they
24 just submitted to the district this week they are
25 much more positive in this report than they were in

1 the reports from last year. So I believe that if
2 they're funded and invited to continue -- and it's a
3 local effort, so their local businesses are the ones
4 actually funding the UVA to be part of the district's
5 efforts.

6 DR. BARTH: So their current year though runs
7 through this academic year. Correct?

8 DR. WILDE: Correct.

9 DR. BARTH: Okay. Thanks.

10 CHAIRPERSON NEWTON: Ms. Saviers.

11 MS. SAVIERS: Such a good report, Dr. Wilde.
12 Thank you so much. And this is not just a question
13 for Pine Bluff but it certainly applies to them as
14 well. How are -- what are you guys doing to help
15 them work through these absentee -- teacher absentee
16 issues?

17 DR. WILDE: Well, first, it was in our new
18 reporting format. We're asking them to distinguish
19 how many times their teachers are not there and how
20 many teachers are missing a lot. So, first, it's to
21 call it out into the open so that you can begin to
22 strategize in terms of how to address this issue.
23 The other thing is that it's also, to use my
24 terminology, it's a leading indicator that your
25 teachers are not feeling the same sense of urgency

1 that you are. So, therefore, there is a disconnect
2 between the leadership's sense of urgency and the
3 staff's sense of urgency. And I think that as time
4 goes on it will become more apparent or less apparent
5 depending on what that school district is doing about
6 it. The other piece with that is even in our reports
7 there is some differences because some of the
8 districts only reported illnesses and other districts
9 reported illnesses and PD days. And where we want to
10 go with that is we want them looking at all absences
11 from the classroom to get a sense of how many times
12 are teachers actually not there. So that is a
13 clarification we'll have to --

14 MS. SAVIERS: Well, it's shocking. I mean --

15 DR. WILDE: Just with the data that --

16 MS. SAVIERS: And I appreciate that you focused
17 on the core subject teachers as well, but that was
18 just a really interesting indicator that you
19 included.

20 DR. WILDE: Yeah.

21 MS. SAVIERS: So, thanks.

22 CHAIRPERSON NEWTON: Any other questions? So
23 what I understand is the recommendation from your
24 department is to continue monitoring at least
25 quarterly?

1 DR. WILDE: For this year. Yes.

2 CHAIRPERSON NEWTON: For this year, this school
3 year. Okay. So we're ready for a motion for action
4 item --

5 DR. BARTH: Ms. Newton, could I ask a question?

6 CHAIRPERSON NEWTON: Oh, okay.

7 DR. BARTH: I was going to ask a question of Ms.
8 Saviers in terms of -- so I think Dr. Wallace was
9 planning on coming back in February. Right?

10 MS. SAVIERS: Uh-huh.

11 DR. BARTH: And I guess the question is, is
12 there value in them coming to your committee before
13 that or just waiting for the full board?

14 MS. SAVIERS: I think I would let Dr. Wilde make
15 that decision because he's certainly, you know, in
16 the trenches.

17 DR. WILDE: I would actually recommend that we
18 shift them back to the Academic Distress Committee
19 for their reviews. And then if they're not making
20 progress then that would be then a recommendation
21 coming back to the full -- of the State Board from
22 the Academic Subcommittee.

23 DR. BARTH: Okay.

24 CHAIRPERSON NEWTON: Thank you. Then we've
25 heard the report from the Division and from the Pine

1 Bluff district and the recommendation. So is there a
2 motion for A-5?

3 MS. CHAMBERS: So moved.

4 DR. BARTH: Second.

5 CHAIRPERSON NEWTON: Okay. So the motion is
6 from Ms. Chambers and second by Dr. Barth that the
7 report be approved and the recommendation is that the
8 fiscal review committee would be the committee that
9 would have a conversation with the Pine Bluff
10 district and ADE in February 2016. Okay. Second?

11 MS. ZOOK: The academic.

12 CHAIRPERSON NEWTON: Academic. Did I say
13 fiscal? Academic. I'm sorry. Is there a second?
14 Dr. Barth did you second?

15 DR. BARTH: Yes.

16 CHAIRPERSON NEWTON: Okay. All in favor?

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIRPERSON NEWTON: Any opposed? Motion
19 carries. Thank you.

20 MS. ZOOK: And, Ms. Saviers, do you think we
21 should bring them in in January or February?

22 MS. SAVIERS: I think they said quarterly, so
23 wouldn't that be February?

24 MS. ZOOK: Okay.

25 MS. SAVIERS: Yeah.

1 A-6: CONSIDERATION TO APPROVE AN AGREEMENT FOR A TEACHER
2 RESIDENCY NON-TRADITIONAL PATHWAY TO LICENSURE

3 CHAIRPERSON NEWTON: The next action agenda item
4 is A-6, Ms. Pfeffer and Dr. Cross -- Dr. Doss, I'm
5 sorry, Consideration to Approve an Agreement for a
6 Teacher Residency Non-Traditional Pathway to
7 Licensure.

8 MS. PFEFFER: Good afternoon. Ivy Pfeffer,
9 Assistant Commissioner for Educator Licensure and
10 Educator Effectiveness. Dr. Doss and I are here
11 today to basically outline something that we've
12 discussed and want to pursue. It's really a non-
13 traditional approach to a traditional educator
14 licensure pathway. We have talked about really
15 capitalizing and utilizing the talents that are
16 already there within school districts utilizing
17 paraprofessionals, those individuals who in many
18 cases have been in school districts for a long time
19 working with students and being such a valuable
20 resource. Oftentimes, these professionals don't go
21 back and complete the requirements for a standard
22 license because they can't quit their jobs. And Dr.
23 Doss is interested in developing an opportunity for
24 these individuals to be able to go back and complete
25 a four-year education degree while they're still

1 working so that they can stay in the classroom, keep
2 supporting kids, and really get that on-the-job real-
3 world experience. And we look at this as a way not
4 only to grow our own but to retain folks in our
5 communities and in our schools who've already
6 invested their lives with students. So she is
7 working on the program on her end. As far as we
8 would be concerned, the licensure piece would come in
9 as an extra year after they've completed the four-
10 year degree. It would be a one-year provisional
11 license during which time the educator would get
12 support not only from the university but also through
13 our mentoring program. And if after that one year
14 all the requirements are successfully met then they
15 could be recommended for a five-year standard
16 license. So Dr. Doss I'm sure would be happy to
17 answer questions as well and we would -- I think
18 we're just asking for your approval to pursue this
19 idea if all the pieces can be put in place.

20 CHAIRPERSON NEWTON: Okay. Any questions? I
21 think this presents us with an opportunity to do
22 things differently to get to the same results. So
23 thank you for that. Thank you, Dr. Doss, for the
24 innovation and thank the other leaders at UAM. So
25 are there any questions of Dr. Doss or Ms. Pfeffer?

1 If not, could we have a motion on A-6?

2 DR. BARTH: Move approval of continued
3 exploration of this very promising idea.

4 CHAIRPERSON NEWTON: It's been moved by Dr.
5 Barth. Is there a second?

6 MR. WILLIAMSON: Second.

7 CHAIRPERSON NEWTON: Second by Mr. Williamson.
8 All in favor?

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRPERSON NEWTON: Any opposed? Okay. Thank
11 you.

12 DR. DOSS: Thank you very much.

13 A-7: CONSIDERATION OF 3-8 PARTNERSHIP FOR ASSESSMENT OF
14 READINESS FOR COLLEGE AND CAREERS (PARCC) CUT SCORES

15 CHAIRPERSON NEWTON: A-7, Hope Allen,
16 Consideration of 3-8 Partnership for Assessment of
17 Readiness for College and Careers (PARCC) Cut Scores.

18 MS. ALLEN: Good morning. Hope Allen, Director
19 of Assessment for the Department of Education. I
20 believe we do have a PowerPoint. Last month, we
21 brought to you the high school scores for the
22 Partnership for -- the PARCC assessment -- excuse me
23 -- and today we will be bringing before you the 3-8
24 scores and also asking for the approval of those cut
25 scores. So from last month we talked you through the

1 process that Arkansas educators participated in, the
2 standards setting for the PARCC assessment. The same
3 process was used in 3-8 that was used in the high
4 school. So participants were given a question, they
5 went through three rounds of judgment to determine
6 how many points a Level 3 student would receive in
7 their opinion. Then those rounds of judgment went
8 through kind of a reconciliation process, were taken
9 to the governing board for the PARCC assessment, and
10 then the governing board has put forward the proposed
11 cut scores for that assessment.

12 So as you saw last month, the Level 1 cut score
13 for every range fell at 650, Level 2 falls at 700, 3
14 at 725, 4 at 750, and the cut at Level 5 is somewhere
15 around 800, sometimes right below 800 or just above
16 800 depending on the grade level. So we feel very --
17 we're seeing very similar data that we saw last
18 month, very similar at 3-8 that we had for the high
19 school. Approximately 70% of our students fall
20 within Levels 1, 2 and 3, 30% falling in Levels 4 and
21 5. So our first action item is just to ask for the
22 approval of those cut scores, knowing that Arkansas
23 students would fall within those scoring ranges, and
24 I ask for any questions that you have on that now.

25 CHAIRPERSON NEWTON: Ms. Zook has a question.

1 MS. ZOOK: Why do you think the cut score for
2 Level 5 varies and others do not?

3 MS. ALLEN: Right. Because there are so many
4 points required to get to that Level 5 range and the
5 differing -- because of the way the standards fall
6 out at different grade levels it just really -- that
7 Level 5 is such a smaller group and to make that
8 distinction that particular level had to fluctuate
9 quite a bit.

10 CHAIRPERSON NEWTON: Any other questions? Okay.
11 We're ready for a motion on A-7, Consideration of 3-8
12 Partnership for Assessment of Readiness for College
13 and Careers Cut Scores. Do we have a motion?

14 DR. BARTH: Move approval of cut scores.

15 CHAIRPERSON NEWTON: Moved by Dr. Barth to
16 approve. Second?

17 MS. SAVIERS: Second.

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

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRPERSON NEWTON: Any opposed? Motion
22 carries.

23 A-8: CONSIDERATION OF REQUISITE SCALE SCORE OF STUDENT
24 PERFORMANCE

25 CHAIRPERSON NEWTON: Ms. Allen, this one is

1 yours also, Consideration of Requisite Scale Score of
2 Student Performance.

3 MS. ALLEN: You have been provided with this
4 PowerPoint in your packet. I know we don't have it
5 to show at the moment. I know we're working on that.
6 So action item number two then goes with academic
7 improvement plans. The State Board is required by
8 law to approve the requisite scale score for which a
9 student in the state of Arkansas would be required to
10 have an academic improvement plan assigned for them
11 based on their state scores.

12 COMMISSIONER KEY: Hope, hang on just a second.
13 Members, the PowerPoint is under item seven.

14 MS. ZOOK: Yeah.

15 COMMISSIONER KEY: Okay.

16 MS. ALLEN: I'm sorry.

17 COMMISSIONER KEY: I just wanted to make sure
18 everybody caught that. So what she's going to be
19 talking about is linked on item seven but it's under
20 item eight.

21 MS. ALLEN: Thank you, Commissioner Key. Yes,
22 the last few slides of item seven. So, first, I just
23 want to give you a little information about what an
24 academic improvement plan is. Students that don't
25 score at that requisite scale score are required to

1 participate in an academic improvement plan that
2 outlines any remediation activities appropriate for
3 that student. And from what we're seeing with the
4 scores that we have, if we look at Levels 1, 2 and 3
5 the remediation would look very different for a Level
6 3 student than it would for a Level 1 student.
7 Sometimes it's appropriate to pull a student out of
8 class and give them extra instruction outside of
9 their class period. Sometimes it's more important to
10 have solid classroom instruction that is in place for
11 those students. Sometimes it's more beneficial for a
12 student to be pulled into a small group within their
13 classroom or to work with their peers. So depending
14 on what that student needs, that academic improvement
15 plan will look very different for different students.
16 So the recommendation from the Department is that --
17 there we go, I think we're there now -- make sure I
18 have everything -- so the recommendation that we put
19 forward is that every student in the state of
20 Arkansas scoring at Levels 1, 2 or 3 would be
21 assigned an academic improvement plan. We do realize
22 that that is approximately anywhere from 60% to 70%
23 of our students, depending on the grade level that
24 you're looking at. What you see on the screen right
25 now are your high school scores and then your data

1 for 3-8 is very similar. So you have 3-8 levels. We
2 see about the same; anywhere from 50% to 60% of our
3 students are scoring in that Level 1, 2 and 3. And
4 what you're seeing there is 3 and above, 4 and above,
5 so the opposite of that would be what we're talking
6 about, the 70%.

7 I'm sorry; I'm just making sure we cover -- so
8 as you see, Levels 1, 2 and 3 is what we would be
9 saying to assign an academic improvement plan. My
10 office does plan to hold an informational webinar
11 tomorrow for all of our schools to walk through the
12 difference in an academic improvement plan for a
13 Level 3 student versus a Level 1 student to support
14 our schools in this process. We did see very similar
15 results with when we started the benchmark
16 assessments. So this large number of students in
17 Levels 1, 2 and 3 is not completely unexpected or
18 unanticipated at all. We saw very similar -- 80% of
19 our students falling within those Levels 1 and 2 when
20 we first started our benchmark exams back in the
21 early 2000's. So with the shift in assessment with
22 new standards we've raised the rigor. These numbers
23 are not completely unanticipated, but we do plan for
24 our office to fully support schools to make a shift
25 in what remediation looks like for students and how

1 to best support students through these processes.

2 CHAIRPERSON NEWTON: Ms. Saviers has a question.

3 MS. SAVIERS: This is really giving me pause.

4 And I was just reading in EdWeek an article about how
5 RTI for a student in the upper level of Level 3 could
6 be actually not only not benefit but harm that

7 student because they would be pulled out of class and
8 miss valuable classroom time. And I think -- and I

9 expressed to Mr. Key earlier, I guess last week, my
10 concern with the -- there's a big difference between

11 kids who are at the top of 3 and the bottom of 3. I
12 understand the difficulty in conveying that to a

13 school because, as we all know, if you're dealing
14 with that many students it might be difficult to

15 parse that out and decide who needs an AIP and who
16 doesn't. I just want to make sure we're not doing

17 more harm than good with these students in particular
18 before we make just a broad statement here. And

19 then, secondly, I think the communication to parents
20 is going to be critical that, if we do decide to give

21 an AIP to everyone on Level 3, parents understand
22 what the expectations are for remediation. Is it a

23 pullout? You know, but what does remediation look
24 like and how will that be measured in terms of is it

25 working and progressing in the way that it should be.

1 So those are my concerns.

2 MS. ALLEN: Thank you for that. And we do agree
3 completely. That's where my office is going to work
4 very closely with Accountability to try to message to
5 our schools. We have information going to schools
6 today; we have information that's going to go out on
7 the web to parents specifically. We do need to re-
8 evaluate just in our state in general what
9 remediation looks like, what RTI -- what is
10 appropriate for students. I think for awhile we have
11 done kind of a blanket one-size-fits-all, and so we
12 really are going to do a push within my office,
13 within Mr. Harvey's office to make sure that we
14 support schools and get some better information out
15 there to them about the differences in those
16 remediation levels and what can be done. I think for
17 awhile we've just thought it could only be pullout
18 and that's really not the case. There's a lot of
19 other remediation that can happen within the
20 classroom so students aren't missing valuable time.

21 CHAIRPERSON NEWTON: Okay. Dr. Barth.

22 DR. BARTH: Well, and I would also say that I
23 think it's very important that we begin to change our
24 language about the issue. I mean, I think it is
25 about improvement, right, and I think that the -- I

1 read the same study on RTI and that is worrisome.
2 But I think there is a tremendous opportunity here to
3 give every young person the individualized academic
4 plan that they need to get over that hump and that's
5 really crucial. And so I really do applaud y'all for
6 taking a tougher path, which is -- it could've been
7 -- you could've taken an easier path and just said,
8 "We're going to just focus on the one's and two's."
9 But there are a lot of young people that aren't that
10 -- at that 3 Level, we know from this data, that, you
11 know, just do need a little bit of help to figure out
12 what that -- you know -- maybe it's just one issue
13 that is really, I mean, you know, holding back their
14 education. And, you know, I think that's our
15 commitment under the state constitution that we're
16 going to be sure that every kid does have an adequate
17 education. So I do applaud this approach. I think
18 we have to be careful, we have to get it right, and
19 we know that it's also -- with the change in tests
20 it's going to be a little bit of a, you know, work in
21 progress over the next couple of years. But we will
22 reach that point where we do have stability in our
23 testing and I think we can begin to feel like we're
24 getting it more right for more kids.

25 CHAIRPERSON NEWTON: Ms. Zook.

1 MS. ZOOK: I don't know whether it was in
2 conversation or something that was sent out, but it
3 was my impression that the RTI in particular, in the
4 way it's actually performed with students, was
5 primarily for Levels 1 and 2. And Level 3 would
6 encourage a variety of approaches but not
7 specifically just one-size-fits-all RTI kind of
8 thing. But maybe changing teachers -- one teaches
9 more auditorily and the other one more visually,
10 those kinds of flexibilities within the Level 3
11 children especially. Is that right?

12 MS. ALLEN: That is correct. If you look at the
13 RTI model for Arkansas, there's three tiers. Level 1
14 is core classroom instruction. And so with the --
15 most of your Level 3's are going to fall within that
16 Level 1, that Tier 1 remediation. As you move up
17 those tiers, that's where it becomes appropriate to
18 remove a student from class, pull them out of class,
19 give them that supplemental instruction. So, yes;
20 that quality classroom instruction, that's your first
21 level; that's your first intervention and most of
22 your Level 3's will fall within that category.

23 CHAIRPERSON NEWTON: Ms. Saviers.

24 MS. SAVIERS: I'm going to beat a dead horse for
25 just a second here.

1 MS. ALLEN: Okay.

2 MS. SAVIERS: But my concern is just the
3 capacity of districts to really differentiate and --
4 because this is a lot. I mean, they've already got a
5 lot going on and now we're saying AIP's for 60% or
6 70% of their kids. And not only that, but we want
7 you to be really mindful of not pulling kids out of
8 class. You know, it's just a lot. And that's why I
9 think parents are going to have to really step in and
10 be aware, if we're really going to do this, and they
11 need to understand and work with districts and
12 teachers to know what the expectations are so that
13 their kids aren't pulled out of valuable classroom
14 time. I'm really concerned about this. And that's
15 just a huge percentage. I hear what you're saying,
16 Jay. I think -- you know -- I think that is the AIP
17 for every student and, you know, that makes total
18 sense if we're looking at individualized instruction
19 and really pushing every student forward to be the
20 best that they can be. But, you know, I just think
21 we need to be very mindful of the fact that some
22 districts are going to do this very well and some
23 districts are not going to do this well at all, and
24 we just don't want to do harm to those kids.

25 DR. BARTH: Well, it is probably likely that

1 some of the most challenged districts are going to
2 have some of the biggest troubles with this because
3 of all the other things that they are dealing with.
4 So I think we're both right.

5 MS. SAVIERS: Yeah, I do too. I just, you know
6 --

7 DR. BARTH: So, but -- and I think it's -- even
8 though there is going to be this transition period, I
9 think it is so much better to go with this approach
10 which does say we are going to really have incredibly
11 high standards and really work with those students
12 who are needing help. I agree this is going to be --
13 I think the next few years are going to be really
14 challenging --

15 MS. SAVIERS: Yeah.

16 DR. BARTH: -- in a lot of ways.

17 MS. ZOOK: And I'll remind us too, a couple of
18 the districts that requested waivers was so that
19 their teachers could collaborate.

20 MS. SAVIERS: Right.

21 MS. ZOOK: And then there will be -- you know --
22 when they were asking for the ability to have a
23 larger number than the 150, maybe 165, was so
24 different teachers would pull kids in there for
25 enrichment or reinforcement or re-teaching in groups.

1 So no student was missing out on the core instruction
2 but there was a time each day when those teachers got
3 together, compared the notes of what the students
4 needed, and then took those groups off, whether they
5 needed -- Level 5 might need enrichment, or a Level
6 3, so everybody is getting what they need but nobody
7 is missing what they need. And if this is working so
8 well in those districts, as we will find out this
9 year, then we can encourage other districts to look
10 at the same type of approach.

11 CHAIRPERSON NEWTON: It is possible. I mean, it
12 is possible looking at the strengths of teachers in a
13 district to do one thing well and not so that all
14 teachers --

15 MS. SAVIERS: Right.

16 CHAIRPERSON NEWTON: -- can do the pullout. But
17 I think it reminds me of trying to adjust to trifocal
18 glasses that you have to wear. In order to walk or
19 read or drive you've got to know how to use them all
20 simultaneously sometimes. So that's the challenge
21 and it's a difficulty of being able to adjust to
22 that, so I think the Department's responsibility will
23 be able to try to walk folks through this and I know
24 it's going to be difficult. It's just the idea of
25 trifocals to me just -- you know -- just scary, but

1 -- actually, wearing them and walking and being able
2 to maneuver students to achieve success is going to
3 be a challenge. So that's your challenge.

4 MS. ALLEN: I agree.

5 CHAIRPERSON NEWTON: Dr. Barth.

6 DR. BARTH: So kind of looking ahead to next
7 year, are we going to go through these same steps
8 again next year with setting cut scores and making
9 this decision as well?

10 MS. ALLEN: Yes. For the ACT Aspire, the State
11 Board will have to approve the level at which we
12 remediate. We do intend to, with your approval, use
13 the standards that are already set by ACT and the
14 reason would be that we don't have this delay in
15 scores like we have this year if we use the standards
16 that are already set. But we will have to go through
17 a similar process next year to look at the ACT Aspire
18 cut scores and then make a determination about where
19 remediation will lie there.

20 CHAIRPERSON NEWTON: Okay. All questions
21 answered?

22 MS. ZOOK: I would like to commend Ms. Allen and
23 the whole Learning Services group for all the hard
24 work that they have put in, and other departments
25 that cooperate so well, always keeping the students

1 in mind.

2 CHAIRPERSON NEWTON: Then item A-8, what's the
3 pleasure of the Board?

4 DR. BARTH: I'll move approval of the
5 recommendation of the Department.

6 MS. ZOOK: Second.

7 CHAIRPERSON NEWTON: Moved by Dr. Barth and
8 seconded by Ms. Zook. All in favor?

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIRPERSON NEWTON: Any opposed? Thank you.

11 COMMISSIONER KEY: Madam Chair, if I may, for
12 any press that are here that want to do a deeper dive
13 into these results, some of our team are going to be
14 excusing themselves and going to 201-A. And Hope
15 will be there and I'm not sure who else is going, but
16 201-A. And they will be there to -- it won't be a
17 press conference; more like a press briefing. And
18 there will be more discussion and they'll feel free
19 to answer whatever questions you may have. But -- so
20 when you see some of our team getting up and heading
21 that way, that's what's going on.

22 CHAIRPERSON NEWTON: Okay.

23 A-9: CONSIDERATION OF WAIVER REQUEST FOR TEACHING LICENSE -
24 MELANIE J. WILLIAMS

25 CHAIRPERSON NEWTON: We're down to A-9, which is

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Consideration of a Waiver Request for Teaching License for Ms. Melanie Williams. Ms. Liwo.

MS. LIWO: Jennifer Liwo, PLSB Staff Attorney.

Just briefly on the hearing procedures, each side has 5 minutes to present an opening statement. After that, there will be -- each side has 20 minutes to present their case; additional time may be granted for good cause shown. Any witness giving oral testimony must be sworn under oath. And with Ms. Williams, she is represented by an attorney by the name of Steve Smith. He contacted me on November 9th and thinking that the waiver hearing was scheduled for the 10th asked for it to be reset because he wasn't feeling well. I reached out to him and told him that the waiver hearing is actually scheduled for the 12th and whether that -- and asked whether that would change his request. I didn't get a response. I did try to call him; I left a voice-mail for him and I didn't get a response back. We're not agreeing to reset this matter; we would proceed. And since Ms. Williams and her attorney is not present, under the ADE rules -- and I'll just read that to you -- ADE rules governing background checks, 3.02.3.1, if the person requesting a hearing fails to appear at the hearing, the hearing shall proceed in the manner

1 described in Section 3.02.1.1 above. And the cited
2 section states that the failure to appear is treated
3 as the educator declining to answer the notice, in
4 which case the State Board shall hold a hearing to
5 establish by a preponderance of the evidence that
6 cause for the proposed action exists.

7 CHAIRPERSON NEWTON: Okay. Based on what Ms.
8 Liwo has said, what's the pleasure of the Board? Do
9 we move forward with this request based on the
10 explanation or do we reschedule?

11 MS. ZOOK: I move that we proceed.

12 CHAIRPERSON NEWTON: Okay. I don't guess we
13 need a motion. Does anybody have a conflicting view?

14 (BRIEF MOMENT OF SILENCE)

15 CHAIRPERSON NEWTON: Okay. So, go ahead.

16 MS. LIWO: Ms. Williams has a DHS true finding
17 for inadequate supervision. The hotline call was
18 made on September -- in September of 2014. Ms.
19 Williams -- the underlying facts are that Ms.
20 Williams left a four-year old student in the hallway
21 unsupervised. The student was unharmed, despite her
22 actions; however, Ms. Williams does have a prior
23 history of leaving at least three other children
24 unsupervised. After DHS received the hotline call,
25 Ms. Williams was given a plan and training to help

1 her better supervise her students. Yet, after --
2 even after receiving training she again left another
3 student inadequately supervised. Given the nature of
4 her conduct, the fact that she received training and
5 still her conduct didn't better improve, the
6 Department is recommending that the State Board
7 suspend her license for three years and also that
8 within those three years Ms. Williams successfully
9 have her name removed from the Child Maltreatment
10 Registry.

11 CHAIRPERSON NEWTON: Okay. Any questions about
12 the recommendations from the Department? So what's
13 the pleasure of the Board?

14 MS. ZOOK: Is there some reason that you
15 recommended the three years as opposed to four or
16 two?

17 MS. LIWO: Really, that's because it wasn't just
18 one incident. She has a prior history of leaving
19 three other children inadequately supervised and then
20 she got training and left yet -- I guess this would
21 be the fifth child unsupervised. We think that three
22 years would be sufficient time for her to demonstrate
23 a change in her behavior.

24 MS. ZOOK: Of course, it's like people on
25 Maltreatment for other offenses, if they're not in

1 the circumstance it's hard to know if they've been
2 fixed or if they just aren't being put in the
3 situation where it occurs. Do we know the age of the
4 children and whether or not this was a policy of that
5 particular building principal if a student was
6 misbehaving to go to the hall?

7 MS. LIWO: The student that was at issue with
8 the September 2014 hotline call was four years old.
9 The information that I have isn't clear on the ages
10 of the other children.

11 CHAIRPERSON NEWTON: Okay. With that
12 clarification is there a motion?

13 MS. REITH: If I may, just one question.

14 CHAIRPERSON NEWTON: Ms. Reith.

15 MS. REITH: Ms. Liwo, was Ms. Williams made
16 aware in your notification about this hearing about
17 the possibility of a three-year suspension?

18 MS. LIWO: Yes.

19 MS. REITH: Okay. Thank you.

20 CHAIRPERSON NEWTON: Motion?

21 MS. REITH: I move to approve the recommendation
22 of the PLSB.

23 CHAIRPERSON NEWTON: Moved by Ms. Reith. Is
24 there a second?

25 MR. WILLIAMSON: Second.

1 CHAIRPERSON NEWTON: Second by Mr. Williamson.
2 All in favor?

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRPERSON NEWTON: Any opposed? Motion
5 carries.

6 A-10: CONSIDERATION OF WAIVER REQUEST FOR TEACHING LICENSE -
7 DANNA M. STROZYK

8 CHAIRPERSON NEWTON: Okay. We're down to action
9 item A-10, Consideration of Waiver Request for
10 Teaching License, Danna M. Strozyk.

11 MS. LIWO: And Ms. Strozyk requested a waiver
12 hearing on September 9th. On October 21st she
13 informed me that she was declining the waiver
14 hearing, so this would fall under the same procedures
15 or rules that I previously stated. Ms. Strozyk does
16 have a disqualifying offense; however, because she
17 has declined the waiver hearing her case is a little
18 different. I cannot disclose the nature of the
19 disqualifying offense.

20 CHAIRPERSON NEWTON: And your recommendation in
21 this case is?

22 MS. LIWO: That the State Board not grant her a
23 waiver.

24 CHAIRPERSON NEWTON: Okay. Question by Miss --
25 or motion?

1 MS. SAVIERS: No, I have a motion. I move to
2 approve the recommendation.

3 CHAIRPERSON NEWTON: Okay. Moved to approve the
4 recommendation by Ms. Saviers. Is there a second?

5 MS. REITH: Second.

6 CHAIRPERSON NEWTON: Second by Ms. Reith. All
7 in favor?

8 (UNANIMOUS CHORUS OF AYES)

9 CHAIRPERSON NEWTON: Any opposed? Motion
10 carries.

11 A-11: CONSIDERATION OF WAIVER REQUEST FOR TEACHING LICENSE -
12 SHARON DAVIS-WILLIAMS

13 CHAIRPERSON NEWTON: Now to A-11, Consideration
14 of Waiver Request for Teaching License - Sharon
15 Davis-Williams. Ms. Reinhart. Oh, Ms. Liwo.

16 MS. LIWO: Ms. Davis-Williams is represented by
17 her attorney, Valerie Bailey.

18 CHAIRPERSON NEWTON: Okay.

19 MS. LIWO: Ms. Williams has a disqualifying
20 offense making her ineligible for licensure and
21 employment in an Arkansas public school. Given the
22 nature of the offense and the pending resolution of
23 an appeal that she has filed, the Department is
24 recommending that the State Board suspend her license
25 for three -- until her appeal is -- a final

1 resolution of her appeal has been reached.

2 CHAIRPERSON NEWTON: Okay. Say that again,
3 please.

4 MS. LIWO: The Department is recommending that
5 the State Board suspend her license pending a final
6 resolution of her appeal. And I'll yield to Ms.
7 Bailey.

