

In The Matter Of:
ARKANSAS STATE BOARD OF EDUCATION

September 8, 2022

Min-U-Script Pro Evaluation

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ARKANSAS STATE BOARD OF EDUCATION

SEPTEMBER 8, 2022

1:00 p.m.

A P P E A R A N C E S

BOARD MEMBERS:

MS. OUIDA NEWTON, Chairman
DR. SARAH MOORE, Vice Chairman
DR. FITZGERALD HILL
MS. KATHY McFETRIDGE
MS. ADRIENNE WOODS
MR. STEVE SUTTON
MR. RANDY HENDERSON
MS. LISA HUNTER

NON-VOTING PARTICIPANTS:

MR. JOHNNY KEY, Secretary of Education
MS. JESSICA SAUM, Arkansas Teacher of the Year

DESE LEGAL COUNSEL:

MS. LORI FRENO, General Counsel

LOCATION:

Rogers School District
Administration Building
500 W. Walnut Street
Rogers, AR 72756

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P R O C E E D I N G S

VI.1: CONSIDERATION OF ACT 1240 DIGITAL LEARNING WAIVERS

a) BAY SCHOOL DISTRICT

CHAIRMAN NEWTON: So we'll move on to the action agenda. The first one is the Act 1240 digital learning waivers.

MS. COFFMAN: Good afternoon. Deborah Coffman, Assistant Commissioner of Public School Accountability.

The Bay School District is requesting approval of their digital learning plan for students in grades 10 through 12. They previously had a one-year plan approved for the 21-22 year, and they're asking to extend that now. This program will offer synchronous and asynchronous learning through a virtual approach using curriculum provided by Lincoln Learning. Teachers are Arkansas certified and they are provided by the content provider. The district is requesting to not use the Class Size and Teaching Load waivers. They have a very small number of students enrolled. This 1240 waiver is being requested by the district through the end of the 24-25 school year. The application has been reviewed by all of our DESE team throughout the process that you know. Typically, you have given approval for up to two years now so that

1 all of our digital learning plans will come to the
2 end at the same time or expire at the same time.

3 So we're requesting at DESE that you approve
4 this 1240 waiver to expire June 30, 2024.

5 CHAIRMAN NEWTON: So this would be a two-year
6 plan then?

7 MS. COFFMAN: Yes, ma'am.

8 CHAIRMAN NEWTON: Okay. All right. Are there
9 any questions or discussion?

10 DR. MOORE: I do.

11 CHAIRMAN NEWTON: Dr. Moore. Yeah, I think
12 you'll have to pull it real close so it will pick up.

13 DR. MOORE: Yes. Just because it's in the --
14 you know, school has already started. Is this a
15 program that they've started this year? And do we
16 know how many students are enrolled?

17 MS. COFFMAN: My understanding is that last year
18 they had two students, and at this time they don't
19 have any enrolled.

20 DR. MOORE: Okay.

21 MS. COFFMAN: But of course, you know, that
22 could change during the school year.

23 DR. MOORE: Okay. And they want that as an
24 option?

25 MS. COFFMAN: Yes, ma'am.

1 DR. MOORE: This has probably been asked before,
2 but in this case could students roll into it at mid-
3 semester or is it something that usually at the
4 semester break is when they're going to move into
5 virtual?

6 CHAIRMAN NEWTON: Did you hear that, Ms.
7 Coffman?

8 MS. COFFMAN: I did. I don't know that I know
9 the answer to that.

10 DR. MOORE: Would that be a local district
11 decision?

12 MS. COFFMAN: Yes, ma'am.

13 DR. MOORE: Okay. Okay. Thank you.

14 CHAIRMAN NEWTON: Any other questions or
15 comments?

16 Ms. McFetridge.

17 MS. McFETRIDGE: I notice they were using
18 Lincoln Learning and also they were offering CTE
19 classes and what they called ICB, and I'm not sure I
20 understand what ICB is. But I'm curious as to how
21 they were going to use both Lincoln Learning and then
22 blend in the CTE classes. Can you talk a little bit
23 about that?

