

In The Matter Of:

*DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
CHARTER AUTHORIZING PANEL*

July 19, 2022

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ARKANSAS DIVISION OF
ELEMENTARY AND SECONDARY EDUCATION

CHARTER AUTHORIZING PANEL

JULY 19, 2022
9:00 a.m.

A P P E A R A N C E S

PANEL MEMBERS:

MS. DEBORAH COFFMAN	Chairperson/ADE Asst. Commissioner - Public School Accountability
MR. PHIL BALDWIN	Retired Bank Executive
MS. KARLI SARACINI	ADE Asst. Commissioner - Educator Effectiveness & Licensure
MS. TOYCE NEWTON	Former State Board of Education Member
MR. KIM DAVIS	Former State Board of Education Member
MR. MARK ZELLNER	Lead Cyber Security Analyst, Southwest Power Pool

ADE LEGAL COUNSEL:

MS. WHITNEY JAMES	DESE Attorney
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ALSO APPEARING:

MS. DORIE SUMMONS	DESE Charter Schools Director
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LOCATION:

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

I N D E X

	Page
Preliminary Matters.	3
Consent Agenda	4
Action Agenda:	
1. Act 1240 Digital Learning Plan - Southside Charter HS and Junior High	4
2. Amendment Request - Cross County HS A New Tech School	10
Adjournment	22
Court Reporter's Certificate	23

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

CHAIRMAN COFFMAN: Good morning. The July 19, 2022 meeting of the Charter Authorizing Panel is called to order.

I'd like to welcome everyone to the Department of Education auditorium and ask that you please silence your devices.

We will facilitate a fair and responsible hearing today. And I ask that anyone speaking into -- coming to the podium to speak into the microphone, or if you're joining us via Zoom, that you will be sure to state your name and title for the record and then continue to speak clearly into the microphone for the benefit of the Panel, the audience, and our viewing audience. This meeting is being live-streamed.

Immediately following our action agenda today, we will take a very brief break while we change the video systems. And then we'll come right back on to the same live-streaming link and have a work session. So I hope that, if you have time, you will join us for that.

A transcript of this meeting will be posted on the DESE website.

And with no further ado, let's get started.

1 CONSENT AGENDA:

2 CHAIRMAN COFFMAN: Panel Members, we have a
3 consent agenda, the minutes from our previous meeting
4 in June, if you've had a chance to look at those.

5 MR. BALDWIN: I move approval.

6 CHAIRMAN COFFMAN: I have a motion by Mr.
7 Baldwin to approve the minutes.

8 MR. DAVIS: Second.

9 CHAIRMAN COFFMAN: And I have a second by Mr.
10 Davis to -- for those minutes.

11 All those in favor?

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRMAN COFFMAN: Any opposed?

14 Motion passes. Consent agenda is approved.

15 1) CONSIDERATION OF ACT 1240 DIGITAL LEARNING PLAN FOR
16 SOUTHSIDE CHARTER HIGH SCHOOL AND SOUTHSIDE JUNIOR HIGH

17 CHAIRMAN COFFMAN: All right. Our first action
18 agenda item -- Ms. Tally Harp.

19 Tally, we have some new panel members. So if
20 you don't mind, would you briefly give us a rundown
21 of this expedited review process, what happens at
22 DESE?

23 MS. HARP: Yes. Good morning. My name is Tally
24 Harp. I work with the District Support Team.

25 The process for digital learning applications

1 this year has been a little bit different than the
2 last year. For example, the one that's being
3 presented today had an approved plan last year and
4 they have just made revisions. So when a district or
5 charter school submits their application it goes
6 through four teams. We review, we look for any of
7 the changes that they've made from the previous year,
8 and then we get them approved through all of our
9 teams and presented to the Charter Authorizing Panel,
10 if they're a charter school, or to the State Board,
11 if they're a district.

12 CHAIRMAN COFFMAN: All right.

13 MS. HARP: Okay. So today, we have just one to
14 present. It is Southside Charter High School and
15 Southside Junior High School.

16 This charter school did have an approved plan
17 last year; however, they made revisions to their 7th
18 and 8th grade. The Tri-Region Consortium, which is a
19 collective of three of our district -- or three of
20 our state cooperatives, changed their program to
21 allow 7th and 8th grade; it was just K-6. So
22 Southside opted to add their 7th and 8th graders to
23 that Tri-Region Consortium and they are still using
24 Virtual Arkansas for 9th through 12th grade.

25 So this has been through the review team at DESE

1 and we recommend it be approved.

2 CHAIRMAN COFFMAN: And what is the length of
3 time?

4 MS. HARP: That's -- the length of time is
5 through the -- the way it was done last year was
6 through the life of the charter, and I don't have
7 that date.

8 Do you have that date, Dorie? Do you know about
9 Southside?

10 CHAIRMAN COFFMAN: So I think previously we did
11 either through the extent of the contract or charter,
12 or if it were a long time we changed it to match the
13 two- or three-year. So the State Board last year
14 approved digital learning plans up to three years,
15 and this year they've been approving up to two years
16 so that hopefully we can get them all to end about
17 the same time and make any adjustments that we need
18 to make to the process.

19 MS. SUMMONS: It's through '25.

20 MS. HARP: It's through 2025.

21 Thank you, Ms. Dorie.

22 CHAIRMAN COFFMAN: So that would be in line.

23 MS. HARP: And Dion Stevens with the district is
24 -- or the charter is on, if there's any questions.

25 CHAIRMAN COFFMAN: All right. Good morning, Mr.

1 Stevens.

2 MR. STEVENS: Good morning, Deb.

3 CHAIRMAN COFFMAN: Panel Members, any questions?

4 Mr. Davis, we'll start with you. Any questions?

5 MR. DAVIS: I really don't have any questions,
6 but would love to hear just a comment in regards to
7 the learning that is taking place thus far with
8 what's already in place and how that's impacted
9 what's happening or what type of adjustments are
10 being made in this situation.