8 CHAIRPERSON NEWTON: Help me understand again
9 where -- presently, what's the status of her license?

10 MS. LIWO: Right now, she does have a license.
11 I believe it expires in December of 2019.

12 CHAIRPERSON NEWTON: Okay.

13 DR. BARTH: Ms. Newton?

14 CHAIRPERSON NEWTON: Yes.

15 DR. BARTH: Can I ask a question?

16 CHAIRPERSON NEWTON: Yes.

17 DR. BARTH: And maybe it needs to wait. But
18 Miss -- could you clarify why this recommendation was
19 made rather than some kind of situation where it
20 would -- we would wait until the end of the appeal
21 process?

22 MS. LIWO: I'm not sure I follow your question.
23 Are you asking why I'm recommending a suspension
24 pending a final resolution of her appeal?

25 CHAIRPERSON NEWTON: Prior to. So my question

1 is your question.

2 DR. BARTH: Right. So the appeal is ongoing.
3 Right?

4 MS. LIWO: That's correct.

5 DR. BARTH: And so my question was, I just was
6 curious why y'all chose this recommendation rather
7 than waiting until the appeal process has played out
8 and then coming back, coming with a recommendation.

9 MS. LIWO: Because Ms. Davis-Williams does have
10 a jury -- she was convicted of a disqualifying
11 offense by a jury. So our position is there's a
12 conviction that disqualifies her from licensure and
13 employment irrespective of whether she has an appeal
14 still outstanding. And, again, the offense we
15 believe just -- it warrants suspending her license
16 right now and then we can come back and revisit it at
17 a later time depending on how that appeal turns out
18 for her.

19 DR. BARTH: So how -- if she were successful in
20 her appeal, what would then happen?

21 MS. LIWO: If she were successful in her appeal,
22 that would probably result in a dismissal of the
23 charge and then she would not have a disqualifying
24 offense and this matter would be resolved. She would
25 not need a waiver.

1 DR. BARTH: So she would not come back?

2 MS. LIWO: That's correct.

3 CHAIRPERSON NEWTON: Okay. In the matter of
4 Sharon Davis-Williams, all that are anticipating
5 testifying, other than the attorney, would you please
6 stand and raise your right hands?

7 (COURT REPORTER'S NOTE: Several people stood to
8 be sworn in.)

9 CHAIRPERSON NEWTON: Do you swear or affirm that
10 the testimony you're about to give --

11 (COURT REPORTER'S NOTE: An additional person
12 stood up at this time.)

13 CHAIRPERSON NEWTON: Yes, sir. Do you swear or
14 affirm that the testimony you're about to give is the
15 truth, the whole truth and nothing but the truth?

16 (ALL WITNESSES ANSWERED AFFIRMATIVELY)

17 CHAIRPERSON NEWTON: Okay. Thank you. Then,
18 Ms. Bailey; I understand Ms. Valerie Bailey is here
19 to represent Ms. Davis-Williams.

20 MS. BAILEY: Good afternoon, Board. Valerie
21 Bailey. You've seen me before.

22 CHAIRPERSON NEWTON: You understand the hearing
23 procedure, the 5 minutes for introduction and 20
24 minutes --

25 MS. BAILEY: Yes, ma'am.

1 CHAIRPERSON NEWTON: -- for the body? Okay.
2 Thank you.

3 MS. BAILEY: Let me start by saying that this
4 board lacks statutory authority to take any action
5 against Ms. Williams' license because the conviction
6 in Georgia is now on the list. I can only assume
7 that the PLSB has gone with subsection (c)(26) which
8 lists criminal attempt, criminal solicitation,
9 criminal conspiracy to commit any of the offenses
10 listed in this subsection. So it's not a plain --
11 not just general criminal conspiracy; it has to be
12 conspiracy to commit any of these listed offenses,
13 and there are not. So I would just ask the Board to
14 consider that as the primary matter because our
15 position is the Board has no jurisdiction to make --
16 take any action against Ms. Williams' license.

17 CHAIRPERSON NEWTON: Okay. I personally would
18 like to have Ms. Liwo address that matter of
19 jurisdiction or lack of jurisdiction before we
20 proceed.

21 MS. LIWO: I disagree with that, obviously. She
22 -- Ms. Davis-Williams was convicted of violating the
23 Georgia RICO Act but is -- she -- there is a
24 conspiracy behind that and if -- I'll just -- excuse
25 me. Conduct constituting a conspiracy or an attempt

1 is a disqualifying offense.

2 MS. BAILEY: (Shaking head from side to side.)

3 MS. LIWO: It is. It is in Arkansas Code
4 Annotated 6-17-410 et seq. And then the additional
5 grounds for revocation or suspension of a teaching
6 license also include intentionally compromising the
7 validity or security of any student test or testing
8 program administered by or required by the State
9 Board or the Department of Education. I think that
10 would apply too to Georgia, because that is the
11 underlying nature of this offense. Okay. And then
12 there is -- I think her conduct could arguably also
13 fall under knowingly falsifying or directing another
14 to falsify any grades of a student, whether the grade
15 was given for an individual assignment or examination
16 or at the conclusion of a regular grading period.

17 And I think the State Board obviously needs a
18 little bit of background information on the charges
19 that were alleged against Ms. Davis-Williams. And in
20 the indictment she was alleged to have concealed the
21 fact that elementary students told their 2009 CRCT
22 test monitor that their teacher gave them correct
23 answers to the test. She also caused a test monitor
24 to omit his written observation that he saw a teacher
25 pointing out correct answers to elementary students

1 during 2009 -- during the 2009 CRCT test. I think a
2 conspiracy to or an attempt to do any one of those
3 things definitely is a disqualifying offense under
4 our statutes.

5 CHAIRPERSON NEWTON: Okay. So we do understand
6 the nature of your proceeding with it, based on your
7 explanation.

8 MS. BAILEY: May I respond, please?

9 CHAIRPERSON NEWTON: Certainly.

10 MS. BAILEY: Ms. Williams was acquitted by a
11 jury on the three individual crimes that she was
12 indicted for. Ms. Liwo read to you from the
13 indictment but she was acquitted on those counts, on
14 those three individual counts. And --

15 CHAIRPERSON NEWTON: What is pending now, then?

16 MS. BAILEY: Well, just one count of conspiracy
17 and it is not conspiracy to -- it was not conspiracy
18 to commit any of the crimes listed in Section "C"
19 which is how Ms. Williams was notified. So her due
20 process is you all can take her license under "C,"
21 Section "C" of 410, if the offense is listed. And
22 the only one that is close is the conspiracy, but it
23 has to be conspiracy to commit something on that list
24 (murder, rape, assault). We don't have anything like
25 that.

1 Something else that's very important for you to
2 know is that Ms. Williams was convicted by a jury,
3 but because of Georgia's first offender law the judge
4 never entered his order, and Section "C" of the
5 statute that we're applying right now requires that
6 the court enter an order. So not only has she asked
7 for a new trial, she maintains her innocence and
8 there will be an appeal. She has not been finally
9 adjudicated, number one. So those are two reasons
10 that you all don't have jurisdiction to take action
11 against Ms. Williams' license.

12 CHAIRPERSON NEWTON: Okay. Ms. Reinhart --

13 MS. BAILEY: But I would ask again for a vote on
14 the jurisdiction because going further without
15 jurisdiction --

16 CHAIRPERSON NEWTON: Ms. Zook, just a minute.

17 MS. BAILEY: -- is not --

18 MS. ZOOK: Okay. In the paper that --

19 CHAIRPERSON NEWTON: Excuse me for a minute.
20 Could we ask Ms. Reinhart to give us some explanation
21 about this before we --

22 MS. REINHART: Okay. Do you have a specific
23 question?

24 CHAIRPERSON NEWTON: Well, whether or not the
25 issue she's raised about whether or not we -- first

1 of all, whether it's not something that we can
2 consider based on jurisdiction and --

3 MS. REINHART: We do believe that she has --
4 that you have jurisdiction because we have a jury
5 conviction on the matter. And although the
6 sentencing has been -- and the adjudication by the
7 judge has been deferred, my understanding, there's a
8 seven-year probation with a three-year confinement
9 which is what is being appealed, and that's deferred
10 adjudication on that. But it was our understanding
11 we have a jury conviction and it's a very serious
12 nature and --

13 CHAIRPERSON NEWTON: Okay.

14 MS. REINHART: So that was our position on that.

15 CHAIRPERSON NEWTON: Okay. Ms. Zook has a
16 question.

17 MS. REINHART: Okay.

18 MS. ZOOK: Okay. So it's my understanding from
19 the work that we've read that was sent to us that she
20 was found guilty of racketeering. Right?

21 MS. REINHART: She was. There's a jury
22 conviction for that.

23 MS. ZOOK: Okay. And is that what her attorney
24 is saying is being appealed?

25 MS. REINHART: Her attorney is saying that the

1 judge is -- has put that into a sentencing status of
2 deferred adjudication.

3 MS. ZOOK: Okay. Can you say that to an
4 educator and not an attorney?

5 MS. REINHART: The -- all right. The sentencing
6 process has been put off, basically.

7 CHAIRPERSON NEWTON: So they're suspending
8 imposition.

9 MS. REINHART: And -- yes.

10 CHAIRPERSON NEWTON: Is that what it is?

11 MS. REINHART: Yes. And so there's a process
12 now where she can appeal all of that. And we
13 typically do not always wait for criminal appeals to
14 run their course. The reason for that is it can take
15 two years, five years; it can take a long time. So
16 once there's been that conviction then we do go ahead
17 and move forward.

18 CHAIRPERSON NEWTON: Dr. Barth has a question.

19 DR. BARTH: So on the issue of -- two things.
20 First off, she was found innocent of the underlying
21 offenses -- right -- that most closely attached to
22 the ethics violations in Arkansas. Is that right?

23 MS. REINHART: I'm going to let Ms. Liwo answer
24 that question because she has more detailed --

25 DR. BARTH: Okay.

1 MS. REINHART: -- knowledge of the specific
2 offenses.

3 DR. BARTH: Okay. And then my second question
4 was in terms of Ms. Bailey's claim that the
5 conspiracy does need to attach to one of those
6 proceeding offenses. Could you kind of state your
7 view on that, your analysis of that?

8 MS. REINHART: Again, I think Ms. Liwo --

9 DR. BARTH: Okay.

10 MS. REINHART: -- can give you more specific
11 information, but we do have -- the conspiracy to
12 commit those offenses would be also one of our
13 disqualifying offenses.

14 DR. BARTH: Okay.

15 MS. REINHART: I'm going to let you go ahead, if
16 you don't mind me letting you talk to them.

17 MS. LIWO: You're fine. I re-read the statute
18 and Ms. Bailey is correct; the conduct constituting
19 intent or conspiracy does need to attach to one of
20 the other listed offenses. But even with that there
21 are additional grounds for revocation or suspension
22 and those don't need to attach to any of the other
23 criminal offenses that are listed in the statute.
24 And, again, I would fall back on knowingly falsifying
25 or directing another to falsify any grade given to a

1 student, whether the grade was given for an
2 individual assignment or examination or at the
3 conclusion of a regular grading period. I think Ms.
4 Davis-Williams' conduct here, the underlying facts
5 here meet that additional grounds for revocation or
6 suspension. Ms. Bailey also said that what I -- the
7 indictment language that I cited to you didn't apply
8 here. But that was language that I read specifically
9 from the indictment that concerned the allegation
10 that she violated the RICO, the Georgia RICO Act. So
11 if she was found guilty of the Georgia RICO Act and
12 those were the allegations contained therein, it
13 applies.

14 CHAIRPERSON NEWTON: But the matter of the
15 appeal is what seems to be hanging. I know you want
16 to speak, Ms. Bailey, but just a moment. So the
17 matter of the appeal, so there's not a final
18 disposition. Even with the delayed imposition of
19 sentence, the appeal is after that. Is that correct?
20 And then so we're presently looking at her in the
21 appeal process for the sentence. It doesn't attach;
22 the conspiracy doesn't attach to anything that we can
23 name and the appeal is on the initial conviction?

24 MS. LIWO: That's correct. But we have a jury
25 verdict and that is a conviction.

1 CHAIRPERSON NEWTON: Is that what's being
2 appealed, the jury verdict?

3 MS. LIWO: The jury verdict is being appealed.
4 But you cannot appeal something that doesn't exist.
5 There is a jury --

6 CHAIRPERSON NEWTON: Well, you can appeal if
7 you've been -- if you feel you've been unfairly
8 treated. And I'm not trying to argue her case for
9 her, but it is -- you know -- appeal has its place in
10 the procedure when you feel like something has been
11 -- you know -- you've been wronged for something
12 that's not -- that you're not guilty of. So that's
13 what I'm trying to find -- it could very well be that
14 this board could take your recommendation and a
15 license be suspended or she not be given a waiver and
16 she could be found to be innocent.

17 MS. LIWO: That's true.

18 CHAIRPERSON NEWTON: Okay. That was my --
19 that's what I'm trying to come to, some kind of
20 resolution in my thinking about where we are in the
21 matter. Ms. Reinhart I think --

22 MS. LIWO: I mean, on the other end, she could
23 go through this appeal and it not work out in her
24 favor, in which case she needs to serve three years
25 of confinement and then follow that with seven years

1 of probation, 2,000 hours of community service, pay a
2 \$10,000 fine.

3 CHAIRPERSON NEWTON: Well, she could not lose
4 the appeal and miss two or three years of employment.

5 MS. LIWO: That is true. But --

6 CHAIRPERSON NEWTON: Ms. Reinhart.

7 MS. LIWO: -- I think even --

8 CHAIRPERSON NEWTON: Okay.

9 MS. LIWO: -- the nature of her offense and what
10 she did fear with manipulating information about test
11 scores and --

12 CHAIRPERSON NEWTON: But it seems only an
13 offense if you're found guilty and she's still in the
14 process. And I'm not -- like -- again, it seems like
15 the process is ongoing. You know, as heinous as it
16 is and as against everything that we stand for it is,
17 we haven't seemed to have reached that final
18 disposition. That's -- if I were casting a vote to
19 break a tie, I think you know where I'm going with
20 this, but I just -- I'm wondering if we're not
21 getting the cart before the horse. There will be a
22 process that will end at some point and we don't know
23 what that is. And are we reacting as a board and
24 being -- and putting her or us -- are you guys
25 putting us or her at an unfair advantage by deciding

1 this now as opposed to when the process goes through
2 the system?

3 MS. LIWO: I really don't -- respectfully, I
4 really don't see it as either one of those. From my
5 perspective I'm looking more at erring on the side of
6 caution. Given again what she did -- and I
7 understand that there may be a decision, an outcome
8 that finds that she didn't do any of this. But given
9 what she did I would err on the side of caution of
10 removing the possibility that she could come over to
11 Arkansas and do the same thing here in one form or
12 fashion.

13 CHAIRPERSON NEWTON: Ms. Reinhart and then Ms.
14 Bailey.

15 MS. REINHART: The only thing I would add to
16 that is that the law does not state that the
17 conviction pending appeal -- you know -- I mean, the
18 law does not provide for us to wait until someone
19 appeals a criminal offense. Secondly, I would also
20 just remind you that the law does provide that we see
21 offenses and they count if they've been expunged,
22 sealed or pardoned by the Governor. So, you know, I
23 don't think that this is premature in this case.

24 CHAIRPERSON NEWTON: And I'm not -- I'm
25 certainly not a lawyer and trying to channel Sam

1 Ledbetter, our past chairman, because I think he
2 could certainly be more eloquent in this. But while
3 it doesn't necessarily acknowledge an appeal --
4 certainly, when an appeal is made or when this appeal
5 is processed, the consideration, it's just, like I
6 say --

7 MS. REINHART: Well, that's something that you
8 are completely free to take into consideration as you
9 consider this case.

10 CHAIRPERSON NEWTON: Okay. Ms. Bailey.

11 MS. ZOOK: Madam Chair, may I intervene on that?
12 When we hear cases for child maltreatment that has
13 not always been played out completely either where
14 they try and get their name off the maltreatment
15 list. We often put on probation or suspend a teacher
16 or a license from being in the classroom and give
17 them an opportunity to get their name removed from
18 maltreatment or go through that process. But in the
19 process of that we often suspend or put teachers on
20 probation, even though that process has not played
21 itself out either.

22 CHAIRPERSON NEWTON: I'm not sure I understand
23 that's the same issue but --

24 MS. ZOOK: Well, no. I'm not saying it's the
25 same. I'm just giving it as an example of other

1 people who are in the process of playing -- or
2 working through the system.

3 CHAIRPERSON NEWTON: Okay. Ms. Bailey.

4 MS. BAILEY: Still there's no listed offense,
5 conspiracy to commit one of the listed offenses. The
6 language that Ms. Liwo read to you was from Section
7 "D." It's not a listed offense, the language about
8 the testing. Let me tell you something -- some
9 things about Ms. Williams. And she was totally
10 acquitted of all three charges which require
11 intentional conduct. She had no custody of any test
12 materials; she had no contact with students; she was
13 not involved in the bonus structure, which is why
14 this whole case got started. And so she was charged
15 with three individual acts which were intentional;
16 she was acquitted of all those three. The fourth,
17 the conspiracy, relied on the first three and those
18 were dropped. So to characterize Ms. Williams'
19 behavior as some intentional pressure, that is
20 totally inaccurate. That is not a conviction that
21 you all can look at because she was acquitted by the
22 jury. So I would reiterate you don't have
23 jurisdiction; you have no reason to take any license
24 [sic] against Ms. Williams -- any action against her
25 license. And at the very least it should be a

1 probation, if you all decide to go forward, because
2 she at least deserves the right to work. She's not
3 teaching. She is not a teacher; she's an
4 administrator and so if she is able to get a
5 consulting job which requires a license that would be
6 great. Right now, she's volunteering. But the
7 serious conduct that Ms. Liwo refers to she was
8 acquitted on. So I absolutely insist the State tell
9 me the listed offense, number one; and number two,
10 focus on the conduct which -- you have to find
11 intentional conduct to take action against her
12 license and she was acquitted on all those charges.
13 So I would ask you to dismiss.

14 MR. WILLIAMSON: Could I ask a question?

15 CHAIRPERSON NEWTON: Okay. Mr. Williamson has a
16 question.

17 MR. WILLIAMSON: I heard you say several times
18 that we don't have the jurisdiction to rule on this
19 but then you said that we could --

20 MS. BAILEY: Well --

21 MR. WILLIAMSON: -- put her license on
22 probationary status.

23 MS. BAILEY: Uh-huh.

24 MR. WILLIAMSON: So how do you figure --

25 MS. BAILEY: If you --

1 MR. WILLIAMSON: -- we can't do one but we can
2 do the other?

3 MS. BAILEY: If you decide that you do have
4 jurisdiction and go forward, then we would ask for at
5 least a probation.

6 MR. WILLIAMSON: Oh, okay.

7 MS. BAILEY: But I certainly don't think you do.
8 It has to be a listed offense and you don't have a
9 listed offense. It's really that simple. Conspiracy
10 to commit a listed offense, you don't have that.

11 CHAIRPERSON NEWTON: Dr. Barth.

12 DR. BARTH: So, Ms. Bailey, if her appeal is
13 unsuccessful, at that point would you still contend
14 that we would not have grounds to --

15 MS. BAILEY: Yes. Because these offenses are
16 all -- they start with the most violent and they all
17 have to do with intentional conduct affecting persons
18 typically and there was none of that here. And if
19 someone can tell me the conspiracy to commit what,
20 then I would be satisfied with your jurisdiction.
21 But --

22 CHAIRPERSON NEWTON: Okay. Thank you.

23 MS. ZOOK: And so there is nothing that says she
24 couldn't leave the state of Georgia, even though
25 she's been found guilty of racketeering at this

1 point?

2 MS. BAILEY: She has to report in but she can
3 leave the state. But she lives in Atlanta and that's
4 her home, so she has no plans to move to Arkansas.
5 She also has a Georgia license. Today --

6 CHAIRPERSON NEWTON: Mr. Williamson has a
7 pertinent question.

8 MR. WILLIAMSON: She has no intent in moving to
9 Arkansas?

10 MS. BAILEY: That's right.

11 MR. WILLIAMSON: Why are we here?

12 MS. BAILEY: She has an Arkansas license and the
13 PLSB --

14 MR. WILLIAMSON: But what would you care -- I
15 mean, I don't understand. I mean, if Georgia has
16 their own set of laws that they can license anyone
17 they want to in their state --

18 MS. BAILEY: Well, that's a great point. I
19 would encourage you to let Georgia take care of this
20 and take no action against her Arkansas license.

21 MS. REITH: If I might add a follow-up question
22 to that, does she have her license in Georgia because
23 of reciprocity?

24 MS. BAILEY: No.

25 CHAIRPERSON NEWTON: So she's currently licensed

1 in Georgia?

2 MS. BAILEY: Yes, ma'am.

3 CHAIRPERSON NEWTON: Ms. Saviers.

4 MS. SAVIERS: Can we have Ms. Reinhart and Ms.
5 Liwo kind of rebut or add to or --

6 MS. BAILEY: We have to know the listed offense
7 and see. It has to be in Section "C."

8 MS. LIWO: I think I've already addressed the
9 listed -- I mean, Ms. Bailey -- and the conduct
10 constituting attempt or a conspiracy, kind of how
11 that needs to have an additional -- one of those
12 listed offenses. That's what it says in the statute;
13 she's correct on that.

14 CHAIRPERSON NEWTON: But you are relying on that
15 for our decision today, right, potentially?

16 MS. LIWO: That was part of what we were relying
17 on. But there is, again, the additional grounds and
18 the additional grounds don't need to -- they don't --
19 you don't have to have the conduct and the additional
20 ground. You can consider the additional grounds
21 separately from the conduct constituting attempt or a
22 conspiracy.

23 MS. ZOOK: So how did this come up to begin
24 with? If she lives in Atlanta and her license
25 doesn't end until 2019, how did it pop up on the

1 screen?

2 MS. REINHART: We frequently receive information
3 from various sources that an educator has an offense.
4 We get those from various sources. So it may not
5 necessary arise from them seeking a license at that
6 time. So -- and when we get that information we do
7 follow it and investigate it. And I think -- was it
8 March of this year?

9 MS. LIWO: April.

10 MS. REINHART: -- April of this year when the
11 conviction occurred.

12 MS. ZOOK: Okay. May I ask Ms. Davis-Williams a
13 question? Do you know me?

14 MS. DAVIS-WILLIAMS: I don't think so.

15 MS. ZOOK: Well, the reason I'm asking is you
16 listed from '79 to '87 that you were a North Little
17 Rock speech pathologist involved with diagnosis and
18 IEP. And I hired all the staff during those years
19 and I just --

20 MS. DAVIS-WILLIAMS: What is your name?

21 MS. ZOOK: Diane Zook.

22 MS. DAVIS-WILLIAMS: Yes, I do know you, Diane
23 Zook.

24 MS. ZOOK: Well, I'm sorry.

25 MS. DAVIS-WILLIAMS: I took --

1 MS. ZOOK: You've aged better than I have, so --

2 MS. DAVIS-WILLIAMS: Absolutely, I do know you.

3 MS. ZOOK: Okay. Because I looked and racked my
4 memory and everything. And I'm sure you were good at
5 what you did or I wouldn't have hired you, but I'm
6 sorry that I didn't recall that.

7 CHAIRPERSON NEWTON: Okay. Any further -- oh,
8 Ms. Bailey.

9 MS. BAILEY: I wanted to address what Ms. Lio --
10 Liwo -- I'm so sorry I continue to get your name
11 wrong -- said about additional causes. My client was
12 not notified about any additional causes or reasons
13 to act against her license. She was notified
14 specifically about 410(c), specifically because of a
15 RICO conviction in Georgia. And so if the State
16 contends that there are other statutory grounds, we
17 have not been notified of that and it certainly would
18 not be proper to continue this proceeding on any
19 other grounds aside from the conspiracy, although
20 that one doesn't work either.

21 CHAIRPERSON NEWTON: Okay. Anything further?

22 MS. DEAN: I'm unclear.

23 CHAIRPERSON NEWTON: Ms. Dean. Who are you
24 unclear -- who do you want to speak to?

25 MS. DEAN: Ms. --

1 CHAIRPERSON NEWTON: Bailey?

2 MS. DEAN: -- Bailey. Okay. I thought I read
3 that her Georgia license had been revoked.

4 MS. BAILEY: No.

5 MS. DEAN: So it has not been revoked?

6 MS. BAILEY: That's right. They are meeting
7 today. She had to tell that board -- they are doing
8 a preliminary meeting today to recommend files
9 similar to what the PLSB does but -- and they are
10 meeting today but it has not been revoked. They have
11 taken no action on it and they are not taking action
12 on it today; it's just a planning meeting.

13 MS. DEAN: Okay.

14 MS. LIWO: If I may just respond to Ms. Bailey
15 saying that we didn't give her notice of the
16 additional grounds, the letter that we sent to Ms.
17 Davis-Williams' attorney and to her simply states
18 that we were looking at the Georgia RICO Act
19 violation. We didn't mention in that letter
20 necessarily the grounds constituting attempt or
21 conspiracy, yet Ms. Bailey brought that up on her
22 own. We mentioned the violation that under our laws
23 we believed were disqualifying in some way, whether
24 that's under the conduct constituting conspiracy or
25 attempt or whether that's under the additional

1 grounds that I mentioned.

2 CHAIRPERSON NEWTON: Any further questions?
3 Okay. Are we then -- any summary? I think Ms.
4 Perkins -- I mean, Ms. Bailey, that you've done --
5 you've given us your take. Then, any further
6 questions from the Board? We're ready for a motion.

7 DR. BARTH: My gut is that this is -- this feels
8 premature.

9 CHAIRPERSON NEWTON: Is this your motion? Is
10 this your motion or your gut?

11 DR. BARTH: Well --

12 CHAIRPERSON NEWTON: I don't think it can be
13 both.

14 DR. BARTH: Well, my gut is this feels premature
15 until the appeals process is over. And so I guess
16 procedurally could this be tabled until the
17 conclusion of the appeals process?

18 CHAIRPERSON NEWTON: Ms. Reinhart, can we table
19 this? This is Dr. Barth's question.

20 MS. REINHART: Well, the hearing is something
21 that was requested by the educator and so for you to
22 table it -- you can postpone your decision. I guess
23 that's in the nature of tabling. I'm not as --

24 CHAIRPERSON NEWTON: Well, we can ask Ms. Davis-
25 Williams.

1 COMMISSIONER KEY: I think Kendra --

2 CHAIRPERSON NEWTON: Kendra. Ms. Clay.

3 COMMISSIONER KEY: -- from a Board's procedural
4 --

5 CHAIRPERSON NEWTON: Do you want to talk to us
6 from a procedural standpoint? But before -- even
7 before that, is that something that you would
8 consider, Ms. Davis-Williams, delaying the decision
9 based on -- if that's possible. Ms. Clay is going to
10 talk to us about the board procedure. But is that
11 something you'd like to have considered?

12 MS. DAVIS-WILLIAMS: And let me see if I
13 understand. You're saying delay until we get the
14 results of the appeal?

15 DR. BARTH: Yes. And I would also -- at that
16 stage -- I mean, we still have some substantive
17 issues here in terms of whether this would be a
18 disqualifying offense or not. And so my motion would
19 be to delay without prejudice on the underlying
20 substantive matters related to whether this is truly
21 a disqualifying offense in Arkansas, because I think
22 we still have to get our heads around that issue.
23 But I've got a more fundamental concern; it just
24 feels a little too early for us to proceed from my
25 perspective. Others may disagree with that.

1 CHAIRPERSON NEWTON: Ms. Clay.

2 MS. CLAY: Procedurally, there's not a problem
3 with you tabling it. What would happen is at the
4 board meeting where you are going to continue to hear
5 the matter you would pick up -- you would have a
6 motion to un-table and pick up the matter right at
7 the place that you are today. So there would be room
8 for additional discussion; you could even allow Ms.
9 Bailey and her client to present additional
10 information, if necessary. So from a procedural
11 standpoint there's not a problem with you tabling the
12 matter today and hearing it at a later time.

13 MS. REINHART: May I ask a question?

14 CHAIRPERSON NEWTON: Yes.

15 MS. REINHART: If you're tabling it until the
16 appeal is concluded, I mean, that may be a couple of
17 years from now. So I guess I'm not clear on -- is
18 that what you want to do?

19 CHAIRPERSON NEWTON: Well, I guess you would --
20 the question would be what's premature. That could
21 be a two-month premature or a two-year premature. I
22 think Dr. Barth's decision is premature to the
23 decision, the appeal, and hopefully it wouldn't take
24 that long, but it's -- is that a fair --

25 DR. BARTH: Yeah. I just feel -- if she is

1 ultimately successful in this appeal, I think by
2 acting at this stage in a way that would take away
3 her license does feel like we have the potential to
4 do harm. So that's my -- that's why I'm trying to
5 slow down the train a little bit on this end.

6 MS. REINHART: So by analogy, if we had a
7 different criminal offense that has proceeded and
8 there's a conviction then we are -- you're wanting us
9 to wait until --

10 DR. BARTH: No.

11 MS. REINHART: -- they appeal their criminal
12 offense?

13 DR. BARTH: No. I do think that there are
14 certain offenses that would put the health of
15 children at immediate risk that are different than
16 this. While certainly it's a concerning charge, I do
17 feel it's a different kind of charge.

18 MS. REINHART: Well, just on behalf of the PLSB
19 then I would like to request that if you -- I would
20 prefer that you not table it but that you at least
21 place the license on probation. Because I think that
22 that appeal could certainly go on for a while.

23 MS. ZOOK: Yeah. I think it would be more
24 appropriate to -- since she obviously says she
25 doesn't want to work here anyway, is to put her on

1 probation, her license, pending the appeal, and then
2 she can come back at that point. And if she's guilty
3 then obviously she won't get a license, and if she
4 isn't then she'll no longer be on probation and she
5 can get her license. But in the meantime we are
6 erring on the side of caution with someone who might
7 have contact with Arkansas children.

8 CHAIRPERSON NEWTON: Okay. So, Dr. Barth, did
9 that interrupt what was -- your line of thinking or
10 congruent with what you were saying or --

11 DR. BARTH: I guess I think there are probably
12 different paths, different ways of getting there. I
13 just didn't want -- I don't feel comfortable
14 proceeding with a final vote on this until -- on this
15 suspension until there's more clarity about the
16 outcome of the legal proceedings. But, again, I may
17 be just speaking for myself. I'm not hearing
18 anything from my other colleagues, so I don't know
19 where folks are on this.

20 CHAIRPERSON NEWTON: Ms. Saviers.

21 MS. SAVIERS: I always just look at these things
22 -- I close my eyes and I see my kids sitting in a
23 classroom and that's kind of how I make my decisions
24 on these things. And so I would be in favor of
25 approval of the recommendation of our staff.

