

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

July 11, 2019

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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION

JULY 11, 2019
10:00 A.M.

A P P E A R A N C E S

BOARD MEMBERS:

MS. DIANE ZOOK, Chairman
MS. CHARISSE DEAN, Vice Chairman
MS. SUSAN CHAMBERS
MR. BRETT WILLIAMSON
MS. OUIDA NEWTON
DR. FITZGERALD HILL
DR. SARAH MOORE
MS. KATHY McFETRIDGE

NON-VOTING BOARD MEMBERS:

MR. JOHNNY KEY, Secretary of Education

ADE LEGAL COUNSEL:

MS. LORI FRENO	ADE General Counsel
MS. MARY CLAIRE HYATT	ADE Specialist
MR. TAYLOR DUGAN	ADE Attorney

LOCATION:

Arkansas Department of Education
#4 Capitol Mall - Auditorium
Little Rock, AR 72201

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E X H I B I T S

A-1: LICENSURE REVOCATION HEARING - TIMOTHY REDDIN

ADE EXHIBIT ONE (1)

Educator's License, valid to 12/31/89

ADE EXHIBIT TWO (2)

Sentencing Order, filed 2/7/19

ADE EXHIBIT THREE (3)

Notice of Disqualifying Offense, dated 3/22/19

ADE EXHIBIT FOUR (4)

Notice of Hearing, dated 6/4/19

A-6: CHARTER CONTRACT AGREEMENT

ADE EXHIBIT ONE (1)

Proposed Charter Agreement Format

1 P R O C E E D I N G S

2 A-1: CONSIDERATION OF REVOCATION OF TEACHING LICENSE -
3 LICENSURE ACTION CASE NO. 19-07 (TIMOTHY REDDIN)

4 CHAIRMAN ZOOK: We'll move now to our Action
5 Agenda.

6 Mr. Dugan, number one.

7 MR. DUGAN: Good morning. Taylor Dugan,
8 Attorney for the Division of Elementary and Secondary
9 Education, Legal Services.

10 Board Members, what you have in front of you as
11 the first agenda item is a license revocation of Mr.
12 Timothy Reddin. I've put together a packet.

13 Ms. Freno, if you wouldn't mind sounding the
14 halls to see if Mr. Reddin is available?

15 (COURT REPORTER'S NOTE: Ms. Freno steps into
16 the hallway and calls for Mr. Reddin.)

17 MS. FRENO: No, he is not here.

18 MR. DUGAN: And since Mr. Reddin is not here may
19 I proceed, Madam Chair?

20 CHAIRMAN ZOOK: Please do.

21 MR. DUGAN: So what I have in front of the Board
22 today are a number of exhibits, four exhibits. The
23 first exhibit is the Educator's license, which is
24 marked as ADE Exhibit One (1), to show that he does
25 have an existing license. We did send him notice on

1 March 22, 2019, that he did have these charges. What
2 I've attached as ADE Exhibit Three (3) is that he was
3 found guilty and pled guilty of Attempted Coercion
4 and Enticement of a Minor to Engage in Criminal
5 Sexual Activity, which would be a disqualifying
6 offense under 6-7-410. And that we did send him
7 notice of this hearing here today.

8 (WHEREUPON, ADE Exhibits One (1) through Four
9 (4) were marked for identification and entered into
10 evidence.)

11 MR. DUGAN: And so since he's not here, since we
12 did provide him with proper notice, I would ask that
13 this Board revoke Mr. Reddin's license.

14 CHAIRMAN ZOOK: Are there any questions?
15 Do I have a motion?

16 MS. NEWTON: Move revocation.

17 CHAIRMAN ZOOK: Moved by Ms. Newton, seconded by
18 --

19 MS. McFETRIDGE: Second.

20 CHAIRMAN ZOOK: -- Ms. McFetridge.
21 All in favor?

22 (UNANIMOUS CHORUS OF AYES)

23 CHAIRMAN ZOOK: Opposed?
24 Great.

25 MR. DUGAN: Thank you, Ms. -- Madam Chair.

1 A-2: STATE BOARD REVIEW OF PLSB EVIDENTIARY HEARING

2 RECOMMENDATION - JACOB CONRAD DE LA PAZ

3 MR. DUGAN: And we do have, I believe, on the
4 second agenda item, for the action, is the State
5 Board Review of Mr. Jacob Conrad de la Paz. I know
6 Ms. Freno is going to go through the rules.

7 So would you like to do that first, Ms. Freno?

8 CHAIRMAN ZOOK: Yes. Would you come to the
9 podium, Ms. Freno? Remind us so we --

10 MS. FRENO: Thank you, Madam Chair.

11 CHAIRMAN ZOOK: -- do everything correctly.

12 MS. FRENO: Lori Freno, Division of Elementary
13 and Secondary Education.

14 This is an appeal of an Ethics Hearing
15 Subcommittee's recommendation that Mr. Jacob de la
16 Paz's educator license be suspended for a period of
17 five years and that he be fined \$500.

18 On a procedural note, you might remember that in
19 January of this year this board granted Mr. de la
20 Paz's request to file his appeal beyond the time set
21 forth in the rules -- and this board approved that,
22 and that's fine. But now everything has been
23 completely briefed and everything is ready for this
24 hearing today.

25 If I may go over the procedures for this

1 hearing?

2 CHAIRMAN ZOOK: Please do.

3 MS. FRENO: First, Mr. de la Paz will make a
4 statement to the State Board for up to 10 minutes --
5 of course, Mr. de la Paz or his counsel for up to 10
6 minutes. And then Mr. Dugan will make a statement to
7 this board on behalf of the PLSB for up to 10 minutes
8 as well.

9 This board -- at any time this board may ask
10 questions of the Educator, the investigators, or
11 their counsel. If anyone is asked a question who is
12 not an attorney, they do need to be sworn in.

13 That is the procedure for the hearing. May I go
14 over -- kind of give you a preview of what you all
15 will be deciding at the end of the hearing?

16 CHAIRMAN ZOOK: Please.

17 She'll go over it now, and then if we have
18 questions she can tell us again.

19 MS. FRENO: Great. Thank you. Thank you, Ms.
20 Zook.

21 The first thing that you're going to need to do
22 is determine -- is make a Finding of Fact. In other
23 words, you'll need to determine whether you agree
24 with the Evidentiary Hearing Panel's factual
25 underpinning with regards to this case.

1 Second, if you agree with the facts as
2 determined by the Ethics Hearing Subcommittee, you
3 will need to make a determination based upon those
4 facts, whether Mr. de la Paz violated Standard 1,
5 Standard 2, or both, of the Code of Ethics.

6 And, third, if you do determine that there was a
7 violation of Standard 1, Standard 2, or both, then
8 you will need to decide whether you agree with the
9 sanction that was imposed by the Subcommittee, which
10 again was five years' suspension and a \$500 fine, or
11 whether you would want to modify the sanction.

12 And probably it would be best and cleanest if
13 you do this through three motions. One motion would
14 be the Findings of Fact, one would be the Conclusions
15 of Law, and one would be for the sanction.

16 CHAIRMAN ZOOK: Okay.

17 MS. FRENO: And if there are any questions -- no
18 questions from the Board --

19 CHAIRMAN ZOOK: Yeah. Would you clarify that
20 even though this happened a couple of years ago he
21 has been teaching, but once this decision is made by
22 this board that will go on his record?

23 MS. FRENO: Once the decision is made by this
24 board it would be a final decision, yes. I mean
25 that's something he could appeal to the Circuit

1 Court.

2 CHAIRMAN ZOOK: Right. Thank you.

3 Any questions of Ms. Freno?

4 Okay. Thank you.

5 MS. FRENO: Thank you.

6 CHAIRMAN ZOOK: And the Educator starts first.

7 Yes.

8 MS. FRENO: That is correct.

9 CHAIRMAN ZOOK: Okay. Would everyone who will
10 be giving testimony please stand and raise your right
11 hand? Do you swear or affirm that the testimony
12 you're about to give shall be the truth, the whole
13 truth, and nothing but the truth?

14 MR. DE LA PAZ: I do.

15 CHAIRMAN ZOOK: You may be seated.

16 And proceed.

17 MR. GIGLIO: Ladies and Gentlemen, I'm Joe
18 Giglio from Lafayette, Louisiana. I'm Mr. de la
19 Paz's counsel.

20 Mr. de la Paz, at the end of my presentation,
21 would like to give a statement that we've timed at
22 two minutes. And if the Chair and the Board would
23 allow it, I would like to be given a notice at say
24 seven minutes if the Board would allow Mr. de la Paz
25 time for his two-minute statement.

1 CHAIRMAN ZOOK: Yes. I'm saying yes.

2 MR. GIGLIO: Thank you, Ms. Chair.

3 The student in this case while she was a junior
4 at Cabot High School developed a crush on her young
5 millennial track coach, Jacob de la Paz, whom you've
6 met, who started working at Cabot High School right
7 out of college at age 24. Through text messages it
8 was made clear that the student had an attraction for
9 Mr. de la Paz. It became apparent that the
10 attraction was mutual, but it also became apparent
11 that the coach, Coach de la Paz, made it very clear
12 that any potential relationship must wait until the
13 student's graduation. The student lived at home with
14 her father and stepmother. The coach lived at home
15 with his parents. The student and the coach were
16 never alone together at any time. There was no
17 inappropriate touching, no inappropriate contact
18 whatsoever, no kissing, nothing physical, no
19 inappropriate pictures, nothing like that. The coach
20 did on a volunteer basis tutor the young student in
21 math and she excelled. The coach coached the student
22 in track and she became a star, a state champion.
23 The coach and his student met on a church mission
24 trip. And the student herself testified that she
25 excelled in track, she became a state champion, and

1 with Coach de la Paz's volunteer help she performed
2 very well in math. The student admitted that at a
3 certain point toward the end of her junior year, May
4 of her junior year, the student testified that she
5 developed a crush on Coach de la Paz. In
6 questioning, I asked the student, "Did you sometimes
7 confide in Coach de la Paz that you were comparing
8 yourself to other students?" This was because she
9 seemed in the texts to be asking Coach de la Paz for
10 reassurance, and so I asked, "Did" -- "were you
11 comparing yourself to others?" She said yes. "And
12 did he reassure you that you were as competitive, as
13 good, or better than the others that you were worried
14 about?" And she said yes. "In one of the texts you
15 stated, 'I love you with all my heart, DLP.'" DLP
16 was her nickname for Coach de la Paz, DLP. "Did you
17 mean that?" She answered yes. "In another text you
18 state 'DLP's words mean the world to me,' and that
19 you have -- and that you and he have an unbreakable
20 bond; is that how you felt?" She said yes. "In one
21 text you state 'I would love to spend time with you
22 after I graduate.' Is that how you felt?" "Yes."

23 I'm 66 but remember what it was like at age 17.
24 I can understand what happened here. But here's
25 what's important: towards the end of the texts, page

1 563 of the approximate 600 pages, I asked this
2 question of the student; I said, "You state to Coach
3 de la Paz in one of your texts, 'You told me not to
4 text you unless it was about running or math. And I
5 texted you this morning to have a great day, and I'm
6 just now realizing that I shouldn't have done it,
7 even though I wanted to.'" I asked the student, "So
8 you knew that he wanted the texting to stop?" She
9 said yes. The student herself testified that Coach
10 de la Paz was a gentleman. She confirmed they were
11 never alone together; they never drove anywhere
12 together; they both lived at home with their parents.
13 The student testified that Coach de la Paz would
14 support and reaffirm her while her family did not.
15 Perhaps that is why the student said that when her
16 stepmother read the messages and went to the school
17 to try to have the coach fired she was hurt. She
18 testified, "I was not happy anymore." The student
19 testified that Coach de la Paz had built up her
20 confidence and that she was better in her junior year
21 than any other year in high school. In fact, at
22 Cabot High School there is something called the Life
23 Impact Award where a senior determines who he or she
24 is going to name as the teacher who had the most
25 positive influence on the young student's life during

1 high school. She was planning to have Coach de la
2 Paz receive the Life Impact Award because he had, as
3 she put it in the text, "influenced her in the most
4 positive way."

5 We also called at the hearing testimony of Coach
6 de la Paz's immediate supervisor, the head coach,
7 Chesley [ps] White, a 40-year veteran at Cabot. He
8 also served in the state position -- I forget the
9 title. But he was a well-respected, a long-time
10 coach. He had just retired at the time I called him
11 for this hearing. He voluntarily came. He waited
12 seven hours, because he was the last guy to be
13 called, and I felt so bad for him because he had to
14 wait. But he testified unequivocally, "Yes, I know
15 the man's character, I know what happened, and I
16 would rehire him."

17 It's clear that this Educator's character is
18 good. He made a mistake. Now mind you, we're only
19 asking that the sanction be modified. We don't
20 dispute the facts, because they're all expressed in
21 text messages. Mr. de la Paz's coworker stated that
22 he is, quote, "a dedicated servant to his family, a
23 tireless contributor to his job; he's an honorable
24 selfless human-being." This was Coach Chris Beavert
25 who --

1 CHAIRMAN ZOOK: You have three minutes left, so

2 --

3 MR. GIGLIO: Thank you, ma'am. I'll wrap it up.

4 Now for the last two years Jacob has been
5 working at North Vermillion High School in Maurice,
6 Louisiana. It's a little community about 15 minutes
7 from Lafayette. He's planning and hoping to work
8 there next year. He made the principal of that
9 school and the superintendent aware of this
10 proceeding in the very first interview, at the
11 outset. The testimony at the hearing was clear that
12 he was honest with everybody who questioned him about
13 his status. "Jacob has been very conscientious," the
14 principal states -- "very conscientious about his
15 position as teacher and coach and has displayed
16 mature and professional behavior in all capacities in
17 his job description."

18 Ladies and Gentlemen, a suspension would
19 effectively end his career. We are asking for a
20 modification so that he may be held under some
21 probation and take courses of whatever you, Ladies
22 and Gentlemen, might require of him.

23 CHAIRMAN ZOOK: Okay. You have two minutes.

24 MR. GIGLIO: Considering the conduct involved in
25 this case, without any inappropriate conduct --

1 Is that two minutes -- I need to --

2 CHAIRMAN ZOOK: Yeah, of the 10.

3 MR. GIGLIO: Of the 10. Okay. Well, then I
4 need to wrap it up and tell you that my brief
5 contains all of the other cases that you can read
6 where more serious and egregious conduct resulted in
7 a much less serious sanction. Thank you. And we
8 would ask that Mr. de la Paz's sanction be modified.
9 Thank you very much.