11 MR. STEVENS: Okay. So the Tri-Region, we've
12 had a little bit of experience with it now for a
13 year, so K-6. And what that -- how that works is the
14 students have to sign on. They have a certified
15 teacher that is hired through the consortium. And so
16 they're participating virtually, but they're also
17 held accountable and attendance is tracked through
18 their teacher. They have support systems in place.
19 We have a virtual liaison that we use that also
20 supports the students and the families.

21 And so we just feel like that this worked --
22 this has worked so well for them that expanding to
23 the 7th and 8th graders would be more in line of our
24 goals.

25 CHAIRMAN COFFMAN: Mr. Baldwin?

1 MR. BALDWIN: Yeah. Good morning, Dion. Good
2 to see you. I appreciated --

3 MR. STEVENS: Good morning.

4 MR. BALDWIN: -- your application. I thought it
5 was well done.

6 I don't have any questions. You guys do a great
7 job and glad you're doing this.

8 MR. STEVENS: Thank you.

9 CHAIRMAN COFFMAN: Mr. Zellner?

10 MR. ZELLNER: I don't have any questions either.

11 CHAIRMAN COFFMAN: Okay. Ms. Saracini?

12 MS. SARACINI: I don't have any questions. I
13 just want to commend them for the work they have done
14 this far. And I enjoy seeing what their students are
15 doing and I have gotten to see that firsthand. Thank
16 you.

17 CHAIRMAN COFFMAN: Ms. Newton?

18 MR. STEVENS: Thank you, Karli.

19 MS. NEWTON: My question is like related to the
20 application. I was on a Zoom yesterday and we were
21 required to have physical presence and couldn't just
22 participate by voice. Is that something that the
23 students have to do? Do we have -- do teachers have
24 to see them physically engaged and involved in the
25 process?

1 MR. STEVENS: Yes, ma'am. That is how it works.

2 CHAIRMAN COFFMAN: Dion, about how many students
3 have been participating in your virtual program?

4 MS. HUMPHRIES: We'll have 18 next year.

5 MR. STEVENS: 18, we'll have 18 next year.
6 Y'all know I have Novella sitting right here beside
7 me.

8 CHAIRMAN COFFMAN: I recognize the voice, of
9 course I do.

10 All right. Panel Members, no further questions.
11 I'll accept a motion.

12 MR. BALDWIN: I make a motion.

13 MS. SARACINI: Second.

14 CHAIRMAN COFFMAN: I have a motion --

15 MS. NEWTON: Second.

16 CHAIRMAN COFFMAN: I have a motion by Mr.
17 Baldwin and a second by Ms. Saracini to approve the
18 digital learning plan for Southside.

19 All those in favor?

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN COFFMAN: Any opposed?

22 Motion passes. Congratulations, Dion.

23 MR. STEVENS: Thank y'all so much.

24 CHAIRMAN COFFMAN: And Novella.

25 MS. HUMPHRIES: Thank you.

1 CHAIRMAN COFFMAN: Bye-bye.

2 2) CONSIDERATION FOR CROSS COUNTY HIGH SCHOOL A NEW TECH
3 SCHOOL AMENDMENT REQUEST

4 CHAIRMAN COFFMAN: All right. Ms. Summons, if
5 you'll bring Action Item 2.

6 MS. SUMMONS: Good morning. Dorie Summons, DESE
7 Charter Office.

8 Consideration for Cross County High School A New
9 Tech High School amendment request -- Cross County
10 High School A New Tech High -- or A New Tech School
11 is requesting a Class Size waiver and Teaching Load
12 in the rules governing Standards for Accreditation --
13 Class Size, excuse me, and Teaching Load.

14 And we have Mr. Prince, who is on the Zoom,
15 representing Cross County.

16 MR. PRINCE: Yes, I am here with Ms. Mindy
17 Searcy, our Federal Programs and our District
18 Curriculum.

19 CHAIRMAN COFFMAN: Good morning.

20 MR. PRINCE: Good morning.

21 MS. SEARCY: Good morning.

22 CHAIRMAN COFFMAN: So do you want to give a
23 brief presentation or you have up to 20 minutes.

24 But do I need to do the oath with them because
25 it's an amendment?

1 MS. JAMES: Yes, ma'am. For an amendment, you
2 would need to swear in anybody who is speaking on
3 behalf of the school. I don't know if they'll take
4 20 minutes, but for a presentation, yes, ma'am.

5 CHAIRMAN COFFMAN: All right. If you'll raise
6 your right hand. Do you swear or affirm that the
7 testimony you're about to give shall be the truth,
8 the whole truth, and nothing but the truth?

9 MR. PRINCE: Yes.

10 CHAIRMAN COFFMAN: All right.

11 MS. SEARCY: Yes.

12 CHAIRMAN COFFMAN: Now if you'll give us a brief
13 presentation or explanation of your amendment
14 request.

15 MR. PRINCE: Yes, ma'am. Stephen Prince, High
16 School Principal, Cross County High.

17 So we're asking for an amendment for Class Size
18 for our 9th grade, our incoming 9th grade students.
19 That will be the class of 2026.

20 When we submitted the waiver we had 63 students
21 enrolled in that class -- in that grade, I mean. And
22 so with that being so close -- and that class has
23 historically been a very large class -- currently, as
24 of today, we have 60 students enrolled in that grade,
25 and we still -- of course, school will be starting up

1 in a couple of weeks and we still have a few school
2 choice students to register.

3 So we're requesting that, for that -- just for
4 that 9th grade class and that group of students, this
5 waiver for Class Size, to progress with them, you
6 know, until their graduation year. I'm sorry, 2027,
7 not 2026. I'm sorry. Oh, it is '26. I'm sorry.

8 And, of course, with that we have put in a few
9 programs and protocols in place to kind of help with
10 that class size, one of those being we will be
11 piloting for this year the Boundless Learning co-
12 teaching model with our 9th grade English class,
13 which will help -- of course, that would provide a
14 second teacher in that classroom as well. So we are
15 going to be piloting that to help with that class
16 size and help with [sound cut out] that one. But we
17 feel like with our NIET system of support that's
18 built in with our weekly PLCs, our leadership teams
19 who are always supporting the teachers and in the
20 classroom, that, you know, having a little bit of a
21 larger class size, if the teachers end up with a
22 larger class size, then, you know, they would still
23 be supported. They would still be supported and we'd
24 still have high student achievement. So along with
25 working with that co-teaching model, we're doing our

1 best to try to keep those classes under that 30 by
2 maybe possibly looking at adding another section.
3 But the schedule is not allowing that with every
4 class right now, with every section of the 9th grade
5 classes. And so we're asking for that, just for that
6 class, just for that 9th grade class for the Class
7 Size waiver.