1 CHAIRPERSON NEWTON: Okay.

2 MR. WILLIAMSON: I'll second that.

3 CHAIRPERSON NEWTON: Oh, so that's your motion?

4 MS. SAVIERS: That is my motion.

5 CHAIRPERSON NEWTON: That is your motion. Ms.
6 Saviers' motion is a recommendation that a waiver not
7 be given in the case of Ms. Sharon Davis-Williams.
8 Is there a -- second by Mr. Williamson. All in
9 favor?

10 (MAJORITY CHORUS OF AYES)

11 CHAIRPERSON NEWTON: Any opposed?

12 DR. BARTH: No.

13 CHAIRPERSON NEWTON: No? Dr. Barth. Then that
14 is resolved.

15 MS. REINHART: Can you clarify that?

16 CHAIRPERSON NEWTON: What was your
17 recommendation?

18 MS. LIWO: Our recommendation was just that her
19 license be suspended pending the outcome of her
20 appeal.

21 CHAIRPERSON NEWTON: Okay. Then that's the
22 motion.

23 MS. ZOOK: That's what the motion was.

24 MS. SAVIERS: Right.

25 CHAIRPERSON NEWTON: I'm sorry. I'm sorry if

1 you misunderstood or if I misrepresented what the
2 motion was.

3 A-12: CONSIDERATION OF WAIVER REQUEST FOR TEACHING LICENSE -
4 KERRI WILLIAMS

5 CHAIRPERSON NEWTON: Okay. We'll move on now to
6 A-11, Ms. Reinhart, Consideration of Waiver Request
7 -- oh, I'm sorry; no, we just did that -- 12,
8 Consideration of Waiver Request for Teaching License,
9 Kerry Williams.

10 MS. REINHART: Yes. Thank you. And this is in
11 a similar vein, procedurally speaking. We can each
12 have 5 minutes for opening and then the 20 minutes
13 for discussion. I would just quickly note that Ms.
14 Williams -- we have three Williams on the agenda
15 today -- that Ms. Williams had her Georgia license
16 revoked and that Georgia has -- she has a three-year
17 period within which to wait before she can have that
18 license reinstated, and they just ruled not to waive
19 that. So our recommendation to you today is that her
20 license be placed on probation until that three-year
21 -- until she is able to get her Georgia license
22 reinstated.

23 CHAIRPERSON NEWTON: Okay. Ms. Williams, do you
24 intend to testify?

25 MS. WILLIAMS: Yes.

1 CHAIRPERSON NEWTON: Would you raise your right
2 hand, please? Anyone else that intends to testify in
3 this case please stand and raise your right hand. Do
4 you solemnly swear or affirm that the testimony
5 you're about to give is the truth, the whole truth
6 and nothing but the truth?

7 (ALL WITNESSES ANSWERED AFFIRMATIVELY)

8 CHAIRPERSON NEWTON: Okay. So, Ms. Reinhart, if
9 you're ready.

10 MS. REINHART: Yes. The situation that led to
11 her -- the revocation of her Georgia license was that
12 she had an arrest for felony theft and that under
13 Georgia law, which Arkansas does not have this law --
14 but under Georgia law they're required to self-report
15 to their professional licensure commission. And she
16 did not do that and that's the reason -- it's because
17 she did not self-report that they revoked her
18 license. Arkansas does not have that same law. Her
19 offense was dismissed; therefore, her background
20 check in Arkansas has cleared and so we would not
21 have revoked her license but for the Georgia
22 revocation. So therefore that's why we are
23 recommending her probation until she's able to get
24 her license reinstated --

25 CHAIRPERSON NEWTON: Okay.

1 MS. REINHART: -- in Georgia.

2 CHAIRPERSON NEWTON: Ms. Williams, do you want
3 to come forward? You have five minutes for opening
4 and then 20 minutes for anyone that you brought to
5 testify today.

6 MS. WILLIAMS: Okay. Thank you for allowing me
7 to speak. I have been working with Ms. Reinhart from
8 the time that I came back to Georgia -- to Arkansas
9 from Georgia, in 2012. I left Georgia in 2012. I
10 continued to work there from 2004 until 2012. The
11 incident occurred in 2008. I received a discharge
12 from the court under the First Offenders Act in
13 Georgia, which dismissed the charges. And I didn't
14 self-report because of the advice of my attorney that
15 I wouldn't have to worry about it because it would
16 never go on my record and, you know, I didn't have to
17 report it. So that was the reason why I didn't self-
18 report and I continued to work there for the next
19 four years. And it wasn't until 2012, after I moved
20 back to Arkansas, I received a letter from an
21 investigator from Georgia who said that they had
22 gotten an anonymous complaint regarding I didn't
23 report that an arrest had occurred. I gave him all
24 my documentation from the court. He said that he
25 would get back in contact with me. During that time

1 I applied for my renewal, Georgia renewal license.
2 They granted me my license during that time, until
3 2018. I was offered a job here and started working
4 here for ADE as a School Improvement Specialist and I
5 got my license here in January of '14 from Arkansas,
6 and I did that by reciprocity. And then I was
7 notified by Ms. Reinhart that because Georgia revoked
8 my license -- and I had no idea they had revoked it
9 because they had just renewed it. And so when I
10 found out from them -- they had sent me a letter to
11 appear and because I moved from Arkadelphia to Little
12 Rock I didn't get the letter. So therefore, because
13 I did not answer the letter within 30 days then they
14 proceeded and revoked the license. So I've done the
15 appeal and they denied the appeal to remove the
16 waiting period of three years but I plan to appeal
17 the reason why it was revoked, because there is no
18 criminal conviction.

19 CHAIRPERSON NEWTON: Okay. Do you have someone
20 here with you?

21 MS. WILLIAMS: Yes.

22 SUPT. HATHORN: Good evening. I'm Dr. Connie
23 Hathorn. Thank you so much for giving me this
24 opportunity to speak. I'm the superintendent of
25 Watson Chapel Schools. It's my first year there.

1 Matter of fact, I interviewed Ms. Williams. She
2 applied for the Assistant Superintendent's position
3 and I felt like I needed her in another position, so
4 I stole her from ADE. And I was ahead of the game
5 because the high school went into academic distress;
6 we needed a School Improvement Specialist. So I had
7 the vision that I needed one before you told me I
8 needed one and this is the young lady I picked. And
9 as a character witness, one of the best hires I've
10 made since I've been at Watson Chapel since July and
11 I really want to keep her. She's a great person and
12 she does great things for our school. Thank you so
13 much.

14 CHAIRPERSON NEWTON: Okay. Thank you, Mr.
15 Hathorn. Is there someone else? Would you come
16 forward and identify yourself and give us your title,
17 please?

18 MS. SHEPPARD: I'm Julie Sheppard; I'm assistant
19 superintendent at Watson Chapel. I was hired a
20 couple of weeks after Kerri was hired, and then we
21 got into Watson Chapel and we're doing a lot of
22 improvements, I believe, in the school. And I work
23 daily with her side-by-side and I will tell you that
24 she is wonderful at what she does and she is making
25 great strides in moving that district forward and it

1 would be a really big loss to us if she didn't get
2 her license. Thank you.

3 CHAIRPERSON NEWTON: Okay. Ms. Reinhart, do you
4 have a summary?

5 MS. REINHART: My only other thing that I
6 would've added that I didn't mention is that she has
7 applied to add an area to her license, so that is
8 currently pending. So if you grant the waiver she
9 would be able to add that area to her license. And
10 our recommendation is the same; it's a three-year
11 probation until she's able to get her Georgia license
12 reinstated -- or not necessarily -- I'm sorry, I said
13 that wrong -- not a three-year probation; a probation
14 until she gets her Georgia license reinstated --

15 CHAIRPERSON NEWTON: Okay.

16 MS. REINHART: -- because she may --

17 CHAIRPERSON NEWTON: So is that -- that would
18 allow her to continue --

19 MS. REINHART: Yes. She can still continue to
20 work and she would be able to have that area added to
21 her license.

22 MS. ZOOK: Question. If she doesn't try to come
23 in on reciprocity but just get a license here, would
24 it be necessary for her to get her Georgia license
25 reinstated? Couldn't she just apply for a license in

1 Arkansas and go through the process that's not a
2 reciprocity process?

3 MS. REINHART: Well, we're part of the NASDAQ
4 agreement and so when we license anyone we have -- we
5 do check NASDAQ to see if they've had a license
6 revoked in any other state or have a situation in
7 another state. So that's something that we always
8 check when we do any licensing as a matter of course.

9 MS. ZOOK: Okay.

10 CHAIRPERSON NEWTON: Any other questions? Then
11 what is the pleasure of the Board?

12 MS. DEAN: I move that we grant the waiver.

13 MS. SAVIERS: Second.

14 CHAIRPERSON NEWTON: Okay. All in favor?

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRPERSON NEWTON: Any opposed? The waiver is
17 granted. Thank you.

18 A-13 -- we need a short break. Give us about 10
19 minutes.

20 (BREAK: 2:28-2:40 p.m.)

21 A-13: CONSIDERATION OF WAIVER REQUEST FOR TEACHING LICENSE -
22 BRUCE A. MADDOX

23 CHAIRPERSON NEWTON: We're ready to reconvene.
24 Okay. Our next matter -- okay. The next matter for
25 consideration is A-13, Waiver Request for Teaching

1 License, Bruce Maddox. And he's represented by Greg
2 Alagood. And Ms. Reinhart.

3 CLARIFICATION RE: A-12

4 MS. REINHART: Madam Chair, I'm so sorry; I have
5 a quick clarification please. When you voted on the
6 last one for Ms. Kerri Williams I think the motion
7 was to grant the waiver. Was it to grant the waiver
8 as I had stated it, in other words with -- on
9 probation until --

10 MS. DEAN: Yes.

11 CHAIRPERSON NEWTON: Until the matter is
12 resolved.

13 MS. REINHART: All right. Okay. Thank you.
14 That was what we were looking for for the minutes.

15 CHAIRPERSON NEWTON: That's what we --

16 MS. REINHART: Thank you.

17 CHAIRPERSON NEWTON: That's what we did.

18 RESUME WITH A-13

19 CHAIRPERSON NEWTON: Okay. Ms. Liwo.

20 MS. LIWO: Mr. Maddox has a disqualifying
21 offense. His disqualifying offense occurred 14 years
22 ago, and since then there's been no indication of
23 repeated similar behavior or any other behaviors that
24 would cause concern. Because of that, the
25 recommendation is that the State Board grant his

1 request for a waiver.

2 MR. ALAGOOD: I agree. I'm Greg Alagood; I
3 represent Mr. Maddox. I could, you know, point out
4 to you that you were furnished with a compilation of
5 a lot of character references on his behalf, the most
6 telling of which is from his department chair at
7 North Little Rock High School who loves him and wants
8 him back at work tomorrow. And I would point out to
9 you that he got his provisional license in 2004, got
10 his standards license in 2006, has been at the North
11 Little Rock district for 10 years. Mr. Maddox
12 explains in his statement to you in that compilation
13 the transgressions of his youth. I submit to you
14 that he is the very embodiment of the factors that
15 are set out in the Arkansas statute as far as the
16 factors for you to take into consideration in
17 granting a waiver from a disqualifying offense.
18 Thank you.

19 CHAIRPERSON NEWTON: Thank you.

20 MR. ALAGOOD: And this is Mr. Maddox.

21 CHAIRPERSON NEWTON: Yeah, we figured that. And
22 thank you for your brevity. What is the pleasure of
23 the Board on the consideration? I think that Ms. --
24 the rules and recommendations to grant the waiver --
25 is that the recommendation of the Department?

1 MS. LIWO: Yes.

2 CHAIRPERSON NEWTON: Okay. So what is the
3 pleasure of the Board? Ms. Zook?

4 MS. SAVIERS: I move to approve the
5 recommendation.

6 CHAIRPERSON NEWTON: Ms. Saviers moves and Ms.
7 Zook needs to second that.

8 MS. ZOOK: Second.

9 CHAIRPERSON NEWTON: Ms. Zook seconds the
10 motion. All in favor?

11 (UNANIMOUS CHORUS OF AYES)

12 CHAIRPERSON NEWTON: Any opposed? Okay. The
13 motion is granted to --

14 MR. ALAGOOD: Thank you.

15 MR. MADDOX: Thank you.

16 CHAIRPERSON NEWTON: -- grant the waiver.

17 A-14: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT
18 PUBLIC CHARTER SCHOOL APPLICATION: FUTURE SCHOOL OF FORT SMITH,
19 FORT SMITH, ARKANSAS

20 CHAIRPERSON NEWTON: A-14, Charter Authorizing
21 Action on Open-Enrollment Public Charter School
22 Application, Future School of Fort Smith. And that's
23 Ms. Alexandra Boyd.

24 MS. PERRY: Actually --

25 CHAIRPERSON NEWTON: No, it's not. Ms. Mary

1 Perry.

2 MS. PERRY: Actually, it's Ms. Mary Perry,
3 Coordinator, Division of Learning Services. On
4 October 14, 2015, the Charter Authorizing Panel
5 conducted open-enrollment charter applicant hearings.
6 Representatives of Future School of Fort Smith
7 appeared before the Panel and requested that Future
8 School, the sponsoring entity, be allowed to open a
9 charter in Fort Smith to serve students in grades 10
10 through 12 with a maximum enrollment of 450. By
11 unanimous vote the Panel approved the request. No
12 request for the State Board of Education to review
13 the decision made by the Panel was submitted but, of
14 course, you may exercise a right of review of the
15 determination made by the Charter Authorizing Panel
16 and conduct a hearing on the determination at the
17 State Board's December meeting. And you have in your
18 packet -- the last documentation of your packet for
19 this item and for all of the charter items includes
20 documentation of Panel action so you can see how the
21 panel members voted on the action item and the
22 reasons for their votes.

23 CHAIRPERSON NEWTON: Is there anyone from the
24 Fort Smith district?

25 MS. PERRY: There is Trish Flanagan. It's not

1 from Fort Smith district but we do have Trish
2 Flanagan from the applicant there who is present
3 today to take any questions that you might have.
4 But, remember, this is a determination of whether or
5 not you want to conduct a hearing at your next
6 meeting.

7 CHAIRPERSON NEWTON: Right. So any questions,
8 comments? What's the pleasure of the Board on action
9 item A-14?

10 MS. DEAN: I move to approve the request.

11 CHAIRPERSON NEWTON: To not review?

12 MS. DEAN: To not review.

13 CHAIRPERSON NEWTON: Okay.

14 MS. SAVIERS: Second.

15 CHAIRPERSON NEWTON: Moved by Ms. Dean, second
16 by Ms. Saviers. All in favor?

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIRPERSON NEWTON: Any opposed? Okay. The
19 motion carries. Thank you.

20 A-15: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT
21 PUBLIC CHARTER SCHOOL APPLICATION: REDFIELD TRI-COUNTY CHARTER
22 SCHOOL, REDFIELD, ARKANSAS

23 CHAIRPERSON NEWTON: A-15, it's Ms. Perry again;
24 Charter Authorizing Panel Action on Open-Enrollment
25 Charter School Application, Redfield Tri-County

1 Charter School, Redfield, Arkansas.

2 MS. PERRY: Yes. On October 14, 2015, the
3 Charter Authorizing Panel conducted hearings for
4 open-enrollment charter applicants. Representatives
5 of Redfield Tri-County Charter School appeared before
6 the Panel and requested that Redfield Tri-County
7 Charter School, the sponsoring entity, be allowed to
8 open a charter in Redfield to serve students in
9 grades 5 through 12 with a maximum enrollment of 400.
10 By unanimous vote the Panel denied the request. No
11 request for the State Board of Education to review
12 the decision made by the Panel was submitted. And,
13 again, you may exercise a right of review of the
14 determination by the Panel and conduct a hearing on
15 that determination at your December meeting.

16 CHAIRPERSON NEWTON: Okay. Is there anyone here
17 to speak in favor of that application?

18 MS. PERRY: There is not anyone here or on the
19 phone representing that applicant.

20 CHAIRPERSON NEWTON: Okay. Any questions by the
21 Board? If not, we're ready for a motion on A-15.

22 DR. BARTH: Move to accept the recommendation of
23 the Panel.

24 MS. ZOOK: Second.

25 CHAIRPERSON NEWTON: Okay. Moved by Dr. Barth

1 and second by Ms. Zook to accept the recommendation
2 of the Charter Authorizing Panel. All in favor?

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRPERSON NEWTON: Any opposed? Okay. Motion
5 carries.

6 A-16: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT
7 PUBLIC CHARTER SCHOOL AMENDMENT REQUEST: NORTHWEST ARKANSAS
8 CLASSICAL ACADEMY

9 CHAIRPERSON NEWTON: A-16.

10 MR. BRADBERRY: Madam Chair --

11 CHAIRPERSON NEWTON: I'm sorry.

12 MR. BRADBERRY: -- I have someone on the phone
13 for item A-16. If you'll let me give them some
14 housekeeping rules about their computer first?

15 CHAIRPERSON NEWTON: Okay. So this is A-16
16 relative to the North [sic] Arkansas Classical
17 Academy.

18 MR. BRADBERRY: Good morning. This is Doug with
19 the Arkansas Department of Education. I have you on
20 the phone. I would ask a few housekeeping rules,
21 please. Number one, if you're listening on the
22 computer would you please turn your computer down
23 because we get feedback. Number two, right now we're
24 on item A-16. If you're going to be speaking on
25 behalf of item A-16, we will ask that you identify

1 yourself for the record. Madam Chair.

2 MR. WIMBERLEY: My name is Allen Wimberley --

3 CHAIRPERSON NEWTON: I didn't get that name.

4 MR. WIMBERLEY: -- with Responsive Education
5 Solutions and I also serve here in Arkansas as
6 superintendent of all our charter schools.

7 MR. BRADBERRY: Allen Wimberley.

8 CHAIRPERSON NEWTON: He's going to have to do
9 something to get more volume. Allen --

10 MS. PERRY: Wimberley.

11 MR. SHACK: I'm Curtis Shack. I'm program
12 manager for Responsive Education Solutions charter
13 schools.

14 CHAIRPERSON NEWTON: Curtis who?

15 MR. BRADBERRY: Curtis, what was your last name?

16 MR. SHACK: Shack, S-h-a-c-k.

17 MR. BRADBERRY: Thank you.

18 CHAIRPERSON NEWTON: And what was Allen's last
19 name?

20 MS. PERRY: Wimberley.

21 MR. BRADBERRY: Wimberley.

22 MS. PERRY: Wimberley, W-i-m --

23 CHAIRPERSON NEWTON: Wimberley. Okay.

24 MS. PERRY: -- b-e-r-l-e-y.

25 CHAIRPERSON NEWTON: Okay. So I have Mr. Allen

1 Wimberley and Mr. Curtis Shack. Is there anyone else
2 that's on the phone that anticipates speaking in
3 support of this application? Okay. Ms. Perry.

4 MS. PERRY: Yes. And those individuals will be
5 on the line for both A-16 and A-17.

6 CHAIRPERSON NEWTON: Okay.

7 MS. PERRY: The first one is the request for an
8 amendment with Northwest Arkansas Classical Academy.
9 The State Board of Education approved the application
10 for Northwest Arkansas Classical Academy on November
11 1, 2012. The charter is approved to serve students
12 in grades K through 5 with a maximum enrollment of
13 685. On October 15, 2015, representatives of
14 Northwest Arkansas Classical appeared before the
15 Charter Authorizing Panel to request an amendment to
16 the current charter. By unanimous vote the Panel
17 denied the request. No request for the State Board
18 of Education to review the decision made by the Panel
19 was submitted. And, again, you may exercise your
20 right of review and conduct a hearing at your next
21 meeting.

22 CHAIRPERSON NEWTON: Okay. So we're on A-16.
23 So you've heard the summary that Ms. Perry has given
24 us. And Mr. Allen [sic] or Mr. Wimberley, do you
25 choose to speak relative to A-16? If so, a five-

1 minute introduction.

2 MR. WIMBERLEY: We actually have nothing to
3 present. We were fine with the decision of the Panel
4 and have no issue with the decision that was made.
5 Now Mr. Shack, who was very involved in the
6 presentation at that time, he may have something to
7 add.

8 MR. SHACK: I don't have anything to add. I am
9 perfectly okay with the decision of the Authorizing
10 Panel.

11 CHAIRPERSON NEWTON: Okay.

12 MS. ZOOK: I move to accept the denial by the
13 Authorizing Panel of the request by Northwest
14 Arkansas Classical Academy.

15 CHAIRPERSON NEWTON: That's a motion by Ms.
16 Zook. Second?

17 MS. CHAMBERS: Second.

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

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRPERSON NEWTON: Any opposed? Okay.

22 MS. SAVIERS: Could somebody just explain real
23 briefly to me what that was about?

24 MS. PERRY: Yes. They were asking to waive
25 9.03.4.12.1 of the Standards for Accreditation to

1 allow all --

2 MS. SAVIERS: Oh, okay.

3 MS. PERRY: I don't have that committed to
4 memory.

5 MS. SAVIERS: Yeah.

6 MS. PERRY: It was -- really, what they wanted
7 was to get all AP courses to be part of the core 38
8 units and that was denied.

9 MS. SAVIERS: Okay. So, I mean, only --

10 CHAIRPERSON NEWTON: Commissioner has --

11 COMMISSIONER KEY: Well, it was denied because
12 they could already do that without the waiver.

13 MS. PERRY: Exactly.

14 MS. SAVIERS: That's why I was confused.

15 COMMISSIONER KEY: Yeah.

16 MS. SAVIERS: Okay. Thank you.

17 A-17: CHARTER AUTHORIZING PANEL ACTION ON OPEN-ENROLLMENT

18 PUBLIC CHARTER SCHOOL AMENDMENT REQUEST: QUEST MIDDLE SCHOOL OF

19 WEST LITTLE ROCK

20 MS. PERRY: And actually as we go into A-17 they
21 have the same request for Quest Middle School of West
22 Little Rock. That was one of two requests, which
23 they withdrew. Once it was denied for the other one
24 and they saw that they really didn't need it, they
25 withdrew it before any action was taken by the Panel.

1 CHAIRPERSON NEWTON: So what do we need to do?

2 MS. PERRY: Well, they also asked for a second
3 thing. They asked to change their name. Quest
4 Middle School of West Little Rock -- at that same
5 meeting Quest Middle School of West Little Rock
6 requested to change their name to Quest Academy. As
7 they are adding grades, which was part of the
8 original charter, they want a name now that's more
9 representative of the entire student body.

10 CHAIRPERSON NEWTON: So what is the
11 recommendation of the Panel?

12 MS. PERRY: The Panel approved that request. Of
13 course, that will not be effective until July 1.

14 CHAIRPERSON NEWTON: Okay.

15 MS. PERRY: A name change would not be
16 effective.

17 CHAIRPERSON NEWTON: What's the pleasure of the
18 Board on A-17?

19 MS. DEAN: I move to accept the recommendation
20 of the Panel.

21 CHAIRPERSON NEWTON: Okay. Moved by Ms. Dean to
22 accept the recommendation of the Charter Panel. Is
23 there a second?

24 MS. CHAMBERS: Second.

25 CHAIRPERSON NEWTON: Second by Ms. Chambers.

1 All in favor, aye?

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIRPERSON NEWTON: Any opposed? Then the
4 motion carries.

5 Thank you, Gentlemen, Mr. Wimberley and Mr.
6 Shack. I believe that finishes our business with
7 you.

8 MR. WIMBERLEY: Well, thank you, Madam Chair.

9 MR. SHACK: Thank you.

10 MR. WIMBERLEY: We appreciate your help.

11 A-18: CHARTER AUTHORIZING PANEL ACTION ON DISTRICT CONVERSION
12 PUBLIC CHARTER SCHOOL AMENDMENT REQUEST: BAUXITE MINER ACADEMY

13 CHAIRPERSON NEWTON: A-18, Charter Authorizing
14 Panel on District Conversion Public Charter School
15 Amendment Request, Bauxite Miner Academy.

16 MS. PERRY: Bauxite Miner Academy was approved
17 on March 11, 2013. The charter is approved to serve
18 students in grades 6-12 with a maximum enrollment of
19 200. Again, they appeared on October 15th requesting
20 an amendment to the charter. They wanted to waive
21 Standards of Accreditation 10.02.5 to be able to
22 change the student-teacher ratio to 200 students per
23 teacher total and no more than 45 in a classroom for
24 courses that are primarily through online curriculum.
25 And that was the request that was approved

1 unanimously by the Panel.

2 CHAIRPERSON NEWTON: Okay.

3 MS. PERRY: And Mr. Tyler -- Taylor -- Tyler
4 Tarver is here today, principal at the school, if you
5 have questions of him. Sorry, Tyler; I lost your
6 name.

7 CHAIRPERSON NEWTON: Tyler Tarver. Okay. Any
8 questions? Ms. Saviers.

9 MS. SAVIERS: I just have a comment. And I
10 believe that on the Panel Dr. Gotcher mentioned that
11 -- and this is the way I feel about it, too -- I
12 would caution that the 45 students per teacher not be
13 a license to become the new status quo. That's a
14 concern.

15 CHAIRPERSON NEWTON: Any other questions?

16 DR. BARTH: Ditto.

17 CHAIRPERSON NEWTON: Ditto by Dr. Barth. What
18 is the pleasure of the Board as it relates to A-18?

19 MR. WILLIAMSON: Move to approve the
20 recommendation of the Charter --

21 CHAIRPERSON NEWTON: Okay. Moved by Mr.
22 Williamson to approve the recommendation of the
23 Charter Authorizing Panel. Is there a second?

24 MS. DEAN: Second.

25 CHAIRPERSON NEWTON: Second by Ms. Dean. All in

1 favor?

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIRPERSON NEWTON: Any opposed? Okay.

4 A-19: CHARTER AUTHORIZING PANEL ACTION ON DISTRICT CONVERSION
5 PUBLIC CHARTER SCHOOL AMENDMENT REQUEST: ROGERS NEW TECHNOLOGY
6 HIGH SCHOOL

7 CHAIRPERSON NEWTON: We're down to 19, Charter
8 Authorizing Panel Action on District Conversion
9 Public Charter School Amendment Request: Rogers New
10 Tech High School.

11 MS. PERRY: Yes. This is your last charter for
12 the afternoon. The State Board of Education approved
13 the application for Rogers to operate Rogers New
14 Technology High School on January 14, 2013. The
15 charter is approved to serve students in grades 9-12
16 with a maximum enrollment of 600. Again, they
17 appeared on October 15, 2015 with an amendment
18 request. Their request was to increase their
19 enrollment from 600 to 900 and it was approved
20 unanimously by the Charter Authorizing Panel. We do
21 have Dr. Lance Arbuckle on the phone should you have
22 any questions of him. He is the principal at Rogers
23 New Technology High School.

24 CHAIRPERSON NEWTON: Any questions?

25 DR. BARTH: I move --

1 CHAIRPERSON NEWTON: Dr. Barth.

2 DR. BARTH: I move approval of the Panel's
3 recommendation.

4 CHAIRPERSON NEWTON: Okay. Moved by Dr. Barth
5 to approve the recommendation of the Panel. Is there
6 a second?

7 MS. SAVIERS: Second, with enthusiasm.

8 CHAIRPERSON NEWTON: Second with enthusiasm.
9 Dr. Arbuckle, you should note that. All in favor?

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRPERSON NEWTON: Any opposed? Motion is
12 carried.

13 A-20: CONSIDERATION OF FINAL RULE - ARKANSAS DEPARTMENT OF
14 EDUCATION RULES GOVERNING BACKGROUND CHECKS

15 CHAIRPERSON NEWTON: Now we're down to A-20,
16 Consideration of Final Rule - Arkansas Department of
17 Education Rules Governing Background Checks. And
18 that's Ms. Reinhart. Okay. Ms. Pfeffer.

19 MS. PFEFFER: Okay. Since she has stepped out
20 -- I think she had to deal with a situation. I've
21 reviewed these rules with her. When we -- these
22 rules -- I believe you have a copy of the public
23 comment and the ADE response to that public comment.
24 And it looks like there was just one public comment
25 on these background check rules from what I have

1 here. And so we would ask that the Board approve
2 these for -- as a final rule.

3 CHAIRPERSON NEWTON: A-20, the Department is
4 asking for approval as a final rule for background --
5 governing background checks. Is there a motion?

6 MS. ZOOK: So moved.

7 CHAIRPERSON NEWTON: Moved by Ms. Zook. Is
8 there a second?

9 MS. CHAMBERS: Second.

10 CHAIRPERSON NEWTON: By Ms. Chambers, second.
11 All in favor?

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRPERSON NEWTON: Any opposed? Okay.

14 A-21: CONSIDERATION OF FINAL RULE - ARKANSAS DEPARTMENT OF
15 EDUCATION RULES GOVERNING THE TEACHER EXCELLENCE AND SUPPORT
16 PROGRAM

17 CHAIRPERSON NEWTON: Down to A-21, Consideration
18 of Final Rule - Arkansas Department of Education
19 Rules Governing the Teacher Excellence and Support
20 Program. Are you going to step in for Ms. Reinhart
21 again?

22 MS. PFEFFER: Yes, ma'am.

23 CHAIRPERSON NEWTON: Okay.

24 MS. PFEFFER: And, again, these rules were out
25 for public comment and I think the last two pages

1 Excellence and Development System. That's important.

2 MS. PFEFFER: And, Madam Chair, I would ask --
3 this is very similar to the other two rules that
4 we've just gone through -- that these be approved as
5 final rules --

6 CHAIRPERSON NEWTON: Okay.

7 MS. PFEFFER: -- after public comment.

8 CHAIRPERSON NEWTON: Do we have a motion?

9 MS. CHAMBERS: I move to accept.

10 CHAIRPERSON NEWTON: Move to accept, Ms.
11 Chambers. Second?

12 MS. DEAN: Second.

13 CHAIRPERSON NEWTON: Second, Ms. Dean. Any
14 discussion? All in favor?

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRPERSON NEWTON: Any opposed?