10 CHAIRMAN ZOOK: Mr. de la Paz.

11 MR. DE LA PAZ: I'll try to read it quickly.

12 CHAIRMAN ZOOK: Please.

13 MR. DE LA PAZ: Ladies and Gentlemen of the
14 Board, I am humbled and grateful for the opportunity
15 to speak before you today. In May of 2017, I was
16 forcibly resigned from the Cabot School District amid
17 the discovery of text messages between myself and a
18 high school athlete that discussed the potential of a
19 relationship after she graduated. For the record,
20 the messages were never sexually explicit. There was
21 never an inappropriate physical relationship, nor was
22 there a suggestion of such. I never spoke in
23 innuendo, nor did I ever insinuate or solicit
24 anything malicious, immoral, or perverse from the
25 athlete. I never asked her to hide any inappropriate

1 relationship, because there was not one. I did ask
2 her to mask any feelings or emotions that she had for
3 me. And I do understand that the messages discussing
4 a potential relationship were inappropriate and
5 unprofessional.

6 My actions have not been without consequences.
7 I was essentially asked to leave my alma mater, which
8 was my dream job. I moved out of the town that I
9 called home for 13 years. I incurred a heavy
10 financial burden in retaining the services of an
11 attorney. But the worst consequence for me is the
12 embarrassment and the regret that I feel in letting
13 down my family, my friends, and my colleagues, and
14 the female athlete involved.

15 For the past two years I have been teaching and
16 coaching in Louisiana. I have been forthcoming and
17 honest about every step of this process with my
18 administration, who have mentored and supported me
19 through it all. They've put an extreme amount of
20 faith in me when I asked for the opportunity to
21 redeem myself. Today I plead with this board to do
22 the same. The students, parents, and administration
23 at North Vermillion trust me. I have worked
24 incredibly hard these past two years to earn that
25 trust.

1 I respectfully and humbly ask this board that
2 you allow me to continue to remain employed at my
3 school in Louisiana by not suspending my license, and
4 allow me to continue to walk the redemptive path I
5 started two years ago. Thank you.

6 CHAIRMAN ZOOK: Mr. Dugan.

7 Before he sits down, do any of you have
8 questions prior to Mr. Dugan's presentation?

9 Okay. Mr. Dugan.

10 MR. DUGAN: Thank you, Madam Chair and Ladies
11 and Gentlemen of the Board. Taylor Dugan, Attorney
12 for the Division of Elementary and Secondary
13 Education. And in this case, Ladies and Gentlemen,
14 I'm going to be speaking on behalf of the PLSB on Mr.
15 Conrad de la Paz's appeal here to the State Board.

16 I'm going to ask the Board today to uphold the
17 sanction that the Ethics Hearing Subcommittee
18 determined. In the transcript and in the briefs and
19 in all the text messages that have been provided to
20 the Board beforehand -- page 712 of the exhibits
21 there was Findings and Recommendations that the
22 Hearing Subcommittee put down, and I think they got
23 it right because originally the Ethics Subcommittee
24 voted unanimously to revoke Mr. de la Paz's license.
25 The Ethics Hearing Subcommittee, after a hearing that

1 lasted from 9:00 a.m. to 7:00 p.m. and had the
2 evidence that you guys have seen today, over 600
3 pages of text messages from 25 days between a 27-year
4 old teacher -- we're talking about a teacher here --
5 and a student -- and they determined that they were
6 going to give him some grace. They lowered that
7 sanction from a revocation to a five-year suspension
8 with the maximum fine of \$500. He's already been
9 given some grace.

10 The PLSB wants to show that this is a case that
11 they take very seriously. This was not just a crush
12 that the student had on Mr. de la Paz. This is a
13 student where he reciprocated those feelings, and
14 it's outlined in all of those texts. He did tell the
15 student to keep this relationship secret. At the
16 lower hearing there was the complaint that was
17 included from the school district when they made the
18 original allegation. These are Mr. de la Paz's words
19 in these texts to the student, "It will be tough but
20 we have to do it to protect each other. We just have
21 to be very good actors. I have to make it seem like
22 you're just another runner, even though secretly you
23 know you're much more to me and will be my future
24 girlfriend. And you have to act like I'm just a
25 coach, knowing that I will be your future boyfriend.

1 We can do it. It will be tough, but I'm willing to
2 do it to protect our future." Later says, "Gosh,
3 this year will be so long, but maybe having all that
4 to look forward to will make it go faster, because I
5 really cannot wait until that first day where I just
6 finally get to spend time with you as Jacob and not
7 Coach de la Paz. I just get to be close to you
8 without having to worry about anything, and I just
9 get to enjoy being with you. You will definitely
10 still catch me staring, and now you know why." This
11 was a willful and intentional violation of the Code
12 of Ethics, of Standard 1 and Standard 2, and it's
13 outlined in the evidence that has been presented to
14 the Board prior to today. I highlighted a few texts,
15 because I know I only have 10 minutes, but there is a
16 mountain of evidence that this was more than just a
17 crush. For example, the Educator states that --

18 May I have a moment, Madam Chair?

19 CHAIRMAN ZOOK: Sure.

20 MR. DUGAN: For example, on May 23, 2017, at
21 7:48 p.m. the Educator admits that he knew his
22 actions could get him terminated, "It's hard to pay
23 for dates if I'm out of a job, LOL." Later that day,
24 at 8:20 p.m. the Educator states, "Okay, do you know
25 that all they need -- all they would need is to pull

1 the script of you and I conversing through texts and
2 I could never teach or coach again." The Educator
3 was well aware of his actions; this was a willful
4 violation of the Code of Ethics. He also states on
5 May 23rd in a text to the student, "I hate that it's
6 like that but in the job I'm in, it is. My hope
7 would be that even if we didn't text as often that
8 would not make you not want to date me anymore. It
9 would break my heart now." If you go through --
10 these are the texts, these are the words; these are
11 in the 600-plus pages of text messages spanning over
12 25 days that Mr. de la Paz and this student
13 conversed. This is a teacher -- 27-year old teacher
14 texting with a student, and that's why we're here
15 today. We're here to see whether or not that
16 violates the Code of Ethics. There is a mountain of
17 texts between the Educator and the student where he
18 states that he loves her. For example, on May 4,
19 2017, at 10:24 p.m. he states -- Educator says,
20 "Absolutely agree. If I don't see you, make sure we
21 run to -- we run into each other in the next three
22 days. Again, I'm proud of you and I love you." This
23 is the first record of this Educator saying to the
24 student that he loves her. It goes on and on. For
25 example, on May 8, 2017, Student says, "Are you sure?"

1 Sometimes I feel like you tell me things, do I want
2 to be down on myself, and you talk to me because I
3 talk to you all the time, like you don't want to."
4 Educator, "I do encourage you a lot but I'm always
5 honest with you. I'm never fake and I genuinely
6 enjoy talking to you." Educator, "I love you with
7 all my heart, remember?" Student, "I hope you do."
8 There is a mountain of these texts -- I just have to
9 admit it -- so I'm just highlighting some. But I
10 know the Board here has read the record, has read the
11 transcript, they know that this is going back-and-
12 forth. It was just not a crush. It's had an adverse
13 affect on the student.

14 I heard earlier today they said that this
15 student here came from a home, was not given that
16 support. The family is here today because they care
17 about this case. In the hearing, from the transcript
18 on page 103, the mother testified that "we put her
19 into counseling because she really just didn't seem
20 like she wanted to talk about it, and so she went to
21 counseling the first summer." On page 222 the
22 student states that she went to therapy during the
23 summer of 2017 and the summer of 2018. This caused
24 an effect on this student, a negative effect on this
25 student. Not only was this a willful violation of

1 the Code of Ethics but it did have that negative
2 effect on the student. This is multiple violations.
3 This is 600-plus pages of text messages that this was
4 a violation of the Code of Ethics.

5 So I'm here today asking this panel to uphold
6 that sanction of a five-year suspension and a \$500
7 fine and any training that the Board sees fit. But
8 again, this is not a case of just a crush; this is
9 not a case of -- this is a case of willful intent on
10 the -- for violation of the Code of Ethics, excuse
11 me. Even further, just text messages from 12:15 a.m.
12 on 5/25, while they talk about there's no physical
13 relationship, he is encouraging. That says, "I know"
14 -- well, she states, Student, "Gosh, I'm picturing in
15 my head right now you calling me Babe and hugging me;
16 it's awesome. Just hugging you differently than I do
17 is going to be so special, and us holding hands, I
18 know." Educator, "The hugs will be what I'm feeling,
19 for sure. I'm most looking forward to holding your
20 hand and just spending time with you, watching
21 movies, just cuddled up on the couch and being with
22 you, and just being ourselves around each other."

23 This is the evidence that you guys have had.
24 And I know that after you guys have looked through
25 the transcript, have looked through and read all the

1 texts -- again, this is just a few little bits of it.

2 And so with the reservation for the rest of my
3 time I would also -- there was some comments over
4 here that this kind of started in May. There was
5 testimony that it actually -- he had started
6 developing feelings for her in February/March.
7 Again, this is all in the transcript. This is all
8 from the hearing. And so if there's any more time I
9 would like to entertain questions.

10 CHAIRMAN ZOOK: Yeah, you have two-and-a-half
11 minutes.

12 MR. DUGAN: Two-and-a-half minutes?

13 CHAIRMAN ZOOK: Does anybody have any questions?
14 Anyone have any questions at this point? And,
15 remember, it'll be three separate things: Findings of
16 Fact, Conclusion of Law, and Recommendations. So if
17 you have any questions with regard --

18 Dr. Moore.

19 DR. MOORE: I do have some questions.

20 CHAIRMAN ZOOK: Okay.

21 DR. MOORE: Yes, at this point in time I -- as
22 we've looked at many different cases over my year on
23 a term, I still at times feel like the timeline for a
24 suspension or probation is varied. How did that
25 five-year timeline come into decision, as compared to

1 others? And which I think we saw one last month --
2 last month or the month before -- that was a three-
3 year timeline. What's -- can you talk to me about
4 that?

5 MR. DUGAN: Definitely. And the -- so right now
6 the PLSB has the sanctioning matrix and that's what
7 they're following. Originally in this case, right
8 here, if you look at the transcript, the Ethics
9 Hearing Subcommittee had stated on pages 351 through
10 353 that they went back-and-forth on a revocation and
11 a suspension in this case. However, they did take
12 into effect that -- Mr. de la Paz's age, and they --
13 even one of the panel members, you know, stated that
14 they had to weigh destroying his career or putting
15 more kids in danger. So I think in this case they
16 went through that sanctioning matrix. I can't speak
17 on behalf of them, but they looked and went through
18 those factors -- was this willful or intentional
19 misconduct, was it multiple violations, did it have a
20 negative effect on that student, and went through
21 those to determine what type of sanction it would be.
22 So this, again, is one that's in the record that they
23 went back-and-forth on revocation, because the Ethics
24 Subcommittee originally did recommend revocation for
25 this Educator. And so what the Panel does is they go

1 through that sanctioning matrix and kind of apply
2 what facts they have.

3 DR. MOORE: Okay.

4 MR. DUGAN: Did that answer your question, Dr.
5 Moore?

6 DR. MOORE: A little bit. Can you -- and I'm
7 sorry, I probably ask this question every-other-month
8 -- but speak to me about the differences between
9 probation and suspension?

10 MR. DUGAN: So probation, the Educator can still
11 return to the classroom.

12 DR. MOORE: Okay.

13 MR. DUGAN: So there can be conditions also put
14 on that probation. But while that Educator is on
15 probation they have -- they can still teach during
16 that time, they might have to complete those
17 trainings, they will have to pay that fine. But then
18 -- usually I believe it's 90 days of the State Board
19 order. And if they don't complete that, then the
20 Board has the authority to suspend them. A
21 suspension is they cannot go back to the classroom.

22 DR. MOORE: Okay.

23 MR. DUGAN: So -- until they complete that
24 suspension --

25 DR. MOORE: Okay. And --

1 MR. DUGAN: -- and pay the fine.

2 DR. MOORE: In this case, in another state, is
3 it because the other state looks to this state for
4 the license?

5 MR. DUGAN: I beg your pardon?

6 DR. MOORE: Since he's now teaching in another
7 state, does that state check with our state for
8 license?

9 MR. DUGAN: So what we would do in this case is
10 we would -- well, and our rules do state that we have
11 to send notice to the employee entity, if the
12 Educator is employed. So that's how they would get
13 notice as far as if the Board was to order a
14 suspension. Also, it's reported to the NASTEC and --
15 where schools can go on and look at that and it would
16 show up as a suspension.

17 DR. MOORE: Okay. And then one final question:
18 when PLSB is alerted of a situation in which a
19 teacher might have had contact with a student outside
20 the classroom, does the Board always request text
21 messages? Is that common procedure or was -- these
22 were turned in, or what is that?

23 MR. DUGAN: I bet Mr. James could answer that,
24 because that would be more of an investi -- something
25 that would be investigated. I know in this case what

1 had happened was that the school district had made
2 the complaint, the allegation, and they had attached
3 some of the text messages. The mother had found --
4 looked through the student's phone and saw these text
5 messages and took them to the school district in this
6 case. However, in other cases --

7 Mr. James, would you be able to elaborate
8 however text messages are acquired and --

9 MR. JAMES: Yes. Dr. Moore, the initial -- the
10 allegation that was submitted contained the text
11 messages.

12 DR. MOORE: Okay.

13 MR. JAMES: So when they submit it to our office
14 sometimes it has a lot of information; sometimes we
15 retrieve it through the investigation.

16 DR. MOORE: Okay.

17 MR. JAMES: So therefore it becomes part of what
18 you have in front of you today.

19 DR. MOORE: Okay. Thank you. Thank you.
20 That's it, Madam Chair.

21 CHAIRMAN ZOOK: Ms. Chambers.

22 MS. CHAMBERS: Just building on that, is there
23 any insight that you can share that helps us
24 understand why we went from revocation to suspension
25 with five?

1 MR. DUGAN: Just what was in the transcript that
2 -- because when they go and deliberate, the Ethics
3 Hearing Subcommittee, they go off the record; and so
4 what was said during deliberation, I'm not sure. But
5 Mr. Shirey, who was on the panel that day, he did, on
6 page 351 through 353 of the transcript, discuss that
7 this was a very difficult case for them and they kept
8 going back-and-forth between revocation and
9 suspension and they had to weigh the factors of
10 whether -- putting more kids in danger or the fact
11 that he was just a young person here. So I think --
12 I can't speak for them themselves, but it seemed like
13 they were giving him some grace there.

14 MS. CHAMBERS: But there was nothing specific
15 that really changed their opinion --

16 MR. DUGAN: Correct.

17 MS. CHAMBERS: -- in the evidence? Okay. Thank
18 you.

19 MR. DUGAN: On their Findings and
20 Recommendations, that was page 712 of the hearing,
21 what they wrote down there at the very bottom is --
22 if I may read it for the Board?

23 CHAIRMAN ZOOK: Please.

24 MR. DUGAN: "There is no evidence that the
25 Educator is beyond rehabilitation and there has been

1 no prior sanction before the current violations of
2 Standards 1 and 2. Therefore, this Committee finds
3 that the sanction of permanent revocation is
4 warranted. We too think that five-year suspension
5 and a \$500 fine would be more appropriate. We feel
6 that a lesser sanction would not give the impression
7 that the PLSB does not take such violations
8 seriously."