8 CHAIRMAN COFFMAN: Thank you, Mr. Prince.

9 So it's not uncommon for a school district to
10 have one year where there's a really large group
11 moving through, and that's kind of the situation
12 here, I believe.

13 And your charter expires 2026, so you're
14 requesting this waiver through that time. Is that
15 correct?

16 MR. PRINCE: That is correct.

17 CHAIRMAN COFFMAN: Okay. All right.

18 Ms. Saracini, do you have questions?

19 MS. SARACINI: I just want to clarify that
20 you're asking for the Class Size versus Teaching
21 Load, or both?

22 MR. PRINCE: In this case, it's both, for Class
23 Size and Teaching Load just in case that teacher who
24 may be teaching those 9th grade students would
25 potentially go over the 150.

1 MS. SARACINI: Okay. Because you had the
2 rationale for Class Size, which I totally understand.
3 I was just wanting to know the rationale for the
4 Teaching Load.

5 MR. PRINCE: Yes, ma'am.

6 CHAIRMAN COFFMAN: And will the teachers be
7 compensated if they go over their 150?

8 MR. PRINCE: That is something I would have to
9 talk to our superintendent about. I mean, I would --
10 I mean, I know that's in rule and in law; so I would
11 think that there's a potential that we could make
12 sure we do that for them.

13 CHAIRMAN COFFMAN: Mr. Davis?

14 MS. SARACINI: There's actually a report in
15 APSCN that they can run, and it's per day. So --

16 MR. PRINCE: Okay.

17 MS. SARACINI: -- it's easily done.

18 MR. PRINCE: Okay.

19 CHAIRMAN COFFMAN: Mr. Davis?

20 MR. DAVIS: You mentioned the idea of piloting
21 co-teaching for 2022-2023. If this deems to be
22 successful, is that something that you plan to
23 continue to do? I'm trying to get an understanding
24 of, you know, what is the plan beyond --

25 MR. PRINCE: Sure.

1 MR. DAVIS: -- the piloting aspect of this work.

2 MR. PRINCE: Oh, yes, sir. So when I say co-
3 teaching -- so something we already do, we already
4 have some co-taught courses at 11th and 12th grade,
5 and so those classes already have two teachers in
6 those classes. This co-teaching, the Boundless
7 Learning will be done at 8th grade and 9th grade in
8 our English classes for this year. And if it's
9 deemed successful our plans are to actually expand it
10 into some of our math classes next year; that is our
11 goal. So we're hoping it's going to be successful to
12 do some more inclusion with all of our students. And
13 hopefully, if this program works very well for our
14 students, then -- and yields some student achievement
15 and student growth, then we will be working on ways
16 to expand that into our math next year and in
17 hopefully some other English classes, if needed.

18 MR. DAVIS: Nothing else from me.

19 CHAIRMAN COFFMAN: Mr. Baldwin.

20 MR. BALDWIN: So I had a question on the
21 precedent that we're setting, but the Chairman
22 resolved that, that this is something that happens
23 and it's not the first time.

24 Let me ask you this: are there any other
25 classes, other than this one, that are pushing a

1 limit? And I guess I'm wondering why you'd just do
2 this in one class and not others, if that is
3 something --

4 MR. PRINCE: Yes, right. I requested this class
5 because it is the one, when I submitted the waiver,
6 that it had 63 students in it. It had grown through
7 the year. And luckily, the way the classes were
8 dispersed in last year's schedule it didn't push any
9 of those classes over that 30. But potentially -- it
10 has the potential to do that this year, of course,
11 you know, depending on how scheduling ends up when
12 school starts. And so we thought being right there
13 on the cusp of that, right there on that 60 that --
14 and, of course, having the 63 previously, and we
15 still have students that are registering -- and, of
16 course, some that will, you know, likely drop as
17 well. But having that -- just having that safety-net
18 there to kind of help with that is something that we
19 wanted to be considered.

20 And, also, one thing -- I think I may have put
21 this in here -- is one thing that we're requesting,
22 if this is approved, is also that we will make sure
23 that that class does not go over more than five
24 students over that 30, if it becomes to where it's
25 over, unless there's two teachers in there in that

1 co-teaching model. But just to kind of give that
2 little bit of leeway.

3 CHAIRMAN COFFMAN: Mr. Zellner?

4 MR. ZELLNER: So have you had discussions
5 internally about once you have the data -- so after
6 this year say you look at the data from your co-
7 teaching pilot and you've not seen the results that
8 you would like, as far as student performance -- what
9 your back-out plan or your next step would be?

10 MR. PRINCE: Well, I'm glad you asked that
11 question. I don't think that the question of this
12 co-teaching, this inclusion program, it's not
13 something that's going to have to -- that can go
14 away. It may be -- we may have to change the
15 program; we may have to change a little bit of the
16 operational pieces of the program, or maybe change
17 who we -- the program we actually use; maybe it's not
18 Boundless Learning, if that proves not to be
19 successful. But I do think that will be successful
20 based on their data, through our training. But to
21 clarify, the inclusion is for, you know, the special
22 education department. And so what that does is that
23 gets those students who are typically in a different
24 content class to be included in their general content
25 classes. And so that's something that we will have

1 to plan for in the future to start working toward the
2 new rules and making sure that all of our students or
3 most of those students are in those inclusion
4 classrooms and being exposed to the general education
5 content and not just, for lack of a better word, the
6 resource classrooms.

7 CHAIRMAN COFFMAN: Ms. Newton?

8 MS. NEWTON: I don't have any questions.

9 CHAIRMAN COFFMAN: Ms. James, I believe they're
10 going to need some changes.

11 MS. JAMES: Yes, ma'am. Mr. Walter was just
12 pointing out to me on My School Info that they
13 already have a waiver of Arkansas Code Annotated 6-
14 17-812, which is the statute that addresses
15 compensation for Teaching Load. So they would need
16 to add the standard -- or the new standard for
17 Teaching Load, which is 1-A.6. And I believe that
18 Mr. Prince confirmed that they do want to add that.