17 A-23: CONSIDERATION OF RESOLUTION FOR ARKANSAS COMPUTER
18 SCIENCE WEEK

19 CHAIRPERSON NEWTON: Now we're down to Mr. Owen.
20 Consideration of Resolution for Arkansas Computer
21 Science Week.

22 COMMISSIONER KEY: He's en route.

23 CHAIRPERSON NEWTON: He's out?

24 COMMISSIONER KEY: He's en route.

25 CHAIRPERSON NEWTON: He's en route.

1 COMMISSIONER KEY: Yeah. He's in the building.

2 CHAIRPERSON NEWTON: Okay.

3 COMMISSIONER KEY: I think we just went a little
4 faster than what he anticipated.

5 CHAIRPERSON NEWTON: Me, too. I tried to speed
6 that up. He'd better hurry up.

7 When he finishes, we're going to take like a
8 two-minute break to allow our microphones to be
9 removed and we'll go into the reports.

10 Mr. Bradberry, where are you going?

11 COMMISSIONER KEY: Here he is.

12 CHAIRPERSON NEWTON: There you are. Come on,
13 we're waiting on you.

14 MR. OWEN: Oh, I'm sorry.

15 CHAIRPERSON NEWTON: No problem.

16 MR. OWEN: My apologies. Anthony Owen,
17 Department of Education. I believe -- do you have
18 the resolution in front of you?

19 CHAIRPERSON NEWTON: Yes.

20 MR. OWEN: Basically, what we have is as a
21 nation the -- our -- or the National Computer Science
22 Education Week is scheduled for the week of December
23 7-13, 2015. In the past the Governor has issued a
24 proclamation making this, the Computer Science
25 Education Week -- recognizing it as a state. He has

1 not done that yet, but I spoke with Ms. Moore earlier
2 today and there are all expectations that he will do
3 that again this year. So if y'all would like me to
4 read the proclamation out loud to you, I would. But
5 otherwise, I would just appreciate a vote adopting it
6 as a resolution of the State Board.

7 CHAIRPERSON NEWTON: What is the pleasure of the
8 Board?

9 MS. ZOOK: So moved.

10 CHAIRPERSON NEWTON: Moved by Ms. Zook.

11 MS. CHAMBERS: Second.

12 CHAIRPERSON NEWTON: Second by Ms. Chambers.
13 All in favor?

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRPERSON NEWTON: Any opposed? Motion
16 carries. Thank you.

17 MR. OWEN: Thank you so much.

18 CHAIRPERSON NEWTON: We've got a two-minute
19 break and then we'll hear reports.

20

21 (THE ACTION AGENDA WAS CONCLUDED AT 3:01 P.M.)

22

23

24

25

C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.
 COUNTY OF SALINE)

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter 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 November 12, 2015, 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: November 20, 2015.

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

	A-5 (2) 51:13;70:2	acquitted (7) 99:10,13;109:10, 16,21;110:8,12	25:13;28:20;52:14; 61:25;63:20;67:22; 97:18;115:9	100:13;103:8,24; 106:14;107:6; 113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
\$	A-6 (3) 71:1,4;73:1	across (3) 22:22;24:4;42:15	addressed (2) 63:21;113:8	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
\$10,000 (1) 106:2	A-7 (3) 73:13,15;75:11	ACT (9) 86:10,13,17;97:23; 104:10,11;115:13; 116:18;125:12	addressing (1) 25:4	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
\$3 (1) 8:18	A-8 (2) 75:23;87:2	acting (1) 120:2	ADE (13) 36:22;39:4,9; 40:22;49:7;50:20; 62:18;70:10;88:22, 23;126:4;127:4; 145:23	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
\$385,000 (1) 49:13	A-9 (2) 87:23,25	action (35) 5:4,8;6:13;11:24; 48:16,17;51:16;69:3; 71:3;74:21;76:6; 89:6;92:8;97:4,16; 100:10;109:24; 110:11;112:20; 116:11,11;132:17,21; 133:20,21;134:8,20, 24;136:6;140:17,25; 142:11;144:4,8; 150:21	adequate (1) 81:16	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
\$62.00 (1) 7:20	ABC (2) 8:15;9:8	actions (1) 89:22	ADE's (1) 147:2	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	ability (1) 84:22	actively (1) 55:14	adjudicated (1) 100:9	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	able (20) 13:20;14:16,19,20; 26:11;42:16;50:16; 64:7;66:3;71:24; 85:21,23;86:1;110:4; 123:21;124:23; 128:9,11,20;142:21	activities (4) 38:3;55:18;56:4; 77:2	adjudication (3) 101:6,10;102:2	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	above (5) 37:5;74:15;78:4,4; 89:1	acts (1) 109:15	adjust (2) 85:17,21	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	absences (3) 34:4,5;68:10	actually (20) 20:20;34:13;47:10; 59:17;60:1;63:18,20; 65:20;66:3;67:4; 68:12;69:17;79:6; 82:4;86:1;88:15; 132:24;133:2;139:2; 140:20	adjustment (1) 8:7	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	absentee (2) 67:15,15	Adams (10) 13:9,17,19;17:10, 14;18:5;19:8,12,16; 21:25	administered (2) 32:6;98:8	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	absolutely (2) 110:8;115:2	add (8) 11:20;107:15; 112:21;113:5;128:7, 9;139:7,8	administering (1) 28:11	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	academic (27) 17:20;18:3;20:13, 13;25:20;51:13,18; 53:7;54:25;56:24; 65:24;67:7;69:18,22; 70:11,12,13;76:6,10, 24;77:1,14,21;78:9, 12;81:3;127:5	added (7) 6:21;9:14;31:6; 57:12,13;128:6,20	administration (4) 16:1;18:23;61:10, 12	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	ACADEMY (9) 136:8,17;138:8,10; 139:14;141:6; 142:12,15,16	adding (1) 141:7	advantage (1) 106:25	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	accept (8) 48:19;135:22; 136:1;139:12; 141:19,22;148:9,10	addition (2) 31:8;56:21	advice (1) 125:14	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	accommodate (1) 55:4	additional (20) 5:13;7:20;56:16; 57:12;88:7;96:11; 98:4;103:21;104:5; 113:11,17,18,19,20; 115:11,12;116:16,25; 119:8,9	Advisory (5) 13:22;17:15;19:22; 20:5;21:18	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	accommodation (1) 55:4	address (8)	affecting (1) 111:17	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	accomplished (1) 57:11		affects (1) 32:4	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	Accountability (3) 14:24;32:6;80:4		affirm (3) 96:9,14;124:4	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	Accreditation (2) 139:25;142:21		AFFIRMATIVELY (2) 96:16;124:7	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	achieve (1) 86:2		afford (1) 51:25	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	achievement (6) 41:3;45:17;46:11; 47:13;60:15;66:3		afternoon (8) 52:18;57:1,1,3; 61:4;71:8;96:20; 144:12	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3
	acknowledge (1) 108:3		Again (25) 27:16;28:15;39:21; 41:23;46:24;86:8; 90:2;94:2,8;95:14;	113:17;121:16; 134:23;135:13; 138:19;142:19; 144:16;146:21,24; 150:3

104:12 alleged (2) 98:19,20 Allen (19) 73:15,18,18;75:3, 25;76:3,16,21;80:2; 82:12;83:1;86:4,10, 22;137:2,7,9,25; 138:24 Allen's (1) 137:18 allocated (1) 8:19 allow (4) 119:8;128:18; 140:1;149:8 allowed (3) 57:23;133:8;135:7 allowing (2) 30:13;125:6 almost (2) 23:21,22 along (2) 33:7;37:20 although (2) 101:5;115:19 always (6) 52:12;86:25; 102:13;108:13; 121:21;129:7 amazing (2) 19:11;58:6 AMENDMENT (10) 136:7;138:8,15; 140:18;142:12,15,20; 144:5,9,17 amount (4) 7:20;8:8,15,19 analogy (1) 120:6 analysis (5) 23:12;44:17,17; 45:23;103:7 analytical (1) 25:6 analyze (3) 23:16;42:5,17 analyzed (2) 25:9;42:12 analyzing (1) 22:23 and/or (1) 9:23 Annotated (1) 98:4 anonymous (1) 125:22 answered (4) 57:3;86:21;96:16; 124:7 Anthony (1) 149:16 anticipated (1)	149:4 anticipates (1) 138:2 anticipating (1) 96:4 anxious (1) 147:24 AP (1) 140:7 apologies (1) 149:16 app (1) 14:7 apparent (2) 68:4,4 appeal (40) 93:23,25;94:1,6,20, 24;95:2,7,13,17,20, 21;100:8;102:12; 104:15,17,19,21,23; 105:4,6,9,23;106:4; 107:17;108:3,4,4; 111:12;118:14; 119:16,23;120:1,11, 22;121:1;122:20; 126:15,15,16 appealed (4) 101:9,24;105:2,3 appeals (4) 102:13;107:19; 117:15,17 appear (4) 45:23;88:24;89:2; 126:11 appeared (5) 133:7;135:5; 138:14;142:19; 144:17 applaud (2) 81:5,17 applicant (3) 133:5;134:2; 135:19 applicants (1) 135:4 APPLICATION (8) 132:18,22;134:21, 25;135:17;138:3,9; 144:13 applied (4) 55:22;126:1;127:2; 128:7 applies (2) 67:13;104:13 apply (3) 98:10;104:7; 128:25 applying (1) 100:5 appoint (3) 20:3,4,9 appointed (1) 21:15	appreciate (5) 41:25;44:24;68:16; 142:10;150:5 appreciative (1) 50:17 approach (9) 19:3,4,4;36:8,13; 71:13;81:17;84:9; 85:10 approached (1) 61:8 approaches (1) 82:6 approaching (3) 19:9;23:8,18 appropriate (5) 77:2,7;80:10; 82:17;120:24 approval (11) 12:2;72:18;73:2, 24;74:22;75:14; 86:12;87:4;121:25; 145:2;146:4 approve (18) 6:6;16:2;51:3,4; 71:1,5;75:16;76:8; 86:11;91:21;93:2,3; 132:4;134:10; 143:19,22;145:5; 146:1 approved (14) 5:12;70:7;133:11; 138:9,11;141:12; 142:16,17,25;144:12, 15,19;147:5;148:4 approving (1) 15:25 Approximately (2) 74:19;77:22 April (2) 114:9,10 Arbuckle (2) 144:21;145:9 area (11) 15:8;35:7;36:16; 37:5,13;45:10;56:14; 58:2;128:7,9,20 areas (4) 33:22;56:12,15; 57:9 arguably (1) 98:12 argue (1) 105:8 argument (1) 43:12 arise (1) 114:5 Arkadelphia (1) 126:11 ARKANSAS (48) 5:2,6;11:25;12:11, 14;53:2;74:1,22;	76:9;77:20;82:13; 93:21;98:3;102:22; 107:11;112:4,9,12, 20;118:21;121:7; 124:13,18,20;125:8, 20;126:5;129:1; 131:15;132:19; 134:22;135:1;136:7, 16,19;137:5;138:8, 10,14;139:14;145:13, 16;146:14,18;147:17, 25;148:17,20 around (15) 15:5;19:20,24; 25:25;26:17;29:6,16; 37:4;56:10,12;58:6, 11;60:23;74:15; 118:22 arrest (2) 124:12;125:23 arrived (3) 60:2;61:13;63:10 article (3) 41:16,18;79:4 aside (1) 115:19 Aspire (2) 86:10,17 assault (1) 99:24 assess (3) 28:8;33:18,20 assessed (1) 28:13 assessment (28) 25:24;26:1,3,5,12, 14,19,20,20,23;27:2, 3,11,23;28:9;33:2,12; 37:1;63:10;73:13,16, 19,22;74:2,9,11; 75:12;78:21 assessments (21) 10:11;26:17;27:19; 32:6,21,24;33:7,10, 11,25;34:1,2;38:24; 39:17,23;58:12;60:3, 8,19;63:9;78:16 assign (1) 78:9 assigned (2) 76:10;77:21 assignment (2) 98:15;104:2 assist (1) 47:1 assistance (2) 10:10;23:15 Assistant (3) 71:9;127:2,18 Associate (3) 30:18;32:3;34:13 Association (1) 53:3	assume (1) 97:6 assuming (1) 6:5 Assurance (1) 51:21 assure (2) 41:4,7 Atlanta (2) 112:3;113:24 attach (5) 103:5,19,22; 104:21,22 attached (1) 102:21 attempt (7) 97:8,25;99:2; 113:10,21;116:20,25 Attorney (10) 88:3,10,21;93:17; 96:5;101:23,25; 102:4;116:17;125:14 audit (1) 63:5 auditorily (1) 82:9 August (2) 5:12,25 authority (1) 97:4 AUTHORIZING (19) 132:17,20;133:4, 15;134:20,24;135:3; 136:2,6;138:15; 139:9,13;140:17; 142:11,13;143:23; 144:4,8,20 autonomy (2) 58:10;61:24 available (4) 46:8,19;52:2;62:24 aware (5) 17:7;46:19;59:22; 83:10;91:16 away (2) 21:17;120:2 awhile (3) 7:2;80:10,17 aye (1) 142:1 AYES (23) 12:8,22;48:24; 51:9;70:17;73:9; 75:20;87:9;92:3; 93:8;122:10;129:15; 132:11;134:17; 136:3;139:20;142:2; 144:2;145:10; 146:12;147:14; 148:15;150:14
B				

<p>back (29) 5:15,25;13:11; 14:11;17:11;18:13; 27:3,6;29:6,16; 43:25;65:23;69:9,18, 21;71:21,24;78:20; 81:13;88:19;95:8,16; 96:1;103:24;121:2; 125:8,20,25;131:8</p> <p>background (8) 88:23;98:18; 124:19;145:14,17,25; 146:4,5</p> <p>bad (1) 19:4</p> <p>Bailey (46) 93:17;94:7;96:18, 18,20,21,25;97:3; 98:2;99:8,10,16; 100:13,17;103:18; 104:6,16;107:14; 108:10;109:3,4; 110:20,23,25;111:3, 7,12,15;112:2,10,12, 18,24;113:2,6,9; 115:8,9;116:1,2,4,6, 14,21;117:4;119:9</p> <p>Bailey's (1) 103:4</p> <p>Baker (1) 13:3</p> <p>balance (1) 49:13</p> <p>ball (1) 22:17</p> <p>band (1) 56:3</p> <p>Barth (81) 17:22;18:1;19:17, 18;20:11,15,19,22; 21:3,7,12,15,21;43:1, 2,3;44:23;51:6,7; 64:18;66:6,8;67:6,9; 69:5,7,11,23;70:4,6, 14,15;73:2,5;75:14, 15;80:21,22;83:25; 84:7,16;86:5,6;87:4, 7;94:13,15,17;95:2,5, 19;96:1;102:18,19, 25;103:3,9,14; 111:11,12;117:7,11, 14;118:15;119:25; 120:10,13;121:8,11; 122:12,13;135:22,25; 143:16,17;144:25; 145:1,2,4;147:8,10</p> <p>Barth's (3) 17:15;117:19; 119:22</p> <p>based (11) 6:25;37:11;38:19; 39:13;58:18;76:11; 89:7,9;99:6;101:2;</p>	<p>118:9</p> <p>baseline (1) 32:7</p> <p>bases (1) 40:12</p> <p>basically (7) 35:24;53:13,21,24; 71:11;102:6;149:20</p> <p>basis (1) 65:16</p> <p>BAUXITE (3) 142:12,15,16</p> <p>beat (2) 42:9;82:24</p> <p>beating (1) 47:17</p> <p>become (3) 17:5;68:4;143:13</p> <p>becomes (1) 82:17</p> <p>becoming (1) 17:25</p> <p>began (1) 58:14</p> <p>begin (5) 59:17;67:21;80:23; 81:23;113:23</p> <p>beginning (7) 14:21;31:17,18; 33:16;59:14;62:5; 66:18</p> <p>Beginnings (1) 11:14</p> <p>begun (1) 13:22</p> <p>behalf (3) 120:18;131:5; 136:25</p> <p>behavior (3) 90:23;109:19; 130:23</p> <p>behaviors (1) 130:23</p> <p>behind (4) 29:5,14,15;97:24</p> <p>belabor (1) 42:18</p> <p>bell-to-bell (1) 47:21</p> <p>below (1) 74:15</p> <p>benchmark (2) 78:15,20</p> <p>benchmarking (1) 63:9</p> <p>beneficial (1) 77:11</p> <p>benefit (1) 79:6</p> <p>b-e-r-l-e-y (1) 137:24</p> <p>beside (1) 41:11</p>	<p>best (3) 79:1;83:20;127:9</p> <p>betcha (1) 45:13</p> <p>BETTER (20) 5:2,6;11:14,25; 12:11,14;13:25; 14:25;15:12;18:9; 35:6;37:11;42:7; 48:5;80:14;84:9; 90:1,5;115:1;149:6</p> <p>BIFS (2) 14:13,19</p> <p>big (12) 19:15;22:11,12,15; 40:25;44:19;46:15; 56:11;60:16;61:15; 79:10;128:1</p> <p>bigger (1) 28:24</p> <p>biggest (3) 28:21,22;84:2</p> <p>bit (12) 22:3;24:22;25:7, 21;30:20;31:12; 44:25;75:9;81:11,20; 98:18;120:5</p> <p>bi-weekly (1) 31:24</p> <p>blanket (1) 80:11</p> <p>blocked (1) 23:4</p> <p>BLUFF (9) 51:13,18,24,25; 60:23;64:14;67:13; 70:1,9</p> <p>blush (1) 45:22</p> <p>board (69) 19:22;20:2,3,5,10; 21:18;30:13;50:13; 51:22;52:12,13,14, 17,25,25;53:2;55:18; 59:18;61:9,16;62:15, 16;65:15,19,21,24, 24;69:13,21;74:9,10; 76:7;86:11;87:3; 89:4,8;90:6,13; 92:22;93:24;94:5; 96:20;97:4,13,15; 98:9,17;105:14; 106:23;116:7;117:6; 118:10;119:4; 129:11;130:25; 131:23;132:3; 133:12;134:8; 135:11,21;138:9,17; 141:18;143:18; 144:12;146:1;150:6, 8</p> <p>Board's (4) 48:6;61:11;118:3;</p>	<p>133:17</p> <p>body (2) 97:1;141:9</p> <p>BOE (1) 57:2</p> <p>bonus (1) 109:13</p> <p>books (1) 60:7</p> <p>both (6) 17:3;48:7;50:1; 84:4;117:13;138:5</p> <p>bottom (1) 79:11</p> <p>bound (1) 9:8</p> <p>Boyd (1) 132:23</p> <p>BRADBERRY (8) 136:10,12,18; 137:7,15,17,21; 149:10</p> <p>brag (2) 24:22;30:20</p> <p>break (8) 48:14;50:23;51:12; 106:19;129:18,20; 149:8;150:19</p> <p>breakfast (1) 55:25</p> <p>brevery (1) 131:22</p> <p>brief (2) 13:21;89:14</p> <p>briefing (1) 87:17</p> <p>briefly (3) 22:10;88:4;139:23</p> <p>bring (5) 42:14;57:20,21; 63:24;70:21</p> <p>bringing (1) 73:23</p> <p>broad (1) 79:18</p> <p>brought (5) 26:18;27:3;73:21; 116:21;125:4</p> <p>BRUCE (2) 129:22;130:1</p> <p>build (3) 28:14;60:17,21</p> <p>building (9) 31:25,25;34:9; 61:19;62:2,2;63:16; 91:5;149:1</p> <p>buildings (1) 64:7</p> <p>burden (1) 5:23</p> <p>Burton (2) 36:7;38:2</p> <p>business (8)</p>	<p>46:17,23,25;50:2, 4;53:11;56:13;142:6</p> <p>businesses (1) 67:3</p> <p>busy (2) 22:1,2</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>c26 (1) 97:7</p> <p>cabinet (1) 63:24</p> <p>CAC (1) 13:11</p> <p>calculated (1) 6:7</p> <p>calculating (1) 21:10</p> <p>calculation (1) 47:9</p> <p>calendar (1) 21:2</p> <p>call (6) 11:14;67:21;88:18; 89:17,24;91:8</p> <p>came (3) 52:21;59:16;125:8</p> <p>campus (1) 31:21</p> <p>can (74) 11:1;14:1,7;16:13, 19,24;17:8;18:15; 19:6,25;20:9,25; 24:19;26:1,12;27:16; 29:12;34:13,15,25; 36:15;37:5;41:4,7; 43:11,23;44:10; 46:13;50:25;52:10; 53:16,17;58:1;60:22; 67:21;72:1,19;80:16; 19;81:23;83:20;85:9, 16;94:15;95:16;97:6; 99:20;101:1;102:3, 12,14,15;103:10; 104:22;105:6; 109:21;111:1,19; 112:2,16;113:4,20; 117:12,18,22,24; 121:2,5;122:15; 123:11,17;128:19; 133:20;147:6</p> <p>candidates (1) 59:15</p> <p>capable (1) 24:12</p> <p>capacities (1) 15:5</p> <p>capacity (2) 28:14;83:3</p> <p>capitalizing (1) 71:15</p> <p>cards (1)</p>
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<p>34:3 care (4) 5:19;10:4;112:14, 19 CAREERS (3) 73:14,17;75:13 careful (2) 18:25;81:18 carried (1) 145:12 carries (11) 12:10,24;70:19; 75:22;92:5;93:10; 134:19;136:5;142:4; 147:16;150:16 cart (1) 106:21 case (13) 40:12;80:18;88:7; 89:4;92:17,21;105:8, 24;107:23;108:9; 109:14;122:7;124:3 cases (3) 32:14;71:18; 108:12 casting (1) 106:18 catch (1) 29:24 categorical (1) 62:23 category (1) 82:22 caught (1) 76:18 cause (3) 88:8;89:6;130:24 caused (1) 98:23 causes (2) 115:11,12 caution (4) 107:6,9;121:6; 143:12 cautious (1) 45:21 celebrate (1) 23:9 celebrating (2) 30:2;60:18 centers (1) 31:5 Central (1) 63:16 certain (1) 120:14 certainly (15) 17:20;18:18;19:25; 43:18;50:9;67:13; 69:15;99:9;107:25; 108:2,4;111:7; 115:17;120:16,22 certificate (1)</p>	<p>55:12 certification (1) 55:11 Chair (13) 13:10;30:12;51:21; 52:11,17;87:11; 108:11;130:4;131:6; 136:10;137:1;142:8; 148:2 chairman (1) 108:1 CHAIRPERSON (295) 5:4,10;6:1,4,9,12, 15,19;11:23;12:3,6,9, 13,18,20,23;13:3,7, 14,16,18;16:21; 17:12;19:7,17;21:23; 25:18;27:20;29:17; 30:10,16;39:16; 40:19;41:23;42:24; 43:2;46:5;47:25; 48:2,13,17,22,25; 49:3,17,22,25;50:4, 19,25;51:4,7,10,15; 52:3,8,19;53:25; 54:19,22;56:19; 60:24;61:2,63:1; 64:18,20;66:6;67:10; 68:22;69:2,6,24;70:5, 12,16,18;71:3;72:20; 73:4,7,10,15;74:25; 75:10,15,18,21,25; 79:2;80:21;81:25; 82:23;85:11,16;86:5, 20;87:2,7,10,22,25; 89:7,12,15;90:11; 91:11,14,20,23;92:1, 4,8,20,24;93:3,6,9,13, 18;94:2,8,12,14,16, 25;96:3,9,13,17,22; 97:1,17;99:5,9,15; 100:12,16,19,24; 101:13,15;102:7,10, 18;104:14;105:1,6, 18;106:3,6,8,12; 107:13,24;108:10,22; 109:3;110:15; 111:11,22;112:6,25; 113:3,14;115:7,21, 23;116:1;117:2,9,12, 18,24;118:2,5;119:1, 14,19;121:8,20; 122:1,3,5,11,13,16, 21,25;123:5,23; 124:1,8,25;125:2; 126:19;127:14; 128:3,15,17;129:10, 14,16,23;130:11,15, 17,19;131:19,21; 132:2,6,9,12,16,20, 25;133:23;134:7,11, 13,15,18,23;135:16, 20,25;136:4,9,11,15;</p>	<p>137:3,8,14,18,23,25; 138:6,22;139:11,15, 18,21;140:10;141:1, 10,14,17,21,25; 142:3,13;143:2,7,15, 17,21,25;144:3,7,24; 145:1,4,8,11,15; 146:3,7,10,13,17,23; 147:6,9,12,15,20,23; 148:6,8,10,13,16,19, 23,25;149:2,5,12,15, 19;150:7,10,12,15,18 challenge (7) 28:21,22;29:19; 56:9;85:20;86:3,3 challenged (1) 84:1 challenges (4) 27:5;28:24;56:7,8 challenging (1) 84:14 CHAMBERS (12) 70:3,6;139:17,18; 141:24,25;146:9,10; 148:9,11;150:11,12 CHANCE (6) 5:2,6;11:25;12:11, 14;28:5 change (11) 23:20;44:12;56:11; 80:23;81:19;88:17; 90:23;141:3,6,15; 142:22 changes (2) 52:22;147:3 changing (1) 82:8 channel (1) 107:25 Chapel (4) 126:25;127:10,19, 21 chapter (1) 59:4 character (2) 127:9;131:5 characterize (1) 109:18 charge (4) 17:15;95:23; 120:16,17 charged (1) 109:14 charges (4) 98:18;109:10; 110:12;125:13 charter (48) 47:17;132:17,18, 20,21;133:4,5,9,15, 19;134:20,21,21,24, 25;135:1,3,4,5,7,8; 136:2,6,7;137:6,12; 138:11,15,16;140:17,</p>	<p>18;141:8,22;142:11, 12,13,14,17,20; 143:20,23;144:4,5,7, 9,11,15,20 charters (1) 46:9 check (5) 8:21;124:20;129:5, 8;145:25 checks (4) 88:23;145:14,17; 146:5 Cherry (1) 49:8 Chief (2) 25:20;56:23 child (9) 5:19;7:21;10:4; 32:14;37:19;59:9; 90:9,21;108:12 childhood (1) 31:8 children (20) 5:13,14,19,23;6:7, 7;7:8;11:3,5,11; 29:20;46:10;59:1; 82:11;89:23;90:19; 91:4,10;120:15; 121:7 choose (2) 58:18;138:25 CHORUS (23) 12:8,22;48:24; 51:9;70:17;73:9; 75:20;87:9;92:3; 93:8;122:10;129:15; 132:11;134:17; 136:3;139:20;142:2; 144:2;145:10; 146:12;147:14; 148:15;150:14 chose (1) 95:6 circle (1) 29:5 circumstance (1) 91:1 cited (2) 89:1;104:7 Civic (2) 13:21;21:18 claim (1) 103:4 clarification (4) 68:13;91:12;130:3, 5 clarify (2) 94:18;122:15 clarity (2) 66:10;121:15 class (6) 77:8,9;79:7;82:18, 18;83:8</p>	<p>CLASSICAL (6) 136:8,16;138:8,10, 14;139:14 CLASSIFICATION (2) 49:2,5 classroom (32) 5:14;10:18;22:18; 32:5,8;33:25;34:8,11, 12,18;35:2,8,19,20, 23;36:5;37:20;38:17; 43:21;58:13;68:11; 72:1;77:10,13;79:8; 80:20;82:14,20; 83:13;108:16; 121:23;142:23 classrooms (5) 10:11;18:24;31:5, 6;62:3 Clay (16) 19:19,25;20:7,14, 17,20,23;21:6,8,14, 20,22;118:2,9;119:1, 2 clear (3) 7:10;91:9;119:17 cleared (1) 124:20 client (2) 115:11;119:9 climate (1) 34:6 clinics (1) 31:9 clippings (1) 54:4 close (3) 25:16;99:22; 121:22 closely (4) 5:9;11:15;80:4; 102:21 closing (2) 15:7,22 coaches (1) 59:22 Code (1) 98:3 coin (1) 48:7 COLA (6) 6:10,20,24;8:20, 20,9;22 collaborate (3) 35:5;53:1;84:19 collaborating (2) 47:22;62:8 collaboration (2) 38:22;39:4 collaboratively (1) 14:1 colleagues (1) 121:18 collected (1)</p>
--	---	--	--	--

