

**Minutes
State Board of Education
Thursday, August 13, 2020**

The Arkansas State Board of Education (State Board) met Thursday, August 13, 2020, in the ADE Auditorium with limited capacity in keeping with the Governor's directive and the guidance from the Arkansas Department of Health. Chair Ms. Charisse Dean called the meeting to order at 10:00 a.m. with a moment of silence.

Present: Ms. Charisse Dean, Chair; Dr. Sarah Moore; Dr. Fitz Hill; Ms. Kathy McFetridge; Ms. Ouida Newton; Mr. Steve Sutton; Ms. Susan Chambers; Ms. Adrienne Woods; Mr. Joel Lookadoo, 2020 Arkansas Teacher of the Year; and Mr. Johnny Key, Secretary

Absent: Mr. Brett Williamson, Vice-Chair

Recognitions

Ms. Dean thanked the previous chair, Ms. Diane Zook for the "student-focused" pins which were gifted to the State Board members.

Changes to the Agenda

Ms. Dean said there has been a request to add a waiver of disqualifying offense item for Mr. Jeff Burris to the meeting agenda. Ms. Woods moved, seconded by Ms. Newton, to add Mr. Burris to the agenda. The motion passed unanimously.

Consent Agenda

Presenter: Charisse Dean

Ms. Newton requested clarification on item 6 regarding level 2 public notifications. Professional Standards Licensing Board (PLSB) Managing Attorney Ms. Amy Douglas came to the podium to explain level 2 notifications.

Ms. Chambers moved, seconded by Dr. Hill, to approve the consent agenda. The motion passed unanimously.

1. Minutes
2. Review of Loan and Bond Applications
3. Newly Employed, Promotions and Separations
4. Consideration of Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. § 6-17-309
5. Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 20-016 Max Pennington

6. Consideration of the Recommendation of the Professional Licensure Standards Board for Case# 20-062 Shagala Barnett
7. Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 20-096 Blake Barrow
8. Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 20-097 Brandon Turner
9. Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 20-110 Carrie Smith
10. Consideration of the Consent to Surrender License: Professional Licensure Standards Board for Case #21-001 Jacy Long

Action Agenda A

A-1 Consideration of Request for Approval of Nominated Members for the Professional Licensure Standards Board to Replace Members Whose Terms are Vacant or Expiring June 30, 2020

Division of Elementary and Secondary Education (DESE) Assistant Commissioner Ms. Karli Saracini presented the nomination from the Arkansas Public School Resource Center for Ms. Luanne Baroni. Ms. Baroni is nominated for a full term. She just completed a partial term due to a board member's resignation.

Dr. Moore moved, seconded by Ms. McFetridge, to nominate Ms. Baroni for a new term on the PLSB. The motion passed unanimously.

A-2 State Board Hearing - Request for Waiver- LA 19-13; Rachel Finnerty

DESE Staff Attorney Mr. Taylor Dugan introduced the waiver request and provided some background information.

Ms. Rachel Finnerty gave the background information for her case and stated how she made restitution for the offense in another state. Ms. Finnerty made an appeal to the board for a waiver so that she may be allowed to teach in the state.

Ms. Chambers moved, seconded by Ms. Newton, to approve the waiver. State Board members asked clarifying questions and gave encouragement to Ms. Finnerty. The motion passed unanimously.

Additional Action Item - Request for Waiver - Jeff Burris

DESE Staff Attorney Mr. Taylor Dugan provided hard copies of the case information to those State Board members who needed a copy. He presented the appeal requesting a waiver for disqualifying offense. He noted that the superintendent of Ouachita School District sent a letter of support for the waiver.

Mr. Jeff Burris gave the background information for his case from 2008 and stated that the offense had been cleared from DHS files in 2010, but it showed up when he filed for his latest license renewal.

Mr. Sutton moved, seconded by Ms. Woods, to approve the waiver. The motion passed unanimously.

A-3 State Board Hearing of Revocation of License LA 20-05 Michael Montgomery

PLSB Managing Attorney Ms. Amy Douglas said the educator is not present, nor had she received any communication from Mr. Michael Montgomery. She presented the timeline of the offense and noted that the educator did plead guilty to the offense and is currently incarcerated.