19 MR. PRINCE: Yes. Yes.

20 MS. JAMES: Okay. And I believe that's all they
21 would need to add to effectuate the waiver.

22 CHAIRMAN COFFMAN: And, Mr. Prince, so your
23 numbers have already changed since you submitted your
24 application. And, you know, we're trying to be very
25 judicious with the use of waivers. So if you see

1 that this number is not going to follow through, is
2 your plan to come back and rescind this waiver
3 request?

4 MR. PRINCE: Yeah, I do think that's definitely
5 a possibility. If that class size drops -- say we
6 only enroll 55 by the time school starts -- then,
7 yes. That is definitely something I would consider
8 coming back and rescinding because we wouldn't
9 necessarily need it at 55, because it wouldn't be so
10 close to that mark.

11 MS. NEWTON: I do have a question, Ms. Coffman.

12 CHAIRMAN COFFMAN: Yes, ma'am.

13 MS. NEWTON: What would be the rationale behind
14 changing that or just leaving it in place,
15 anticipating the need for growth? You know what I'm
16 saying? It seems like a fundamental technical
17 bureaucratic kind of thing to -- when you can very
18 well change the next year.

19 CHAIRMAN COFFMAN: Just that we're trying to
20 kind of keep up with who has waivers. And when we do
21 our monitoring that's one of the things that we're
22 looking for is how are you utilizing those waivers.
23 And so not only do the waivers go through the
24 approval process at the Charter Panel, but they also
25 go through the State Board, as you know. And it's

1 just been that we're really looking at how schools
2 are utilizing the waivers and trying to decide what
3 changes need to be made. You know, if all the
4 schools are needing the same waiver, then, you know,
5 we have to question why is that and is it a barrier
6 to education. And so that's why we're just trying to
7 have the most accurate list of waivers being used.

8 MS. NEWTON: Makes sense. Thank you.

9 CHAIRMAN COFFMAN: Any other discussion?
10 Then I'll accept a motion.

11 MS. NEWTON: I move to approve.

12 CHAIRMAN COFFMAN: I have a motion by Ms. Newton
13 to approve the Cross County High School A New Tech
14 School amendment request.

15 MR. DAVIS: Second.

16 CHAIRMAN COFFMAN: And a second from Mr. Davis.
17 All those in favor?

18 (UNANIMOUS CHORUS OF AYES)

19 CHAIRMAN COFFMAN: Any opposed?

20 And because we have a unanimous decision, do we
21 need to fill out our voting sheets, or if everybody
22 just goes in and marks yes?

23 MS. JAMES: That's a good question. I would go
24 ahead just in keeping with procedures just to read
25 the voting sheets.

1 CHAIRMAN COFFMAN: Okay. All right. If you'll
2 go in and mark the voting sheets, please.

3 (A FEW MOMENTS OF SILENCE)

4 CHAIRMAN COFFMAN: Ms. Saracini, you want to
5 start us?

6 MS. SARACINI: I support the waiver for Class
7 Size and Teaching Load to accommodate the number of
8 students in 9th grade as they move through toward
9 graduation.

10 CHAIRMAN COFFMAN: Mr. Davis.

11 MR. DAVIS: I support the waiver to accommodate
12 the number of students, as well as to pilot a co-
13 teaching model and create a more diverse inclusive
14 model of education.

15 CHAIRMAN COFFMAN: Thank you.

16 Mr. Baldwin.

17 MR. BALDWIN: I support the waiver and I think
18 it's a proactive step given your number of students.

19 CHAIRMAN COFFMAN: Mr. Zellner.

20 MR. ZELLNER: I support the waiver of Class Size
21 given the obvious planning and due diligence that
22 Cross County has done to endeavor to improve the
23 education of their local students.

24 CHAIRMAN COFFMAN: All right. Ms. Newton,
25 please.

1 MS. NEWTON: I support the waiver to accommodate
2 additional population of students and increase the
3 opportunities for learning with the co-teaching
4 model.

5 ADJOURNMENT

6 CHAIRMAN COFFMAN: All right. Any other items
7 before us before we adjourn?

8 All right. Panel Members, we will take about a
9 10-minute break, let everybody get set for the next
10 -- for our work session, and then we'll reconvene, if
11 I have a motion to adjourn.

12 MS. SARACINI: Motion to adjourn.

13 MR. ZELLNER: Second.

14 CHAIRMAN COFFMAN: And a second?

15 MS. NEWTON: Second.

16 CHAIRMAN COFFMAN: And a second from Ms. Newton.

17 All those in favor?

18 (UNANIMOUS CHORUS OF AYES)

19 CHAIRMAN COFFMAN: Meeting is adjourned. Thank
20 you, everyone.

21

22

23 (The meeting was concluded at 9:26 a.m.)

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 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, Charter Authorizing Panel, in Little Rock, Arkansas, on July 19, 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: July 25, 2022.