33:17 COLLEGE (3) 73:14,17;75:12 combining (2) 58:3,3 comfortable (1) 121:13 coming (9) 14:8;32:19,20; 65:7;69:9,12,21;95:8, 8 commend (2) 64:23;86:22 comment (6) 143:9;145:23,23, 24;146:25;148:7 comments (4) 44:7;52:15;134:8; 147:1 commission (1) 124:15 COMMISSIONER (36) 8:3,5,10,13,17;9:7, 16,18;10:25;17:13, 14;18:2;19:19,25; 22:4;30:12;39:5; 40:10;48:16;51:22; 71:9;76:12,15,17,21; 87:11;118:1,3; 140:10,11,15;148:22, 24;149:1,3,11 commit (8) 97:9,12;99:18,23; 103:12;109:5; 111:10,19 commitment (3) 27:17;66:11;81:15 committed (2) 47:21;140:3 Committee (16) 13:22;14:4;15:21, 24,25;16:11,16; 17:11,15;18:4,4,8; 69:12,18;70:8,8 committees (1) 13:24 committing (1) 66:22 common (1) 26:5 communicating (2) 43:13;47:22 communication (7) 14:9,9,11;18:24; 55:5;66:12;79:19 Communications (1) 14:4 communities (2) 64:11;72:5 community (23) 14:10,10,12,17,20; 16:24;17:6,6,15; 19:22;20:5;31:10;	46:17,23;50:15;53:9; 55:2,15,18,23;57:21; 64:12;106:1 compared (2) 47:11;85:3 comparing (1) 45:19 comparison (1) 30:1 competition (2) 63:15,19 competitiveness (1) 64:25 compilation (2) 131:4,12 complaint (1) 125:22 complete (2) 71:21,24 completed (4) 38:17;54:14;55:11; 72:9 completely (7) 23:24;45:24;78:17, 23;80:3;108:8,13 component (1) 23:16 componentized (1) 23:12 compounds (1) 34:23 compromising (1) 98:6 computer (8) 39:19;136:14,22, 22;148:17,20;149:21, 24 concealed (1) 98:20 concern (5) 79:10;83:2;118:23; 130:24;143:14 concerned (3) 72:8;83:14;104:9 concerning (2) 16:6;120:16 concerns (1) 80:1 concluded (2) 119:16;150:21 conclusion (3) 98:16;104:3; 117:17 conditions (1) 17:19 conduct (19) 90:4,5;97:25; 98:12;103:18;104:4; 109:11;110:7,10,11; 111:17;113:9,19,21; 116:24;133:16; 134:5;135:14;138:20 conducted (2)	133:5;135:3 conducting (2) 33:5,6 conference (1) 87:17 conferences (1) 34:5 confident (3) 27:13,23,25 confinement (2) 101:8;105:25 conflict (1) 13:20 conflicting (1) 89:13 confused (2) 66:18;140:14 confusion (1) 5:18 Congratulations (1) 49:17 congruent (1) 121:10 connected (1) 5:9 connecting (1) 11:19 Connie (1) 126:22 consider (7) 6:13;49:1;97:14; 101:2;108:9;113:20; 118:8 CONSIDERATION (42) 5:2,5;11:25;12:11, 13;13:1,4;16:10; 49:4,15;51:13,17; 71:1,5;73:13,16; 75:11,23;76:1;87:23; 88:1;92:6,9;93:11, 13;108:5,8;123:3,6,8; 129:21,25;131:16,23; 145:13,16;146:14,17; 147:17,24;148:17,20 considered (1) 118:11 consistently (1) 24:12 consolidating (2) 15:7,22 conspiracy (24) 97:9,11,12,24,25; 99:2,16,17,17,22,23; 103:5,11,19;104:22; 109:5,17;111:9,19; 113:10,22;115:19; 116:21,24 constantly (2) 27:1,8 constituting (6) 97:25;103:18; 113:10,21;116:20,24 constitution (1)	81:15 constructive (1) 16:19 consulting (1) 110:5 contact (4) 53:23;109:12; 121:7;125:25 contacted (1) 88:11 contained (1) 104:12 contend (1) 111:13 contends (1) 115:16 content (3) 33:19;35:7;37:13 context (1) 25:22 continually (1) 49:14 continue (17) 16:16;28:15;38:23; 48:3;55:19;56:15; 65:15;66:1,19,20; 67:2;68:24;115:10, 18;119:4;128:18,19 continued (3) 73:2;125:10,18 continues (1) 41:12 continuing (2) 36:9;39:3 continuous (1) 24:2 continuously (1) 24:19 contract (3) 22:12;53:15,19 contractors (1) 10:9 contribution (1) 46:25 contributions (1) 47:3 contributory (1) 61:22 control (1) 11:7 conversation (5) 53:13;55:5;58:23; 70:9;82:2 conversations (4) 14:21;17:21;30:6; 36:15 conversion (5) 46:9;142:11,14; 144:4,8 conveying (1) 79:12 convicted (3) 95:10;97:22;100:2	conviction (14) 95:12;97:5;101:5, 11,22;102:16;104:23, 25;107:17;109:20; 114:11;115:15; 120:8;126:18 cooperate (1) 86:25 cooperating (1) 50:20 cooperatively (1) 23:15 coordinate (1) 35:16 Coordinator (3) 51:20;62:21;133:3 coordinators (1) 10:6 copy (1) 145:22 core (5) 35:20;68:17;82:14; 85:1;140:7 corner (1) 62:5 corresponding (1) 26:12 COST (9) 5:2,6;6:2,11,20,24; 7:13,25;11:25 count (2) 99:16;107:21 counts (2) 99:13,14 county (1) 47:15 couple (6) 24:22;61:6;81:21; 84:17;119:16;127:20 course (6) 45:1;90:24;102:14; 129:8;133:14;141:13 courses (2) 140:7;142:24 COURT (6) 57:2;96:7,11; 100:6;125:12,24 courts (2) 54:6,8 cover (3) 29:2;40:12;78:7 covering (1) 29:1 Crane (2) 50:3,10 CRCT (2) 98:21;99:1 create (4) 26:8,12,25;27:11 created (1) 26:23 creating (2) 27:7,18
---	---	--	---	---

creation (1) 26:5	77:25;81:10	declined (1) 92:17	41:25	diligence (1) 40:23
crimes (2) 99:11,18	data-driven (2) 58:23;59:23	declining (2) 89:3;92:13	detailed (1) 102:24	direct (1) 45:4
criminal (10) 97:8,8,9,11; 102:13;103:23; 107:19;120:7,11; 126:18	date (2) 20:12;26:3	deconstruct (1) 26:9	details (1) 15:23	directing (2) 98:13;103:25
crisp (1) 44:22	Davis (2) 49:21;50:7	deep (2) 37:10;45:23	determination (6) 86:18;133:15,16; 134:4;135:14,15	direction (2) 37:8;65:21
critical (3) 22:19;40:17;79:20	Davis- (1) 117:24	deeper (1) 87:12	determine (4) 20:8;23:17;32:7; 74:5	directions (1) 16:25
criticisms (1) 41:1	DAVIS-WILLIAMS (17) 93:12,15,16;95:9; 96:4,19;97:22;98:19; 114:12,14,20,22,25; 115:2;118:8,12; 122:7	defer (1) 52:12	determined (1) 38:7	directive (2) 8:24;9:3
Cross (1) 71:4	Davis-Williams' (2) 104:4;116:17	deferred (3) 101:7,9;102:2	determiner (1) 11:5	directly (1) 63:21
crucial (1) 81:5	day (7) 5:15;30:25;31:15; 32:21;35:11;42:13; 85:2	definitely (1) 99:3	developed (1) 33:8	Director (1) 73:18
culture (7) 39:1,7;58:24; 60:16,17;62:7,8	days (3) 29:14;68:9;126:13	degree (2) 71:25;72:10	developing (3) 14:6;61:23;71:23	directors (4) 9:24;63:19;65:2,4
curious (2) 18:2;95:6	dead (2) 42:9;82:24	degreed (1) 7:2	development (15) 5:20;9:25;10:3,5,9; 11:17;26:7;28:19; 36:22;37:15;38:7; 39:6;58:11;147:18; 148:1	disability (1) 32:11
current (2) 67:6;138:16	deal (2) 15:4;145:20	delay (3) 86:14;118:13,19	developmental (2) 33:11;65:10	disagree (2) 97:21;118:25
currently (3) 25:20;112:25; 128:8	dealing (3) 20:24;79:13;84:3	delayed (1) 104:18	devoted (1) 22:7	disapprove (1) 16:2
curriculum (13) 23:2,3;25:11,24; 26:21;27:24;28:1,2; 32:9;60:2;63:3,4; 142:24	Dean (20) 22:5;51:3,5; 115:22,23,25;116:2, 5,13;129:12;130:10; 134:10,12,15;141:19, 21;143:24,25;148:12, 13	delaying (1) 118:8	DHS (6) 5:19;8:22;10:3; 11:1;89:16,24	discharge (1) 125:11
Curtis (4) 137:11,14,15; 138:1	Debbie (1) 14:13	delighted (1) 52:20	dialogue (1) 63:25	disciplinary (2) 36:8,12
custody (1) 109:11	December (7) 28:11;59:14,17; 94:11;133:17; 135:15;149:22	demonstrate (1) 90:22	Diane (2) 114:21,22	discipline (1) 34:3
CUT (12) 73:14,17,24;74:11, 12,14,22;75:1,13,14, 86:8,18	decide (5) 52:10;79:15,20; 110:1;111:3	denial (1) 139:12	disclose (1) 92:18	disconnect (1) 68:1
cycle (1) 28:15	decided (1) 53:3	denied (6) 126:15;135:10; 138:17;140:8,11,23	discontinued (1) 53:19	discussed (2) 44:9;71:12
D	deciding (1) 106:25	Dennis (1) 14:23	disclosure (1) 53:19	discussion (4) 87:18;119:8; 123:13;148:14
Dabner (14) 52:4,9,13,16,17,19, 20;54:1,8,12,17,20, 21;56:21	decision (20) 16:17,17;17:8; 21:17;45:5;65:5; 69:15;86:9;107:7; 113:15;117:22; 118:8;119:22,23; 133:13;135:12; 138:18;139:3,4,9	Department (22) 10:15;11:15;68:24; 73:19;77:16;87:5; 90:6,12;93:23;94:4; 98:9;131:6,25; 136:19;145:13,16; 146:3,14,18;147:17, 25;149:17	discussions (2) 68:7;80:15	discussions (2) 18:6;66:15
daily (1) 127:23	decision-making (1) 64:2	Department's (1) 85:22	different (21) 10:11;11:16;13:24; 16:25;33:24;35:14; 42:21;45:24;52:22; 65:2;75:6;77:5,15, 15;84:24;92:18; 120:7,15,17;121:12, 12	dismiss (1) 110:13
DANNA (2) 92:7,10	decisions (9) 31:14,23;35:18; 50:14;63:25;64:1,6; 65:8;121:23	depending (5) 68:5;74:16;77:13, 23;95:17	differentiate (1) 83:3	dismissal (1) 95:22
data (25) 15:5;34:24,25; 35:1,12,13,17,23; 37:11,13,22,22; 38:10,15,20,22; 39:14;43:6;45:15,21; 66:4;68:15;74:17;		desegregate (1) 35:17	differently (1) 72:22	dismissed (2) 124:19;125:13
		deserves (1) 110:2	differing (1) 75:5	disposition (2) 104:18;106:18
		desired (1) 44:8	difficult (4) 15:17;23:23;79:14; 85:24	disqualifies (1) 95:12
		despite (1) 89:21	difficulty (2) 79:12;85:21	disqualifying (14) 92:16,19;93:19; 95:10,23;98:1;99:3; 103:13;116:23; 118:18,21;130:20,21; 131:17
		detail (1)	digging (1) 37:10	distinction (1) 75:8
				distinguish (1) 67:18

<p>distract (3) 61:9,18;62:3</p> <p>distracted (1) 61:16</p> <p>distracting (3) 61:12,14;62:19</p> <p>distraction (3) 43:17,18;61:21</p> <p>distress (17) 17:1,20;18:4; 20:25;44:12;49:2,5, 10,12,16;51:2,14,18; 53:8;55:1;69:18; 127:5</p> <p>Distressed (3) 14:22;15:1;24:11</p> <p>district (58) 5:17,24;12:12,15; 13:1,4;14:3,11; 15:16;18:25;19:15; 22:23;23:11;24:4; 25:21;26:15,16; 30:23;31:14;40:24, 25;43:14;47:4;48:5, 20;49:1,4,10,18,19; 50:20;51:1,2,13,18; 56:10;60:23,25; 61:15,18,20;62:6,11; 65:23;66:21,24;68:5; 70:1,10;85:13; 127:25;131:11; 133:24;134:1; 142:11,14;144:4,8</p> <p>districts (13) 46:12;68:8,8; 71:16,18;83:3,11,22, 23;84:1,18;85:8,9</p> <p>district's (1) 67:4</p> <p>Ditto (2) 143:16,17</p> <p>dive (1) 87:12</p> <p>diverse (1) 16:4</p> <p>Division (5) 10:3;25:23;49:9; 69:25;133:3</p> <p>divisive (1) 48:6</p> <p>documentation (3) 125:24;133:18,20</p> <p>documents (1) 66:16</p> <p>dollars (1) 62:23</p> <p>domains (1) 33:19</p> <p>done (24) 14:5;15:14,14; 22:6,11,21;24:17; 25:25;34:6;35:9; 36:11;56:21,58;2;</p>	<p>59:18,21,23;60:8; 62:15;64:25;80:11, 16;117:4;126:14; 150:1</p> <p>Doss (7) 71:4,10,23;72:16, 23,25;73:12</p> <p>double (1) 29:16</p> <p>double-blocked (1) 57:15</p> <p>Doug (1) 136:18</p> <p>dovetail (1) 16:25</p> <p>down (15) 15:10;28:15;37:10; 42:8,23;47:1;87:25; 92:8;120:5;136:22; 144:7;145:15; 146:17;147:20; 148:19</p> <p>down-slope (1) 45:16</p> <p>Dr (153) 13:19;17:14,22; 18:1;19:17,18;20:11, 15,19,22;21:3,7,12, 15,21;25:7,10,12,17, 19;27:25;28:22; 29:25;30:12,18,18; 32:8;35:20;38:14; 39:20,24;40:3,5,7,8, 21,22;41:7,10;43:1,2, 3,4,18;44:23;51:6,7, 17,23;52:7,8;53:14; 54:22;56:18;60:25; 61:2,3;63:4,18,20; 64:18,19,19,21,21; 65:7;66:5,6,8,8,14; 67:6,8,9,11,17;68:15, 20;69:1,5,7,8,11,14, 17,23;70:4,6,14,15; 71:4,4,10,22;72:16, 23,25;73:2,4,12; 75:14,15;80:21,22; 83:25;84:7,16;86:5, 6;87:4,7;94:13,15,17; 95:2,5,19;96:1; 102:18,19,25;103:3, 9,14;111:11,12; 117:7,11,14,19; 118:15;119:22,25; 120:10,13;121:8,11; 122:12,13;126:22; 135:22,25;143:10,16, 17;144:21,25;145:1, 2,4,9;147:8,10</p> <p>DRA (1) 33:12</p> <p>draft (1) 66:16</p> <p>drive (1)</p>	<p>85:19</p> <p>dropped (1) 109:18</p> <p>dual (1) 36:20</p> <p>due (2) 40:23;99:19</p> <p>during (10) 20:7,14;36:7;41:8; 72:11;99:1,1;114:18; 125:25;126:2</p>	<p>51:20</p> <p>electronic (1) 34:8</p> <p>elemental (1) 23:21</p> <p>elementary (20) 15:8,23;25:14; 30:19,23,24;31:17; 32:10;35:16;36:1,13; 37:23;38:4,20;39:15; 41:17;45:9,11;98:21, 25</p> <p>elements (1) 23:13</p> <p>Eligibility (1) 55:23</p> <p>eloquent (1) 108:2</p> <p>else (11) 5:22;19:13;38:10, 15;48:6;60:25;87:15; 100:1;124:2;127:15; 138:1</p> <p>embedded (1) 31:10</p> <p>embodiment (1) 131:14</p> <p>employees (1) 50:15</p> <p>employing (1) 44:1</p> <p>employment (3) 93:21;95:13;106:4</p> <p>empowered (1) 58:17</p> <p>en (3) 148:22,24,25</p> <p>encounter (1) 23:22</p> <p>encourage (6) 10:21;11:9;46:14; 82:6;85:9;112:19</p> <p>encouragement (1) 30:4</p> <p>end (11) 16:13;56:16;63:10, 11;66:20;72:7;94:20; 105:22;106:22; 113:25;120:5</p> <p>endeavor (1) 43:8</p> <p>energy (1) 57:18</p> <p>engaged (1) 38:3</p> <p>Engagement (2) 14:12,17</p> <p>engaging (1) 55:15</p> <p>England (1) 56:2</p> <p>enhance (1) 31:7</p>	<p>enriching (1) 36:21</p> <p>enrichment (3) 59:5;84:25;85:5</p> <p>enrichments (1) 59:10</p> <p>enrollment (7) 15:6;133:10;135:9; 138:12;142:18; 144:16,19</p> <p>enter (1) 100:6</p> <p>entered (1) 100:4</p> <p>enthusiasm (2) 145:7,8</p> <p>entire (1) 141:9</p> <p>entity (4) 5:21,21;133:8; 135:7</p> <p>entry (1) 11:18</p> <p>Environmental (2) 10:13;17:23</p> <p>equitable (1) 7:7</p> <p>err (1) 107:9</p> <p>erring (2) 107:5;121:6</p> <p>especially (2) 21:10;82:11</p> <p>essential (1) 50:10</p> <p>establish (1) 89:5</p> <p>established (1) 32:1</p> <p>et (1) 98:4</p> <p>ethics (1) 102:22</p> <p>evaluate (1) 80:8</p> <p>evaluating (1) 10:1</p> <p>evaluation (2) 10:18;33:15</p> <p>even (18) 14:6;22:8;24:10; 34:22,22,23;39:11; 54:10;68:6;84:7; 90:2;103:20;104:18; 106:7;108:20; 111:24;118:6;119:8</p> <p>evening (1) 126:22</p> <p>events (1) 57:25</p> <p>eventually (1) 15:10</p> <p>everybody (4)</p>
E				
<p>earlier (3) 55:21;79:9;150:1</p> <p>early (3) 31:7;78:21;118:24</p> <p>easier (3) 15:15,16;81:7</p> <p>Ed (1) 147:25</p> <p>educate (1) 11:4</p> <p>Education (27) 11:15;23:8;31:4, 23;56:14;65:19; 71:25;73:19;81:14, 17;98:9;133:12; 135:11;136:19; 137:4,12;138:9,18; 144:12;145:14,17; 146:15,18;147:18; 149:17,22,25</p> <p>Educator (8) 71:9,10,13;72:11; 89:3;102:4;114:3; 117:21</p> <p>educators (1) 74:1</p> <p>EdWeek (1) 79:4</p> <p>effect (1) 65:23</p> <p>EFFECTIVE (5) 49:2,5;59:4; 141:13,16</p> <p>effectiveness (3) 18:17;58:15;71:10</p> <p>effort (2) 50:16;67:3</p> <p>efforts (3) 18:17;47:1;67:5</p> <p>eight (2) 21:17;76:20</p> <p>Either (5) 38:11;107:4; 108:13,21;115:20</p> <p>elaborate (1) 41:9</p> <p>elated (1) 59:16</p> <p>Elbert (1)</p>	<p>earlier (3) 55:21;79:9;150:1</p> <p>early (3) 31:7;78:21;118:24</p> <p>easier (3) 15:15,16;81:7</p> <p>Ed (1) 147:25</p> <p>educate (1) 11:4</p> <p>Education (27) 11:15;23:8;31:4, 23;56:14;65:19; 71:25;73:19;81:14, 17;98:9;133:12; 135:11;136:19; 137:4,12;138:9,18; 144:12;145:14,17; 146:15,18;147:18; 149:17,22,25</p> <p>Educator (8) 71:9,10,13;72:11; 89:3;102:4;114:3; 117:21</p> <p>educators (1) 74:1</p> <p>EdWeek (1) 79:4</p> <p>effect (1) 65:23</p> <p>EFFECTIVE (5) 49:2,5;59:4; 141:13,16</p> <p>effectiveness (3) 18:17;58:15;71:10</p> <p>effort (2) 50:16;67:3</p> <p>efforts (3) 18:17;47:1;67:5</p> <p>eight (2) 21:17;76:20</p> <p>Either (5) 38:11;107:4; 108:13,21;115:20</p> <p>elaborate (1) 41:9</p> <p>elated (1) 59:16</p> <p>Elbert (1)</p>			

15:17;64:1;76:18; 85:6	explains (1) 131:12	falls (1) 74:13	24:7;30:15;37:17; 76:22;84:13;136:20	five- (1) 138:25
everyone (2) 50:18;79:21	explanation (5) 6:16;22:3;89:10;	falsify (2) 98:14;103:25	fifth (1) 90:21	five-year (2) 55:12;72:15
evidence (1) 89:5	99:7;100:20	falsifying (2) 98:13;103:24	figure (3) 18:20;81:11;	fix (1) 60:13
exactly (3) 28:8;38:6;140:13	exploration (1) 73:3	families (2) 15:16;57:20	110:24	fixed (1) 91:2
examination (2) 98:15;104:2	expressed (1) 79:9	far (9) 7:6;10:13,17;	figured (1) 131:21	Flanagan (2) 133:25;134:2
example (1) 108:25	expunged (1) 107:21	37:12;46:10;47:15;	figures (1) 15:6	flat (2) 9:20,20
examples (2) 29:20;45:22	extended (2) 53:14;64:3	63:2;72:7;131:15	filed (2) 54:10;93:23	flexibilities (1) 82:10
exams (1) 78:20	extensive (1) 27:16	fashion (1) 107:12	files (1) 116:8	fluctuate (1) 75:8
excel (1) 29:19	external (1) 53:20	Fast (1) 60:9	final (19) 56:5;93:25;94:5,	fluff (1) 41:15
excellence (5) 30:7;146:15,19;	extra (3) 8:1;72:9;77:8	faster (1) 149:4	24;104:17;106:17;	focus (18) 16:18;18:12;26:4;
147:18;148:1	eye (1) 22:17	favor (26) 12:7,21;48:23;	121:14;145:13,16;	27:11,15;31:1;33:7,
exceptional (1) 56:14	eyes (1) 121:22	75:19;87:8;92:2;	8,9,17,24;148:5	9:36;4;38:21,22;
excited (9) 19:9;32:25;52:21;	F	93:7;105:24;121:24;	finally (1) 100:8	44:13,14;58:13;
57:10,17;58:9,24;	facilitator (1) 36:21	122:9;129:14;	finance (1) 56:13	65:17,18;81:8;
59:12,15	facilitators (4) 26:18;27:3;35:15;	132:10;134:16;	financially (2) 5:24;10:22	110:10
excuse (3) 73:22;97:24;	36:3	135:17;136:2;	financially (2) 5:24;10:22	focused (4) 41:8;43:19;47:23;
100:19	Facilities (2) 15:3,20	139:19;142:1;144:1;	find (8) 14:1;35:1,2,3;	68:16
excusing (1) 87:14	facility (1) 55:9	145:9;146:11;	37:18;85:8;105:13;	focuses (2) 17:2;43:12
exercise (3) 133:14;135:13;	fact (9) 5:11,20;11:19;	147:13;148:14;	110:10	focusing (2) 41:20;56:14
138:19	18:7;58:17;83:21;	150:13	finding (3) 43:16;58:7;89:16	folks (6) 13:12;16:5;66:9;
exist (2) 10:6;105:4	90:4;98:21;127:1	fear (1) 106:10	finds (1) 107:8	72:4;85:23;121:19
exists (1) 89:6	factor (1) 61:22	feat (1) 27:12	fine (4) 6:14;103:17;106:2;	follow (3) 94:22;105:25;
exit (1) 45:19	factors (3) 17:24;131:14,16	February (5) 66:2;69:9;70:10,	139:3	114:7
expect (1) 37:4	Facts (3) 60:9;89:19;104:4	21,23	finished (2) 27:1;32:24	following (1) 52:2
expectation (3) 7:5;10:7;27:18	faculty (1) 50:15	Federal (1) 62:21	finishes (2) 142:6;149:7	follow-up (3) 52:14;54:23;
expectations (3) 79:22;83:12;150:2	failed (1) 23:17	feedback (12) 16:3,5,7;34:11,14,	fire (1) 29:24	112:21
expected (1) 11:13	fails (1) 88:24	17,22;38:18;53:22;	first (34) 5:15;11:24;20:20,	form (3) 16:17,18;107:11
expedient (1) 49:18	failure (3) 23:22;28:7;89:2	55:9;57:7;136:23	23;22:20,25;33:6;	format (1) 67:18
expenditures (1) 49:13	failures (3) 23:10,19,20	feel (21) 15:20;27:13,23,25;	37:1,3;38:19;42:7;	formation (1) 33:20
expenses (1) 9:14	fair (2) 62:20;119:24	37:6;39:13;48:8;	43:3;45:22;51:25;	formative (2) 26:5;27:23
experience (1) 72:3	fall (10) 28:14;57:7;74:19,	50:7;62:18;66:12,14;	52:24;53:6;55:20;	forms (1) 45:4
expire (1) 54:15	23;75:5;82:15,22;	74:16;81:23;87:18;	57:10;58:5;67:17,20;	FORT (7) 132:18,19,22;
expires (2) 55:13;94:11	92:14;98:13;103:24	105:7,10;119:25;	82:20,21;100:3,25;	133:6,9,24;134:1
explain (2) 9:16;139:22	falling (2) 74:20;78:19	120:3,17;121:13;	102:20;109:17;	forth (1) 52:4
		143:11	125:12;126:25;	forum (2) 55:3,15
		feeling (2) 67:25;88:14	136:14;138:7	ForwARd (23) 16:23;17:5;18:13;
		feels (4) 20:3;117:7,14;	FISCAL (10) 49:1,5,8,10,12,16;	27:9;28:20;38:9,19;
		118:24	50:9;51:2;70:8,13	
		fell (1) 74:13	five (10) 5:13,18,21,23;37:9,	
		felony (1) 124:12	16;55:13;63:19;	
		felt (3) 58:10,17;127:3	102:15;125:3	
		few (6)		

39:24;42:15;50:1; 64:9,11,13;74:10; 77:19;83:19;89:9; 102:17;110:1;111:4; 125:3;127:16,25	9:1;132:18,22; 133:6,7	74:9,10;88:23; 145:14,17;146:5,15, 19;147:18,25	30:8	98:2
found (8) 29:17;101:20; 102:20;104:11; 105:16;106:13; 111:25;126:10	G	Governor (2) 107:22;149:23	guess (12) 10:23;28:6;63:15; 69:11;79:9;89:12; 90:20;117:15,22; 119:17,19;121:11	heading (1) 87:20
foundational (1) 33:21	game (1) 127:4	Governor's (1) 8:18	guides (3) 23:3;28:2,3	heads (2) 19:20;118:22
four (8) 30:25;31:4;33:5; 47:10;64:4;90:15; 91:8;125:19	gave (6) 38:18;39:18;57:7, 9;98:22;125:23	grace (1) 46:14	guilty (6) 101:20;104:11; 105:12;106:13; 111:25;121:2	health (2) 31:9;120:14
four- (1) 72:9	general (4) 15:20;16:11;80:8; 97:11	grade (17) 31:20;36:10;37:2; 38:5,8;45:1,1,6,17; 46:2,3;74:16;75:6; 77:23;98:14;103:25; 104:1	guinea (1) 43:7	hear (5) 41:9;83:15;108:12; 119:4;150:19
four-and-a-half (1) 64:4	Gentlemen (1) 142:5	grades (8) 33:2;98:14;133:9; 135:9;138:12;141:7; 142:18;144:15	gut (3) 117:7,10,14	heard (9) 26:16;29:9;34:25; 35:3;55:21;64:8; 69:25;110:17;138:23
fourth (1) 109:16	Georgia (32) 97:6,23;98:10; 104:10,11;111:24; 112:5,15,19,22; 113:1;115:15;116:3, 18;123:15,16,21; 124:11,13,14,21; 125:1,8,9,9,13,21; 126:1,7;128:11,14,24	grading (2) 98:16;104:3	guys (2) 67:14;106:24	hearing (19) 88:4,12,15,24,25, 25;89:4;91:16;92:12, 14,17;96:22;117:20; 119:12;121:17; 133:16;134:5; 135:14;138:20
four-year (2) 71:25;89:20	Georgia's (1) 100:3	grandmother (1) 46:13	H	hearings (2) 133:5;135:3
Frankly (1) 18:11	gets (2) 7:14;128:14	grant (11) 39:5,7,8;92:22; 128:8;129:12;130:7, 7,25;131:24;132:16	half (1) 8:19	Heart (2) 53:20;54:5
free (2) 87:18;108:8	given (13) 74:4;89:25;90:3; 93:21;98:15;103:25; 104:1;105:15;107:6, 8;117:5;122:7; 138:23	granted (5) 8:10;88:7;126:2; 129:17;132:13	hall (2) 13:9;91:6	HECTOR (6) 49:1,4,9,18;51:1,2
frequently (2) 23:21;114:2	giving (9) 7:19;16:3,4;34:15; 43:6;79:3;88:8; 108:25;126:23	grating (1) 131:17	hallway (2) 35:2;89:20	heinous (1) 106:15
fret (1) 23:24	glad (1) 48:11	gratifying (2) 47:4,18	hand (2) 124:2,3	help (22) 13:13;14:19;17:9; 26:8;28:14,16,16,20; 29:23;30:9;31:22; 36:14;39:7;47:4; 48:10;64:12;67:14; 81:11;84:12;89:25; 94:8;142:10
front (3) 47:8;58:4;149:18	Glasgow (1) 14:23	great (19) 15:4;19:8,15; 27:22;30:23;39:8; 40:8;41:4;50:13,14; 55:5;57:7;59:15; 60:11;110:6;112:18; 127:11,12,25	hands (3) 47:2;60:7;96:6	helpful (4) 14:2;25:5;46:16,20
fronts (1) 42:21	glasses (1) 85:18	greatest (1) 56:9	hang (1) 76:12	helping (3) 19:10;32:16;46:10
frustrated (1) 66:21	gloss (1) 40:16	Greg (5) 13:9;49:3,7;130:1; 131:2	hanging (1) 104:15	helps (1) 48:8
full (5) 5:14;21:1;65:24; 69:13,21	goal (1) 27:14	ground (1) 113:20	happen (4) 40:16;80:19;95:20; 119:3	Henderson (1) 19:2
fully (4) 58:5,7;61:13;78:24	goes (4) 10:16;68:4;76:6; 107:1	grounds (12) 98:5;103:21;104:5; 111:14;113:17,18,20; 115:16,19;116:16,20; 117:1	happened (3) 18:11,19;32:18	Henry (1) 52:3
fund (2) 8:25;49:13	Good (30) 13:6,7,17,18;14:9; 16:5;18:10;25:17,18; 43:6,12;47:8;50:7; 52:18;57:1,1,3;61:4; 63:25;65:12;66:12; 67:11;71:8;73:18; 79:17;88:8;96:20; 115:4;126:22;136:18	group (14) 14:12,13,14,17,22; 15:11;16:23,23; 19:20;45:20;58:25; 75:7;77:12;86:23	happening (2) 18:17;48:8	here's (1) 30:6
fundamental (2) 42:12;118:23	gotcher (1) 143:10	groups (3) 17:3;84:25;85:4	happens (1) 32:4	high (17) 11:11;24:6,9,13; 57:14,15;73:21;74:3, 18;77:25;84:11; 127:5;131:7;144:6, 10,14,23
fundamentally (1) 42:12	governing (10)	grow (3) 57:9;60:12;72:4	happy (4) 42:19;44:7;56:17; 72:16	high-achieving (1) 45:18
funded (3) 9:21;10:20;67:2		growth (1)	hard (7) 18:23;22:13,22; 40:13,15;86:23;91:1	higher (1) 47:15
funding (10) 6:10;7:10,12,18; 9:3;10:9;12:11,14, 15;67:4			harm (4) 79:6,17;83:24; 120:4	highlight (1) 61:6
funds (2) 5:20;8:17			Harvey (4) 51:17,20,20;52:7	highly (1) 47:14
furnished (1) 131:4			Harvey's (1) 80:13	
further (6) 42:10;100:14; 115:7,21;117:2,5			HATHORN (3) 126:22,23;127:15	
future (5)			head (4) 11:1;19:24;21:11;	