24 MS. COFFMAN: I cannot. I don't --

25 MS. McFETRIDGE: Okay.

1 MS. COFFMAN: I don't see anyone on from the
2 district.

3 SECRETARY KEY: Ross can address the ICB and
4 give some insight on that.

5 MR. WHITE: Ross White, Director of the Division
6 of Career and Technical Education.

7 So ICB -- ICB is a supplemental curriculum piece
8 that's available. They have a slew of different
9 courses that are available. They have written
10 curriculum for it, but it's really used as a
11 supplemental. And I know that as the State we used
12 it as a piece when Covid -- when we were out of
13 session, that a lot of districts capitalize on. We
14 have a lot of districts who still use it. But it's
15 just a bit of a supplemental piece to the
16 instruction; it's not considered full instruction to
17 -- that piece within the typical career and technical
18 education classroom setting.

19 Does that answer your question?

20 MS. McFETRIDGE: Their CTE courses, they will
21 come in for those or is that still digital as well,
22 or both?

23 MR. WHITE: I'm not fully aware on that one.
24 That would probably be more a question for Ms.
25 Coffman. But they -- you know, it's going to give

1 them the foundational knowledge; it's not going to
2 give them the practical skill piece. ICB is not
3 designed to be the hands-on side of it, but it will
4 give them the foundational skill -- or knowledge, I
5 guess you'd say, not skill. The practical hands-on
6 piece would be missed in that part.

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

8 CHAIRMAN NEWTON: Any other questions or
9 comments from the Board?

10 Mr. Sutton, did you have a question?

11 MR. SUTTON: No, ma'am.

12 CHAIRMAN NEWTON: Anyone else?

13 Okay. So we have a digital learning plan before
14 us from Bay School District. We're going to look at
15 it for -- the Department has recommended for two
16 years.

17 Do we have a motion?

18 MR. SUTTON: I'll move.

19 CHAIRMAN NEWTON: Okay. To approve?

20 MR. SUTTON: Yes.

21 CHAIRMAN NEWTON: Okay. We have a motion to
22 approve by Mr. Sutton, the digital learning plan for
23 the Bay School District for two years.

24 Do we have a second?

25 MR. HENDERSON: Second.

1 CHAIRMAN NEWTON: Seconded by Mr. Henderson.

2 All in favor?

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRMAN NEWTON: Any opposed?

5 Thank you.

6 VI.2: FOR FINAL APPROVAL: DESE RULES GOVERNING NUTRITION AND
7 PHYSICAL ACTIVITY STANDARDS AND BODY MASS INDEX FOR AGE
8 ASSESSMENT PROTOCOLS IN ARKANSAS PUBLIC SCHOOLS

9 CHAIRMAN NEWTON: All right. We have now some
10 rules, final approval of the DESE rules governing
11 Nutrition and Physical Activity Standards. Ms. Park
12 -- or who is going to do this? I know it's --

13 MS. PARK: I'm here by Zoom.

14 CHAIRMAN NEWTON: Okay.

15 MS. PARK: Hello. I'm here with -- Jerry Clark
16 and Sheila Chastain are also here in case there's any
17 questions.

18 So we have the final rules on Nutrition and
19 Physical Activity Standards and Body mass Index for
20 Age Assessment Protocols in Arkansas Public Schools.
21 They went out for public comment and we had a
22 hearing. Comments were (audio distortion). And
23 we'll take any questions you have.

24 CHAIRMAN NEWTON: Any questions on these rules?

25 Okay. Do we have a motion?

1 MS. McFETRIDGE: I have a comment. Just
2 wondering if you could add some examples of smart
3 snacks on this -- and maybe you'd already thought
4 about putting these in the rules. But I thought it
5 might be helpful to parents and teachers as well if
6 there were some examples lined out on these
7 regulations.