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

[anticipating (1) 19:15	better (1) 18:5	14,16;6:6,11,24;10:7; 13:13;19:24	4:1,3,14 consider (1) 19:7
[sound (1) 12:16	application (4) 5:5;8:4,20;18:24	beyond (1) 14:24	choice (1) 12:2	CONSIDERATION (3) 4:15;10:2,8
A	applications (1) 4:25	bit (5) 5:1;7:12;12:20; 17:2,15	CHORUS (4) 4:12;9:20;20:18; 22:18	considered (1) 16:19
accept (2) 9:11;20:10	appreciated (1) 8:2	Board (3) 5:10;6:13;19:25	clarify (2) 13:19;17:21	Consortium (3) 5:18,23;7:15
accommodate (3) 21:7,11;22:1	approval (2) 4:5;19:24	both (2) 13:21,22	Class (28) 10:11,13;11:17,19, 21,22,23;12:4,5,10, 12,15,21,22;13:4,6,6, 6,20,22;14:2;16:2,4, 23;17:24;19:5;21:6, 20	content (3) 17:24,24;18:5
accountable (1) 7:17	approve (4) 4:7;9:17;20:11,13	Boundless (3) 12:11;15:6;17:18	clearly (1) 3:13	continue (2) 3:13;14:23
Accreditation (1) 10:12	approved (7) 4:14;5:3,8,16;6:1, 14;16:22	break (2) 3:18;22:9	close (2) 11:22;19:10	contract (1) 6:11
accurate (1) 20:7	approving (1) 6:15	brief (3) 3:18;10:23;11:12	co- (4) 12:11;15:2;17:6; 21:12	cooperatives (1) 5:20
achievement (2) 12:24;15:14	APSCN (1) 14:15	briefly (1) 4:20	Code (1) 18:13	co-taught (1) 15:4
ACT (1) 4:15	Arkansas (2) 5:24;18:13	bring (1) 10:5	COFFMAN (56) 3:2;4:2,6,9,13,17; 5:12;6:2,10,22,25; 7:3,25;8:9,11,17;9:2, 8,14,16,21,24;10:1,4, 19,22;11:5,10,12; 13:8,17;14:6,13,19; 15:19;17:3;18:7,9, 22;19:11,12,19;20:9, 12,16,19;21:1,4,10, 15,19,24;22:6,14,16, 19	co-teaching (6) 12:25;14:21;15:6; 17:1,12;22:3
action (3) 3:17;4:17;10:5	aspect (1) 15:1	built (1) 12:18	classroom (2) 12:14,20	COUNTY (7) 10:2,8,9,15;11:16; 20:13;21:22
actually (3) 14:14;15:9;17:17	attendance (1) 7:17	bureaucratic (1) 19:17	classrooms (2) 18:4,6	couple (1) 12:1
add (4) 5:22;18:16,18,21	audience (2) 3:14,15	Bye-bye (1) 10:1	C	course (7) 9:9;11:25;12:8,13; 16:10,14,16
adding (1) 13:2	auditorium (1) 3:6	called (1) 3:4	certified (1) 7:14	courses (1) 15:4
additional (1) 22:2	Authorizing (2) 3:3;5:9	can (4) 6:16;14:15;17:13; 19:17	CHAIRMAN (56) 3:2;4:2,6,9,13,17; 5:12;6:2,10,22,25; 7:3,25;8:9,11,17;9:2, 8,14,16,21,24;10:1,4, 19,22;11:5,10,12; 13:8,17;14:6,13,19; 15:19,21;17:3;18:7,9, 22;19:12,19;20:9,12, 16,19;21:1,4,10,15, 19,24;22:6,14,16,19	create (1) 21:13
addresses (1) 18:14	away (1) 17:14	case (2) 13:22,23	collective (1) 5:19	CROSS (7) 10:2,8,9,15;11:16; 20:13;21:22
adjourn (3) 22:7,11,12	AYES (4) 4:12;9:20;20:18; 22:18	certified (1) 7:14	coming (2) 3:10;19:8	currently (1) 11:23
adjourned (1) 22:19	B	change (5) 3:18;17:14,15,16; 19:18	commend (1) 8:13	Curriculum (1) 10:18
ADJOURNMENT (1) 22:5	back (3) 3:19;19:2,8	changed (3) 5:20;6:12;18:23	comment (1) 7:6	cut (1) 12:16
adjustments (2) 6:17;7:9	back-out (1) 17:9	changes (3) 5:7;18:10;20:3	compensated (1) 14:7	D
ado (1) 3:25	BALDWIN (11) 4:5,7;7:25;8:1,4; 9:12,17;15:19,20; 21:16,17	changing (1) 19:14	compensation (1) 18:15	data (3) 17:5,6,20
affirm (1) 11:6	barrier (1) 20:5	Charter (13) 3:3;4:16;5:5,9,10,	concluded (1) 22:23	date (2) 6:7,8
agenda (5) 3:17;4:1,3,14,18	based (1) 17:20	change (1) 4:4	confirmed (1) 18:18	DAVIS (13) 4:8,10;7:4,5;14:13, 19,20;15:1,18;20:15, 16;21:10,11
ahead (1) 20:24	becomes (1) 16:24	chance (1) 4:4	congratulations (1) 9:22	day (1) 14:15
allow (1) 5:21	behalf (1) 11:3	change (1) 3:3;4:16;5:5,9,10,	CONSENT (3)	Dec (1) 7:2
allowing (1) 13:3	behind (1) 19:13	change (1) 3:3;4:16;5:5,9,10,		decide (1) 20:2
along (1) 12:24	benefit (1) 3:14	change (1) 3:3;4:16;5:5,9,10,		decision (1)
always (1) 12:19	beside (1) 9:6	change (1) 3:3;4:16;5:5,9,10,		
AMENDMENT (7) 10:3,9,25;11:1,13, 17;20:14	best (1) 13:1	change (1) 3:3;4:16;5:5,9,10,		
Annotated (1) 18:13		change (1) 3:3;4:16;5:5,9,10,		