<p>Hill (4) 49:24,25;50:10,21</p> <p>hired (6) 10:15;59:13; 114:18;115:5; 127:19,20</p> <p>hires (1) 127:9</p> <p>history (2) 89:23;90:18</p> <p>hold (2) 78:10;89:4</p> <p>holding (1) 81:13</p> <p>holiday (1) 56:4</p> <p>home (3) 32:15,16;112:4</p> <p>hope (10) 22:10;24:23;42:15; 43:22,24,25;73:15, 18;76:12;87:14</p> <p>hopeful (2) 8:24,25</p> <p>hopefully (1) 119:23</p> <p>hoping (1) 14:24</p> <p>horizontal (1) 36:9</p> <p>horse (3) 42:9;82:24;106:21</p> <p>hotline (3) 89:17,24;91:8</p> <p>Houghton (1) 33:21</p> <p>hour (1) 26:7</p> <p>hours (3) 10:8;64:3;106:1</p> <p>housekeeping (2) 136:14,20</p> <p>huge (2) 19:14;83:15</p> <p>Human (2) 10:15;56:13</p> <p>hump (1) 81:4</p> <p>hurry (2) 50:12;149:6</p>	<p>17:19;33:22;37:12; 127:16;136:25</p> <p>identifying (2) 28:17,18</p> <p>IEP (1) 114:18</p> <p>II (1) 37:25</p> <p>ill (1) 5:17</p> <p>illnesses (2) 68:8,9</p> <p>imagine (1) 29:19</p> <p>immediate (1) 120:15</p> <p>impact (4) 19:15;29:12;65:6,9</p> <p>imply (1) 7:25</p> <p>importance (1) 40:17</p> <p>important (11) 17:16,17,18;22:19; 24:3,4;44:18;77:9; 80:23;100:1;148:1</p> <p>imposition (2) 102:8;104:18</p> <p>impressed (1) 58:21</p> <p>impression (1) 82:3</p> <p>improve (8) 18:23;24:10,20; 36:15;39:7;42:17; 44:4;90:5</p> <p>improved (2) 41:2;42:13</p> <p>improvement (24) 24:2,25;35:19; 36:19;39:10;51:21; 59:13;61:4,5,21,22; 62:13,23;76:7,10,24; 77:1,14,21;78:9,12; 80:25;126:4;127:6</p> <p>improvements (1) 127:22</p> <p>improving (1) 60:18</p> <p>inaccurate (1) 109:20</p> <p>inadequate (1) 89:17</p> <p>inadequately (2) 90:3,19</p> <p>inception (2) 8:15;9:21</p> <p>incident (2) 90:18;125:11</p> <p>include (1) 98:6</p> <p>included (1) 68:19</p>	<p>includes (1) 133:19</p> <p>including (3) 33:19;55:17;66:15</p> <p>incorporating (1) 147:3</p> <p>INCREASE (13) 5:3,7;6:2,20,25; 7:13,25;8:14;9:2; 12:1;14:8;60:15; 144:18</p> <p>incredibly (1) 84:10</p> <p>incremental (1) 32:24</p> <p>indexes (1) 47:13</p> <p>indicating (1) 65:22</p> <p>indication (1) 130:22</p> <p>indicator (2) 67:24;68:18</p> <p>indicators (1) 44:15</p> <p>indicted (1) 99:12</p> <p>indictment (4) 98:20;99:13;104:7, 9</p> <p>individual (7) 35:5;65:4;98:15; 99:11,14;104:2; 109:15</p> <p>individualized (2) 81:3;83:18</p> <p>individually (1) 10:11</p> <p>individuals (3) 71:17,24;138:4</p> <p>indulge (1) 24:23</p> <p>ineligible (1) 93:20</p> <p>inform (1) 48:3</p> <p>information (14) 15:5;38:18;52:15; 76:23;80:5,6,14; 91:9;98:18;103:11; 106:10;114:2,6; 119:10</p> <p>informational (1) 78:10</p> <p>informative (1) 35:18</p> <p>informed (2) 17:8;92:13</p> <p>initial (2) 64:22;104:23</p> <p>initiative (1) 56:12</p> <p>innocence (1) 100:7</p>	<p>innocent (2) 102:20;105:16</p> <p>innovation (2) 46:9;72:24</p> <p>input (2) 11:9;53:9</p> <p>in-school (1) 45:8</p> <p>insist (1) 110:8</p> <p>insisted (1) 23:10</p> <p>inspire (1) 48:4</p> <p>instead (1) 39:19</p> <p>Institute (1) 32:25</p> <p>instruction (24) 10:25;14:24;18:24; 23:5;25:24;26:9,13; 27:10;32:5;34:17,18, 21;35:18,20;36:2,6; 37:19;77:8,10;82:14, 19,20;83:18;85:1</p> <p>instructional (4) 31:19,23,24;59:22</p> <p>instructions (2) 59:25;60:1</p> <p>instructive (1) 44:11</p> <p>instructor (1) 10:18</p> <p>insure (3) 34:15;36:5;38:23</p> <p>intend (2) 86:12;123:24</p> <p>intends (1) 124:2</p> <p>intense (1) 34:10</p> <p>intensive (1) 26:7</p> <p>intent (3) 66:18;103:19; 112:8</p> <p>intentional (8) 27:11;28:4;45:8; 109:11,15,19;110:11; 111:17</p> <p>intentionally (2) 24:2;98:6</p> <p>interested (2) 45:14;71:23</p> <p>interesting (2) 45:16;68:18</p> <p>interface (1) 28:3</p> <p>interim (6) 26:14;27:10;28:9; 37:1;38:24;39:22</p> <p>interrupt (1) 121:9</p>	<p>intervene (3) 27:6;29:7;108:11</p> <p>intervening (1) 42:4</p> <p>intervention (4) 28:18;32:13;59:5; 82:21</p> <p>interventions (4) 35:22;41:10;42:13; 59:10</p> <p>interviewed (3) 58:22;59:13;127:1</p> <p>into (17) 6:8;7:5;16:9;19:1; 37:10;45:2;57:18; 67:21;77:12;87:13; 102:1;108:8;127:5, 21;131:16;140:20; 149:9</p> <p>introduce (1) 52:4</p> <p>introduction (2) 96:23;139:1</p> <p>invested (1) 72:6</p> <p>investigate (1) 114:7</p> <p>investigator (1) 125:21</p> <p>invited (3) 53:8;56:3;67:2</p> <p>involved (7) 15:18,19;50:18; 55:15;109:13; 114:17;139:5</p> <p>involving (1) 24:24</p> <p>irrespective (1) 95:13</p> <p>issue (12) 15:22;58:15;61:15; 67:22;80:24;81:12; 91:7;100:25;102:19; 108:23;118:22;139:4</p> <p>issued (1) 149:23</p> <p>issues (12) 15:6;22:8,8,9; 25:13;32:14;37:16; 42:18;63:23,24; 67:16;118:17</p> <p>item (20) 11:24;26:23;48:14; 51:16;69:4;71:3; 74:21;76:6,13,19,20, 22;87:2;92:9;133:19, 21;134:9;136:13,24, 25</p> <p>items (3) 6:13;61:6;133:19</p> <p>Ivy (1) 71:8</p>
I				
<p>idea (4) 72:19;73:3;85:24; 126:8</p> <p>ideas (7) 14:2,6,7,8;16:6,6, 24</p> <p>identified (5) 32:10,14;37:9; 38:4;56:8</p> <p>identify (5)</p>				

J	<p>KERRI (3) 123:4;127:20; 130:6</p> <p>Kerry (1) 123:9</p> <p>KEY (33) 8:3,5,10,13,17;9:7, 16,18;17:14;18:2; 19:25;30:12;39:5; 40:10;43:13;48:16; 51:22;60:14;76:12; 15,17,21;79:9;87:11; 118:1,3;140:11,15; 148:22,24;149:1,3,11</p> <p>kick (2) 19:22,23</p> <p>kid (1) 81:16</p> <p>kids (19) 33:16,23;45:20; 57:16,23;58:3,25; 59:11;60:7,18;72:2; 79:11;81:24;83:6,7, 13,24;84:24;121:22</p> <p>kids' (1) 60:5</p> <p>kind (18) 9:13;16:4;19:2; 20:12;31:16;37:4,24; 74:8;80:11;82:7; 86:6;94:19;103:6; 105:19;113:5,10; 120:17;121:23</p> <p>kindergarten (1) 11:18</p> <p>kinds (2) 32:20;82:10</p> <p>knowing (2) 16:14;74:22</p> <p>knowingly (2) 98:13;103:24</p> <p>knowledge (1) 103:1</p> <p>Kurrus (20) 13:3,6,8,15;15:4; 18:9,22;22:1;25:22; 30:19;34:12;38:13; 40:14;41:24;42:25; 43:18;45:7;46:22; 48:1,11</p> <p>Kurrus's (1) 48:18</p>	<p>lane (2) 18:21,22</p> <p>language (6) 37:17;80:24;104:7, 8;109:6,7</p> <p>large (3) 23:21;47:3;78:16</p> <p>larger (2) 55:9;84:23</p> <p>last (31) 13:23;36:1,7; 38:17;39:11,17; 40:24;44:25;52:16, 23,24;53:19;55:2; 61:15,19;65:13; 66:20,23;67:1;73:20, 25;74:12,17;76:22; 79:9;130:6;133:18; 137:15,18;144:11; 146:25</p> <p>late (1) 46:24</p> <p>later (2) 95:17;119:12</p> <p>law (11) 20:23;21:9;76:8; 100:3;107:16,18,20; 124:13,13,14,18</p> <p>laws (2) 112:16;116:22</p> <p>lawsuit (1) 54:10</p> <p>lawyer (1) 107:25</p> <p>lead (1) 21:16</p> <p>LEADER (2) 147:18,25</p> <p>leaders (2) 59:3;72:24</p> <p>leadership (9) 31:19,21;34:24; 37:12;38:1;54:24; 55:17;62:2,2</p> <p>leadership's (1) 68:2</p> <p>leading (1) 67:24</p> <p>leads (2) 43:6;63:16</p> <p>lead-up (1) 20:16</p> <p>learn (3) 23:19;44:3,3</p> <p>learned (2) 55:5,6</p> <p>Learning (11) 11:2;22:18;24:13; 25:1;27:12;32:11,25; 40:6;59:3;86:23; 133:3</p> <p>least (10) 9:2;17:2,6;39:10;</p>	<p>68:24;89:23;109:25; 110:2;111:5;120:20</p> <p>leave (5) 29:5,15;39:3; 111:24;112:3</p> <p>leaving (4) 28:5;29:14;89:23; 90:18</p> <p>led (2) 17:19;124:10</p> <p>Ledbetter (1) 108:1</p> <p>left (6) 5:22;88:18;89:20; 90:2,20;125:9</p> <p>legal (1) 121:16</p> <p>legislative (1) 147:4</p> <p>Legislature (1) 8:25</p> <p>less (2) 17:22;68:4</p> <p>lesson (1) 35:8</p> <p>letter (7) 54:9;116:16,19; 125:20;126:10,12,13</p> <p>letting (1) 103:16</p> <p>level (46) 7:10;25:14;26:16; 31:20,24;32:10,15; 33:10;34:16;36:17; 37:23;38:1,4,5;42:9; 60:7;61:19;74:6,12, 13,14,16;75:2,4,7,8; 77:5,6,23;78:3,13,13; 79:5,5,21;81:10;82:5, 10,13,15,16,21,22; 85:5,5;86:11</p> <p>levels (13) 60:5,5;74:20,20; 75:6;77:4,20;78:1,8, 17,19;80:16;82:5</p> <p>license (73) 71:22;72:11,16; 87:23;88:2;90:7; 92:6,10;93:11,14,24; 94:5,9,10;95:15;97:5, 16;98:6;99:20; 100:11;105:15; 108:16;109:23,25; 110:5,12,21;112:5, 12,16,20,22;113:24; 114:5;115:13;116:3; 120:3,21;121:1,3,5; 122:19;123:3,8,15, 18,20,21;124:11,18, 21,24;126:1,2,5,8,14; 128:2,7,9,11,14,21, 23,24,25;129:4,5,21; 130:1;131:9,10;</p>	<p>143:13</p> <p>licensed (1) 112:25</p> <p>licensing (1) 129:8</p> <p>licensure (9) 54:15;71:2,7,9,14; 72:8;93:20;95:12; 124:15</p> <p>lie (1) 86:19</p> <p>liked (1) 59:20</p> <p>likely (1) 83:25</p> <p>Likewise (1) 24:8</p> <p>limited (2) 14:16;18:14</p> <p>line (2) 121:9;138:5</p> <p>link (1) 66:13</p> <p>linked (1) 76:19</p> <p>Lio (1) 115:9</p> <p>list (3) 97:6;99:23;108:15</p> <p>listed (18) 5:11;97:10,12; 99:18,21;103:20,23; 109:4,5,7;110:9; 111:8,9,10;113:6,9, 12;114:16</p> <p>listening (1) 136:21</p> <p>lists (1) 97:8</p> <p>literacy (8) 24:6;33:3,21; 35:24;36:3,8,20; 60:10</p> <p>LITTLE (35) 13:1,4;17:4,5;22:3; 24:22;25:7,21,21; 30:20;31:12,13; 39:18;40:24;44:25; 46:3;48:4,20;64:24; 76:23;81:11,20; 92:17;98:18;114:16; 118:24;120:5; 126:11;131:7,11; 140:19,22;141:4,5; 149:3</p> <p>lives (3) 72:6;112:3;113:24</p> <p>LIVING (9) 5:3,6;6:2,11,20,25; 7:13,25;12:1</p> <p>Liwo (48) 88:2,3,3;89:8,16; 90:17;91:7,15,18;</p>
K	<p>K- (1) 33:10</p> <p>K-12 (1) 11:3</p> <p>Kaye (1) 5:5</p> <p>keep (5) 29:4;32:22;46:4; 72:1;127:11</p> <p>keeping (1) 86:25</p> <p>KEG (2) 59:25;60:1</p> <p>Kendra (2) 118:1,2</p> <p>kept (1) 32:2</p>	<p style="text-align: center;">L</p> <p>lack (1) 97:19</p> <p>lacks (1) 97:4</p> <p>lady (1) 127:8</p> <p>Lance (1) 144:21</p>		

92:11,22;93:15,16, 19;94:4,10,22;95:4,9, 21;96:2;97:18,21; 98:3;99:12;102:23; 103:8,17;104:24; 105:3,17,22;106:5,7, 9;107:3;109:6;110:7; 113:5,8,16;114:9; 115:10;116:14; 122:18;130:19,20; 132:1 local (4) 61:9;62:16;67:3,3 logically (1) 15:15 London (2) 56:1,4 long (5) 20:25;66:11;71:18; 102:15;119:24 longer (1) 121:4 look (39) 7:7,8,21;11:17; 15:21;16:3;19:5; 20:24;26:19;27:4; 29:2,23,25;33:2,3; 35:7,8,17,23;37:2; 46:7,15,21;47:7,24; 59:3;61:7;63:7; 64:15;72:3;77:4,5, 15;79:23;82:12;85:9; 86:17;109:21;121:21 looked (8) 28:1,2;29:1;37:21; 58:12,13;60:5;115:3 looking (27) 14:6;15:6;16:12; 17:22;18:13,13; 20:15;24:18,18;27:8, 9,18;35:10,12;58:6; 59:8;60:4;62:9; 68:10;77:24;83:18; 85:12;86:6;104:20; 107:5;116:18;130:14 looks (5) 41:4;59:5;78:25; 80:9;145:24 lose (1) 106:3 loss (2) 45:18;128:1 lost (1) 143:5 lot (37) 16:24;22:6,7; 25:25;26:6,16;30:3, 22;32:17;35:10; 39:13;41:1,4;42:21; 44:6,23;45:7,15; 47:16;50:12;55:5; 56:7;57:18,21;58:4; 60:11,17;62:14;	67:20;80:18;81:9; 83:4,5,8;84:16; 127:21;131:5 lots (1) 28:23 loud (1) 150:4 loves (1) 131:7 lowest (1) 24:16 lunch (5) 48:15;50:23;51:11, 12;55:25 M ma'am (8) 7:24;49:20;52:20; 54:8,12;96:25;113:2; 146:22 Madam (12) 13:10;30:12;51:21; 52:11,17;87:11; 108:11;130:4; 136:10;137:1;142:8; 148:2 MADDOX (7) 129:22;130:1,20; 131:3,11,20;132:15 magic (1) 20:12 magnet (2) 31:1;45:10 maintain (1) 10:8 maintains (1) 100:7 major (1) 22:8 MAJORITY (1) 122:10 makes (3) 43:21;56:18;83:17 makeup (1) 30:22 making (12) 10:24;25:25;27:2; 44:19;50:13;64:5; 69:19;78:7;86:8; 93:20;127:24;149:24 Maltreatment (5) 90:9,25;108:12,14, 18 Manager (3) 50:2,4;137:12 maneuver (1) 86:2 manipulating (1) 106:10 manner (1) 88:25 many (15)	16:12;23:15;27:14; 31:21;32:14;42:10; 47:17;63:23;67:19, 20;68:11;71:17;74:6; 75:3;79:14 March (3) 54:15;114:8; 142:17 marvelous (1) 47:13 Mary (3) 5:5;132:25;133:2 master (1) 57:12 mastered (1) 59:11 mastery (1) 29:3 matches (1) 26:23 materials (1) 109:12 math (7) 24:6;35:15,15; 36:20;37:22;60:4,8 mathematics (1) 57:15 matter (17) 88:20;95:24;96:3; 97:14,18;101:5; 104:14,17;105:21; 119:5,6,12;127:1; 129:8,24,24;130:11 matters (1) 118:20 maximize (2) 18:16,16 maximum (5) 133:10;135:9; 138:12;142:18; 144:16 may (44) 6:6;8:3,5,6,25; 16:4,5,7,13,20;20:2, 4;21:15;35:2,3; 36:14,20;37:16; 40:10;46:7,10;49:10; 51:24;66:8,9;87:11, 19;88:7;91:13;99:8; 107:7;108:11;114:4, 12;116:14;118:25; 119:13,16;121:16; 128:16;133:14; 135:13;138:19;139:6 maybe (9) 19:19;35:14;44:20; 45:13;53:16;81:12; 82:8;84:23;94:17 McClellan (2) 22:6;47:1 McKinney (21) 5:5,8,11;6:3,5,10, 14,16,23;7:4,16,19,	24;8:16;9:6,19;10:2; 11:12,22;12:24,25 mean (21) 7:24;9:8;19:10; 43:3,4,5;44:10; 68:14;80:24;81:13; 83:4;85:11;105:22; 107:17;112:15,15; 113:9;117:4;118:16; 119:16;140:9 meaning (4) 6:20;7:13;23:1,12 means (1) 30:5 meantime (1) 121:5 measure (3) 41:13,19,20 measured (1) 79:24 measures (1) 33:13 mechanics (1) 33:20 meet (7) 13:23;14:22;16:23; 31:24;53:23;57:24; 104:5 meeting (19) 22:5,13;36:7; 45:11;52:16,23;53:3, 11;55:2;116:6,8,10, 12;119:4;133:17; 134:6;135:15; 138:21;141:5 meetings (7) 32:2,4;53:4;57:22, 23;64:3;65:3 MELANIE (2) 87:24;88:2 Melody (1) 50:2 Members (8) 30:13;51:22;52:11; 55:17;57:2;62:16; 76:13;133:21 memory (2) 115:4;140:4 mention (3) 55:20;116:19; 128:6 mentioned (4) 63:13;116:22; 117:1;143:10 mentoring (1) 72:13 message (2) 47:7;80:4 met (8) 14:12;39:4,11,12; 49:11,14;52:24; 72:14 microphones (1)	149:8 mid (1) 24:6 middle (10) 22:14;24:10,13; 45:15,19;57:13; 140:18,21;141:4,5 Mifflin (1) 33:22 might (18) 14:19;25:5;30:20; 31:3,24;32:15;35:1,6, 6;37:14;42:19;46:16; 64:14;79:14;85:5; 112:21;121:6;134:3 Milam (1) 14:13 million (1) 8:19 mind (5) 7:12;25:6;43:22; 87:1;103:16 mindful (2) 83:7,21 mindset (2) 28:25;29:13 MINER (3) 142:12,15,16 minimize (1) 15:18 minute (4) 30:22;100:16,19; 139:1 minutes (14) 32:2;44:5;57:13, 14;88:5,6;96:23,24; 123:12,12;125:3,4; 129:19;130:14 misalignment (1) 30:5 misbehaving (1) 91:6 misrepresented (1) 123:1 miss (4) 79:8;92:24;94:18; 106:4 missing (4) 67:20;80:20;85:1,7 misunderstood (1) 123:1 Mitchell (14) 25:12;30:12,18,18; 38:14;39:20,24;40:3, 5,7,9,21;41:7;43:4 mode (2) 45:3,5 model (1) 82:13 modeling (2) 35:22;59:24 module (1) 28:12
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<p>moment (3) 76:5;89:14;104:16</p> <p>Monday (1) 59:7</p> <p>money (7) 5:22;7:20;8:1;9:4; 12:15;9:54:5</p> <p>monitor (6) 26:2,15;34:13; 65:16;98:22,23</p> <p>monitoring (3) 10:13,17;68:24</p> <p>monitors (1) 10:16</p> <p>month (12) 13:23;22:1;43:10; 53:4,6,12;60:19,20; 73:20,25;74:12,18</p> <p>monthly (1) 43:11</p> <p>months (1) 21:17</p> <p>Moore (1) 150:1</p> <p>morale (1) 60:21</p> <p>more (35) 17:22;18:12;19:5; 20:5,9;34:23;44:9, 24;45:8;46:13;48:14; 61:20,24;64:24; 66:25;68:4;77:9,11; 79:17;81:24,24;82:9, 9;87:17,18;102:24; 103:10;107:5;108:2; 118:23;120:23; 121:15;137:9;141:8; 142:23</p> <p>morning (10) 13:6,7,8,17,18; 25:17,18;64:9;73:18; 136:18</p> <p>most (9) 18:11;22:19;39:14; 82:15,21;84:1; 102:21;111:16;131:5</p> <p>motion (48) 6:16;12:1,9,16,23; 50:24;51:1;69:3; 70:2,5,18;73:1;75:11, 13,21;89:13;91:12, 20;92:4,25;93:1,9; 117:6,9,10;118:18; 119:6;122:3,4,5,6,22, 23;123:2;130:6; 132:10,13;134:19; 135:21;136:4; 139:15;142:4; 145:11;146:5;147:6, 15;148:8;150:15</p> <p>motivate (1) 29:21</p> <p>motivates (1)</p>	<p>29:18</p> <p>mourn (1) 23:10</p> <p>move (33) 5:4;12:2;28:20; 34:16;38:9,19;48:19; 51:3,4;55:8;73:2; 75:14;82:16;87:4; 89:9,11;91:21;93:1; 102:17;112:4;123:5; 129:12;132:4; 134:10;135:22; 139:12;141:19; 143:19;144:25; 145:2;147:8;148:9, 10</p> <p>moved (23) 5:22;12:3,17,18; 48:22;70:3;73:4; 75:15;87:7;91:23; 93:3;125:19;126:11; 134:15;135:25; 141:21;143:21; 145:4;146:6,7;147:9; 150:9,10</p> <p>moves (1) 132:6</p> <p>move-the-needle (1) 44:17</p> <p>moving (12) 29:4;37:7;39:24; 42:21;45:2;46:1; 47:11,19,20;64:13; 112:8;127:25</p> <p>much (16) 18:13;41:24;43:24; 44:9,13,24;48:12; 50:22;55:9;66:25; 67:12;73:12;84:9; 126:23;127:13; 150:17</p> <p>Mulberry (6) 5:12,23;6:6,8; 12:12,15</p> <p>mumblings (1) 26:17</p> <p>murder (1) 99:24</p> <p>must (1) 88:9</p> <p>myself (2) 34:12;121:17</p>	<p>nation (1) 149:21</p> <p>National (1) 149:21</p> <p>nature (9) 44:6;90:3;92:18; 93:22;98:11;99:6; 101:12;106:9;117:23</p> <p>necessarily (5) 8:7;29:21;108:3; 116:20;128:12</p> <p>necessary (3) 114:5;119:10; 128:24</p> <p>need (44) 6:12;8:21;15:21; 21:1;24:14;27:9; 28:19;30:3;35:14; 37:10;38:21,21,23, 25;39:15,25;44:14, 15;48:16;50:24;55:7; 58:16;59:1,9;60:6; 64:13;66:9;80:7; 81:4,11;83:11,21; 85:5,6,7;89:13; 95:25;103:5,19,22; 113:18;129:18; 140:24;141:1</p> <p>needed (15) 31:7;35:23,25; 38:19;40:14;49:15; 54:14;58:19;59:23; 85:4,5;127:3,6,7,8</p> <p>needing (2) 39:21;84:12</p> <p>needle (3) 47:11,19,20</p> <p>needs (12) 32:12;33:23;48:3; 58:2,12;77:14;79:15; 94:17;98:17;105:24; 113:11;132:7</p> <p>negotiation (1) 54:6</p> <p>new (21) 11:1;14:2,6,7; 15:10;22:14,14,15; 25:1;39:5;45:4;65:2, 17;67:17;78:22; 100:7;143:13;144:5, 9,13,23</p> <p>news-clippings (1) 56:2</p> <p>newspaper (1) 54:4</p> <p>NEWTON (298) 5:4,10;6:1,4,9,12, 15,19;11:23;12:3,6,9, 13,18,20,23;13:3,7, 14,16,18;16:21; 17:12;19:7,17;21:23; 25:18;27:20;29:17; 30:10,16;39:16;</p>	<p>40:19;41:23;42:24; 43:2;44:15;46:5; 47:25;48:2,13,17,22, 25;49:3,17,22,25; 50:4,19,25;51:4,7,10, 15;52:3,8,19;53:25; 54:19,22;56:19; 60:24;61:2;63:1; 64:18,20;66:6;67:10; 68:22;69:2,5,6,24; 70:5,12,16,18;71:3; 72:20;73:4,7,10,15; 74:25;75:10,15,18, 21,25;79:2;80:21; 81:25;82:23;85:11, 16;86:5,20;87:2,7,10, 22,25;89:7,12,15; 90:11;91:11,14,20, 23;92:1,4,8,20,24; 93:3,6,9,13,18,24,2, 8,12,13,14,16,95; 96:3,9,13,17,22;97:1, 17;99:5,9,15;100:12, 16,19,24;101:13,15; 102:7,10,18;104:14; 105:1,6,18;106:3,6,8, 12;107:13,24;108:10, 22;109:3;110:15; 111:11,22;112:6,25; 113:3,14;115:7,21, 23;116:1;117:2,9,12, 18,24;118:2,5;119:1, 14,19;121:8,20; 122:1,3,5,11,13,16, 21,25;123:5,23; 124:1,8,25;125:2; 126:19;127:14; 128:3,15,17;129:10, 14,16,23;130:11,15, 17,19;131:19,21; 132:2,6,9,12,16,20, 25;133:23;134:7,11, 13,15,18,23;135:16, 20,25;136:4,9,11,15; 137:3,8,14,18,23,25; 138:6,22;139:11,15, 18,21;140:10;141:1, 10,14,17,21,25; 142:3,13;143:2,7,15, 17,21,25;144:3,7,24; 145:1,4,8,11,15; 146:3,7,10,13,17,23; 147:6,9,12,15,20,23; 148:6,8,10,13,16,19, 23,25;149:2,5,12,15, 19;150:7,10,12,15,18</p> <p>Next (23) 13:3;24:1;27:10, 10;34:16;42:6;43:23; 44:20;45:3;51:16; 56:22;59:18;71:3; 81:21;84:13;86:6,8, 17;125:18;129:24,</p>	<p>24;134:5;138:20</p> <p>Nice (3) 13:8;41:15,16</p> <p>nine (6) 22:20,25;23:9,14; 24:15;42:6</p> <p>nine-week (2) 42:5,6</p> <p>nobody (1) 85:6</p> <p>non- (1) 71:12</p> <p>none (1) 111:18</p> <p>non-negotiable (1) 29:8</p> <p>NON-TRADITIONAL (2) 71:2,6</p> <p>Norman (3) 49:24,25;50:21</p> <p>Norris (4) 49:8,21,24;50:2</p> <p>North (4) 114:16;131:7,10; 136:16</p> <p>NORTHWEST (5) 136:7;138:8,10,14; 139:13</p> <p>NOTE (5) 57:2;96:7,11; 123:13;145:9</p> <p>notes (1) 85:3</p> <p>notice (2) 89:3;116:15</p> <p>noticed (1) 54:2</p> <p>notification (1) 91:16</p> <p>notified (5) 99:19;115:12,13, 17;126:7</p> <p>November (5) 28:10;49:2,6; 88:11;138:10</p> <p>number (11) 6:25;7:8;10:7; 76:6;78:16;84:23; 100:9;110:9,9; 136:21,23</p> <p>numbers (2) 21:9;78:22</p>
N				
<p>name (17) 30:16;88:11;90:9; 104:23;108:14,17; 114:20;115:10; 137:2,3,15,19;141:3, 6,8,15;143:6</p> <p>NASDAQ (2) 129:3,5</p>				
O				
<p>oath (1) 88:9</p> <p>objectives (1) 49:11</p> <p>observation (3) 33:14;34:8;98:24</p> <p>observations (1) 38:17</p>				