8 CHAIRMAN NEWTON: Did you hear that, Ms. Park?

9 MS. PARK: I did. Sheila Chastain is on the
10 line for Child Nutrition, so I'm going to see if she
11 can answer that question.

12 MS. McFETRIDGE: I just thought it would be
13 helpful.

14 CHAIRMAN NEWTON: Ms. Chastain, are you on?

15 MS. CHASTAIN: Sorry about that. I forgot to
16 turn on my camera. Yes, I can address that.

17 We have not given specific examples because
18 especially with product formulation and things that
19 would be purchased through that, they change so
20 often. So some things that might qualify now, a
21 company could come back and reformulate those
22 products and have a new and improved version which
23 might not meet the regulations that were by USDA for
24 smart snacks. So that is why we did not include
25 specific examples.

1 MS. McFETRIDGE: Okay. Thank you.

2 CHAIRMAN NEWTON: That makes sense.

3 MS. CHASTAIN: Yes, ma'am. Yes, ma'am.

4 CHAIRMAN NEWTON: Any other questions?

5 Okay. Are we ready for a motion?

6 MS. McFETRIDGE: I make the motion that we
7 approve the rules governing Nutrition and Physical
8 Activity Standards and Body Mass Index.

9 CHAIRMAN NEWTON: Okay. We have a motion to
10 approve by Ms. McFetridge.

11 DR. HILL: Second.

12 CHAIRMAN NEWTON: Seconded by Dr. Hill.

13 All in favor?

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIRMAN NEWTON: Any opposed?

16 Okay. All right.

17 VI.3: CONSIDERATION OF REQUEST FOR APPROVAL OF NOMINATED
18 MEMBERS FOR THE PROFESSIONAL LICENSURE STANDARDS BOARD TO
19 REPLACE MEMBERS WHOSE TERMS ARE VACANT OR EXPIRING JUNE 30,
20 2024

21 CHAIRMAN NEWTON: We are moving on now to
22 Consideration of Request for Approval of Nominated
23 Members for the PLSB Board. Ms. Saracini.

24 MS. SARACINI: Karli Saracini, A.C. of Educator
25 Effectiveness and Licensure.

1 And today, I'm bringing before you a
2 recommendation because Dr. Nita Bohannon has gone
3 from one university to the next, and in doing so
4 she's left her leadership position. And this
5 particular position on the PLSB board is the
6 leadership nomination for the Arkansas Professors of
7 Educational Leadership. And so once you move from a
8 position, then we have to have another recommendation
9 for this position.

10 The one that's being recommended by the Arkansas
11 Professors of Educational Leadership is Dr. Annette
12 Hux of Arkansas State University, to complete the
13 term. And her term will end 2014, June of 2014.

14 CHAIRMAN NEWTON: 2024?

15 MS. SARACINI: I mean 2024. Why did I say 2014.
16 I got the four right.

17 CHAIRMAN NEWTON: All right. So we have a new
18 member proposed. Do we have a motion?

19 MS. WOODS: I'll move to approve.

20 CHAIRMAN NEWTON: We have a motion by Ms. Woods.

21 MR. HENDERSON: Second.

22 CHAIRMAN NEWTON: Seconded by Mr. Henderson.

23 All in favor?

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRMAN NEWTON: Any opposed?