9 CHAIRMAN ZOOK: Anyone else?

10 Okay. Would you -- and you may have to go get
11 it. But would you clarify for us exactly what
12 Standard 1 and Standard 2 state?

13 MR. DUGAN: Yes, ma'am.

14 CHAIRMAN ZOOK: Were you finished with your
15 presentation?

16 MR. DUGAN: Yes, ma'am. Let me get my rules.

17 Madam Chair, Standard 1 is "an educator
18 maintains a professional relationship with each
19 student, both in and outside of the classroom;" and
20 Standard 2, Madam Chair, "An educator maintains
21 competence regarding his or her professional
22 practice, inclusive of professional and ethical
23 behavior, skills, knowledge, dispositions, and
24 responsibilities relating to his or her
25 organizational position."

1 CHAIRMAN ZOOK: Okay. Thank you.

2 MR. DUGAN: Yes, ma'am.

3 CHAIRMAN ZOOK: Are you finished with your 10-
4 minute presentation?

5 MR. DUGAN: Yes, ma'am.

6 CHAIRMAN ZOOK: Okay.

7 MR. DUGAN: Do I still have time?

8 CHAIRMAN ZOOK: Yeah, you have two-and-a-half
9 minutes left.

10 MR. DUGAN: I'll concede that. Thank you,
11 Ladies and Gentlemen.

12 CHAIRMAN ZOOK: Okay. And now five minutes for
13 rebuttal, is that --

14 MR. DUGAN: Under these rules, that's it, unless
15 --

16 CHAIRMAN ZOOK: That's it. Okay. Thank you.

17 MR. DUGAN: It does state in the rules that --
18 the hearing is on the consideration of the
19 transcript, the pleadings, and oral argument only.
20 However, at the request of the State Board Chair the
21 Educator and the PLSB investigator for the case or
22 chief investigator may provide testimony. And so
23 that's the 10 minutes -- 10 minutes -- or if you
24 would like to hear from the chief investigator.

25 CHAIRMAN ZOOK: Okay. Anyone --

1 MS. NEWTON: I would just wonder if the attorney
2 for Mr. de la Paz had anything else they wanted to
3 add to -- since they --

4 CHAIRMAN ZOOK: Okay. Thank you.

5 MR. DUGAN: Yes, ma'am.

6 CHAIRMAN ZOOK: Did you hear her?

7 MR. GIGLIO: Yes, ma'am.

8 CHAIRMAN ZOOK: Please identify yourself again.

9 MR. GIGLIO: I'm Joe Giglio, attorney for Jacob
10 de la Paz.

11 And just to further amplify Ms. -- or Dr.
12 Moore's question, the suspension would take Jacob out
13 of the classroom. We would think a probation with
14 training would be appropriate, given the other cases.
15 The other cases -- for example, one where the female
16 teacher took the young 16-year old male student on a
17 joyride on an ATV; they had a wreck; she -- the
18 boy/student got injured; and the teacher took the boy
19 home, gave him a shower, and attempted oral sex on
20 the boy, and she was given probation -- far more
21 extreme conduct. My brief has three or four pages of
22 similar cases to that bizarre case where probation
23 was given.

24 Here, there is no question that his conduct is
25 all revealed in the texts -- but that's the good

1 thing: there was nothing else. And it was clear from
2 the texts that he wanted the relationship to wait,
3 which is the appropriate response. The student,
4 nevertheless, continued to pursue reassurance. And
5 the testimony was clear; it was admitted -- or I mean
6 I believe her testimony that she went to two therapy
7 sessions, but she testified that that was because of
8 what happened when her parents, I would suggest,
9 over-reacted; her stepmother over-reacted to the
10 situation.

11 So we kindly ask that this -- Jacob de la Paz be
12 given a modified sanction that would allow him to
13 continue teaching in Louisiana, where he's needed,
14 and his principal says they would like him to remain
15 -- and that would be at most probation. We would
16 suggest that the case law -- the juris prudence, if
17 you will -- the prior Arkansas Department of
18 Education board cases, it varies from written
19 reprimand to -- from written reprimand to admonition
20 to probation -- nothing as extreme as what happened
21 here.

22 I'd also suggest that it's not appropriate to
23 sanction anyone, quote/unquote, to send a message;
24 instead, the sanction should fit the crime. And here
25 we had a teacher who was -- a young teacher who was

1 caught in the hard place of having to respond to a
2 student who was looking for reassurance, and he did
3 give it to her; and in the process, unfortunately,
4 the relationship developed. But he said it must
5 wait.

6 And so thank you for your consideration. And
7 Mr. de la Paz is here if you have any questions
8 directly of him under oath.

9 CHAIRMAN ZOOK: Okay. And he has been teaching
10 the last two years while we were waiting for this
11 case to come to us.

12 Anybody have any more discussion or questions?

13 Ms. Newton.

14 MS. NEWTON: I'd ask a question of Mr. de la
15 Paz.

16 Can you tell me about your interactions with
17 students now and what precautions you're taking to
18 make sure this would never happen again?

19 MR. DE LA PAZ: Sure. Well, within the district
20 that I've -- that I went to interview with in
21 Louisiana, they made it clear through my interview
22 with the assistant superintendent and with my
23 principal that within their district they have a
24 certain set of guidelines for any electronic
25 communication with students should that take place.

1 Anything that you -- any correspondence with students
2 has to be turned in electronically, with a document
3 that is filled out and turned in to the State Board
4 -- or the district, letting them know what that
5 interaction was. From my standpoint, I have not had
6 any electronic communication with any students at
7 North Vermillion except through my school email
8 account. Me and my principal have worked that out.
9 Like I said in my statement, he's mentored me through
10 all of it. We meet on a regular basis to discuss
11 growth and maturity from that. Any -- because I also
12 coach down there, any Group Me or Remind Me apps -- I
13 also include him in those as well. Any emails that I
14 send to students I also CC my principal in those
15 emails. And so I make as many people aware of my
16 interactions through those processes as I can, as
17 discussed with my principal. So certainly it has
18 made me take more appropriate steps to communicate
19 with students.

20 Unfortunately, I put myself in the position
21 where I had to learn it this way. But like I said in
22 my statement, for two years I've tried my best to
23 earn that trust from my administration. And,
24 respectfully, I feel like the fact that my principal
25 has gone to bat for me with a letter proves that I've

1 done that.

2 MS. NEWTON: What about -- you're talking about
3 communication outside the classroom and in the
4 athletic arena. What about relationships? Have you
5 -- what have you done to make sure your relationships
6 are kept at an appropriate teacher/student --

7 MR. DE LA PAZ: Again, that's something that
8 I've met regularly with my principal about,
9 especially when I was first hired, that first year.
10 You know, I'm a lot more aware and perceptive to what
11 my interaction with students looks like to the
12 outside -- or the outside perception of what that
13 looks like. I understand being a young coach around
14 female students that that spotlight, that scope is
15 even more so on me, maybe more so than any other --
16 than, you know, any other professional or anything
17 like that. And so it has definitely made me more
18 conscientious of that and what it means to strictly
19 be there for an educational basis and to not let it
20 get to the point where my rapport with students puts
21 me in the situation to where I'm teetering the line
22 between what is professional and what is not. And so
23 that has -- this incident, this, you know,
24 unprofessionalism has allowed me to reflect on that
25 for sometime and I think up to this point corrected

1 what needed to be corrected from a personal
2 standpoint.

3 CHAIRMAN ZOOK: Anyone else?

4 Dr. Hill.

5 DR. HILL: Yes. Your Counsel made mention to
6 something that I just want to -- as we decide what
7 we're going to do, that we should bring to surface.

8 I have two daughters and I've actually dealt
9 with this situation, almost identical; so it's very
10 personal. And parents do over-react because --
11 you're not a parent yet; is that right?

12 MR. DE LA PAZ: Yes, sir. I'm not a parent.

13 DR. HILL: Okay. So when you have a daughter
14 who you place in a classroom under supervision of
15 somebody, when you see a text of something
16 inappropriate, we do over-react -- and I did over-
17 react because that's my daughter, who -- I trust you.
18 And so what you've done is broken a trust of parents
19 to go to school and place them there. However, we
20 all fall short and we all need grace. But what have
21 you learned from this situation that can put
22 parameters around yourself, as a hired teacher, as a
23 principal, to make sure that you don't put parents in
24 situations where my daughter is -- anybody's daughter
25 is in that situation that those text messages, those

1 feelings were -- led you to a level of
2 unprofessionalism, which you just called -- you
3 identified it. And so that's -- you're owning up to
4 it, and that's it. But do you realize a parent and
5 their daughters -- the trust that has been broken in
6 that process for us to make a decision on allowing
7 you to go back into the classroom? And what would
8 happen if you broke that trust again? I mean that's
9 -- now this is serious -- really, really, really,
10 really serious that you have to not allow your
11 personal feelings to influence your public judgment,
12 which you did.

13 MR. DE LA PAZ: Yes, sir.

14 DR. HILL: And I just -- I just -- you know,
15 from a parent of two daughters who -- I've done it
16 exactly; I go through my -- they're older now, but I
17 come get their phone. But at 16, 17 year olds, I pay
18 for the -- I want to know what's going on.

19 MR. DE LA PAZ: Yes, sir.

20 DR. HILL: And so it wasn't over-reaction; it
21 was a protection mechanism that parents are called to
22 provide, protect, and pastor their children. And I
23 mean it's -- this is a very difficult situation for
24 me because I know what I wanted for that individual
25 at the time when I saw that, because I placed my

1 daughter in that situation. So I just hope as this
2 board rules that you understand if given that
3 opportunity, you know, that grace has been granted to
4 you against what the State has recommended to us.
5 Okay?

6 MR. DE LA PAZ: Yes, sir.

7 CHAIRMAN ZOOK: Ms. McFetridge.

8 MS. McFETRIDGE: I know you said you were a
9 coach.

10 MR. DE LA PAZ: Yes, ma'am.

11 MS. McFETRIDGE: Are you teaching as well?

12 MR. DE LA PAZ: Yes, ma'am. I'm a math teacher.

13 MS. McFETRIDGE: Okay. Can you also let us
14 know, aside from the probation at this point, what
15 other courses have you taken to help you -- help
16 strengthen you against doing this again?

17 MR. DE LA PAZ: I had to -- in addition to
18 professional development that I had to take as part
19 of being a new-hire down there, I also had to take --
20 as an agreement between myself and my assistant
21 superintendent and my principal, I also had to do an
22 additional three hours of Louisiana ethics training
23 and I also did a three-hour seminar on social
24 networking. Off the top of my head I don't recall
25 what the -- what it -- it was through the Louisiana

1 State Board of Education. And I did a three-hour
2 thing with the ethics and then a three-hour social
3 media networking training through their online
4 program, similar to the IDEAS that we had -- the
5 Arkansas IDEAS that we have here. So those six hours
6 I got on a condition of being hired through agreement
7 with my principal and my assistant superintendent.

8 MS. McFETRIDGE: Okay. Thank you.

9 CHAIRMAN ZOOK: Anything else, discussions,
10 questions?

11 Are we ready for a motion?

12 Remember we're going to do it in three parts.
13 The first is Findings of Fact.

14 MS. NEWTON: I have a motion on that, I think.

15 I think that there's a Finding of Fact that the
16 Educator engaged in inappropriate communication with
17 a female student via text messages.

18 CHAIRMAN ZOOK: Okay. Do I have a second?

19 MR. WILLIAMSON: Second.

20 CHAIRMAN ZOOK: Motion by Ms. Newton, second by
21 Mr. Williamson.

22 All in --

23 Do we need to take a roll-call?

24 SECRETARY KEY: Yes, ma'am.

25 CHAIRMAN ZOOK: Okay. Would you do that,

1 please?

2 SECRETARY KEY: Give me -- this is an old roll-
3 call sheet, so let me make some --

4 CHAIRMAN ZOOK: Okay.

5 SECRETARY KEY: -- adjustments here real quick.

6 All right. Dr. Hill.

7 DR. HILL: Yes.

8 SECRETARY KEY: Mr. Williamson.

9 MR. WILLIAMSON: Yes.

10 SECRETARY KEY: Ms. Chambers.

11 MS. CHAMBERS: Yes.

12 SECRETARY KEY: Ms. McFetridge.

13 MS. McFETRIDGE: Yes.

14 SECRETARY KEY: Dr. Moore.

15 DR. MOORE: Yes.

16 SECRETARY KEY: Ms. Newton.

17 MS. NEWTON: Yes.

18 SECRETARY KEY: Ms. Dean.

19 MS. DEAN: Yes.

20 SECRETARY KEY: Okay. It's unanimous.

21 CHAIRMAN ZOOK: Okay. Motion passes.

22 Next, we will talk about the Conclusion of Law,
23 which is, my understanding, did the -- do we believe
24 based on the evidence that he violated Standard 1 and
25 2, 1 or 2, or --

1 Ms. Newton.

2 MS. NEWTON: I make a motion that we follow the
3 determination that the Educator violated both
4 Standard 1 and 2.

5 CHAIRMAN ZOOK: Do I have a second?

6 MR. WILLIAMSON: Second.

7 CHAIRMAN ZOOK: Mr. Williamson. Motion by Ms.
8 Newton, second by Mr. Williamson.

9 All in favor? Roll-call.

10 SECRETARY KEY: Dr. Hill.

11 DR. HILL: Yes.

12 SECRETARY KEY: Mr. Williamson.

13 MR. WILLIAMSON: Yes.

14 SECRETARY KEY: Ms. Chambers.

15 MS. CHAMBERS: Yes.

16 SECRETARY KEY: Ms. McFetridge.

17 MS. McFETRIDGE: Yes.

18 SECRETARY KEY: Dr. Moore.

19 DR. MOORE: Yes.

20 SECRETARY KEY: Ms. Newton.

21 MS. NEWTON: Yes.

22 SECRETARY KEY: Ms. Dean.

23 MS. DEAN: Yes.

24 SECRETARY KEY: Seven votes in favor.

25 CHAIRMAN ZOOK: Okay. Motion passed.

1 As far as Recommendations, do I have a motion or
2 a suggestion?

3 MS. NEWTON: I have a suggestion, then we can
4 discuss.

5 CHAIRMAN ZOOK: Please.

6 MS. NEWTON: Okay. I suggest that we give a
7 three-year probation with a \$250 fine, and then give
8 appropriate training to go with that.

9 CHAIRMAN ZOOK: Three-year probation, \$250 fine,
10 and training.

11 Do we have others who want to comment regarding
12 that?

13 DR. HILL: What would that training -- what --

14 MS. NEWTON: There's a Code of Ethics training
15 video, there's a PLSB social media guideline
16 training, and then there's a book on Active/Ethical
17 Professional Behavior for Responsible Educators. So,
18 all of that would be training with reflections to go
19 along with that.