<p>obviously (6) 43:13,14;97:21; 98:17;120:24;121:3</p> <p>occurred (5) 65:18;114:11; 125:11,23;130:21</p> <p>occurs (1) 91:3</p> <p>October (7) 55:12;92:12;133:4; 135:2;138:13; 142:19;144:17</p> <p>off (8) 9:23;22:17;43:3; 47:7;85:4;102:6,20; 108:14</p> <p>offender (1) 100:3</p> <p>Offenders (1) 125:12</p> <p>offense (30) 92:16,19;93:20,22; 95:11,14,24;98:1,11; 99:3,21;106:9,13; 107:19;109:4,7; 110:9;111:8,9,10; 113:6;114:3;118:18, 21;120:7,12;124:19; 130:21,21;131:17</p> <p>offenses (15) 90:25;97:9,12; 102:21;103:2,6,12, 13,20,23;107:21; 109:5;111:15; 113:12;120:14</p> <p>offered (2) 59:3;126:3</p> <p>office (10) 61:16,18,20;63:17; 66:13;78:10,24;80:3, 12,13</p> <p>Officer (2) 25:20;56:23</p> <p>official (2) 20:5,10</p> <p>offset (1) 9:12</p> <p>offsetting (1) 9:13</p> <p>often (2) 108:15,19</p> <p>Oftentimes (1) 71:20</p> <p>old (2) 89:20;91:8</p> <p>old-fashion (1) 47:20</p> <p>omit (1) 98:24</p> <p>once (3) 27:1;102:16; 140:23</p> <p>ONE (71)</p>	<p>5:2,6;7:12;8:13; 10:22;11:12,25; 12:14;17:2,16;29:18, 21,22;30:22;32:1,7; 33:6,15,17;36:1; 37:21;38:15;39:2; 40:21,25;41:11; 42:11;45:23;47:21; 48:13;53:4,22;55:7,8, 10;59:2;62:11,12; 65:25;66:22;72:13; 75:25;81:12;82:8,9; 85:13;90:18;91:13; 99:2,16,22;100:9; 103:5,12,19;107:4, 11;109:5;110:9; 111:1;113:11; 115:20;127:7,8,9; 130:6;136:21;138:7; 140:22,23;145:24</p> <p>ones (2) 10:22;67:3</p> <p>one's (1) 81:8</p> <p>one-size-fits-all (2) 80:11;82:7</p> <p>one-time (4) 6:2,10;8:24;9:13</p> <p>one-year (1) 72:10</p> <p>ongoing (6) 9:25;10:2,4;43:9; 95:2;106:15</p> <p>online (2) 40:2;142:24</p> <p>only (18) 7:7,20;8:6;15:9; 33:1;68:8;72:4,12; 79:6;80:17;83:6; 97:6;99:22;100:6; 106:12;107:15; 128:5;140:9</p> <p>onsite (1) 31:9</p> <p>on-site (1) 10:10</p> <p>on-the-job (1) 72:2</p> <p>open (5) 15:9;28:10;67:21; 133:8;135:8</p> <p>OPEN-ENROLLMENT (8) 132:17,21;133:5; 134:20,24;135:4; 136:6;140:17</p> <p>opening (4) 53:14;88:5;123:12; 125:3</p> <p>operate (2) 56:11;144:13</p> <p>opinion (1) 74:7</p> <p>opportunities (4)</p>	<p>30:8;58:15;60:12; 64:11</p> <p>opportunity (9) 51:25;55:16,22; 57:9;71:23;72:21; 81:2;108:17;126:24</p> <p>opposed (26) 12:9,23;19:3; 48:25;51:10;70:18; 73:10;75:21;87:10; 90:15;92:4;93:9; 107:1;122:11; 129:16;132:12; 134:18;136:4; 139:21;142:3;144:3; 145:11;146:13; 147:15;148:16; 150:15</p> <p>opposite (1) 78:5</p> <p>oral (1) 88:8</p> <p>order (9) 13:24;15:8;24:8; 28:19;31:15;38:8; 85:18;100:4,6</p> <p>orderly (1) 15:15</p> <p>organization (1) 23:22</p> <p>organizational (2) 17:24;18:10</p> <p>organize (1) 31:19</p> <p>original (1) 141:8</p> <p>originally (1) 40:11</p> <p>others (4) 28:24;65:6;75:2; 118:25</p> <p>otherwise (1) 150:5</p> <p>ourselves (3) 15:25;16:3;52:1</p> <p>out (49) 10:16;14:1;18:8, 20,21;22:12,15;28:4, 12;30:4;32:16;37:18; 42:21;44:23;46:1; 47:5;52:25;53:9; 54:9;59:16;67:21; 75:6;77:7;79:7,15; 80:6,14;81:11;82:2, 18;83:7,13;85:1,8; 88:14;95:7,17;98:25; 105:23;108:13,21; 126:10;131:3,8,15; 145:19;146:24; 148:23;150:4</p> <p>outcome (4) 36:24;107:7; 121:16;122:19</p>	<p>outline (1) 71:11</p> <p>outlines (1) 77:2</p> <p>outreach (2) 45:4,4</p> <p>outside (1) 77:8</p> <p>outstanding (1) 95:14</p> <p>over (9) 40:16,25;46:14; 63:15;64:10;81:4,21; 107:10;117:15</p> <p>overall (1) 15:20</p> <p>overlook (1) 24:14</p> <p>overnight (1) 60:14</p> <p>overseeing (1) 34:20</p> <p>over-selling (1) 43:5</p> <p>oversight (1) 10:23</p> <p>owe (1) 54:5</p> <p>Owen (7) 147:21;148:19; 149:14,16,16,20; 150:17</p> <p>own (4) 28:2;72:4;112:16; 116:22</p>	<p>145:2</p> <p>panic (1) 23:24</p> <p>paper (2) 41:17;100:18</p> <p>paper/pencil (1) 39:19</p> <p>paraprofessionals (1) 71:17</p> <p>PARCC (5) 73:14,17,22;74:2,9</p> <p>pardoned (1) 107:22</p> <p>parent (3) 32:16;34:5;57:22</p> <p>parents (11) 31:22;34:7;45:2,5, 12;46:3;53:8;79:19, 21;80:7;83:9</p> <p>parking (1) 60:20</p> <p>parse (1) 79:15</p> <p>part (14) 18:18;35:22;50:22; 62:20;64:1,25;65:7, 17,18;67:4;113:16; 129:3;140:7;141:7</p> <p>participant (1) 55:23</p> <p>participants (1) 74:4</p> <p>participate (2) 56:3;77:1</p> <p>participated (2) 55:17;74:1</p> <p>particular (8) 15:2;37:13,14; 41:9;75:8;79:17; 82:3;91:5</p> <p>particularly (1) 15:8</p> <p>PARTNERSHIP (4) 73:13,16,22;75:12</p> <p>partnerships (2) 14:20;46:17</p> <p>parts (2) 17:5;42:17</p> <p>pass (1) 30:4</p> <p>past (8) 14:14;19:5;28:25; 33:3;35:13;36:11; 108:1;149:23</p> <p>path (4) 37:7;38:21;81:6,7</p> <p>pathologist (1) 114:17</p> <p>paths (1) 121:12</p> <p>PATHWAY (3) 71:2,6,14</p> <p>pause (1)</p>
P				
<p>P3 (1) 31:5</p> <p>pacing (3) 23:2;25:11;28:2</p> <p>packet (3) 76:4;133:18,18</p> <p>page (1) 47:8</p> <p>pages (1) 146:25</p> <p>paid (2) 5:19;6:22</p> <p>Pamela (1) 14:5</p> <p>PANEL (39) 132:17;133:4,7,11, 13,15,20,21;134:20, 24;135:3,6,10,12,14, 23;136:2,6;138:15, 16,18;139:3,10,13; 140:17,25;141:11,12, 20,22;142:11,14; 143:1,10,23;144:4,8, 20;145:5</p> <p>Panel's (1)</p>				

<p>79:3 pay (1) 106:1 PD (4) 58:16,18;59:7;68:9 peers (1) 77:13 pending (8) 93:22;94:5,24; 99:15;107:17;121:1; 122:19;128:8 people (15) 6:25;11:2;17:7; 18:14;23:16;45:9,13; 47:3;58:7,21;60:22; 81:9;90:24;96:7; 109:1 per (3) 7:20;142:22; 143:12 per- (1) 8:14 perceived (1) 63:14 percentage (1) 83:15 perception (2) 63:5;65:17 perfectly (1) 139:9 performance (5) 24:10;27:8;33:15; 75:24;76:2 performed (1) 82:4 performing (2) 24:16;26:2 perhaps (3) 10:25;14:6;15:10 period (7) 42:6;77:9;84:8; 98:16;104:3;123:17; 126:16 periods (1) 42:5 Perkins (11) 25:7,10,17,19,19; 27:25;28:22;29:25; 32:8;35:20;117:4 per-pupil (3) 8:8,20;9:3 PERRY (27) 132:24;133:1,2,2, 25;134:23;135:2,18; 137:10,20,22,24; 138:3,4,7,23;139:24; 140:3,6,13,20;141:2, 12,15;142:16;143:3; 144:11 person (4) 81:3;88:24;96:11; 127:11 personally (1)</p>	<p>97:17 Personnel (1) 39:6 persons (1) 111:17 perspective (2) 107:5;118:25 pertinent (1) 112:7 Pfeffer (11) 71:4,8,8;72:25; 145:18,19;146:22,24; 147:22;148:2,7 phase (1) 64:23 phone (5) 135:19;136:12,20; 138:2;144:21 pick (2) 119:5,6 picked (1) 127:8 picture (1) 46:15 piece (5) 26:3;60:16;65:13; 68:6;72:8 pieces (2) 18:10;72:19 pigs (1) 43:7 PINE (9) 51:13,18,24,25; 60:23;64:14;67:13; 69:25;70:9 place (10) 7:23;59:6;60:14; 63:3;65:1;72:19; 77:10;105:9;119:7; 120:21 placed (1) 123:20 plain (1) 97:10 plan (14) 16:2;59:2;76:10, 24;77:1,15,21;78:9, 10,12,23;81:4;89:25; 126:16 planning (7) 14:22;15:1;36:9; 38:22;55:8;69:9; 116:12 plans (4) 14:25;35:9;76:7; 112:4 platform (1) 43:13 played (4) 50:22;95:7;108:13, 20 playing (2) 36:19;109:1</p>	<p>PLC's (1) 59:21 please (14) 25:12;30:17;48:18; 50:1,5;94:3;96:5; 99:8;124:2,3;127:17; 130:5;136:21,22 pleased (5) 36:24;56:1,5; 61:10,23 pleases (1) 13:10 pleasure (11) 42:23;87:3;89:8; 90:13;129:11; 131:22;132:3;134:8; 141:17;143:18;150:7 PLSB (6) 88:3;91:22;97:7; 112:13;116:9;120:18 plus (1) 22:13 PM (3) 51:12;129:20; 150:21 pockets (1) 30:7 point (19) 18:12;20:12;42:1, 2,3,14,15;46:6,14; 54:6;64:14;81:22; 106:22;111:13; 112:1,18;121:2; 131:3,8 pointing (1) 98:25 points (3) 57:5;74:6;75:4 policy (1) 91:4 pop (1) 113:25 position (5) 95:11;97:15; 101:14;127:2,3 positive (4) 64:23;65:22;66:14, 25 possibilities (1) 15:9 possibility (3) 15:7;91:17;107:10 possible (4) 15:15;85:11,12; 118:9 possibly (2) 15:22;27:16 post (4) 23:5;33:7,10;38:24 postpone (1) 117:22 post-test (1) 63:8</p>	<p>potential (1) 120:3 potentially (1) 113:15 poverty (1) 47:12 PowerPoint (4) 32:18;73:20;76:4, 13 practice (1) 65:11 practices (1) 35:22 pre (4) 23:5;33:6,9;38:23 precious (1) 42:22 prefer (1) 120:20 prejudice (1) 118:19 pre-K (5) 11:4,6;31:4,5,5 preliminary (1) 116:8 premature (7) 107:23;117:8,14; 119:20,21,21,22 preponderance (1) 89:5 preschool (1) 6:22 present (9) 17:3;30:14;52:1; 88:5,7,21;119:9; 134:2;139:3 presentation (5) 41:8;52:2;56:18; 64:9;139:6 presenter (1) 56:22 presently (2) 94:9;104:20 presents (1) 72:21 president (2) 52:13;62:15 press (3) 87:12,17,17 pressure (1) 109:19 pretty (1) 20:1 previously (1) 92:15 primarily (6) 25:11;36:4;46:2; 63:16;82:5;142:24 primary (2) 61:7;97:14 principal (4) 41:18;91:5;143:4; 144:22</p>	<p>principals (8) 34:9,14,20;38:16; 46:7;58:10,17;61:25 prior (3) 89:22;90:18;94:25 prioritized (1) 56:8 Priority (8) 26:4;27:15;31:2; 33:8;36:3;40:15,23; 56:25 private (2) 5:21;47:16 probably (6) 8:21;56:2;63:19; 83:25;95:22;121:11 probation (15) 101:8;106:1; 108:15,20;110:1; 111:5;120:21;121:1, 4;123:20;124:23; 128:11,13,13;130:9 probationary (1) 110:22 problem (7) 5:16;25:8;32:12; 34:23;119:2,11; 149:15 problems (9) 24:9;25:3,3,13; 34:19;37:25;38:6; 42:4;61:25 procedural (3) 118:3,6;119:10 procedurally (3) 117:16;119:2; 123:11 procedure (3) 96:23;105:10; 118:10 procedures (2) 88:4;92:14 proceed (7) 13:12;52:10;88:20, 25;89:11;97:20; 118:24 proceeded (2) 120:7;126:14 proceeding (4) 99:6;103:6;115:18; 121:14 proceedings (1) 121:16 process (34) 24:3;31:13;37:18; 42:11;50:11;53:14; 63:11;64:2;65:1,9; 66:1;74:1,3,8;78:14; 86:17;94:21;95:7; 99:20;102:6,11; 104:21;106:14,15,22; 107:1;108:18,19,20; 109:1;117:15,17;</p>
--	---	--	---	--

129:1,2 processed (1) 108:5 processes (2) 63:6;79:1 proclamation (2) 149:24;150:4 produce (1) 24:12 professional (10) 9:25;10:2,8;26:7; 28:19;36:22;37:15; 38:7;58:11;124:15 professionals (1) 71:20 proficiency (1) 33:14 profile (1) 33:13 program (20) 7:18;8:15;9:20; 10:1,6,14,14,16,19; 11:11;31:4,8;55:23; 59:5;72:7,13;98:8; 137:11;146:16,20 programs (7) 9:2,8,24;10:24; 11:13;41:9;62:21 PROGRESS (17) 13:2,5;20:4,9; 33:18;48:9;51:14,18, 24;56:6,15,25;63:23; 64:5;65:16;69:20; 81:21 progressing (1) 79:25 project (1) 66:13 prominent (1) 46:25 promising (1) 73:3 proof (1) 63:7 proper (2) 52:12;115:18 proposed (2) 74:10;89:6 prospective (1) 32:3 protocol (1) 52:12 proud (1) 30:24 provide (10) 10:4,9;34:11,21; 35:6,21;36:2;44:7; 107:18,20 provided (2) 35:25;76:3 provider (1) 53:20 providers (2)	8:11;9:12 provides (1) 43:13 providing (3) 15:4;36:5;52:15 provisional (3) 54:15;72:10;131:9 PTA (2) 22:5;45:12 public (16) 93:21;132:18,21; 134:21;136:7; 140:18;142:12,14; 144:5,9;145:22,23, 24;146:25;147:1; 148:7 pull (3) 77:7;82:18;84:24 pulled (4) 5:21;77:12;79:7; 83:13 pulling (1) 83:7 pullout (3) 79:23;80:17;85:16 pupil (1) 8:15 purpose (1) 60:22 purse (1) 11:8 pursue (2) 71:12;72:18 push (1) 80:12 pushing (1) 83:19 put (19) 42:15;57:18;58:4; 59:6;60:14;64:5; 65:1;72:19;74:10; 77:18;86:24;91:2; 102:1,6;108:15,19; 110:21;120:14,25 putting (3) 16:18;106:24,25	quicker (1) 43:23 quickly (2) 40:21;123:13 quit (2) 61:14;71:22 quite (4) 31:3;37:22;44:5; 75:9 quo (1) 143:13	35:25;37:6,11;60:4, 8;79:4 ready (7) 34:16;69:3;75:11; 117:6;124:9;129:23; 135:21 real (7) 22:12;25:3,3; 40:21;43:21;44:15; 139:22 real- (1) 72:2 realistic (1) 43:5 realize (1) 77:21 realized (1) 60:6 really (65) 16:3;19:9,18; 20:15;24:8;26:8,10, 18;32:4;34:21;35:9, 13;36:11,12,24;37:9, 18;38:1;40:13;41:5, 20;42:1,10;43:6,7,15; 44:11,12,18,18; 47:18,23;57:16; 58:17;59:20,21; 60:21;68:18;71:12, 14;72:2;75:6;79:3; 80:12,18;81:5,5,13; 83:3,7,9,10,14,19; 84:10,11,13;90:17; 107:3,4;111:9; 127:11;128:1;140:6, 24 reason (9) 21:8;86:14;90:14; 102:14;109:23; 114:15;124:16; 125:17;126:17 reasons (3) 100:9;115:12; 133:22 rebut (1) 113:5 recall (2) 17:21;115:6 receive (5) 7:9;11:3,3;74:6; 114:2 received (10) 9:12;36:25;46:24; 55:22;61:5;89:24; 90:4;125:11,20; 147:2 receiving (2) 39:6;90:2 recent (3) 39:14;57:6;65:10 recently (1) 39:12 reciprocity (4)	112:23;126:6; 128:23;129:2 recognizing (1) 149:25 recommend (3) 16:22;69:17;116:8 recommendation (36) 65:14,15;66:1; 68:23;69:20;70:1,7; 77:16,18;87:5;91:21; 92:20;93:2,4;94:18; 95:6,8;105:14; 121:25;122:6,17,18; 123:19;128:10; 130:25;131:25; 132:5;135:22;136:1; 141:11,19,22;143:20, 22;145:3,5 recommendations (3) 59:17;90:12; 131:24 recommended (2) 72:15;90:15 recommending (5) 90:6;93:24;94:4, 23;124:23 reconciliation (1) 74:8 reconfigured (1) 57:19 reconvene (1) 129:23 record (2) 125:16;137:1 REDFIELD (7) 134:21,22,25; 135:1,5,6,8 reduced (2) 14:14;49:12 reference (2) 9:22;29:15 references (1) 131:5 referrals (1) 34:3 refers (1) 110:7 refining (1) 44:2 reflecting (1) 27:1 reflection (2) 27:7;28:16 Reform (1) 56:23 regard (2) 64:13;147:7 regarding (1) 125:22 Registry (1) 90:10 regrets (1) 13:19	
	Q				
	quality (11) 10:24,25;11:4,7,11, 13;34:11,14,21;36:6; 82:20 quarter (3) 37:1,3;38:20 quarterly (4) 63:9;65:16;68:25; 70:22 QUEST (5) 140:18,21;141:3,5, 6 quick (1) 130:5	racked (1) 115:3 racketeering (2) 101:20;111:25 raise (4) 7:14;96:6;124:1,3 raised (2) 78:22;100:25 raises (1) 7:17 raising (1) 29:20 ran (1) 24:15 range (2) 74:13;75:4 ranges (1) 74:23 rape (1) 99:24 rather (4) 23:9;24:20;94:19; 95:6 Rating (1) 10:13 ratio (1) 142:22 RE (1) 130:3 re- (1) 80:7 reach (2) 63:25;81:22 reached (4) 18:8;88:14;94:1; 106:17 reaching (1) 47:5 reacting (1) 106:23 read (11) 41:17;57:4;81:1; 85:19;88:22;99:12; 101:19;104:8;109:6; 116:2;150:4 READINESS (3) 73:14,17;75:12 reading (11) 33:10,11,12,13,22;			

regular (2) 98:16;104:3	REMOVAL (2) 49:1,4	requested (6) 84:18;92:11; 117:21;133:7;135:6; 141:6	restructured (1) 31:3	133:14;134:7; 135:13;136:23; 138:20
reinforcement (1) 84:25	remove (3) 49:16;82:18; 126:15	requesting (3) 5:13;88:24;142:19	result (1) 95:22	rigor (1) 78:22
Reinhart (51) 93:15;100:12,20, 22;101:3,14,17,21, 25;102:5,9,11,23; 103:1,8,10,15; 105:21;106:6; 107:13,15;108:7; 113:4;114:2,10; 117:18,20;119:13,15; 120:6,11,18;122:15; 123:6,10;124:8,10; 125:1,7;126:7;128:3, 5,16,19;129:3;130:2, 4,13,16;145:18; 146:20	removed (3) 90:9;108:17;149:9	requests (1) 140:22	results (11) 22:20,23;23:8,14; 24:21;27:4;33:1; 72:22;78:15;87:13; 118:14	rise (1) 27:17
reinstated (6) 123:18,22;124:24; 128:12,14,25	removing (1) 107:10	require (1) 109:10	resume (2) 51:11;130:18	risk (1) 120:15
reinventing (1) 42:7	renewal (2) 126:1,1	required (6) 75:4;76:7,9,25; 98:8;124:14	retain (1) 72:4	road (1) 15:10
reiterate (2) 41:14;109:22	renewed (1) 126:9	requirements (5) 8:23;11:18;54:14; 71:21;72:14	re-teach (2) 27:6;29:6	Roberts (2) 45:11,12
REITH (13) 12:2,3,19,20;91:13, 14,15,19,21,23;93:5, 6;112:21	repeat (2) 22:24;43:24	requires (3) 19:21;100:5;110:5	re-teaching (1) 84:25	ROCK (19) 13:1,4;17:5,5; 25:21;31:13;39:18; 40:24;46:4;48:5,20; 114:17;126:12; 131:7,11;140:19,22; 141:4,5
related (5) 10:7;21:18;45:6; 51:24;118:20	repetition (1) 44:4	REQUISITE (4) 75:23;76:1,8,25	retreat (1) 52:25	roll (1) 42:5
relates (4) 25:10;32:5;45:17; 143:18	REPORT (37) 13:1,5,11,12,21; 19:8;27:22;34:3; 43:5;44:24;48:2,18, 19;51:14,19;54:3; 55:1,21;61:5,8,11,23; 62:9,10,11,12;63:13; 65:14;66:23,25; 67:11;69:25;70:7; 112:2;125:17,18,23	re-read (1) 103:17	retroactive (2) 5:15,25	Rogers (9) 49:3,7,7,20;144:5, 9,13,13,22
relationship (1) 66:10	reported (3) 13:23;68:8,9	reschedule (1) 89:10	review (10) 11:14;70:8;133:12, 14;134:11,12;135:11, 13;138:18,20	roles (1) 36:20
relative (5) 48:4;50:5;51:1; 136:16;138:25	REPORTER'S (3) 57:2;96:7,11	reset (2) 88:13,20	reviewed (1) 145:21	room (2) 35:3;119:7
relied (1) 109:17	reporting (3) 43:9;62:6;67:18	RESIDENCY (2) 71:2,6	reviewing (2) 66:15,23	rooms (1) 35:4
reload (1) 23:23	reports (7) 43:11,25;48:9; 67:1;68:6;149:9; 150:19	resolution (9) 93:22;94:1,6,24; 105:20;148:17,20; 149:18;150:6	revisit (1) 95:16	rotate (1) 53:5
re-looked (1) 57:11	represent (2) 96:19;131:3	resolved (5) 63:17,23;95:24; 122:14;130:12	revocation (5) 98:5;103:21;104:5; 124:11,22	rounds (2) 74:5,7
relying (2) 113:14,16	representative (1) 141:9	resource (1) 71:20	revoked (11) 116:3,5,10;123:16; 124:17,21;126:7,8, 14,17;129:6	route (3) 148:22,24,25
remediate (1) 86:12	Representatives (3) 133:6;135:4; 138:13	resources (3) 31:7;39:8;56:13	rich (1) 36:15	routine (1) 44:6
remediation (10) 77:2,5;78:25; 79:22,23;80:9,16,19; 82:16;86:19	represented (4) 26:22;88:10;93:16; 130:1	respect (4) 22:13;47:5,12; 55:11	Richard (1) 61:3	routinely (1) 10:16
remember (2) 54:3;134:4	representing (1) 135:19	respectfully (2) 107:3;147:4	RICO (6) 97:23;104:10,10, 11;115:15;116:18	RTI (6) 79:5;80:9;81:1; 82:3,7,13
remind (2) 84:17;107:20	request (40) 6:8;12:11,14,15; 87:23;88:1,17;89:9; 92:6,9;93:11,14; 120:19;123:3,6,8; 129:21,25;131:1; 133:11,12;134:10; 135:10,11;136:7; 138:7,15,17,17; 139:13;140:18,21; 141:12;142:12,15,25; 144:5,9,18,18	respects (1) 47:18	Right (55) 7:22;8:9;18:1; 19:22;20:19;21:13; 25:6;38:11,21;39:14; 41:11;43:19;46:12; 47:10;52:23;53:21, 24;54:13;57:4;69:9; 74:15;75:3;77:24; 80:25;81:18,24; 82:11;84:4,20;85:15; 94:10;95:2,3,16; 96:6;100:5;101:20; 102:5,21,22;110:2,6; 112:10;113:15; 116:6;119:6;122:24; 124:1,3;130:13;	rule (9) 110:18;145:13,16; 146:2,4,14,18; 147:17,24
reminder (2) 15:24;16:11	requested (1) 56:10	respond (2) 99:8;116:14	rules (19) 88:22,23;92:15; 131:24;136:14,20; 145:14,17,21,22,25; 146:15,19,24;147:2, 3,18;148:3,5	run (1) 102:14
reminds (1) 85:17		responded (1) 55:6	running (1) 58:6	runs (1) 67:6
		response (4) 88:17,19;145:23; 147:2	Russell (1)	
		responsibilities (2) 63:15;65:3		
		responsibility (2) 10:19;85:22		
		Responsive (2) 137:4,12		
		rest (2) 50:21;51:16		
		restructure (1) 56:10		

62:24	9:9,10;57:12	21,24,25;74:11,22; 75:13,14;76:11;77:4, 25;86:8,15,18;106:11	13:19	30:14;32:20;39:2
S	scheduled (3) 88:12,15;149:22	scoring (3) 74:23;77:20;78:3	sense (7) 24:24;66:19;67:25; 68:2,3,11;83:18	shared (2) 32:2;38:2
Sadie (2) 24:21;30:18	schedules (1) 9:7	screen (2) 77:24;114:1	sent (8) 28:12;40:11;54:4, 9;82:2;101:19; 116:16;126:10	sharing (1) 25:22
salaries (2) 7:23;8:23	school (117) 5:15,24;12:12,15; 13:1,4;15:1;16:14, 14;20:14,20,25;21:1, 4,5,9,16;22:14,15; 23:11;24:4,14,19,25; 25:21;29:18;30:1; 31:13,18,23;36:18; 39:1,10;40:24;41:19; 43:20;45:11,15;47:4, 8;48:5,20;49:1,4,9; 50:13;51:1,2,13,18, 21;53:2,7;56:10,23; 57:13,14,15,24,24; 58:16,18;59:7,13; 60:17,23;61:3,5,9,11, 16,21;62:13,23;68:5; 69:2;71:16,18;73:21; 74:4,19;77:25;79:13; 93:21;126:4;127:5,6, 12,22;131:7;132:18, 18,21,22;133:6,8; 134:21,22,25;135:1, 5,7;136:7;140:18,18, 21;141:4,5;142:12, 14;143:4;144:5,6,9, 10,14,23	scrutiny (1) 65:19	sentence (3) 33:19;104:19,21	SHARON (4) 93:12,14;96:4; 122:7
salary (7) 6:21,22;7:5,6;9:7, 8,9	searching (1) 18:20	sealed (1) 107:22	sentencing (3) 101:6;102:1,5	Sheppard (2) 127:18,18
Sam (1) 107:25	second (74) 12:4,5,6,18,19,20; 20:2,8,11,13,14; 21:13;28:12;48:21; 51:5,6,7;55:7,10; 61:17;70:4,6,10,13, 14;73:5,6,7;75:16,17, 18;76:12;82:25;87:6; 91:24,25;92:1;93:4,5, 6;103:3;122:2,8; 129:13;132:7,8; 134:14,15;135:24; 136:1;139:16,17,18; 141:2,23,24,25; 143:23,24,25;145:6, 7,8;146:8,9,10; 147:10,11,12;148:11, 12,13;150:11,12	separately (2) 6:13;113:21	September (4) 89:18,18;91:8; 92:12	shift (5) 62:6,7;69:18; 78:21,24
same (20) 37:18;45:20;58:16; 64:24;66:17;67:25; 72:22;74:2;78:2; 81:1;85:10;86:7; 92:14;107:11; 108:23,25;124:18; 128:10;140:21;141:4	school-based (1) 33:9	September (4) 89:18,18;91:8; 92:12	seq (1) 98:4	shifting (2) 58:24,24
sample (1) 33:17	Schools (86) 14:22;15:1,2,5,7, 11,23;17:1;22:14; 24:5,7,9,10,11,13,15, 16,22;25:4;26:4; 27:15;29:24;30:19, 23,24;31:1,1,2,2,11, 17,19;33:8;35:1,12, 16;36:1,4,13,14,17; 37:9,16,17;38:5,25; 39:8,15;40:23;41:14; 44:13,14,16,19;45:9, 10,10,19;46:3,7,9; 47:10,12,14,14,15,16, 19;53:6,8;54:25; 56:25;57:20;58:3,8, 21;72:5;78:11,14,24; 80:5,5,14;126:25; 137:6,13	serious (3) 34:19;101:11; 110:7	serious (3) 34:19;101:11; 110:7	shocking (1) 68:14
satisfied (1) 111:20	save (1) 15:9	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	Shoot (2) 38:13,14
SAVIERS (55) 12:5,6;19:7,8,13; 27:21,22;28:21; 40:20,21;41:22; 67:10,11;68:14,16, 21;69:8,10,14;70:20, 22,25;75:17,18;79:2, 3;82:23,24;83:2; 84:5,15,20;85:15; 93:1,4;113:3,4; 121:20,21;122:4,24; 129:13;132:4,6; 134:14,16;139:22; 140:2,5,9,14,16; 143:8,9;145:7	Saviors' (1) 122:6	service (1) 106:1	Services (6) 10:15;11:2;32:13; 49:9;86:23;133:3	short (1) 129:18
Saviors' (1) 122:6	saw (10) 25:9,14;41:16; 45:15;56:2;74:12,17; 78:18;98:24;140:24	secondary (2) 36:14;38:1	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	shorten (1) 44:5
saying (12) 54:5;65:7;78:9; 83:5,15;97:3;101:24, 25;108:24;116:15; 118:13;121:10	Schools (86) 14:22;15:1,2,5,7, 11,23;17:1;22:14; 24:5,7,9,10,11,13,15, 16,22;25:4;26:4; 27:15;29:24;30:19, 23,24;31:1,1,2,2,11, 17,19;33:8;35:1,12, 16;36:1,4,13,14,17; 37:9,16,17;38:5,25; 39:8,15;40:23;41:14; 44:13,14,16,19;45:9, 10,10,19;46:3,7,9; 47:10,12,14,14,15,16, 19;53:6,8;54:25; 56:25;57:20;58:3,8, 21;72:5;78:11,14,24; 80:5,5,14;126:25; 137:6,13	secondary (2) 36:14;38:1	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	show (2) 53:18;76:5
scale (7) 6:21,22;10:13; 75:23;76:1,8,25	school-based (1) 33:9	seconded (2) 48:23;87:8	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	showing (1) 44:18
scales (1) 7:6	Schools (86) 14:22;15:1,2,5,7, 11,23;17:1;22:14; 24:5,7,9,10,11,13,15, 16,22;25:4;26:4; 27:15;29:24;30:19, 23,24;31:1,1,2,2,11, 17,19;33:8;35:1,12, 16;36:1,4,13,14,17; 37:9,16,17;38:5,25; 39:8,15;40:23;41:14; 44:13,14,16,19;45:9, 10,10,19;46:3,7,9; 47:10,12,14,14,15,16, 19;53:6,8;54:25; 56:25;57:20;58:3,8, 21;72:5;78:11,14,24; 80:5,5,14;126:25; 137:6,13	secondly (2) 79:19;107:19	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	shown (1) 88:8
scary (1) 85:25	school-wide (1) 60:6	seconds (1) 132:9	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	side (8) 62:13;88:4,6;98:2, 2;107:5,9;121:6
scenario-ing (1) 65:8	science (5) 60:9;148:18,21; 149:21,24	Section (7) 89:1,2;99:18,21; 100:4;109:6;113:7	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	side-by-side (1) 127:23
schedule (3)	score (9) 24:5;47:14;74:12; 75:1,23;76:1,8,25,25	Section (7) 89:1,2;99:18,21; 100:4;109:6;113:7	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	sides (1) 48:7
	scores (18) 17:23,25;73:14,17,	security (1) 98:7	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	significantly (1) 14:15
		seeing (7) 27:17;62:6,7; 66:17;74:17;77:3; 78:4	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	SILENCE (1) 89:14
		seeking (1) 114:5	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	similar (10) 74:17,18;78:1,14, 18;86:17;116:9; 123:11;130:23;148:3
		seem (1) 26:6	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	simple (2) 42:11;111:9
		seemed (1) 106:17	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	simply (2) 42:1;116:17
		seems (3) 104:15;106:12,14	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	simultaneously (1) 85:20
		self- (1) 125:17	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	single (6) 23:16;32:11,12; 43:20,20,21
		self-report (3) 124:14,17;125:14	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	sit (1) 52:25
		sending (1) 28:4	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	site (1) 57:7
		sends (1)	serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	site-based (1) 58:11
			serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	sitting (1) 121:22
			serve (9) 7:1;25:20;105:24; 133:9;135:8;137:5; 138:11;142:17; 144:15	situation (6) 13:25;91:3;94:19;