Ms. McFetridge moved, seconded by Mr. Sutton, to permanently revoke Mr. Montgomery's teaching license. The motion passed unanimously.

A-4 School Choice Appeal: Malachi Ellison

Ms. Newton recused herself from this action item.

DESE Staff Attorney Ms. Mary Claire Hyatt said the Ellison family is appealing the denial of Malachi and Rachel Ellison's applications to transfer from the Malvern School District to the Poyen School District. The application was denied because the resident district, Malvern School District, has reached its 3% cap.

Poyen Superintendent Mr. Ronnie Kissire gave a brief statement and said they would love to keep the students in their school district.

Malvern School District Chief of Staff Mr. Jace Roberts gave a brief statement explaining the reason for the denial.

Mr. Daniel Ellison, parent of Malachi and Rachel, gave his statement on his desire to keep his children in the Poyen School District after they have moved into the Malvern School District.

State Board members asked clarifying questions.

Ms. McFetridge moved, seconded by Dr. Moore, to approve the appeal for Malachi Ellison. There was a roll call vote. The final vote was 6-0 with one recusal. The motion passed.

A-5 School Choice Appeal: Rachel Ellison

Ms. Newton recused herself for this action item.

Ms. McFetridge moved, seconded by Dr. Moore, to approve the appeal for Rachel Ellison. There was a roll call vote. The final vote was 6-0 with one recusal. The motion passed.

A-6 School Choice Appeal: Mary Lancaster

DESE Staff Attorney Ms. Jennifer Dedman led a presentation on school choice appeals for Mary and Dareon Lancaster.

Lakeside Assistant Superintendent Mr. Rick McLaughlin explained the reason for the denial.

Mr. Lancaster gave a brief statement appealing for school choice for his children.

Ms. Dedman provided clarification of the school choice rules. State Board members asked clarifying questions.

Dr. Moore moved, seconded by Dr. Hill, to approve the transfer of Mary Lancaster. There was a roll call vote. The motion passed unanimously.

A-7 School Choice Appeal: Dareon Lancaster

Dr. Moore moved, seconded by Dr. Hill, to approve the transfer of Dareon Lancaster. There was a roll call vote. The motion passed unanimously.

A-8 Consideration of District Conversion Charter School Amendment Request - Fayetteville Virtual Academy

DESE Coordinator of Monitoring and Systems Support Ms. Tracy Webb discussed the enrollment expansion request for Fayetteville Virtual Academy to allow for flexibility for virtual students in response to the COVID-19 pandemic. She said they wish to increase the enrollment cap from 500 to 5,000.

State Board members asked clarifying questions.

Ms. Newton made a motion, seconded by Ms. Chambers, to not review. The motion passed unanimously.

A-9 Consideration of Open-Enrollment Charter School Amendment Request - Arkansas Virtual Academy

DESE Coordinator of Monitoring and Systems Support Ms. Tracy Webb said Arkansas Virtual Academy is requesting an increase to their enrollment cap from 3,000 to 4,000. State Board members asked clarifying questions.

Ms. Newton made a motion, seconded by Ms. Chambers, to not review. The motion passed unanimously.

A-10 Consideration of District Conversion Charter School Amendment Request - Don Tyson School of Innovation (Springdale School District)

DESE Coordinator of Monitoring and Systems Support Ms. Tracy Webb said Don Tyson School of Innovation is requesting an increase to their enrollment cap from 2,000 to 8,000.

State Board members asked clarifying questions.

Ms. McFetridge moved, seconded by Ms. Chambers, to not review. The motion passed unanimously.

A-11 Consideration of Open-Enrollment Charter School Amendment Request -Northwest Arkansas Classical Academy

DESE Coordinator of Monitoring and Systems Support Ms. Tracy Webb said Northwest Arkansas Classical Academy is requesting an increase to their enrollment cap from 1,500 to 2,500.

State Board members asked clarifying questions.

Ms. Chambers moved, seconded by Ms. Woods, to not review. The motion passed unanimously.