20 CHAIRMAN ZOOK: Okay. Further discussion?
21 Do I have a second?

22 MS. McFETRIDGE: I'll second that.

23 CHAIRMAN ZOOK: Motion by Ms. Newton, seconded
24 by Ms. McFetridge.

25 All in favor? Roll-call.

1 DR. HILL: Can I just ask --

2 CHAIRMAN ZOOK: Yes, quick.

3 DR. HILL: Yeah.

4 CHAIRMAN ZOOK: I don't mean "quick;" I'm sorry.

5 DR. HILL: How -- with him being in Louisiana,
6 how would we -- how are those things, making sure
7 that -- how do we wrap that up?

8 CHAIRMAN ZOOK: Mr. Dugan, can you --

9 DR. HILL: I mean, how do we --

10 CHAIRMAN ZOOK: -- answer that for that us?

11 DR. HILL: -- get feedback?

12 MR. DUGAN: To my understanding it would be that
13 he would have to complete those conditions. If he
14 does not complete those conditions, then this board
15 could suspend his license.

16 Is that correct, Mr. James?

17 MR. JAMES: (Nodding head up and down.)

18 MR. DUGAN: That would be my understanding.

19 DR. HILL: How will we know this process is
20 ongoing through this three-year period of time? I
21 mean, how do we have those checks and balances to
22 validate that he is --

23 MS. NEWTON: I think the training has to be
24 completed within -- is it 60 days? I can't remember.

25 MR. DUGAN: Not the training. To my

1 understanding though the fine has to be paid within
2 -- is it 90 days?

3 MS. NEWTON: Okay.

4 MR. DUGAN: I believe 90 days of the State Board
5 order.

6 Mr. James, the training --

7 I mean, I see it when --

8 CHAIRMAN ZOOK: Mr. James, do you want to come
9 to the podium please?

10 MR. DUGAN: -- that they -- it will show when
11 they've completed it.

12 MR. JAMES: In that letter that's sent to the
13 Educator and their attorney they will be advised as
14 to the requirements; they have to submit it to our
15 office where we check-mark that that's been
16 completed. If it's not completed or if there's --
17 they don't pay the fine in the amount of time, then
18 it'll go into Licensure where they will put that
19 license -- it'll become a licensure action for
20 failure to adhere to the parameters you set forth.

21 CHAIRMAN ZOOK: So the school where he is, or
22 any school where he may go, will get notice, and then
23 y'all will flag it for a timeline?

24 MR. JAMES: Yeah. The three-year -- if it's
25 three-year probation, during that time he has the

1 requirement to submit that information to us within
2 that timeframe. Now as far as the school being
3 notified initially from -- after you make your
4 decision the school will be notified by letter from
5 our office as well.

6 CHAIRMAN ZOOK: Okay. And if he changed schools
7 would that letter follow him?

8 MR. DUGAN: No. And if it's probation --
9 Oh, excuse me?

10 CHAIRMAN ZOOK: No. No, microphone.

11 SECRETARY KEY: Microphone.

12 MR. DUGAN: If it is a probation, then the
13 school is not notified of -- we don't send a letter
14 out to the school; we send a letter to the
15 Complainant in that case. So it's just a suspension
16 or revocation, if that person is still teaching, that
17 we send a letter to that school.

18 MR. GIGLIO: May I suggest --

19 CHAIRMAN ZOOK: Wait till you come to the
20 microphone. We're being live-streamed, so --

21 MR. GIGLIO: May I suggest that this board could
22 make it a requirement upon Mr. de la Paz to furnish
23 evidence from his employer, whoever it may be, from
24 time to time -- we suspect it's going to be
25 Vermillion High School where he's teaching now --

1 that he must furnish from his employer the necessary
2 evidence that you all require that he is fulfilling
3 the terms of his probation. He also has evidence --
4 excuse me -- he also has information that --

5 Did I say what you intended to say?

6 MR. DE LA PAZ: The -- I -- when I first got
7 hired I applied for a Louisiana teaching license
8 through reciprocity, and part of that was turning
9 over my Arkansas teaching license. And then once I
10 -- through the paperwork I had to notify -- I
11 notified the Louisiana State Board of the pending
12 investigation two years ago, when it started. And so
13 I can't get my teaching license in Louisiana; they
14 won't grant it until these proceedings are done. And
15 so when -- I trust that if the motion passes with any
16 training the Louisiana State Board is going to be
17 notified of the training requirements that I have to
18 complete in that probationary period. And so I don't
19 know if that helps answer how you would know. But
20 certainly my principal, knowing of the proceedings
21 anyway, and will be notified of whatever the final
22 recommendation is, would certainly be willing to
23 provide quarterly or monthly progress on any training
24 that you would require me to do. So I don't know if
25 that helps.

1 CHAIRMAN ZOOK: I think what your attorney is
2 saying is another way you can show personal
3 responsibility is that if you take it upon yourself
4 to be in communication and notify and take the
5 training and --

6 MR. DE LA PAZ: Notify the --

7 CHAIRMAN ZOOK: -- not rely on your mentor.

8 MR. DE LA PAZ: -- the State Board. Yes, ma'am.

9 CHAIRMAN ZOOK: Okay.

10 DR. HILL: For the entire three years.

11 MR. DE LA PAZ: Yes.

12 DR. HILL: I mean that's what I -- that's the
13 piece -- I don't want it to be a 90-day completion
14 and we don't hear anything else over the process. I
15 mean --

16 MR. DE LA PAZ: I understand.

17 DR. HILL: -- I want a --

18 MR. DE LA PAZ: Yes, sir.

19 DR. HILL: -- thorough three-year update
20 quarterly, however that's going to be, back to them,
21 you know, that -- with your mentor writing and
22 saying, "We've had no evidence of any inappropriate
23 contact," dah-dah-dah-dah-dah --

24 MR. DE LA PAZ: Yes, sir.

25 DR. HILL: -- by granting you this opportunity.

1 MR. DE LA PAZ: Yes, sir.

2 DR. HILL: Now you can be assured that you will
3 make sure that happens; you'll take the initiative --

4 MR. DE LA PAZ: Yes, sir.

5 CHAIRMAN ZOOK: So does the motion need to be
6 amended to that degree or --

7 MR. DUGAN: Beg your pardon?

8 CHAIRMAN ZOOK: The motion, does it need to be
9 amended to include who's going to be in contact with
10 you-all, who's responsible, those kinds of things?

11 MS. FRENO: Madam Chair, I think that would be
12 the cleanest way to do it is if the motion would be
13 amended to include those items so that way we'd have
14 that on the record.

15 CHAIRMAN ZOOK: Okay. Ms. Newton, do you want
16 to amend your motion?

17 MS. NEWTON: Yes. Dr. Hill, do you want to do
18 it quarterly or semi-annually? How do you want to --

19 DR. HILL: Whatever the teacher -- I mean --

20 MS. NEWTON: Probably end-of-semester would
21 probably work.

22 DR. HILL: Yeah, end-of-semester would be fine.

23 MS. NEWTON: So --

24 DR. HILL: Each semester.

25 MS. NEWTON: -- a report from the district or

1 the Educator?

2 DR. HILL: I think we were saying --

3 MS. NEWTON: The Educator?

4 DR. HILL: the Educator.

5 MS. NEWTON: Educator, at the end of the
6 semester, that you had no other violations and that
7 you are actively working on rehabilitation.

8 CHAIRMAN ZOOK: And I guess we could say from
9 the Educator and the person who's hired him?

10 MS. NEWTON: Yeah.

11 CHAIRMAN ZOOK: And so --

12 MR. GIGLIO: Yes, ma'am.

13 MS. NEWTON: So I think though --

14 MR. GIGLIO: I would suggest that he be required
15 to furnish evidence from his principal, no matter
16 what principal.

17 DR. HILL: Yes.

18 MR. GIGLIO: Because the same school could hire
19 him but a different principal.

20 MS. NEWTON: Okay.

21 CHAIRMAN ZOOK: Does that work?

22 MS. NEWTON: So evidence from the principal at
23 the end of each semester that he is fulfilling the
24 terms of his probation and has gotten into no further
25 consequences from bad decisions.

1 MR. GIGLIO: Just to clarify, semesters are
2 different in Louisiana. There are two semesters --
3 the fall/winter and the spring. Is it a proper
4 understanding that he would have to do it twice?

5 MS. NEWTON: Yes.

6 MR. GIGLIO: Thank you.

7 CHAIRMAN ZOOK: So we have a motion that was
8 amended. Will the person second the amended motion?

9 MS. McFETRIDGE: Yes.

10 CHAIRMAN ZOOK: Okay. We have a motion and a
11 second.

12 Ms. Donovan, do we need to restate it or did you
13 get that?

14 MS. DONOVAN: I got it.

15 CHAIRMAN ZOOK: Okay. Thank you.

16 All in favor -- roll-call.

17 SECRETARY KEY: Dr. Hill.

18 DR. HILL: Yes.

19 SECRETARY KEY: Mr. Williamson.

20 MR. WILLIAMSON: No.

21 SECRETARY KEY: Ms. Chambers.

22 MS. CHAMBERS: Yes.

23 SECRETARY KEY: Ms. McFetridge.

24 MS. McFETRIDGE: Yes.

25 SECRETARY KEY: Dr. Moore.

1 DR. MOORE: Yes.

2 SECRETARY KEY: Ms. Newton.

3 MS. NEWTON: Yes.

4 SECRETARY KEY: Ms. Dean.

5 MS. DEAN: Yes.

6 SECRETARY KEY: Six in favor, one against.

7 MS. CHAMBERS: Can I make a comment?

8 CHAIRMAN ZOOK: Ms. Chambers has something she'd
9 like to say.

10 MS. CHAMBERS: Yeah, I just want to make a
11 comment because it's a tough -- it needed to be a
12 tough vote. I just so -- my background is human
13 resources and so pattern is always what you're
14 looking at. And we heard you say many good things
15 about the acknowledgement of not being professional,
16 but this goes so far beyond professionalism. It's
17 really poor judgment. And I just want to make sure
18 -- I didn't hear you say this, and I don't even know
19 that the coursework will get at it, but it's not just
20 about texts; it's about insuring you never put
21 yourself in a situation again where a relationship
22 like this could develop. And you have to be really
23 conscious of that because it's not a level playing
24 field with a child, a student. No matter how mature
25 they seem, this wasn't a fair fight. And so it's so

1 important that on a very, very personal level you
2 take this opportunity to kind of -- I won't say do-
3 over because the damage is done, but insure that it's
4 never done again. I just want to make sure you heard
5 that from us.

6 MR. DE LA PAZ: Yes, ma'am.

7 CHAIRMAN ZOOK: Thank you. And --

8 Oh, Ms. Newton.

9 MS. NEWTON: I just have one other comment along
10 those lines. Dr. Hill brought it out very well that
11 you are entrusted with parents' children that they
12 love very much, and you've got to take that trust
13 seriously. You cannot ever, ever put yourself in a
14 situation like this again, cannot violate that trust.
15 You've got to avoid -- you've got to go way above
16 what anybody else in that district does. You've got
17 to avoid the very appearance of evil. You've got to
18 do what it takes to be a good educator. You've got
19 to do what it takes to make sure those kids get a
20 good education. They're entrusting you every day
21 with those children and you've got to make sure that
22 you do what you're supposed to do and not put
23 yourself and, more importantly, not put a child in
24 this situation ever again. And I hope you understand
25 that we don't want to see you back here again.

1 MR. DE LA PAZ: Yes, ma'am.

2 MS. NEWTON: And if we see you back the outcome
3 is going to be a whole lot different than what it was
4 today. So I hope you understand that we have taken
5 this very seriously and we are expecting much better
6 out of you than what we heard today.

7 MR. DE LA PAZ: Yes, ma'am.

8 CHAIRMAN NATIONS: Anything else?

9 MR. DUGAN: Madam Chair, just I want to make
10 sure when I draft the order I have it correct. So
11 it's a three-years probation, \$250 fine --

12 CHAIRMAN ZOOK: (Nodding head up and down.)

13 MR. DUGAN: Thank you, ma'am. And if you don't
14 mind, Madam Chair, just those trainings that were
15 brought up?

16 CHAIRMAN ZOOK: Ms. Newton has it written down.

17 (COURT REPORTER'S NOTE: Ms. Newton hands Mr.
18 Dugan a list of trainings.)

19 MR. DUGAN: May I borrow this, Ms. Newton, to
20 make a photocopy?

21 And then also the evidence from the principal
22 twice a year that he is -- he's following his
23 probation?

24 CHAIRMAN ZOOK: Whoever the principal may be.

25 MR. DUGAN: Yes, ma'am. Was there anything

1 else?

2 Okay. Thank you.

3 CHAIRMAN ZOOK: We didn't hear from the parents,
4 but I can, I think, express for the Board we hope
5 that this young lady is doing fine.

6 A-3: SCHOOL SUPERINTENDENT ASSESSMENT (SSA) FOR P-12 DISTRICT
7 LEVEL ADMINISTRATOR

8 CHAIRMAN ZOOK: Being nothing further, I think
9 we're ready for the next item -- School
10 Superintendent Assessment for P-12 District Level
11 Administrator.

12 MR. DUGAN: Are we free to go?

13 CHAIRMAN ZOOK: You are free to go, Mr. Dugan.

14 MR. ROWLAND: Good morning, all. Michael
15 Rowland with the Department Division, filling in for
16 Ms. Luneau today.

17 Educational Testing Service has updated its
18 School Superintendent Assessment. Arkansas is
19 currently using the SSA 6021 as its administrator --
20 district level administrator license assessment. ETS
21 is replacing this with the 6991.

22 In April, ETS brought a copy of the 6991 for
23 review by Arkansas administrators and administrator
24 preparation faculty. ETS presented data from a
25 multistate standard-setting study, which included a

1 test study value. As a result of this state review,
2 participants recommend a cut score of 157. To allow
3 administrator preparation providers to update their
4 programs of study, the Department is recommending a
5 start-date of September 1, 2020. For Board action,
6 the Department recommends adopting the school
7 superintendent assessment 6991 with a cut score of
8 157, effective September 1, 2020.

9 CHAIRMAN ZOOK: Does anyone have any questions?
10 Seeing none, do I have a motion?

11 DR. MOORE: I do.

12 CHAIRMAN ZOOK: Oh, sorry. I apologize. I
13 looked away too soon.

14 DR. MOORE: Yeah. Is this a big change? Is
15 this something you've received feedback from
16 superintendents with any concerns or --

17 MR. ROWLAND: We did. Well, we -- at the April
18 review that was their opportunity to review it. ETS
19 updates their tests when there's 20% or so changes in
20 standards, national standards, and they felt it was
21 warranted to do that in this case. So they're
22 replacing their existing one, which we are currently
23 using as our district level, with this one. So we're
24 recommending -- as the panel that reviewed it and the
25 PLSB also agreed to replace it with the 6991.