124:10;129:6;145:20 six (1) 15:2 skill (1) 40:6 skills (4) 33:21;59:1,11; 60:11 skipped (1) 147:23 slides (1) 76:22 slow (2) 56:6;120:5 small (1) 77:12 smaller (1) 75:7 Smith (12) 14:5;56:24;57:1,4; 88:11;132:18,19,22; 133:6,9,24;134:1 snappy (1) 44:22 social (1) 60:10 solemnly (1) 124:4 solicitation (1) 97:8 solid (1) 77:10 Solutions (2) 137:5,12 solve (1) 24:9 somebody (1) 139:22 someone (7) 53:17;107:18; 111:19;121:6; 126:19;127:15; 136:12 someplace (1) 5:22 sometimes (7) 29:8,19;74:15; 77:7,9,11;85:20 somewhat (1) 66:21 somewhere (6) 30:5;32:19;37:4, 20,23;74:14 sorry (21) 21:8,22;40:19; 48:17;50:25;52:5; 70:13;71:5;76:16; 78:7;114:24;115:6, 10;122:25,25;123:7; 128:12;130:4; 136:11;143:5;149:14 sort (8) 20:25;22:6;23:24;	24:20;47:9,22;53:10, 17 so-to- (1) 23:12 sounds (1) 23:21 sources (2) 114:3,4 Southwest (1) 22:15 spaces (1) 60:20 speak (9) 17:21;23:13;50:5; 104:16;115:24; 125:7;126:24; 135:17;138:25 speaking (6) 56:20;62:10; 121:17;123:11; 136:24;138:2 Specialist (2) 126:4;127:6 specialists (5) 10:14;24:25;36:19; 39:10;59:14 specialty (1) 31:1 specific (4) 44:24;100:22; 103:1,10 specifically (7) 56:12;58:25;80:7; 82:7;104:8;115:14, 14 speech (1) 114:17 speed (1) 149:5 spend (1) 9:4 spoke (1) 150:1 sponsoring (2) 133:8;135:7 stability (2) 53:16;81:22 staff (16) 10:4,5;13:24; 14:14,17;19:11; 22:21;36:23;39:4,5,6, 9;50:20;88:3;114:18; 121:25 staffed (2) 58:5,7 staff's (1) 68:3 stage (4) 62:4;65:10;118:16; 120:2 stand (4) 42:23;96:6;106:16; 124:3	standard (6) 23:2;26:21,24; 55:12;71:21;72:15 standards (16) 11:16;26:10;28:4; 29:1,2;51:21;63:3; 74:2;75:5;78:22; 84:11;86:13,15; 131:10;139:25; 142:21 standing (2) 20:6;49:23 standpoint (4) 48:7;63:5;118:6; 119:11 STAR (1) 60:4 start (8) 6:1;21:1,3,4,4,15; 97:3;111:16 started (6) 51:15;53:7;78:15, 20;109:14;126:3 starting (1) 63:11 State (43) 20:2,2,30;16;31:6; 40:25;43:8;64:10; 65:15,19,21;69:21; 76:7,9,11;77:19; 80:8;81:15;86:10; 89:4;90:6;92:22; 93:24;94:5;98:8,17; 103:6;107:16;110:8; 111:24;112:3,17; 115:15;129:6,7; 130:25;133:12,17; 135:11;138:9,17; 144:12;149:25;150:6 stated (2) 92:15;130:8 statement (3) 79:18;88:5;131:12 states (2) 89:2;116:17 status (4) 94:9;102:1;110:22; 143:13 statute (9) 9:10;19:21;20:1,6; 100:5;103:17,23; 113:12;131:15 statutes (1) 99:4 statutory (2) 97:4;115:16 stay (1) 72:1 step (6) 9:11;13:11;25:7, 15;83:9;146:20 stepped (1) 145:19	steps (1) 86:7 Steve (1) 88:11 still (18) 6:12;17:18;24:7; 58:1;62:14;64:22,24; 65:10,17;71:25;90:5; 95:14;106:13;109:4; 111:13;118:16,22; 128:19 stole (1) 127:4 stood (2) 96:7,12 straight (1) 24:15 strategic (2) 22:8;42:20 strategies (1) 28:18 strategize (1) 67:22 streamlined (1) 41:10 strengths (2) 33:23;85:12 stress (1) 15:19 strides (2) 44:19;127:25 strings (1) 11:8 STROZYK (4) 92:7,10,11,15 structure (3) 31:16,16;109:13 struggling (1) 57:16 student (37) 32:11,12;34:4; 41:2,3;42:9;43:20; 60:15;66:3;74:6; 75:23;76:2,9;77:3,6, 6,7,12,14,19;78:13, 13;79:5,7;82:18; 83:17,19;85:1;89:20, 21;90:3;91:5,7;98:7, 14;104:1;141:9 students (56) 24:7,12;26:2,11; 29:3,14,15;32:7,22; 33:18;34:7;35:5; 37:4,7;38:20;40:1; 45:18,18,25;46:1,16, 20;50:16;71:19;72:6; 74:19,23;76:24; 77:11,15,23;78:3,16, 19,25;79:1,14,17; 80:10,20;82:4;84:11; 85:3;86:2,25;90:1; 98:21,25;109:12; 133:9;135:8;138:11;	142:18,22;143:12; 144:15 student's (1) 33:13 student-teacher (1) 142:22 studies (1) 60:10 study (1) 81:1 subcommittee (3) 15:3;65:25;69:22 subcommittees (1) 13:22 subject (1) 68:17 submit (1) 131:13 submitted (5) 65:14;66:24; 133:13;135:12; 138:19 subsection (2) 97:7,10 substantial (2) 42:20;46:25 substantive (2) 118:16,20 succeed (1) 11:5 succeeded (1) 23:17 succeeding (1) 24:8 success (3) 28:7;50:8;86:2 successes (3) 23:10,19,20 successful (5) 46:11;55:2;95:19, 21;120:1 successfully (2) 72:14;90:8 sufficient (4) 20:3,8;55:3;90:22 suggest (1) 62:4 suggestion (1) 17:11 sum (1) 8:1 summarize (1) 56:9 summary (3) 117:3;128:4; 138:23 summative (1) 39:22 superintendent (12) 5:16;30:19;49:21; 52:5,9,9;53:13; 54:14;65:4;126:24; 127:19;137:6
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<p>superintendents (2) 32:3;34:13</p> <p>Superintendent's (1) 127:2</p> <p>supervise (1) 90:1</p> <p>supervised (2) 90:3,19</p> <p>supervises (1) 9:23</p> <p>supervision (1) 89:17</p> <p>supervisor (1) 7:14</p> <p>supplemental (1) 82:19</p> <p>support (23) 14:19;19:14;28:17; 35:19;36:17;49:9; 50:9,13,14;61:9,14, 18;62:3,23;64:7; 72:12;78:13,24;79:1; 80:14;138:3;146:15, 19</p> <p>supporting (1) 72:2</p> <p>supportive (1) 62:18</p> <p>supposed (1) 34:20</p> <p>SUPT (18) 13:6,8,15;22:1; 38:13;41:24;45:7; 46:22;48:1,11;50:7; 52:11;54:23;56:22; 61:1;63:22;64:16; 126:22</p> <p>sure (27) 9:1;10:24;11:6,10; 17:7;20:1;22:22; 25:23,25;27:2;35:7, 9;40:13;46:18;56:6; 59:9;72:16;76:17; 77:17;78:7;79:16; 80:13;81:16;87:15; 94:22;108:22;115:4</p> <p>surveys (1) 34:6</p> <p>suspend (5) 90:7;93:24;94:5; 108:15,19</p> <p>suspended (2) 105:15;122:19</p> <p>suspending (2) 95:15;102:7</p> <p>suspension (6) 91:17;94:23;98:5; 103:21;104:6;121:15</p> <p>sustaining (1) 50:8</p> <p>swear (3) 96:9,13;124:4</p> <p>sworn (2)</p>	<p>88:9;96:8</p> <p>symptom (1) 17:25</p> <p>system (8) 25:14;26:1;27:7; 44:1;107:2;109:2; 147:19;148:1</p> <p>systematic (4) 22:23;23:1,7;42:14</p> <p>systematically (5) 23:18;24:19;42:3; 59:6,8</p> <p>systemic (2) 23:7;33:14</p> <p>systems (6) 23:11;25:5;26:25; 56:10,11;61:24</p>	<p>teacher (22) 7:14;9:9;22:12; 33:16;34:5;36:1; 37:14,15,20;57:24; 58:14;67:15;71:1,6; 98:22,24;108:15; 110:3;142:23; 143:12;146:15,19</p> <p>teachers (44) 6:22;7:9;9:11; 10:5;23:4;26:4,6,8, 19;27:6,15,17;28:5; 33:25;34:7,11,15,22, 23;35:4,17;36:5; 38:8;53:9;57:25; 58:7,22;59:25;60:10, 19,20;67:19,20,25; 68:12,17;82:8;83:12; 84:19,24;85:2,12,14, 108:19</p> <p>teacher's (1) 34:4</p> <p>teaches (1) 82:8</p> <p>teaching (16) 22:18;26:24;27:12; 47:21;87:23;88:1; 92:6,10;93:11,14; 98:5;110:3;123:3,8; 129:21,25</p> <p>team (8) 40:15;50:9,16; 54:24;55:17;56:20; 87:13,20</p> <p>teams (12) 23:3;31:20,20,21, 22,24;33:9;34:24; 35:16;37:12;38:1; 62:2</p> <p>Tech (1) 144:10</p> <p>TECHNOLOGY (3) 144:5,14,23</p> <p>telling (3) 29:21;38:16;131:6</p> <p>tend (1) 23:23</p> <p>term (2) 8:6,7</p> <p>terminally (1) 5:17</p> <p>terminology (1) 67:24</p> <p>terms (17) 19:20,21;29:3; 43:8,11;47:11;50:8; 61:25;62:9,17;66:14, 16;67:22;69:8;79:24; 103:4;118:17</p> <p>Terrific (1) 11:20</p> <p>Terry (5) 41:17;47:7,7,8,11</p>	<p>test (11) 17:23,25;33:8; 44:3;98:7,22,23,23; 99:1;106:10;109:11</p> <p>testify (3) 123:24;124:2; 125:5</p> <p>testifying (1) 96:5</p> <p>testimony (4) 88:9;96:10,14; 124:4</p> <p>testing (5) 23:5;60:4;81:23; 98:7;109:8</p> <p>tests (4) 33:10;38:24;40:2; 81:19</p> <p>Thanks (8) 19:8;21:21,22; 31:6;36:18;41:23; 67:9;68:21</p> <p>theft (1) 124:12</p> <p>therefore (4) 68:1;124:19,22; 126:12</p> <p>therein (1) 104:12</p> <p>thinking (6) 6:5;17:4;45:3; 88:12;105:20;121:9</p> <p>third (2) 53:12;62:1</p> <p>though (5) 25:3;67:6;84:8; 108:20;111:24</p> <p>thought (6) 17:16,17;22:7; 25:5;80:17;116:2</p> <p>thousand (1) 45:21</p> <p>three (29) 37:21;38:4;44:5; 46:3;55:20;56:12,15, 25;58:8;61:7;74:5; 82:13;89:23;90:7,8, 15,19,21;93:25; 99:11,14;105:24; 106:4;109:10,15,16, 17;123:14;126:16</p> <p>three-week (1) 23:4</p> <p>three-year (6) 91:17;101:8; 123:16,20;128:10,13</p> <p>threw (1) 9:23</p> <p>ticking (1) 21:2</p> <p>tie (1) 106:19</p> <p>Tier (5)</p>	<p>35:19,21,21;36:2; 82:16</p> <p>tiers (2) 82:13,17</p> <p>timeline (1) 19:20</p> <p>times (6) 30:3;31:21;33:5; 67:19;68:11;110:17</p> <p>title (1) 127:16</p> <p>TLI (9) 28:1;32:25;33:3,4, 5;37:1,22;39:14;60:2</p> <p>today (25) 22:9,16;30:14; 35:1;50:6;51:22; 52:21;57:5;71:11; 73:23;80:6;112:5; 113:15;116:7,8,10, 12;119:7,12;123:15, 19;125:5;134:3; 143:4;150:2</p> <p>together (9) 11:1,10,19;23:4; 36:10;57:20,25;65:8; 85:3</p> <p>told (6) 30:20;35:24;55:7; 88:14;98:21;127:7</p> <p>tomorrow (2) 78:11;131:8</p> <p>tonight (3) 45:11;46:2;47:2</p> <p>Tonya (1) 8:21</p> <p>took (6) 27:2;33:17;40:25; 55:6;85:4;114:25</p> <p>tool (1) 34:8</p> <p>tools (1) 24:13</p> <p>top (1) 79:11</p> <p>total (2) 83:17;142:23</p> <p>totally (2) 109:9,20</p> <p>tough (2) 50:14;64:6</p> <p>tougher (1) 81:6</p> <p>tour (1) 57:24</p> <p>tours (1) 46:1</p> <p>track (2) 39:15;44:19</p> <p>traditional (2) 71:13,13</p> <p>train (3) 27:14;53:18;120:5</p>
T				
	<p>table (4) 63:25;117:18,22; 120:20</p> <p>tabled (1) 117:16</p> <p>tabling (4) 117:23;119:3,11, 15</p> <p>tackled (2) 18:3;22:25</p> <p>tactical (1) 22:8</p> <p>takeover (4) 20:2,17;43:8;48:4</p> <p>talents (1) 71:15</p> <p>talk (11) 22:3;30:1;31:12; 35:5;42:20;44:10,20; 52:21;103:16;118:5, 10</p> <p>talked (7) 32:8;36:7;41:18; 44:25;58:22;71:14; 73:25</p> <p>talking (11) 30:2;32:22;35:21; 36:12;45:25;46:2; 57:5;58:25;66:16; 76:19;78:5</p> <p>tardiness (1) 34:4</p> <p>target (1) 37:7</p> <p>Tarver (2) 143:4,7</p> <p>taught (2) 29:9,11</p> <p>Taylor (1) 143:3</p> <p>teach (4) 10:1;23:3;29:11; 36:13</p>			

<p>trained (3) 26:3;34:10;59:6</p> <p>training (11) 9:25;10:10;34:10; 36:22,24;39:9;53:2; 89:25;90:2,4,20</p> <p>trains (1) 9:23</p> <p>transactional (1) 22:9</p> <p>transgressions (1) 131:13</p> <p>transition (6) 45:1,14,15;57:19, 22;84:8</p> <p>translate (3) 41:2,6,6</p> <p>treated (2) 89:2;105:8</p> <p>tremendous (1) 81:2</p> <p>trenches (2) 37:10;69:16</p> <p>trend (4) 35:12,13,23;37:13</p> <p>trial (1) 100:7</p> <p>TRI-COUNTY (4) 134:21,25;135:5,6</p> <p>tried (3) 18:12;41:14;149:5</p> <p>trifocal (1) 85:17</p> <p>trifocals (1) 85:25</p> <p>Trish (2) 133:25;134:1</p> <p>troubles (1) 84:2</p> <p>true (4) 48:9;89:16;105:17; 106:5</p> <p>truly (2) 26:1;118:20</p> <p>truth (6) 96:15,15,15;124:5, 5,6</p> <p>try (11) 15:18;18:9,20; 19:2;27:14;44:21; 80:4;85:23;88:18; 108:14;128:22</p> <p>trying (25) 11:17;14:1,18; 15:11,13;16:19;18:6, 15,18;19:5,23;26:24; 27:11;28:6,7;29:12, 13;37:18;60:21; 85:17;105:8,13,19; 107:25;120:4</p> <p>Tuesday (3) 53:6,12;59:19</p> <p>tuning (1)</p>	<p>42:8</p> <p>turn (3) 60:22;62:5;136:22</p> <p>turns (1) 95:17</p> <p>twice (2) 33:4;39:11</p> <p>two (21) 11:10,19;16:24; 19:11;31:1,2,9;53:4; 63:16;64:3;76:6; 90:16;100:9;102:15, 19;106:4;110:9; 136:23;140:22; 146:25;148:3</p> <p>two-fold (1) 10:3</p> <p>two-minute (2) 149:8;150:18</p> <p>two-month (1) 119:21</p> <p>two's (1) 81:8</p> <p>two-way (1) 14:9</p> <p>two-year (1) 119:21</p> <p>Tyler (4) 143:3,3,5,7</p> <p>type (3) 8:14;19:3;85:10</p> <p>typically (3) 6:24;102:13; 111:18</p>	<p>14;125:12</p> <p>underlying (6) 17:25;89:19;98:11; 102:20;104:4;118:19</p> <p>uneventful (1) 43:25</p> <p>unexpected (1) 78:17</p> <p>unfair (1) 106:25</p> <p>unfairly (1) 105:7</p> <p>unharmful (1) 89:21</p> <p>unified (1) 62:11</p> <p>unique (1) 29:22</p> <p>unit (3) 27:10;61:4,6</p> <p>units (5) 23:4;26:9,13;63:8; 140:8</p> <p>University (3) 57:6;66:11;72:12</p> <p>unreasonable (1) 11:9</p> <p>unsuccessful (1) 111:13</p> <p>unsupervised (3) 89:21,24;90:21</p> <p>un-table (1) 119:6</p> <p>up (34) 9:10;10:4;13:11; 14:2,8;15:9;17:6; 21:16;23:2;24:21; 25:7,10,12,15;27:17; 28:6,7;37:24;42:8; 44:22;49:14;50:12, 12;53:14;82:16; 87:20;96:12;113:23, 25;116:21;119:5,6; 149:6,6</p> <p>update (2) 54:25;56:24</p> <p>upfront (1) 57:21</p> <p>upper (1) 79:5</p> <p>urgency (3) 67:25;68:2,3</p> <p>usage (1) 33:20</p> <p>use (13) 7:23;31:13,17; 32:21;33:11;34:2,6, 24;54:16;67:23; 85:19;86:12,15</p> <p>used (6) 8:1;14:7;19:3; 55:3;74:3,3</p> <p>useful (1)</p>	<p>16:13</p> <p>using (5) 25:6;33:25;34:2,9; 60:9</p> <p>utilizing (2) 71:15,16</p> <p>UVA (6) 53:21,21;62:5,8, 12;67:4</p>	<p>visually (1) 82:9</p> <p>voice (1) 62:11</p> <p>voice-mail (1) 88:18</p> <p>volume (1) 137:9</p> <p>volunteering (1) 110:6</p> <p>vote (8) 16:2;100:13; 106:18;121:14; 133:11;135:10; 138:16;150:5</p> <p>voted (2) 130:5;133:21</p> <p>votes (1) 133:22</p>
			V	
				W
				<p>wait (6) 94:17,20;102:13; 107:18;120:9;123:17</p> <p>waiting (4) 69:13;95:7;126:16; 149:13</p> <p>waive (3) 123:18;139:24; 142:20</p> <p>waiver (34) 39:18,21,25;40:11; 87:23;88:1,12,15; 92:6,9,11,13,17,23; 93:11,14;95:25; 105:15;122:6;123:3, 6,8;128:8;129:12,16, 21,25;130:7,7;131:1, 17,24;132:16;140:12</p> <p>waivers (2) 46:9;84:18</p> <p>walk (3) 78:11;85:18,23</p> <p>walking (1) 86:1</p> <p>walks (1) 58:14</p> <p>walk-throughs (1) 58:13</p> <p>wall (1) 35:1</p> <p>Wallace (16) 52:6,7,8,11;54:22, 23;56:22;60:25;61:1; 63:20,22;64:16,19, 21;65:7;69:8</p> <p>Wallace's (1) 53:15</p> <p>walls (1) 34:25</p> <p>Walt (1) 49:21</p>

wants (3) 52:10;64:15;131:7	40:22;41:11;51:17; 23:56;18:61;2,3,3; 63:4,18;64:19,21; 66:5,8,14;67:8,11,17; 68:15,20;69:1,14,17	39:1;42:17;53:4,5; 57:21;58:2,4;61:8,9, 11,12,17,21;62:3,14, 19;63:22;64:6,24; 67:15;77:13;80:3; 81:20;83:11;84:11; 86:24;101:19; 105:23;110:2; 115:20;120:25; 125:10,18;127:22; 128:20;131:8	14:14;33:3;35:13; 36:11;55:13;81:21; 84:13;90:7,8,15,22; 91:8;102:15,15; 105:24,25;106:4; 114:18;119:17; 125:19;126:16; 130:21;131:11	142:17 11:53 (1) 51:12 11th (1) 37:2 12 (5) 49:2,6;123:7; 133:10;135:9 12- (1) 26:6 12:44 (1) 51:12 12:45 (1) 51:11 12th (2) 36:10;88:16 13 (2) 22:16;31:1 14 (5) 126:5;130:21; 133:4;135:2;144:14 15 (5) 5:12;21:4;57:13; 138:13;144:17 15- (1) 21:4 150 (1) 84:23 15-16 (1) 20:22 15th (1) 142:19 16 (1) 21:5 16-17 (3) 20:16,21;21:16 165 (1) 84:23 16th (1) 28:10 17-18 (1) 20:16 19 (1) 144:7
war (1) 35:4	Williams (32) 8:21,22;87:24; 88:2,10,21;89:16,19, 20,22,25;90:8;91:15; 93:19;99:10,19; 100:2;109:9,24; 117:25;123:4,9,14, 14,15,23,25;125:2,6; 126:21;127:1;130:6	worked (2) 22:12,22 working (29) 7:1,2;10:23;13:24; 14:4;15:3;16:12,25; 18:23;22:13;25:2; 31:9;38:2,11;40:12, 15;44:1;46:23;53:21; 64:22;71:19;72:1,7; 76:5;79:25;85:7; 109:2;125:7;126:3	yesterday (1) 46:24 yield (1) 94:6 young (3) 81:3,9;127:8 youngsters (1) 55:24 youth (1) 131:13	
warrants (1) 95:15	Williams' (4) 97:5,16;100:11; 109:18	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11	Z	
Watson (4) 126:25;127:10,19, 21	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
way (30) 7:7,21;10:22;11:7; 19:15;20:23;22:24; 23:1,6,7;26:1,22; 29:10,12,22;33:7; 37:20;38:13,14;43:9; 49:19;62:10;72:3; 75:5;79:25;82:4; 87:21;116:23;120:2; 143:11	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
ways (4) 14:10;16:7;84:16; 121:12	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11	Z	
weaknesses (1) 28:17	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
wear (1) 85:18	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
wearing (1) 86:1	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
web (1) 80:7	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
webinar (1) 78:10	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
week (13) 22:16;31:25;36:23; 39:12;44:2,20;66:24; 79:9;148:18,21; 149:22,22,25	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
weekly (2) 59:21;63:24	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
weeks (7) 22:20,25;23:9,14; 24:15;42:6;127:20	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
West (5) 46:3;140:19,21; 141:4,5	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
what's (18) 14:5;17:7;28:13, 21;45:6;47:18;48:8; 53:18;61:18;87:2,21; 89:8;90:12;94:9; 105:1;119:20;134:8; 141:17	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
wheel (1) 42:8	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
whole (8) 15:24;43:7;56:13; 59:4;86:23;96:15; 109:14;124:5	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
who's (1) 49:22	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
who've (2) 47:3;72:5	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
Wilde (23)	WILLIAMSON (24) 48:21,23;50:24; 73:6,7;91:25;92:1; 110:14,15,17,21,24; 111:1,6;112:6,8,11, 14;122:2,8;143:19, 22;147:11,12	works (2) 14:23;42:16 world (1) 72:3 worrisome (1) 81:1 worry (1) 125:15 worth (1) 23:14 wraparound (1) 32:13 writing (3) 33:12,17,19 written (3) 20:24;44:7;98:24 wrong (2) 115:11;128:13 wronged (1) 105:11		
		Y		
		y'all (8) 41:25;43:3,7,9,11; 81:5;95:6;150:3 year (51) 9:2,10;10:17; 16:14,15;20:2,8,11, 13,14,20;21:1,4,5,13, 16;31:18;33:4,4,16; 37:3;38:18;39:17,22; 40:24;45:3,6;58:5; 61:15,19;66:19,20, 22;67:1,6,7;69:1,2,3; 72:9,10,13;85:9;86:7, 8,15,17;114:8,10; 126:25;150:3 year- (2) 63:9,10 years (23)	1	2
		y'all (8) 41:25;43:3,7,9,11; 81:5;95:6;150:3 year (51) 9:2,10;10:17; 16:14,15;20:2,8,11, 13,14,20;21:1,4,5,13, 16;31:18;33:4,4,16; 37:3;38:18;39:17,22; 40:24;45:3,6;58:5; 61:15,19;66:19,20, 22;67:1,6,7;69:1,2,3; 72:9,10,13;85:9;86:7, 8,15,17;114:8,10; 126:25;150:3 year- (2) 63:9,10 years (23)	1 (19) 35:20;59:14,17; 74:12,20;77:4,6,20; 78:3,8,13,17,19;82:5, 13,16,16;138:11; 141:13 1,000 (1) 31:14 10 (4) 57:13;129:18; 131:11;133:9 10.02.5 (1) 142:21 10th (1) 88:13 11 (1)	2 (10) 35:21;74:13,20; 77:4,20;78:3,8,17,19; 82:5 2,000 (1) 106:1 2/Tier (1) 36:2 2:28-2:40 (1) 129:20 20 (8) 5:14;6:6,7;31:5; 88:6;96:23;123:12; 125:4 200 (2) 142:19,22

2000's (1) 78:21	73:13,16,23;74:3, 18;75:11;78:1,1		
2004 (2) 125:10;131:9	3rd (2) 37:2;45:17	7	
2006 (1) 131:10	3's (2) 82:15,22	70% (4) 74:19;77:22;78:6; 83:6	
2008 (1) 125:11	4	700 (1) 74:13	
2009 (3) 98:21;99:1,1	4 (3) 74:14,20;78:4	7-13 (1) 149:23	
2012 (5) 125:9,9,10,19; 138:11	400 (1) 135:9	725 (1) 74:14	
2013 (2) 142:17;144:14	410 (1) 99:21	750 (1) 74:14	
2014 (3) 49:10;89:18;91:8	410c (1) 115:14	79 (1) 114:16	
2015 (9) 20:18;49:2,6; 133:4;135:2;138:13; 144:17;147:3;149:23	45 (2) 142:23;143:12	8	
2016 (1) 70:10	450 (1) 133:10	8,000 (1) 38:17	
2017 (1) 56:3	4th (2) 28:11;45:17	80% (1) 78:18	
2018 (1) 126:3	5	800 (3) 74:15,15,16	
2019 (2) 94:11;113:25	5 (13) 33:2,11;74:14,21; 75:2,4,7;85:5;88:5; 96:23;123:12;135:9; 138:12	83% (1) 37:24	
201-A (2) 87:14,16	50% (1) 78:2	87 (1) 114:16	
21st (1) 92:12	52 (1) 31:5	9	
28th (2) 20:12,18	5th (6) 38:5,8;45:1,17; 46:2,3	9.03.4.12.1 (1) 139:25	
3	6	900 (1) 144:19	
3 (22) 33:2;35:21;36:2; 74:6,13,20;77:4,6,20; 78:3,4,8,13,17;79:5, 11,11,21;81:10;82:5, 10;85:6	6:30 (1) 45:11	90's (2) 24:6,6	
3.02.1.1 (1) 89:1	60% (4) 37:5;77:22;78:2; 83:5	9-12 (1) 144:15	
3.02.3.1 (1) 88:23	600 (2) 144:16,19	9th (2) 88:11;92:12	
3:01 (1) 150:21	61% (1) 37:24		
30 (1) 126:13	6-12 (1) 142:18		
30% (1) 74:20	6-17-410 (1) 98:4		
300 (1) 45:13	62 (1) 26:3		
30th (1) 53:15	650 (1) 74:13		
31 (1) 30:24	685 (1) 138:13		
38 (1) 140:7	6th (2) 45:1,5		
3-8 (8)			