A-12 Delayed School Start Dates

DESE General Counsel Ms. Lori Freno said on July 9, 2020, Governor Hutchinson announced that Arkansas public schools will delay their planned start date to the week of August 24, and that all schools will open either August 24, 25, or 26. She said the Division requests that the State Board confirm that school districts will delay planned start dates until August 24, 25, or 26. Second, the Division requests that this Board revoke all waivers previously granted under Ark. Code Ann. § 6-15-103 ("Act 1240") that allowed for an early start date.

State Board members asked clarifying questions.

Dr. Moore moved, seconded by Ms. Newton, to affirm the school districts delaying start dates until August 24, 25, or 26, for this school year only. The motion passed unanimously.

Ms. Chambers moved, seconded by Dr. Moore, to rescind the 1240 waivers that allowed for an early start date. The motion passed unanimously.

A-13 Consideration of New State Board of Education Operating Procedures

DESE Staff Attorney Ms. Mary Claire Hyatt led a discussion on the new operating procedures

for the State Board. State Board members provided comments.

Mr. Sutton moved, seconded by Ms. Woods, to accept the new State Board operating procedures. The motion passed unanimously.

New Business

There was no new business.

Reports

State Board Member Reports/Comments

Ms. Dean said the Family and Community Engagement Task Force met at the end of July. She said the task force has done a great job establishing relevant resources for families.

2020 Arkansas Teacher of the Year Report

Mr. Lookadoo said that he has been able to network with other state Teachers of the Year through virtual means. He said he recently attended the 2021 ATOY Regional Finalist Ceremony at the Governor's Mansion. Mr. Lookadoo said an announcement of the winner will likely occur this fall. He discussed his Teacher Talk social media video series, a potential podcast on the well-rounded educator, and other future projects. He also discussed how one of his goals for his year of service is to meet a teacher, in-person, from every county in Arkansas.

Commissioner's Report

Mr. Key encouraged everyone to watch Mr. Lookadoo's Teacher Talk videos.

He noted that the McKinney-Vento Education for Homeless Children and Youth report was attached to the State Board agenda. DESE Assistant Commissioner Ms. Deborah Coffman discussed the funds set aside for schools with a large homeless enrollment of students. She noted that every school district is required to have a homeless liaison and is part of their enrollment process. State Board members asked clarifying questions on this report.

Mr. Key discussed the percentage of families in districts under state authority that are requesting virtual rather than on-site school. Dollarway - 65% requested virtual; Earle - 63% opted for in-person; Lee County - 27% opted for in-person; LRSD - 32% opted in-person, 43% virtual; Pine Bluff - 30% opted for in-person, 70% virtual. Districts that haven't responded by the start of school will be considered in-person. State Board members asked clarifying questions.

Mr. Key discussed the work with Lincoln Learning through a partnership with Arkansas Public School Resource Center. He said there are 173 school districts and charter schools that are utilizing the free resources. There are 157 traditional public school districts, 13 charter schools, and 3 private schools using the resources. Dr. Moore requested a report with a complete

breakdown of the resources being used around the state.

Mr. Key gave a history of school boundaries in Jefferson County including Dollarway, Pine Bluff, and Watson Chapel. There were decisions made on district boundaries over the years that put Dollarway at a financial disadvantage. Mr. Key explained the boundary history, because a decision will need to be made on the Dollarway School District by December 2020 and their status under state authority. State Board members asked clarifying questions.

Public Comments

No public comments other than written comments previously presented to the board. Ms. Dean said they had received many suggestions and concerns from teachers and parents. She said the State Board members have read all comments that were submitted, but not all comments will be able to receive a direct response. She said there are many people working together to address all those concerns.

Ms. Chambers recognized teachers and schools getting ready to go back to the classroom.

Adjournment

Dr. Hill moved, seconded by Dr. Moore, to adjourn. The motion passed unanimously. The motion adjourned at 2:04 p.m.

Meeting minutes recorded by Kelly Doppelhammer

X

Ms. Charisse Dean
Chair

X

Mr. Johnny Key
Secretary