20:20 deemed (1) 15:9 deems (1) 14:21 definitely (2) 19:4,7 Department (2) 3:5;17:22 depending (1) 16:11 DESE (4) 3:24;4:22;5:25; 10:6 devices (1) 3:7 different (2) 5:1;17:23 DIGITAL (4) 4:15,25;6:14;9:18 diligence (1) 21:21 Dion (4) 6:23;8:1;9:2,22 discussion (1) 20:9 discussions (1) 17:4 dispersed (1) 16:8 District (7) 4:24;5:4,11,19; 6:23;10:17;13:9 diverse (1) 21:13 done (6) 6:5;8:5,13;14:17; 15:7;21:22 Dorie (3) 6:8,21;10:6 drop (1) 16:16 drops (1) 19:5 due (1) 21:21	21:22 ends (1) 16:11 engaged (1) 8:24 English (3) 12:12;15:8,17 enjoy (1) 8:14 enroll (1) 19:6 enrolled (2) 11:21,24 everybody (2) 20:21;22:9 everyone (2) 3:5;22:20 example (1) 5:2 excuse (1) 10:13 expand (2) 15:9,16 expanding (1) 7:22 expedited (1) 4:21 experience (1) 7:12 expires (1) 13:13 explanation (1) 11:13 exposed (1) 18:4 extent (1) 6:11	five (1) 16:23 follow (1) 19:1 following (1) 3:17 four (1) 5:6 fundamental (1) 19:16 further (2) 3:25;9:10 future (1) 18:1	happening (1) 7:9 happens (2) 4:21;15:22 Harp (7) 4:18,23,24;5:13; 6:4,20,23 hear (1) 7:6 hearing (1) 3:9 held (1) 7:17 help (5) 12:9,13,15,16; 16:18 HIGH (13) 4:16,16;5:14,15; 10:2,8,9,10,10;11:15, 16;12:24;20:13 hired (1) 7:15 historically (1) 11:23 hope (1) 3:21 hopefully (3) 6:16;15:13,17 hoping (1) 15:11 HUMPHRIES (2) 9:4,25	4:18;10:5 items (1) 22:6
		G		J
		general (2) 17:24;18:4 gets (1) 17:23 given (2) 21:18,21 glad (2) 8:7;17:10 goal (1) 15:11 goals (1) 7:24 goes (2) 5:5;20:22 Good (12) 3:2;4:23;6:25;7:2; 8:1,1,3;10:6,19,20, 21;20:23 governing (1) 10:12 grade (16) 5:18,21,24;11:18, 18,21,24;12:4,12; 13:4,6,24;15:4,7,7; 21:8 graders (2) 5:22;7:23 graduation (2) 12:6;21:9 great (1) 8:6 group (2) 12:4;13:10 grown (1) 16:6 growth (2) 15:15;19:15 guess (1) 16:1 guys (1) 8:6	idea (1) 14:20 Immediately (1) 3:17 impacted (1) 7:8 improve (1) 21:22 included (1) 17:24 inclusion (4) 15:12;17:12,21; 18:3 inclusive (1) 21:13 incoming (1) 11:18 increase (1) 22:2 Info (1) 18:12 internally (1) 17:5 into (5) 3:9,10,13;15:10,16 involved (1) 8:24 item (2)	JAMES (5) 11:1;18:9,11,20; 20:23 job (1) 8:7 join (1) 3:21 joining (1) 3:11 judicious (1) 18:25 July (1) 3:2 June (1) 4:4 JUNIOR (2) 4:16;5:15
	F			K
E	facilitate (1) 3:8 fair (1) 3:8 families (1) 7:20 far (3) 7:7;8:14;17:8 favor (4) 4:11;9:19;20:17; 22:17 Federal (1) 10:17 feel (2) 7:21;12:17 few (3) 12:1,8;21:3 fill (1) 20:21 first (2) 4:17;15:23 firsthand (1) 8:15			K-6 (2) 5:21;7:13 Karli (1) 8:18 keep (2) 13:1;19:20 keeping (1) 20:24 kind (6) 12:9;13:11;16:18; 17:1;19:17,20
easily (1) 14:17 Education (6) 3:6;17:22;18:4; 20:6;21:14,23 effectuate (1) 18:21 either (2) 6:11;8:10 else (1) 15:18 end (2) 6:16;12:21 endeavor (1)				L
				lack (1) 18:5 large (2) 11:23;13:10 larger (2) 12:21,22 last (6) 5:2,3,17;6:5,13; 16:8 law (1) 14:10 leadership (1) 12:18 LEARNING (9) 4:15,25;6:14;7:7; 9:18;12:11;15:7; 17:18;22:3 leaving (1) 19:14 leeway (1) 17:2 length (2) 6:2,4
		H		
		hand (1) 11:6		