1 DR. MOORE: Okay. Thank you.

2 CHAIRMAN ZOOK: And this will be for new
3 superintendents?

4 MR. ROWLAND: Ma'am?

5 CHAIRMAN ZOOK: This will be for new --

6 MR. ROWLAND: Yes.

7 CHAIRMAN ZOOK: -- superintendents?

8 MR. ROWLAND: Yes. Yes, ma'am.

9 CHAIRMAN ZOOK: No more questions?
10 Do I have a motion?

11 DR. MOORE: Motion to approve.

12 CHAIRMAN ZOOK: Moved by Dr. Moore. Second by
13 --

14 MS. DEAN: (holding up a finger)

15 CHAIRMAN ZOOK: -- Ms. Dean.

16 Sorry, I didn't see you; I didn't turn around
17 fast enough.

18 Okay. All in favor say "aye."

19 (UNANIMOUS CHORUS OF AYES)

20 CHAIRMAN ZOOK: Opposed?

21 Motion passes.

22 MR. ROWLAND: Thank you.

23 A-4: APPROVAL OF DYNAMIC LEARNING MAPS (DLM) CUT SCORES

24 CHAIRMAN ZOOK: Okay. Approval of the Dynamic
25 Learning Map cut scores.

1 MS. WORSHAM: Good morning. Hope Worsham from
2 the Department of Education, Director, Assessment.
3 And I believe you have these slides I'm going to walk
4 you through today. We are requesting approval of the
5 Dynamic Learning Maps cut scores.

6 Closer -- thank you.

7 (COURT REPORTER'S NOTE: Ms. Worsham steps
8 closer to the podium microphone.)

9 MS. WORSHAM: 2018-2019 was our first
10 administration of the Dynamic Learning Maps. This is
11 the assessment that we use with our alternate
12 population, so 1% of students that are severely
13 cognitively disabled and by federal law are allowed
14 to take an alternate assessment instead of taking ACT
15 Aspire. We do require within our rules State Board
16 approval of the cut scores. And this will be the
17 first year that we have scores and would like to
18 approve the consortium adopted cut scores. So I'll
19 give you a little more information about the scores
20 that we're seeking.

21 So, first of all, the Dynamic Learning Maps is
22 given in grades 3 through 10. This year we did give
23 the test in grade 11 for math and ELA. That's an
24 anomaly; it's just because our students in 11th grade
25 have not had a high school test. So moving forward

1 it will be grades 3 through 10, just like ACT Aspire.
2 Dynamic Learning Maps is given in 11 other -- or 10
3 other states, 11 including Arkansas, and our first
4 administration was in '18-19.

5 So the ELA and math cut scores were established
6 prior to us joining the consortium. There were
7 teachers from across the other states that were
8 members at that time that participated in that
9 process. The Technical Advisory Committee gave input
10 all throughout the process. We've reviewed the
11 documents and feel that the process they went through
12 is very technically sound and defensible, and the
13 other states have all adopted the cut scores as
14 proposed by the consortium.

15 I provided you with the cut scores; they're on
16 the screen. What's important for us is these are the
17 data from Arkansas this year. And so what we would
18 be proposing are that students that are at target or
19 advanced, which is the far right column that you see
20 there, is equivalent to ready and exceeding in our
21 Arkansas system for ACT Aspire. So the nice thing
22 about DLM is there are four cut levels, just like for
23 ACT Aspire, and we're able to assign points the same
24 as we do for Aspire. So emerging would be zero
25 points and the ESSA system approaching would be a

1 half and so-on, just like one for at-target and
2 advanced is one or one-and-a-half depending on the
3 numbers.

4 So across the state for Arkansas in ELA you see
5 the percentages on the far right of our number of
6 students that were scoring in those top two
7 categories. And these are the numbers for math -- so
8 anywhere from 24% down to 13% of our students scoring
9 at those two levels.

10 This assessment is given across the year, so
11 it's not given all at one time in the end-of-year,
12 which is why we made the switch to DLM. The test is
13 given in small little chunks and students are able to
14 digest that information as needed and when ready; so
15 then teachers can give the test at any point
16 throughout the year in small little bits.

17 For science, when we came on the cut scores were
18 already established for 4-5, 6-8, and high school.
19 So again we were not part of that process, but we do
20 feel that the process was followed, was sound,
21 technically sound. The Technical Advisory Committee
22 signed off on that and we think that the cut scores
23 are appropriate. But Arkansas did get to participate
24 in the establishment of the cut scores for a couple
25 of grades that were not already established for

1 science, and that would be 3-7 and -- 3 and 7. So
2 you can see Arkansas had four educators out of the
3 nine, and that is because Arkansas is the only state
4 right now that's using the science assessment in
5 every grade -- and we do that because we also do that
6 with ACT Aspire. So we had nice representation on
7 this panel for the science cut scores. As soon as we
8 joined on, DLM was very open to having us participate
9 in all -- any activity that we could and send our
10 educators.

11 Again, the same approach was applied across
12 consistently. All three assessments we feel are
13 technically sound. The Technical Advisory Committee
14 was a part of the process the entire time. There
15 were five steps that they followed. The panels went
16 through and reviewed, they recommended, and they came
17 back to consensus.

18 So for Arkansas -- I'm going to skip over this
19 -- grade 7, we were a part of that committee; we were
20 also part of the grade 3 committee. But for
21 Arkansas, we would propose that the cut scores that
22 the consortium recommends we also adopt in our state.
23 And these are the percentages of Arkansas students on
24 the science assessment that are scoring at the top
25 two levels.

1 So ADE is requesting State Board approval of the
2 DLM proposed cut scores for ELA, math, and science.
3 And I will entertain any questions you have now.

4 CHAIRMAN ZOOK: Dr. Moore.

5 DR. MOORE: Yes. I know there are some
6 challenges when you give a test the first year. What
7 was the overall feedback of the assessment by
8 teachers and districts?

9 MS. WORSHAM: Yeah, great question. The
10 feedback was that there were some challenges giving
11 the assessment across the year. Giving science in
12 every grade level was new; we had only done 5, 7 and
13 10 previously, in a portfolio style. The feedback
14 overall has been that the assessment is a good
15 educational tool. And we are actually doing training
16 right now. I have people training in co-ops on how
17 to use the assessment as an instructional tool; and
18 so we have about 1,000 -- I may be -- 600 educators
19 signed up across 15 sessions this summer to come to
20 that training, and that has been very well received
21 and great feedback.

22 DR. MOORE: That's great. As far as the -- I
23 noticed on the scores that the amount ready decreases
24 per grade level. Do y'all have any ideas behind why
25 that may be occurring?

1 MS. WORSHAM: I do not. And again with it being
2 our first year this is our baseline data, and so I
3 would probably know more as the assessment goes
4 forward. As our teachers get comfortable giving this
5 style of assessment I would assume -- I would hope to
6 see those scores move up.

7 DR. MOORE: Thank you.

8 MS. WORSHAM: Uh-huh.

9 CHAIRMAN ZOOK: Mr. Williamson? Ms. McFetridge?
10 Anyone on this side?

11 Okay. I have a question. I'm assuming since
12 the end number is probably not 10 or 15 this score
13 will not go into figuring the letter grade for the
14 school. Is that correct?

15 MS. WORSHAM: That is a question I would have to
16 defer to Ms. Coffman on.

17 MS. COFFMAN: Deborah Coffman, Department of Ed.

18 All student scores are included into the
19 accountability unless they meet the guidelines for
20 exclusion. Just because they're a low number, those
21 numbers are not reported publicly. If you go to our
22 report card you'll see that for -- through our
23 suppression those numbers are limited so as not to
24 identify a student to the public. But every student
25 is included --

1 CHAIRMAN ZOOK: Okay.

2 MS. COFFMAN: -- in accountability.

3 CHAIRMAN ZOOK: Thank you for clarifying.

4 SECRETARY KEY: I have a question.

5 CHAIRMAN ZOOK: Mr. Secretary.

6 SECRETARY KEY: Thank you, Madam Chair.

7 Could you go back to the ELA results --

8 MS. WORSHAM: Sure.

9 SECRETARY KEY: -- slide, please? So 3 through
10 7 you see pretty strong results, and then there's a
11 significant decline in the number 8 through 11. Any
12 conclusions that y'all have been able to draw from
13 that at this point?

14 MS. WORSHAM: Not at this point. Again, with it
15 being baseline data and with our teachers getting
16 used to the new format of the assessment could have
17 some impact on that. The training this summer,
18 again, has been very well received, so I think that
19 we will see the assessment being better utilized next
20 year. And it really should be given throughout the
21 year as an instructional tool, and I think some of
22 our districts were not in tune to that yet this year.
23 So, I don't have a reason but that could be part of
24 why.

25 SECRETARY KEY: And is there anything we can

1 learn about that approach to assessment that might
2 apply on a larger scale as giving it in smaller
3 chunks through the course of the year? And the
4 reason I ask that is because, you know, we -- the
5 states do have the opportunity for some flexibility
6 in how they conduct their assessment and what type of
7 assessments they have. So, just curious if you have
8 any thoughts about that methodology?

9 MS. WORSHAM: Yeah. I think that was one of our
10 draws to changing to DLM is that -- to see how this
11 approach worked. There is a lot of evidence that
12 formative -- good formative assessment across the
13 year is the foundation for good learning. And so I
14 think that, yes, there is room in our overall state
15 system to look at eventually could we move to some
16 type of assessment that is similar to this generally.
17 And I don't think that it's out of the question; I
18 think it's just a matter of how do we use assessment.
19 We don't want to over-burden schools with testing too
20 much, but help them to understand that assessment is
21 a tool for learning and not -- yeah -- to inform
22 learning, not --

23 SECRETARY KEY: Thank you.

24 CHAIRMAN ZOOK: Did they get the same kind of
25 results as far as percent of students tested that we

1 got with the ACT Aspire?

2 MS. WORSHAM: As far as like 95% --

3 CHAIRMAN ZOOK: Uh-huh.

4 MS. WORSHAM: -- of students testing? Yes. So
5 the percent of students taking the assessment was in
6 line with where it should be.

7 CHAIRMAN ZOOK: Anything else?

8 Do I have a motion?

9 DR. MOORE: Move to approve.

10 CHAIRMAN ZOOK: Dr. Moore moves. Do I have a
11 second?

12 MS. DEAN: Second.

13 CHAIRMAN ZOOK: Ms. Dean seconds.

14 All in favor?

15 (UNANIMOUS CHORUS OF AYES)

16 CHAIRMAN ZOOK: Thank you.

17 MS. WORSHAM: Thank you.

18 SECRETARY KEY: While -- before she gets too far
19 away, Madam Chair, some of you may have seen the
20 paper today, some of you may have not. But Hope is
21 going to be leaving our team and joining the Little
22 Rock School District team, and Mr. Poore has
23 recommended her for the position of Executive
24 Director of Curriculum and Instruction. So that's a
25 great opportunity for her and a great move for Little

1 Rock, but we will miss her for sure.

2 CHAIRMAN ZOOK: Thank you, Ms. Worsham.

3 A-5: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT
4 CHARTERS

5 a) SOUTHSIDE SCHOOL DISTRICT

6 CHAIRMAN ZOOK: Okay. The next item is 1240
7 waivers. Ms. McLaughlin.

8 I will remind you that 5(b) was pulled, so we
9 will do (a), (c), and then thereafter.

10 MS. McLAUGHLIN: Yes, ma'am. Kelly McLaughlin
11 with the Division of Elementary and Secondary
12 Education.

13 First, we have action item A-5(a), Southside
14 School District. As a reminder, the district will
15 have 20 minutes to make their presentation. Any
16 opposition will also have 20 minutes as well, and the
17 district will then have 5 minutes to respond before
18 the question-and-answer begins.

19 As you know, Act 1240 of 2015 allows a school
20 district to petition the State Board of Education for
21 all or some of the waivers granted to open-enrollment
22 public charter schools. And we do have
23 representatives from the Southside School District
24 appearing before the Board for petitions for waivers
25 of Class Size and Teaching Load. Their 90 days will

1 expire on September 19th, and they are requesting for
2 three years, ending on June 30, 2022.

3 We have Roger Rich, superintendent; Novella
4 Humphrey, the director of curriculum and federal
5 programs; and Dr. Kimberly Crosby, assistant
6 professor of education and director of teacher
7 education at Lyon College. And you will want to
8 swear them in.

9 CHAIRMAN ZOOK: Okay. Help remind me since --
10 is this considered like a charter and conversion
11 charter where it's a verbal contract so they need to
12 be put under -- they need to be sworn in, or is this
13 --

14 MS. McLAUGHLIN: (Nodding head up and down.)

15 CHAIRMAN ZOOK: They do?

16 MS. McLAUGHLIN: They do need to all three be
17 sworn in.

18 CHAIRMAN ZOOK: Okay. So if anyone --

19 MS. McLAUGHLIN: Except the lawyer, and I don't
20 believe that any of those three are lawyers.

21 CHAIRMAN ZOOK: Mr. Rich doesn't need a lawyer.

22 If you'll stand and raise your hand -- do you
23 swear or affirm that the testimony you're about to
24 give shall be the truth, the whole truth, and nothing
25 but the truth?

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(ALL SPEAKERS ANSWERED AFFIRMATIVELY)

CHAIRMAN ZOOK: Okay. You may approach the podium.

SUPT. RICH: I'm Roger Rich. I'm the superintendent of Southside School District, just south of Batesville. And Madam Chair, Board, Secretary Key, thank you for the opportunity to come today.

I have two individuals with me today who are really the architects behind all the work, and that's Novella Humphrey, our curriculum coordinator -- anything great that's done within our school district she actually does it and her hands are all over that -- and Dr. Crosby with Lyon College, a great partner of ours.

So as Superintendent of Schools I think one of the most important things that I'm tasked with is to put high quality people in the classroom; that's where it all takes place. And so I kind of want to tell our history today, if I can, about how we want to make sure that we have great teachers in the classroom and our innovative way that we've tried to come up with here to combat the teacher shortage in our area, if I could.

We were a teacher cadet pilot school when it

1 first started. And the neat thing about that now is
2 we're starting to see those students graduate and
3 become certified teachers. I'll tell a couple of
4 stories of individuals that I'm very proud of:

5 The first young lady, she contacted us about a
6 month ago and 11 days short of her 20th birthday; she
7 is -- now has her teaching certification. She left
8 us with 54 concurrent credit hours. She got into the
9 teacher education program at Arkansas State after her
10 first semester; caused some issues there, trying to
11 figure out how those obstacles and barriers were to
12 be -- to go around. And we're extremely proud of
13 her; she has her certification, she's going to get
14 her master's degree at Harding University, and at 21
15 years old we'll be recruiting her back to be back at
16 her alma mater teaching in our classroom and doing
17 great things for kids.