1 All right. Thank you.

2 MS. SARACINI: Thank you.

3 VI.4: CONSIDERATION OF CHARTER AUTHORIZING PANEL DECISION -
4 OMNI CLASSICAL PREP OF CABOT

5 CHAIRMAN NEWTON: And a very short agenda we
6 have today. Our last item is Consideration of
7 Charter Authorizing Panel Decision; this would be
8 Omni Classical Prep of Cabot. Ms. -- who is --

9 MS. SUMMONS: Dorie Summons. I'm here.

10 CHAIRMAN NEWTON: Yeah, here we go. Welcome.

11 MS. SUMMONS: Good afternoon. Dorie Summons,
12 DESE Charter Office.

13 The Omni Classical Prep of Cabot submitted an
14 application for an open enrollment charter school.
15 The Charter Authorizing Panel denied approval of the
16 open enrollment charter application based on the
17 following reasons: 1) The need for additional work
18 on the application to provide a clear explanation of
19 financial, administrative, and educational structure;
20 Number 2) Lack of continuity in the required
21 application components, including a chain of command
22 and segregation of duties; Number 3) The need for a
23 more detailed plan to fully address all the concerns
24 of the Panel; and Number 4) A lack of clarity
25 regarding the administrative roles, fiscal

1 guardrails, and special education student services.
2 Four of the Authorizing Panel members voted for
3 denial of the application, and two members voted
4 against that denial.

5 Ms. Bosch has also submitted an email requesting
6 that the State Board not review the application of
7 Omni Classical Prep of Cabot.

8 CHAIRMAN NEWTON: Thank you, Ms. Summons.

9 Is there any discussion on this charter
10 application?

11 MS. WOODS: So just to make sure I understand,
12 because it's rare that we get one that hasn't been
13 approved, are we -- is the motion to go ahead and
14 review the application and then we make a decision,
15 or we are overriding what the Charter Authorizing
16 Panel wants?

17 CHAIRMAN NEWTON: We would review or not review
18 their decision. If you decide not to review, then we
19 would uphold their decision --

20 MS. WOODS: Okay.

21 CHAIRMAN NEWTON: -- to deny.

22 DR. MOORE: Just -- yes, just to make sure -- I
23 should know this. But if we vote to deny, like it's
24 to support the decision of the Charter Authorizing
25 Panel, do they -- is the cycle yearly? So they would

1 apply next year and answer all these questions? Is
2 that --

3 SECRETARY KEY: Yes.

4 DR. MOORE: Okay.

5 SECRETARY KEY: That's correct. It would start
6 with the next application cycle.

7 DR. MOORE: Okay. And so they have that -- this
8 runaway time to get prepared for the next year?

9 SECRETARY KEY: Which is not uncommon for --

10 DR. MOORE: A first-time.

11 SECRETARY KEY: -- a hopeful charter
12 organization to come, get feedback their first
13 application, and then come back in a future cycle to
14 fill in the gaps, so-to-speak.

15 DR. MOORE: Thank you.

16 CHAIRMAN NEWTON: Any other questions or
17 comments on this application?

18 So let me make sure that you're clear. If we
19 vote to -- or if you ask to review, then we would be
20 looking at the denial that the Charter office did.
21 If you vote to not review, then we would be upholding
22 the denial of the Charter Authorizing Panel. And Ms.
23 Freno is nodding at me; I'm okay.

24 All right. So do we have a motion?

25 MS. MCFETRIDGE: I'll make the motion that we

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not review.

MR. SUTTON: I'll make the motion not to review.

CHAIRMAN NEWTON: Okay. So I'll go with that
Ms. McFetridge made a motion to not review, and Mr.
Sutton seconded that motion, and so -- to not review
the Charter decision.

All in favor?

(UNANIMOUS CHORUS OF AYES)

CHAIRMAN NEWTON: Any opposed?

All right.

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(The Action Agenda was concluded at 1:29 p.m.)

1

C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.
COUNTY OF SALINE)

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter and Notary Public before whom the foregoing proceedings was taken, do hereby certify that the same is a true and correct transcription before the Arkansas Division of Elementary and Secondary Education, State Board of Education, in Rogers, Arkansas, on September 8, 2022, that the said proceedings was reduced to typewritten form by me or under my direction and supervision; and that the foregoing pages constitute a true and correct transcription of all proceedings had in said matter.

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

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

WITNESS, MY HAND AND SEAL, THIS DATE: September 12, 2022.

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

2

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