<p>liaison (1) 7:19</p> <p>life (1) 6:6</p> <p>likely (1) 16:16</p> <p>limit (1) 16:1</p> <p>line (2) 6:22;7:23</p> <p>link (1) 3:20</p> <p>list (1) 20:7</p> <p>little (5) 5:1;7:12;12:20; 17:2,15</p> <p>live- (1) 3:15</p> <p>live-streaming (1) 3:20</p> <p>Load (8) 10:11,13;13:21,23; 14:4;18:15,17;21:7</p> <p>local (1) 21:23</p> <p>long (1) 6:12</p> <p>look (3) 4:4;5:6;17:6</p> <p>looking (3) 13:2;19:22;20:1</p> <p>love (1) 7:6</p> <p>luckily (1) 16:7</p>	<p>meeting (6) 3:3,15,23;4:3; 22:19,23</p> <p>Members (5) 4:2,19;7:3;9:10; 22:8</p> <p>mentioned (1) 14:20</p> <p>microphone (2) 3:10,13</p> <p>mind (1) 4:20</p> <p>Mindy (1) 10:16</p> <p>minutes (5) 4:3,7,10;10:23; 11:4</p> <p>model (6) 12:12,25;17:1; 21:13,14;22:4</p> <p>MOMENTS (1) 21:3</p> <p>monitoring (1) 19:21</p> <p>more (4) 7:23;15:12;16:23; 21:13</p> <p>morning (10) 3:2;4:23;6:25;7:2; 8:1,3;10:6,19,20,21</p> <p>most (2) 18:3;20:7</p> <p>motion (11) 4:6,14;9:11,12,14, 16,22;20:10,12; 22:11,12</p> <p>move (3) 4:5;20:11;21:8</p> <p>moving (1) 13:11</p> <p>much (1) 9:23</p>	<p>12;21:24;22:1,15,16</p> <p>next (7) 9:4,5;15:10,16; 17:9;19:18;22:9</p> <p>NIET (1) 12:17</p> <p>Novella (2) 9:6,24</p> <p>number (4) 19:1;21:7,12,18</p> <p>numbers (1) 18:23</p>	<p>17:8</p> <p>physical (1) 8:21</p> <p>physically (1) 8:24</p> <p>pieces (1) 17:16</p> <p>pilot (2) 17:7;21:12</p> <p>piloting (4) 12:11,15;14:20; 15:1</p> <p>place (5) 7:7,8,18;12:9; 19:14</p> <p>PLAN (9) 4:15;5:3,16;9:18; 14:22,24;17:9;18:1; 19:2</p> <p>planning (1) 21:21</p> <p>plans (2) 6:14;15:9</p> <p>PLCs (1) 12:18</p> <p>please (3) 3:6;21:2,25</p> <p>podium (1) 3:10</p> <p>pointing (1) 18:12</p> <p>population (1) 22:2</p> <p>possibility (1) 19:5</p> <p>possibly (1) 13:2</p> <p>posted (1) 3:23</p> <p>potential (2) 14:11;16:10</p> <p>potentially (2) 13:25;16:9</p> <p>precedent (1) 15:21</p> <p>presence (1) 8:21</p> <p>present (1) 5:14</p> <p>presentation (3) 10:23;11:4,13</p> <p>presented (2) 5:3,9</p> <p>previous (2) 4:3;5:7</p> <p>previously (2) 6:10;16:14</p> <p>Prince (21) 10:14,16,20;11:9, 15,15;13:8,16,22; 14:5,8,16,18,25;15:2; 16:4;17:10;18:18,19, 22;19:4</p>	<p>Principal (1) 11:16</p> <p>proactive (1) 21:18</p> <p>procedures (1) 20:24</p> <p>process (5) 4:21,25;6:18;8:25; 19:24</p> <p>program (7) 5:20;9:3;15:13; 17:12,15,16,17</p> <p>Programs (2) 10:17;12:9</p> <p>progress (1) 12:5</p> <p>protocols (1) 12:9</p> <p>proves (1) 17:18</p> <p>provide (1) 12:13</p> <p>push (1) 16:8</p> <p>pushing (1) 15:25</p> <p>put (2) 12:8;16:20</p>
M		O		R
<p>ma'am (7) 9:1;11:1,4,15;14:5; 18:11;19:12</p> <p>Makes (1) 20:8</p> <p>making (1) 18:2</p> <p>many (1) 9:2</p> <p>mark (2) 19:10;21:2</p> <p>marks (1) 20:22</p> <p>match (1) 6:12</p> <p>math (2) 15:10,16</p> <p>may (5) 13:24;16:20;17:14, 14,15</p> <p>maybe (3) 13:2;17:16,17</p> <p>mean (3) 11:21;14:9,10</p>	<p style="text-align: center;">N</p> <p>name (2) 3:12;4:23</p> <p>necessarily (1) 19:9</p> <p>need (10) 6:17;10:24;11:2; 18:10,15,21;19:9,15; 20:3,21</p> <p>needed (1) 15:17</p> <p>needing (1) 20:4</p> <p>new (8) 4:19;10:2,8,10,10; 18:2,16;20:13</p> <p>Newton (14) 8:17,19;9:15;18:7, 8;19:11,13;20:8,11,</p>	<p>oath (1) 10:24</p> <p>obvious (1) 21:21</p> <p>Office (1) 10:7</p> <p>once (1) 17:5</p> <p>one (11) 5:2,13;12:10,16; 13:10;15:25;16:2,5, 20,21;19:21</p> <p>only (2) 19:6,23</p> <p>operational (1) 17:16</p> <p>opportunities (1) 22:3</p> <p>opposed (3) 4:13;9:21;20:19</p> <p>opted (1) 5:22</p> <p>order (1) 3:4</p> <p>others (1) 16:2</p> <p>out (2) 18:12;20:21</p> <p>out] (1) 12:16</p> <p>over (6) 13:25;14:7;16:9, 23,24,25</p>	<p style="text-align: center;">P</p> <p>Panel (9) 3:3,14;4:2,19;5:9; 7:3;9:10;19:24;22:8</p> <p>participate (1) 8:22</p> <p>participating (2) 7:16;9:3</p> <p>passes (2) 4:14;9:22</p> <p>per (1) 14:15</p> <p>performance (1)</p>	<p>raise (1) 11:5</p> <p>rationale (3) 14:2,3;19:13</p> <p>read (1) 20:24</p> <p>really (3) 7:5;13:10;20:1</p> <p>recognize (1) 9:8</p> <p>recommend (1) 6:1</p> <p>reconvene (1) 22:10</p> <p>record (1) 3:12</p> <p>regards (1) 7:6</p> <p>register (1) 12:2</p> <p>registering (1) 16:15</p> <p>related (1) 8:19</p> <p>report (1) 14:14</p> <p>representing (1) 10:15</p> <p>REQUEST (5) 10:3,9;11:14;19:3; 20:14</p> <p>requested (1)</p>