18 Another story that I'm equally as proud of -- a
19 young lady took a different path. She had a child as
20 a junior in high school. That would've -- could've
21 taken a lot of people off that path, but she
22 continued to go with the support system she had, both
23 at home and at school. Her goal was to be a nurse.
24 So her future story is what we're all about at
25 Southside, trying to make future stories come true.

1 We helped her go that direction -- and she had a
2 change of heart, which is great as well. You want to
3 find out what you don't want to do early and not
4 waste a lot of time and money. But three years after
5 high school she now has her teaching certification;
6 decided she didn't want to be a nurse, wants to be a
7 teacher. We did not have an opening in the area that
8 she is certified in or would be able to help us, and
9 she's teaching in a neighboring district. And I hope
10 they don't get too used to having her because we'll
11 be recruiting her back to come back to work as well.

12 But those are the stories and those are the
13 things that kind of get us to where we're going
14 today. These things don't happen by accident. We
15 have great partners and we're very, very blessed and
16 very lucky. But our strong partnership with our two-
17 year community college, with Lyon College, and with
18 our universities is at an all-time high right now and
19 we're very fortunate and proud of that.

20 We have a conversion charter at our 9-12, so
21 that gives us some opportunities 9-12. But some of
22 our other areas we don't have that, and that's what
23 we're looking at today.

24 We have bi-monthly meetings with UACCB when we
25 first started our conversion charter -- sit-down

1 meeting with their leadership team every-other-month,
2 which we've been able to do some fantastic things for
3 kids by having those meetings. But that's grown to
4 not just Southside and UACCB; it's grown to eight
5 area high schools that come together bi-monthly with
6 Lyon College, with UACCB and other representatives in
7 that area to do what's best for kids, do what's best
8 for education in Independence County.

9 So our goal with this -- when we sat down and
10 started talking we wanted to try to develop welders,
11 nurses, all those type things for our community. Sad
12 to say we did not really take care of ourselves.
13 Collectively, education in Independence County is the
14 second largest non-manufacturing employer in our
15 county, and we were taking care of everybody else but
16 ourselves. So we wanted to try to do some things to
17 grow our teachers and create a teacher pipeline
18 coming back within our schools. So our goal is not
19 only to recruit, but our goal is to retain great
20 teachers because they're the ones that make the
21 difference. So, one way to do that is to reduce the
22 time to degree and the cost. So with the hard work
23 of these two ladies and others, you can get a four-
24 year degree in Independence County, going to UACCB
25 and Lyon College, for \$15,000, and that's before PELL

1 or anything else; so those that are eligible for PELL
2 can get it for less than that. They sit down with a
3 seamless transition on how you could do a four-year
4 degree and stay right there at home and make it very
5 affordable for our kids and for parents. If you have
6 a student that -- or child of yours that's went on to
7 college recently or is going right now, it's quite
8 expensive. So anything we can do to keep that cost
9 down we definitely want to do so.

10 So the time to degree with our partnership with
11 our colleges -- over half of our student body that
12 graduated our senior class has taken at least one
13 concurrent credit class and half of those kids have
14 at least a semester or more. So those are the things
15 that we want to make sure that we do, that we cut
16 that down to make it easier for them and to cut the
17 cost down.

18 We had a formal MOU that was developed by Lyon
19 College and UACCB to insure that they can get that
20 four-year degree and sit down and not only work with
21 our counselors so they can make sure that they can
22 counsel families and students, how they can do that
23 and do so affordably.

24 So one question you might have is -- we've been
25 here four different times asking for long-term sub

1 waivers for our K-6 program. We think we have a
2 pretty good fit for what we were doing K-6, but we
3 didn't have a 7-12 type model and that's what we're
4 trying to look at today. The four interns that we've
5 asked for in the past are all teachers for us now --
6 another example of how sometimes we get in the way of
7 ourselves. Thank goodness the Department and others
8 have been so gracious to look outside the box and try
9 to help with the teacher pipeline, though -- we had a
10 young lady who'd worked for us for almost five years
11 in our preschool program; she had five children
12 within our school district. All this time that she
13 was going back to school, trying to get her teaching
14 degree -- she was going to have to leave the job that
15 she has and we're paying her to go and intern for
16 nothing at a nearby school district to come back to
17 us to hopefully teach in our classroom. So the
18 waiver that we received allowed her to be able to not
19 only continue working in our district, but also to be
20 paid a salary where she could continue to afford to
21 go and support her family.

22 So at the K-6 level some of the things that we
23 had in place were instructional facilitators to
24 support and mentor our interns. At the 7-12 grade
25 level in our district, that's something that we don't

1 have at this particular point in time. So we want to
2 design a model that, for our interns to be supported
3 by lead teachers or master teachers similar to an
4 opportunity culture type school.

5 We turned to our partner, Dr. Crosby, at this
6 time and with meeting together they've developed a
7 program that also -- we want to make sure that we
8 meet the expectations that they have as a college,
9 meet the expectations that we have as a school
10 district, and to be able to provide the support for
11 our interns that are needed.

12 The plan as written has a written commitment
13 with multiple layers inside that to support
14 personnel, resources, professional development, and
15 release time as well.

16 Our 7-12 model values the time for interns to
17 observe, co-teach, teach, reflect, and prepare for
18 instruction. The interns will observe under this
19 model two class periods per day and then they will
20 teach four periods per day and then have planning
21 time to go along with that. Also, they will be
22 involved in our grade level and our content area
23 PLCs. And these interns would have to go through a
24 collaborative interview process with our school
25 district, with Lyon College, and personnel from each

1 institution. Lyon College will have the final say-so
2 for those individuals; they know those students and
3 they know who can handle this and who can't. I don't
4 think it's for every particular intern, but I do
5 think that this would work good for some interns. So
6 our only goal here is to try to put high quality
7 people in the classroom, cut time to degree for some
8 people, make people want to stay in the teaching
9 profession, and continue to do great things for kids.

10 So that's all that I have at this particular
11 point in time. And we'll ask any -- answer any
12 questions that you have for us or for these two
13 ladies.

14 CHAIRMAN ZOOK: Let me check and see if we have
15 any opposition.

16 MS. HYATT: (Shaking head from side to side.)

17 CHAIRMAN ZOOK: We do not. Okay.

18 If you want to close -- or if the Panel has
19 questions at this point, or do you want to wait till
20 he finishes?

21 Okay. Ms. McFetridge.

22 MS. McFETRIDGE: I'm just curious, I didn't see
23 it in here, maybe it is, but do you require these
24 interns to work -- come back and work for you? Is
25 there a requirement in there for that to happen?

1 SUPT. RICH: Yes, for that to happen they would
2 definitely have to work for us -- come back and work
3 for us.

4 MS. McFETRIDGE: Okay. So it's in your
5 agreement along with that?

6 SUPT. RICH: Yes, ma'am.

7 MS. McFETRIDGE: Okay. Thank you.

8 CHAIRMAN ZOOK: Okay. You may close.

9 SUPT. RICH: We are closed. Thank you so much.

10 CHAIRMAN ZOOK: Okay. I have -- go ahead,
11 Secretary.

12 SECRETARY KEY: Mr. Rich, so Dr. Pfeffer and I
13 have been talking about your -- this model for I
14 guess three years now. Is that right? Is that how
15 long it's been going?

16 SUPT. RICH: Just about three years.

17 SECRETARY KEY: And so we've been encouraging
18 other districts that have come to us and said, "Hey,
19 what are y'all going to do about the teacher
20 shortage?" And we say, "Well, what are y'all doing
21 about it?" You know, "Go to Southside and look to
22 see what they did. They were very proactive and
23 innovative." And so, Ms. Humphrey, you know how much
24 we've tried to direct people to you. How many
25 districts have actually talked to y'all about

1 replicating or at least tailoring a model similar to
2 this in their own districts with their own local
3 higher ed. partners?

4 MS. HUMPHREY: In the last school year we've
5 visited with at least four districts.

6 CHAIRMAN ZOOK: Identify yourself.

7 MS. HUMPHREY: I'm sorry. I'm Novella Humphrey
8 from Southside School District.

9 In the last school year I know at least four.
10 Plus, within our co-op we meet as a group often, the
11 instructional leaders, and so we've talked about it
12 within that group; so those 15, 16 school districts
13 within our immediate educational co-op area. And
14 then we had visits from three -- or phone calls from
15 three to four districts in the last school year, and
16 the prior school year we had at least three schools.
17 And then we've had a couple of higher education
18 institutions join our joint meetings at UACCB and
19 Lyon College just to observe and see how we talk and
20 interact and problem-solve together.

21 SECRETARY KEY: Okay. Good. Thank you.

22 MS. HUMPHREY: Uh-huh.

23 CHAIRMAN ZOOK: Okay. Ms. Newton.

24 MS. NEWTON: I have a couple of questions, Mr.
25 Rich. First of all, I want to thank you because you

1 recognize what I think Mr. Key is getting at, that --
2 you said that "we've been helping everyone else, it
3 was time for us to help ourselves" --

4 SUPT. RICH: Yes, ma'am.

5 MR. NEWTON: -- and I think that's what a lot of
6 districts around the state need to start looking at.

7 A couple of questions: this is going to be for
8 secondary, correct, 7-12?

9 SUPT. RICH: 7-12. Yes, ma'am.

10 MS. NEWTON: And so you talked about that the
11 intern would have a planning time. Is that going to
12 be a common planning time with a mentor?

13 SUPT. RICH: Our plan is to assign them to a
14 master teacher and have that common planning time.

15 MS. NEWTON: Have a common planning time, okay.
16 Good.

17 And then how many interns are you looking at
18 trying to do in a year?

19 SUPT. RICH: I don't think it needs to be very
20 many at one time. We had two prior in our K-6
21 program. One to two possibly at the most --

22 MS. NEWTON: Okay.

23 SUPT. RICH: -- each year.

24 MS. NEWTON: Okay. And then have you talked to
25 parents and teachers about the possibilities of

1 starting this at the secondary level?

2 SUPT. RICH: We have talked with a group of
3 teachers this week. We have not reached out to our
4 parents at this particular point in time, but we will
5 insure -- make sure that we do so.

6 MS. NEWTON: Okay. What has been the reception
7 in the past from your community at the elementary
8 level for what you've done?

9 SUPT. RICH: They were extremely pleased. And,
10 of course, these are our own.

11 MS. NEWTON: Right.

12 SUPT. RICH: We're tracking our own kids. We
13 track every child that leaves us and we've really
14 been honing in on those who have an interest in
15 education. We're going to follow them over the next
16 three or four years and see exactly what they're
17 doing because we want someone that's invested, wants
18 to be in that area, wants to be in that school, knows
19 our culture, knows what we're about, and what makes
20 us a little different; you know, they have to have
21 that servant's heart that we're looking for --

22 MS. NEWTON: Right.

23 SUPT. RICH: -- and it's hard to teach that
24 sometimes.

25 MS. NEWTON: Yes, that's correct. I think

1 that's all I've got. Thank you.

2 CHAIRMAN ZOOK: Anyone else on this side?

3 Ms. Chambers.

4 MS. CHAMBERS: My question is similar to Ms.
5 Newton's in terms of the existing tenured teachers.
6 So they feel good about this?

7 SUPT. RICH: (Nodding head up and down.)

8 MS. CHAMBERS: With gift comes responsibilities,
9 especially if we're going to replicate this. I do
10 think it'll be really helpful what you learn about
11 engaging your more tenured teachers. You used the
12 word "retention" earlier, and this has the
13 opportunity to create a bigger, stronger base but the
14 ladder is even stronger as you develop your more
15 experienced teachers. And so I'm hopeful that you'll
16 be able to capture what's working well and what's not
17 so that as others come into this space we can
18 accelerate the benefit of what you're doing. But I
19 love the innovation.

20 SUPT. RICH: Thank you.

21 MS. CHAMBERS: So it'll be fun to see how these
22 teachers do as they come back into the program as
23 full-time professional teachers.

24 SUPT. RICH: Awesome. Thank you.

25 CHAIRMAN ZOOK: Ms. McFetridge? Mr. Williamson?

1 Dr. Moore?

2 Okay. I have a couple of questions.

3 Working with secondary students and close to
4 their same age, what kind of help and training will
5 you be giving them with regard to classroom
6 management and -- well, and she knows what I'm
7 asking.

8 MS. HUMPHREY: As we have grown over the last
9 two years, we instituted a new teacher academy. This
10 will be our third summer of doing that. We spend
11 about four days of intensive time with just novice
12 teachers or new to our district, but novice teachers
13 especially, and we go through classroom management,
14 we go through assessment procedures, we go through
15 cultural expectations, and also many things about
16 being 22 years old and teaching an 18-year old; and
17 so what's the professional standards that we should
18 uphold and maintain every single day. We go beyond
19 the ethics training that's required and we have
20 conversations. And actually this year two of our
21 novice teachers that completed the program are going
22 to come back and lead that session. They really
23 gained a lot of information, and as things unfolded
24 through their first year of teaching they went back
25 to things from that day. And so they just

1 voluntarily emailed this summer and said, "Hey, can
2 we come lead that day?" And we said, "Absolutely."
3 So they're really taking an active leadership role in
4 that training.

5 CHAIRMAN ZOOK: Okay. And you mentioned the
6 receptiveness by the teachers. What about the
7 parents and the students?

8 MS. HUMPHREY: In the past at K-6 the -- one of
9 the students -- the first intern we came and asked
10 for, she had taught for five years in our district as
11 a parapro in a preschool classroom; so parents were
12 very receptive to her because the relationship and
13 trust was already built. So with this individual --
14 as we move forward at 7-12 we want to do the same
15 thing -- introduce them to families, give them
16 opportunities to build relationships at open house
17 and those back-to-school activities.

18 CHAIRMAN ZOOK: Okay. And I notice based on
19 your ACT Aspire scores your -- if you look at the
20 same cohort as they progress over '17, '18, to '19,
21 you're making good progress with the cohort until you
22 get to 7th to 10th and 8th to 10th. So just be
23 careful with --

24 MS. HUMPHREY: Yes.

25 CHAIRMAN ZOOK: -- the novice teacher that you

1 don't lose ground, because y'all are, you know, doing
2 a lot of things. But that did sort of jump out at
3 me.

4 MS. HUMPHREY: Yes. And then, so our Structures
5 training and some other phonics trainings begin for
6 junior high teachers in two weeks. So with approval
7 today we'll be able to -- if the novice teacher is --
8 or the intern is teaching literacy, we'll be able to
9 embed them within all of the professional
10 development.

11 CHAIRMAN ZOOK: Okay. And I know you're using
12 Phonics First with your dyslexic students.

13 MS. HUMPHREY: Yes.

14 CHAIRMAN ZOOK: But I'm a little bit troubled by
15 the -- that only 13 are being interventioned, and all
16 the data shows that it's typically a much higher
17 percentage based on student population.