16:4 requesting (4) 10:11;12:3;13:14; 16:21 required (1) 8:21 rescind (1) 19:2 rescinding (1) 19:8 resolved (1) 15:22 resource (1) 18:6 responsible (1) 3:8 results (1) 17:7 review (3) 4:21;5:6,25 revisions (2) 5:4,17 right (19) 3:19;4:17;5:12; 6:25;9:6,10;10:4; 11:5,6,10;13:4,17; 16:4,12,13;21:1,24; 22:6,8 rule (1) 14:10 rules (2) 10:12;18:2 run (1) 14:15 rundown (1) 4:20	Second (12) 4:8,9;9:13,15,17; 12:14;20:15,16; 22:13,14,15,16 section (2) 13:2,4 seeing (1) 8:14 seems (1) 19:16 sense (1) 20:8 session (2) 3:20;22:10 set (1) 22:9 setting (1) 15:21 shall (1) 11:7 sheets (3) 20:21,25;21:2 sign (1) 7:14 silence (2) 3:7;21:3 sitting (1) 9:6 situation (2) 7:10;13:11 Size (15) 10:11,13;11:17; 12:5,10,16,21,22; 13:7,20,23;14:2; 19:5;21:7,20 sorry (3) 12:6,7,7 SOUTHSIDE (7) 4:16,16;5:14,15, 22:6;9:9;18 speak (2) 3:10,13 speaking (2) 3:9;11:2 special (1) 17:21 standard (2) 18:16,16 Standards (1) 10:12 start (3) 7:4;18:1;21:5 started (1) 3:25 starting (1) 11:25 starts (2) 16:12;19:6 state (5) 3:12;5:10,20;6:13; 19:25 statute (1) 18:14	step (2) 17:9;21:18 Stephen (1) 11:15 Stevens (10) 6:23;7:1,2,11;8:3, 8,18;9:1,5,23 still (7) 5:23;11:25;12:1, 22,23,24;16:15 streamed (1) 3:16 student (4) 12:24;15:14,15; 17:8 students (24) 7:14,20;8:14,23; 9:2;11:18,20,24;12:2, 4;13:24;15:12,14; 16:6,15,24;17:23; 18:2,3;21:8,12,18,23; 22:2 submits (1) 5:5 submitted (3) 11:20;16:5;18:23 successful (5) 14:22;15:9,11; 17:19,19 SUMMONS (4) 6:19;10:4,6,6 superintendent (1) 14:9 Support (8) 4:24;7:18;12:17; 21:6,11,17,20;22:1 supported (2) 12:23,23 supporting (1) 12:19 supports (1) 7:20 sure (5) 3:12;14:12,25; 16:22;18:2 swear (2) 11:2,6 system (1) 12:17 systems (2) 3:19;7:18	14:6;15:5;16:25 Teaching (13) 10:11,13;12:12; 13:20,23,24;14:4; 15:3;17:7;18:15,17; 21:7,13 Team (2) 4:24;5:25 teams (3) 5:6,9;12:18 TECH (5) 10:2,9,10,10;20:13 technical (1) 19:16 testimony (1) 11:7 thought (2) 8:4;16:12 three (3) 5:19,19;6:14 three-year (1) 6:13 thus (1) 7:7 title (1) 3:12 today (5) 3:9,17;5:3,13; 11:24 totally (1) 14:2 toward (2) 18:1;21:8 tracked (1) 7:17 training (1) 17:20 transcript (1) 3:23 Tri-Region (3) 5:18,23;7:11 truth (3) 11:7,8,8 try (1) 13:1 trying (5) 14:23;18:24;19:19; 20:2,6 two (3) 6:15;15:5;16:25 two- (1) 6:13 type (1) 7:9 typically (1) 17:23	13:9 under (1) 13:1 unless (1) 16:25 up (7) 6:14,15;10:23; 11:25;12:21;16:11; 19:20 use (3) 7:19;17:17;18:25 used (1) 20:7 using (1) 5:23 utilizing (2) 19:22;20:2
V				
versus (1) 13:20 via (1) 3:11 video (1) 3:19 viewing (1) 3:15 Virtual (3) 5:24;7:19;9:3 virtually (1) 7:16 voice (2) 8:22;9:8 voting (3) 20:21,25;21:2				
W				
waiver (15) 10:11;11:20;12:5; 13:7,14;16:5;18:13, 21;19:2;20:4;21:6, 11,17,20;22:1 waivers (6) 18:25;19:20,22,23; 20:2,7 Walter (1) 18:11 way (2) 6:5;16:7 ways (1) 15:15 website (1) 3:24 weekly (1) 12:18 weeks (1) 12:1 welcome (1) 3:5 what's (2) 7:8,9				
S				
safety-net (1) 16:17 same (3) 3:20;6:17;20:4 Saracini (12) 8:11,12;9:13,17; 13:18,19;14:1,14,17; 21:4,6;22:12 saying (1) 19:16 schedule (2) 13:3;16:8 scheduling (1) 16:11 SCHOOL (22) 4:16;5:5,10,14,15, 16;10:2,3,8,9,10,10; 11:3,16,25;12:1; 13:9;16:12;18:12; 19:6;20:13,14 schools (2) 20:1,4 Searcy (3) 10:17,21;11:11	South (1) 10:12 Southside (1) 4:16,16;5:14,15, 22:6;9:9;18 speak (2) 3:10,13 speaking (2) 3:9;11:2 special (1) 17:21 standard (2) 18:16,16 Standards (1) 10:12 start (3) 7:4;18:1;21:5 started (1) 3:25 starting (1) 11:25 starts (2) 16:12;19:6 state (5) 3:12;5:10,20;6:13; 19:25 statute (1) 18:14	talk (1) 14:9 Tally (3) 4:18,19,23 teacher (4) 7:15,18;12:14; 13:23 teachers (6) 8:23;12:19,21;	T	U
U				
UNANIMOUS (5) 4:12;9:20;20:18, 20;22:18 uncommon (1)				

whole (1) 11:8	18:17		
wondering (1) 16:1	2		
word (1) 18:5	2 (2) 10:2,5		
work (5) 3:20;4:24;8:13; 15:1;22:10	20 (2) 10:23;11:4		
worked (2) 7:21,22	2022 (1) 3:3		
working (3) 12:25;15:15;18:1	2022-2023 (1) 14:21		
works (3) 7:13;9:1;15:13	2025 (1) 6:20		
Y	2026 (3) 11:19;12:7;13:13		
Y'all (2) 9:6,23	2027 (1) 12:6		
year (21) 5:1,2,3,7,17;6:5,13, 15;7:13;9:4,5;12:6, 11;13:10;15:8,10,16; 16:7,10;17:6;19:18	25 (1) 6:19		
years (2) 6:14,15	26 (1) 12:7		
year's (1) 16:8	3		
yesterday (1) 8:20	30 (3) 13:1;16:9,24		
yields (1) 15:14	5		
Z	55 (2) 19:6,9		
Zellner (7) 8:9,10;17:3,4; 21:19,20;22:13	6		
Zoom (3) 3:11;8:20;10:14	6- (1) 18:13		
1	60 (2) 11:24;16:13		
1 (1) 4:15	63 (3) 11:20;16:6,14		
10-minute (1) 22:9	7		
11th (1) 15:4	7th (4) 5:17,21,22;7:23		
1240 (1) 4:15	8		
12th (2) 5:24;15:4	8th (5) 5:18,21,22;7:23; 15:7		
150 (2) 13:25;14:7	9		
17-812 (1) 18:14	9:26 (1) 22:23		
18 (3) 9:4,5,5	9th (10) 5:24;11:18,18; 12:4,12;13:4,6,24; 15:7;21:8		
19 (1) 3:2			
1-A6 (1)			