18 MS. HUMPHREY: Yes. For --

19 CHAIRMAN ZOOK: So can you help me with that?

20 MS. HUMPHREY: For eight years we've had a very
21 intensive RTI program at our elementary and we have
22 worked hand-in-hand with teachers and parents and
23 literacy specialists through the co-ops. So we often
24 identify early and intervene, and so most of the time
25 that dyslexia has been coming at a later level

1 because we're catching up quicker. We have room to
2 grow and we will see -- we had some referrals at the
3 end of school-year, so I think we'll see that number
4 grow. Our teachers are in Structures, they're in
5 Phonics First, they're in RISE training this summer.
6 And then our new dyslexia plan was unveiled to
7 principals last --

8 CHAIRMAN ZOOK: And your speech therapist as
9 well?

10 MS. HUMPHREY: Yes, ma'am.

11 CHAIRMAN ZOOK: Okay.

12 MS. HUMPHREY: All three of them.

13 CHAIRMAN ZOOK: Right. Well, thank you.

14 MS. HUMPHREY: Yes.

15 CHAIRMAN ZOOK: Any more questions?

16 Do I have a motion?

17 MS. NEWTON: I just have one more. Is this a
18 five-year waiver?

19 CHAIRMAN ZOOK: Yes, it was -- three is what
20 they -- yeah, three years.

21 Do I have a motion?

22 MS. McFETRIDGE: I'll move to approve this
23 waiver request.

24 CHAIRMAN ZOOK: I have a motion by Ms.
25 McFetridge. Second by --

1 MS. CHAMBERS: Second.

2 CHAIRMAN ZOOK: -- Ms. Chambers.

3 All in favor say "aye."

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIRMAN ZOOK: Okay. Thank you.

6 Okay. Let me look at this just a minute.

7 Okay. Would somebody let Mr. Ballard know that
8 we will likely deal with -- okay -- we'll likely deal
9 with that after lunch, because lunch is here and
10 we've got one more to go. So if you will, let him
11 know -- or let yourself know.

12 c) WESTERN YELL COUNTY SCHOOL DISTRICT

13 CHAIRMAN ZOOK: Okay. Ms. McLaughlin.

14 MS. McLAUGHLIN: Thank you. For action item A-
15 5(c), Western Yell County School District is
16 appearing before the Board to request Superintendent
17 Licensure waivers. Their 90 days will expire on
18 September 28th, and they are requesting for one year
19 ending on June 30, 2020. We do have Tommy Fink,
20 board president; Julie Lane, the curriculum
21 coordinator; and Herschel Cleveland here. And you
22 will wish to swear them all in.

23 CHAIRMAN ZOOK: Okay.

24 MS. McLAUGHLIN: Except for Mr. Cleveland
25 actually is an attorney, so --

1 CHAIRMAN ZOOK: Okay. Well, we like for
2 attorneys to promise too.

3 If you'll please stand, raise your right hand --
4 do you swear or affirm that the testimony you're
5 about to give shall be the truth, the whole truth and
6 nothing but the truth?

7 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

8 CHAIRMAN ZOOK: Thank you.

9 You have 20 minutes.

10 MR. FINK: Thank you, Madam Chairman and Members
11 of the State Board. I'm Tommy Fink, president of
12 Western Yell County School Board. And we're here to
13 request a waiver or ask for a waiver to hire Mr.
14 Herschel Cleveland as our superintendent for a year.

15 On June 27th our present -- our past
16 superintendent left us, and it was kind of late
17 there, and we didn't know it. We're a real small
18 community; no one on our staff certified to do this.
19 We hope that we can get Mr. Cleveland. He's really
20 well respected in the community. No one in the
21 community since we have -- it's got out that we were
22 wanting to do this has had anything to say negative.
23 The local newspaper run an article and in their
24 rambling or in their -- editor for the last of it, he
25 even said that he hoped that he was granted the

1 waiver, that he could help us out. And the whole
2 board -- when this happened we were looking and his
3 name come up and we wanted to talk to him. And once
4 we talked to him the whole board was unanimous not to
5 even check with anyone else. It was before a five-
6 member board; it was a five-oh vote to hire him for a
7 year if we could get Board approval. And he's really
8 well respected in the community. And I know we will
9 evaluate him and he'll evaluate the teachers. The
10 community -- well, he works with the people, he works
11 really well, and he's not -- you know, he doesn't
12 have his certification, and I know that was a
13 problem. But we feel like that he fits our community
14 because, like I say, we're real small; we're hanging
15 around 350, and we need help. And we feel like that
16 he definitely can help us at this time because -- I
17 don't want to seem like -- a superintendent needs to
18 be not only a superintendent of the school, he has to
19 be in the community, people have to accept him, he
20 has to work well with the community. And Mr.
21 Cleveland -- I've not found anyone that he can't work
22 with. And we're just hoping that -- we need some
23 help and we're hoping that we can get him to help us.
24 Thank you.

25 MR. CLEVELAND: Madam Chairperson, and I guess

1 now Secretary Key, and Members of the Board, we
2 appreciate very much the opportunity to present this
3 petition for a waiver.

4 CHAIRMAN ZOOK: Okay. And if you'll identify
5 yourself?

6 MR. CLEVELAND: And my name is Herschel
7 Cleveland and I'm the superintendent of Western Yell
8 County, if y'all approve me, and my residence is in
9 Paris, Arkansas, just across the mountain.

10 What I would like to do today is give you some
11 information about Western Yell County School
12 District; and then I would like to tell you a little
13 bit about why I considered this job; and then we'll
14 talk about the technology that Western Yell has;
15 we'll talk about the data reporting system, the cycle
16 reports, and the financial ability and planning, the
17 academics -- I'm going to ask Ms. Julie Lane, who is
18 our curriculum coordinator, to come up here in a few
19 minutes and talk about the academics -- and the
20 stakeholder communication, mentoring, and the
21 evaluation.

22 And, Madam Chair, if you'll let me know when I
23 have about eight minutes left I'll call Julie up
24 here. I asked her to do it, but I can't continually
25 look around.

1 Western Yell County is located up Highway 10;
2 you head out Cantrell and you keep going -- and
3 probably most of you know where it is. [Clearing
4 throat] Excuse me because of my allergies. But
5 Perryville is one school, the next one is Two Rivers,
6 next one is Danville, and then Western Yell County.
7 It has about 158 square miles of territory and we
8 have about 350 students; so that means we have a
9 square mile for every two-and-a-quarter students. So
10 we've got lots of area to cover. We've got four bus
11 routes and they carry about 40 per bus route, so it's
12 about 160 transported students. The faculty is all
13 certified; there's 35 of them -- approximately 35.
14 And I would be the only non-certified one there. We
15 have classified -- about 35 classified employees.
16 And we have a student population that's predominantly
17 Caucasian, but we do have -- the last count was 66
18 Hispanic, have 15 Asian, we have 8 Mixed Race, and we
19 have 3 Indians, and 4 African Americans. So we do
20 have a diverse school population.

21 Now the schools that are surrounding us that
22 people through Freedom of Choice have asked to go to
23 are Two Rivers, Danville, Magazine, Booneville, and
24 Dardanelle. So that's basically -- and I assume that
25 you could say there's some competition for Freedom of

1 Choice students among the schools, so we're going to
2 have to compete for that.

3 We -- all of our facilities meet standards.
4 We're asbestos-free. We have an assessment value in
5 the district of about \$32,000,000. So, you know,
6 it's -- we've got good things and some bad things,
7 but we are really anxious to address any issues we
8 have this year.

9 Let me tell you -- some of you know me or know a
10 little about me, but I'm a lawyer by trade. I've got
11 a BSBA from U of A and also a JD degree. Most of my
12 life I've been a practicing lawyer and I thought I
13 was getting away from that, except when I went to
14 Western Yell County I mean that's what I did for the
15 first two or three days is look up the law on this
16 Freedom of Choice. But I was also Juvenile Judge, so
17 I saw a lot of the students come through court and
18 dealt with them as Juvenile Judge. I also dealt with
19 DHS cases. And a lot of your teachers have to leave
20 school and go testify -- custody cases, they have to
21 go testify. So it's a very interesting thing. I've
22 served on your GT Commission here, back here, and
23 they gave me an award back there years ago. But I
24 served on the Higher Education Coordinator Board for
25 several years, and it was an experience. What we

1 were trying to do is align the high schools with the
2 college admission to get the courses that had to be
3 taken over in college, try to get that reduced -- and
4 I'm not sure how successful that's been. And then I
5 did distance learning. You remember back when we had
6 13 different entities delivering distance learning.
7 And then the GIS Board that's -- we have zoned school
8 board membership, so -- I mean everybody has to run
9 from a zone, so GIS becomes important. And I've
10 learned lately it's important where those school
11 district lines are; so we deal with those. But I
12 have -- in addition to that, I've been in the
13 military and basic officer school, advanced officer
14 school, and I got half of the command and general
15 staff school done. And I also have a certificate
16 from Purdue that I did pension and profit-sharing
17 from Purdue.

18 Now the thing that has really helped me is being
19 a delegate when I was in the Legislature; I've been
20 in the Legislature for six years. I served on the
21 Education Committee all six years and sort of headed
22 up the preschool effort to -- when I was in the
23 Legislature we had \$10,000,000 for preschool; it was
24 cut to \$2,000,000; we passed the beer tax, got it up
25 to \$12,000,000; and then when we were doing adequacy

1 then we stepped it up to \$100,000,000. But I've
2 noticed since I've been at West-Yell that we're still
3 charging people to come to preschool, so -- but I've
4 done that. I've done leadership training over a two-
5 year period with the Cooperative Extension Program
6 and I've done committee work with NCSL, which is
7 National Conference for State Legislators. I've done
8 the governing board of the Southern Regional
9 Education -- well, Southern Regional Board Committee
10 and -- but the SREB, which is located in Atlanta --
11 some of y'all may be delegates from Arkansas; I hope
12 you are because this is the most fascinating group
13 and I learned more there than I have anywhere. And
14 they are actually working on the Science of Teaching,
15 and I was hoping they would have a magic bullet
16 someplace but they don't. You know, you get this
17 packet and say, "We're going to show you how to
18 improve your schools." And when you get down to it,
19 it's the relationship of the teacher to the student,
20 the competency of the teacher, and the support that
21 the teacher gets. I mean that's -- but anyway, one
22 thing that you might find amusing, I was one of two
23 attorneys that first taught continuing legal
24 education in China, in the Guangdong Province. You
25 know China hasn't had attorneys very long. But we

1 went over there and I had to do a lesson plan for the
2 Communist Party over there and submit it before
3 they'd let me come. But there's 80,000,000 people
4 there, and that's fine. I have filled in for my wife
5 at Arkansas Tech, which I enjoyed immensely. But --
6 and I have appeared at lots of schools lots of times.
7 I coached a moot court team for Paris, and we did
8 fairly well; we had a competition at Fort Smith and
9 --

10 CHAIRMAN ZOOK: You have eight minutes.

11 MR. CLEVELAND: How many?

12 CHAIRMAN ZOOK: Eight.

13 MR. CLEVELAND: Left?

14 CHAIRMAN ZOOK: Yes.

15 MR. CLEVELAND: I'd better hurry. Okay.

16 Let me get on to our technology. I'm going to
17 rush on through this. We have fiber to both of our
18 campuses; we have a campus at Belleville and a campus
19 at Havana. We've got fiber to that. We've got
20 laptops for every kid and we are in good shape
21 technology-wise.

22 The data reporting cycle reports, we have 13
23 people who will submit those. If y'all approve me,
24 they'll submit them to me and I'm going to know
25 what's in there before I sign off.

1 We've got the financial planning. We've got a
2 budget of about \$2,000,000 -- or, I'm sorry,
3 \$3,000,000 -- \$3,293,000. And we've got \$594,000 in
4 unexpended, unrestricted funds. And we've got about
5 \$600,000 in the building fund. So we're okay. I
6 would go into the budget farther if I had more time,
7 but I think that tells you that we're really kind of
8 okay for right now. But we are losing children and
9 our grades -- we've got a grade D in elementary,
10 we've got a grade C in high school, and I'm going to
11 ask Julie to come up here and spend a couple of
12 minutes telling you what we're doing to improve that.
13 We've been working -- I've been working with the high
14 school principal and the elementary principal and the
15 curriculum coordinator to try to correct some of
16 these problems.

17 Julie.

18 By the way, she's from Coal Hill originally.

19 MS. LANE: Hi. I am Julie Lane; I'm the
20 curriculum coordinator. I want to speak to the
21 academics.

22 As you know, we have a D and a C. The
23 elementary will possibly qualify for Level 3 support
24 in reading in the 19-20 school year.

25 CHAIRMAN ZOOK: Excuse me for interrupting.

1 Will you pull your mic down closer to your mouth?

2 MS. LANE: Yes.

3 CHAIRMAN ZOOK: Thank you.

4 MS. LANE: Thank you.

5 Prior to this we have been working to improve
6 reading scores. The K-2 teachers are trained in
7 RISE, and they were trained the 18-19 school year and
8 worked closely with Tanya Newton from Arch Ford.
9 This summer the grades 3-6 will be attending RISE and
10 K-2 teachers are attending Phonics First training.
11 We are hopeful for the improved reading scores from
12 the RISE and Phonics First program. We're also
13 working on training the K-6 staff in Sound Walls and
14 incorporating the Sound Walls in the elementary
15 buildings. We feel involving everyone is a process
16 that will help increase reading scores.

17 During the 18-19 school year, I worked with the
18 elementary principal and K-6 teachers on re-writing
19 the written curriculum and insuring standards were
20 vertically and horizontally aligned. During the 19
21 -- the 2019-20 school year, the K-6 teachers will
22 continue fine-tuning their written curriculum. Also
23 during this school year the administration will be
24 working with 7-12 students on re-writing their
25 written curriculum, as well as insuring it is

1 aligned.

2 Last year I started looking over the dyslexia
3 intervention program. We are using Barton. We
4 served 46 students K-12 during the 18-19 school year
5 and we're working closely with the teachers to
6 identify students early for this program. We know
7 that early is the key and the teachers have to have
8 that knowledge.

9 Since July 1st, when Mr. Cleveland was hired
10 pending ADE Board approval, we met several times to
11 discuss the elementary and have started developing
12 plans. We met Tuesday with an unpaid consultant,
13 Leona Cleveland, to insure our plan for the
14 elementary was appropriate. She determined the plan
15 was appropriate. We feel the focus on the elementary
16 will pay dividends to the high school test scores.
17 The superintendent, principal and my-self will spend
18 more time in the classrooms to insure teaching and
19 learning and time on task.

20 I believe, if given the chance, Mr. Cleveland
21 will help our school improve academically and will be
22 focused on teaching and learning, as well as the
23 finances. Thank you.

24 CHAIRMAN ZOOK: Anything?

25 MR. CLEVELAND: Herschel Cleveland again. And

1 we are developing a team approach to things. I don't
2 think that anybody -- any one person can get done in
3 a school what needs to be done; it takes effort from
4 everybody, including the community. And I was told
5 yesterday that one of the churches in the district is
6 giving all the children their initial school
7 supplies. I just couldn't believe that, but that is
8 -- I mean that's an indication that the community
9 supports you. That doesn't mean there's not people
10 that get upset and want to transfer their kid out of
11 there.

12 The mentoring -- I heard a little bit about
13 mentoring this morning. But even though I have a
14 little age on me I don't have superintendent
15 experience, and I know that. And I would be glad to
16 go through the mentoring program and have a mentor,
17 if I'm approved for this job. And the evaluation
18 that the Board will give me -- I've been trying to
19 get hold of Richard Abernathy because it's my
20 understanding he has an evaluation tool for
21 evaluating superintendents. In talking with Mr.
22 Fink, I'm sure they'll want to evaluate me. They've
23 offered only a one-year contract, which is what we
24 would like. I mean, we would like to grow somebody
25 that'll stay in that community, grow with that

1 school, and do everything that needs to be done. I
2 found out through the years, because I was married --
3 I am married to a former superintendent of Western
4 Yell County and she -- and one of the reasons I
5 agreed to do this is she told me how good the people
6 were, plus I grew up not far from there and know some
7 of them. And then my son wants me to do this because
8 he wants to be able to tell me -- I mean, for me to
9 ask him questions about what I should do, and that's
10 been reversed. But I told the school board the night
11 they tentatively hired me that there would be
12 scrutiny on them. This is an unusual move that we're
13 asking for and we can't afford to fail. You know, if
14 we fail, we fail the community and we fail the kids.
15 I'm going to tell y'all the same thing: if y'all
16 grant this waiver and let me be superintendent for a
17 while, then I will owe you the same responsibility as
18 our school board that we can't afford to fail. And
19 I'm prepared to make it a life, not a job, for the
20 next year.

21 So I appreciate you again. And I'm sure my time
22 is about up, so I'll sit down. Thank y'all.

23 CHAIRMAN ZOOK: Okay. Do we have any
24 opposition?

25 MS. McLAUGHLIN: No.

1 CHAIRMAN ZOOK: No. Thank you.

2 Was that your summation or do you want to --

3 MR. CLEVELAND: I have learned not to summarize
4 during -- when people are getting ready to go to
5 lunch.

6 CHAIRMAN ZOOK: Good point.

7 We'll start over here. Dr. Moore, do you have
8 any questions at this point?

9 DR. MOORE: No.

10 CHAIRMAN ZOOK: Mr. Williamson?

11 MR. WILLIAMSON: No.

12 CHAIRMAN ZOOK: Ms. McFetridge?

13 MS. McFETRIDGE: I think I'm okay right now.

14 CHAIRMAN ZOOK: Okay. Ms. Dean?

15 MS. DEAN: No.

16 CHAIRMAN ZOOK: Ms. Chambers?

17 MS. CHAMBERS: Just a question. This may go to
18 the board.

19 You sound, Mr. Cleveland, very credentialed and
20 very respected -- and what a great place to start --
21 and that coupled with the mentoring sounds like it
22 would position you very effectively for this year. I
23 don't think any community can afford to just hold
24 their own, to tread water in any given year. So
25 that's a difficult position to put an interim in,

1 where you're wanting to position for what comes next,
2 not lose any ground as you're bridging from now to
3 the future. Do you have any thoughts on that or how
4 you might work with --

5 MR. CLEVELAND: Yes.

6 MS. CHAMBERS: -- your board and your teachers
7 to make progress this next year as you prepare for
8 the future superintendent?

9 MR. CLEVELAND: Well, if you get a one-year
10 contract and the people know you're going to be there
11 for one year, they know you're a short-timer; so they
12 -- what they don't like about you, they can say, "I
13 can wait you out" -- and they do that and I've seen
14 that happen before. But what I'm going to try to do
15 is give enough of me to the District by going to the
16 events, attending the ballgames, and communicating
17 with the people. And I've asked the principals
18 already to document the teachers. If they don't do
19 right -- if there are problems, document them.
20 Because when you really get mad at them and at the
21 end of the year you don't have them documented, it
22 doesn't do any good 'cause -- that's one thing I do
23 know. I've represented school districts in dismiss
24 elections and I've represented teachers asking not to
25 be dismissed. So, you know, I've been all around the

1 school but I've never been in it. But I would hope
2 -- I mean, they were on -- I don't think we have
3 fiscal distress, but they were on fiscal distress a
4 few years ago when my wife went over there. And so
5 they know that they have to do well. And with this D
6 in elementary, we have worked every day to put the
7 right people in the right positions and make sure the
8 frameworks are aligned to what's going to be tested.
9 And then we've got to work on time on tasks with the
10 teachers. If you get a D, you've got somebody not
11 working every day from bell-to-bell. So we've got to
12 -- and we've kind of got a system now. The principal
13 in the elementary is also the basketball coach. So
14 Ms. Julie back here, whom I have grown to love in two
15 weeks, is going to go down there some when he's gone
16 and I'm going to go down there to make sure they're
17 doing what they need to be doing. But I tell you,
18 when people -- if you get lax on them, they'll get
19 lax on you, and they've got to know that you're
20 looking at them. They're professionals, and I would
21 never treat a teacher any way but a professional --
22 and I expect professionalism out of them. They're
23 certified, so they're supposed to know their subject
24 matter; they're supposed to know their teaching
25 techniques; they're supposed to know how to make

1 school good. But you don't get D's if you have
2 school that's good. So they'll get tired of hearing
3 that.

4 CHAIRMAN ZOOK: Dr. Hill?

5 MR. CLEVELAND: Does that --

6 DR. HILL: No.

7 CHAIRMAN ZOOK: Ms. Newton?

8 MS. NEWTON: Good morning. You mentioned that
9 you would be willing to take a mentor or have a
10 mentor help you through this next year. What about
11 the training that a superintendent goes through each
12 year; are you going to do those professional
13 development trainings that are specifically for --

14 MR. CLEVELAND: If y'all approve me today -- if
15 you approve this waiver, I've got to go over to AAEA
16 to a new superintendents training this afternoon; it
17 started this morning. And I'll go tomorrow. And
18 anywhere that I can get knowledge -- you know, not
19 being a certified superintendent, I don't know what I
20 don't know. But if I go to the trainings, then along
21 with this other knowledge I feel like I've got an
22 advantage over a lot of people through all of these
23 -- I mean, SREB and being in the Legislature -- the
24 Secretary knows how much information -- information
25 is the best Arkansas has to offer in those

1 legislative sessions.

2 MS. NEWTON: So you are going to go through the
3 trainings?

4 MR. CLEVELAND: I'm planning on it.

5 MS. NEWTON: Okay.

6 MR. CLEVELAND: I mean if something comes up at
7 school I have to handle, then I might skip one; but
8 otherwise, I'll be at the trainings.

9 MS. NEWTON: I guess -- and this may be for
10 Legal -- these trainings are required for
11 superintendents in Arkansas. Would they be required
12 for him?

13 MS. HYATT: Mary Claire Hyatt from Legal.

14 So, yes. The concern I have is that if you look
15 at the waiver request it does ask for a waiver of the
16 Superintendent Mentoring Program, both the law and
17 the rules. So I think we need to clarify if the
18 mentoring is that superintendent mentoring program
19 that's set up in law, which then would negate the
20 need for that waiver -- not all of the waivers, but
21 just the two that are about the superintendent
22 mentoring. Or if it's a different type of mentoring
23 program I think we need to clarify that so we can
24 make sure we're getting them what they need.

25 MS. NEWTON: I definitely think that he would

1 need the mentoring and I would also like to make sure
2 that he go through the required superintendent
3 trainings for the year. So, is that something that
4 y'all would be agreeable to?

5 MR. CLEVELAND: I would think so. I mean I
6 think a mentor is good for everybody.

7 MS. NEWTON: Okay. The other --

8 MR. CLEVELAND: I know a lot of these
9 superintendents, you know, and so -- and I don't
10 really know how much time that would take. But as
11 long as it doesn't detract from me actually getting
12 things done at the school I think --

13 MS. NEWTON: Well, it's required; so I think
14 that it would be worth your time.

15 MR. CLEVELAND: Well, if it's required we'll do
16 it.

17 MS. NEWTON: Okay.

18 MR. CLEVELAND: The effort that Arkansans are
19 giving to education is excellent right now. The
20 effort is good. I'm not sure we're getting the
21 results that we deserve to get, you know, because I
22 want us to get better and better and better. And
23 sometimes you go forward, then back a little bit.
24 But I think you're actually right.

25 MS. NEWTON: Is the superintendent -- I know

1 this is a small district. Is the superintendent the
2 only district-level administrator besides the
3 curriculum coordinator?

4 MS. LANE: Yes.

5 MS. NEWTON: Yes, okay. All right. And then
6 the secretary and bookkeeper at your district, how
7 long have they been there?

8 MR. CLEVELAND: I believe four years. The
9 eFinance director happens to be one of my classmates'
10 daughters, that was one of my best friends until she
11 passed away. So I've known her since she was a
12 little baby.

13 MS. NEWTON: Is it the same person?

14 MR. CLEVELAND: The secretary is a different
15 person than the bookkeeper.

16 MS. NEWTON: How long has she been there?

17 MR. CLEVELAND: I would guess three years.

18 MS. LANE: Three years, yes.

19 MR. CLEVELAND: Three years.

20 MS. LANE: (inaudible)

21 MS. NEWTON: Can you come to the microphone?

22 MS. LANE: Julie Lane.

23 She'd been a high school secretary, and then
24 she's a nurse. So she went off, and then she came
25 back for the District secretary position about three

1 years ago.

2 MS. NEWTON: Both of those positions are full-
3 time?

4 MS. LANE: Yes.

5 MS. NEWTON: And so they've been in the office
6 with the former superintendent that whole time?

7 MS. LANE: Yes.

8 MS. NEWTON: Okay. My other question is for
9 your board president.

10 MR. FINK: Yes.

11 MS. NEWTON: When did your former superintendent
12 leave?

13 MR. FINK: I'm --

14 MS. NEWTON: When did your former superintendent
15 leave?

16 MR. FINK: I'm sorry?

17 MS. NEWTON: When did your former superintendent
18 leave?

19 MR. FINK: He left July [sic] 27th, Thursday.

20 MR. CLEVELAND: June.

21 MR. FINK: And he'd been there about three, four
22 years.

23 MS. NEWTON: Okay.

24 MR. FINK: We didn't have any indication he was
25 leaving or even looking --

1 MS. NEWTON: Okay.

2 MR. FINK: -- for anyone.

3 MS. NEWTON: Okay, so just recently. And then
4 are your plans to do a superintendent search during
5 this school year?

6 MR. FINK: Yeah. We're wanting to get him for a
7 year -- you know, hire him for a year, if we can; see
8 how it's going and see -- it's hard to jump into it
9 in a small school because you don't get the -- I
10 don't mean anyone is a bad apple, but you don't get
11 all the best ones because they're wanting more money
12 than we can pay and better -- they're better
13 facilities or whatever. And he's offered to help and
14 so he's there. And I'm not going to say that -- if
15 it goes well this year and if we could get an
16 extension we may want to do that, you know, if we
17 can't find someone --

18 MS. NEWTON: But are you --

19 MR. FINK: -- in this year. But, yes, we will
20 -- he will help us try to find someone this year.

21 MS. NEWTON: But you are planning on searching
22 this year?

23 MR. FINK: Yes.

24 MS. NEWTON: Okay.

25 CHAIRMAN ZOOK: Ms. Hyatt --

1 MS. NEWTON: And have you -- I still have one
2 more question; sorry. Have -- I forgot the board
3 president's name -- have you talked to the people in
4 your community?

5 MR. FINK: Yes. We have actually -- okay, two
6 towns, Belleville and Havana is compiling to Western
7 Yell County. They're four miles apart. The
8 elementary is Belleville; the high school is in
9 Havana. And a name has come up and everyone says
10 it's a good choice if we can get him; no one -- I
11 have not had one person since this started that said,
12 "Oh, you don't need him." He's well thought of; he
13 won't have any problem -- we won't have a problem
14 with them, "Oh, you shouldn't have hired him" or "you
15 should've hired someone else," because there's no one
16 else right now. We had one turned us down four or
17 five years ago was interested again when this came
18 open, and the very same thing happened. I contacted
19 -- we contacted him, interested, and then all of a
20 sudden, "No, I'm not interested." So we feel like
21 this is the way to go to keep stability in the
22 community.

23 MS. NEWTON: Okay. All right. Thank you.

24 CHAIRMAN ZOOK: Okay. Ms. McFetridge?

25 MS. MCFETRIDGE: Yes. Is Mr. Cleveland finished

1 practicing law at this point then? Will this be his
2 focus a hundred-percent?

3 MR. FINK: I'm hard of hearing; I'm sorry.

4 MS. McFETRIDGE: No, I'm sorry. Will Mr.
5 Cleveland continue to practice law or will this be
6 his full-time job?

7 MR. CLEVELAND: I can answer that, if you want
8 me to.

9 MS. McFETRIDGE: That would be great. Thank
10 you.

11 MR. CLEVELAND: I basically tried to reduce the
12 law practice when I went to work for DIS -- and I was
13 the Deputy Director over at DIS for several years and
14 worked with the Department of Ed.; I was DUA
15 Coordinator and everything. Because I could not
16 reduce my caseload, so I got somebody else to come in
17 and do the caseload. And when I retired from DIS I
18 went back home; I never opened the office back up.
19 But I had a partner that -- he and I, we'd been
20 working together for 44 years, and he was a long-time
21 smoker and got bedridden but he didn't want to give
22 up the law practice. So what I did for him is he
23 practiced from that phone and I would go run wherever
24 he needed to go, take care of his cases. And he died
25 back in February. And I occasionally do deeds or

1 trusts or something for people who are long-time
2 clients or something like that, but I do not -- I've
3 got one case set for the end of August, and all the
4 rest -- any court cases -- I've tried not to take a
5 court case ever since I retired that would put me at
6 court on a certain day. Because in these four years
7 I've been retired I've done some extensive traveling
8 and the -- it suits me to totally not do -- I mean I
9 wouldn't -- I'm ready -- I've done that for 48 years,
10 so I'm ready not to have to do any law practice. But
11 it looks like I'm going to at the school if y'all --
12 if we get that waiver.

13 MS. McFETRIDGE: Okay.

14 MR. CLEVELAND: But, no, I plan on doing no law
15 practice.

16 MS. McFETRIDGE: Okay.

17 MR. CLEVELAND: I'll have to get rid of that one
18 case.

19 MS. McFETRIDGE: Right. I understand.

20 MR. CLEVELAND: That's it.

21 MS. McFETRIDGE: Okay. And my other question is
22 of Ms. Julie. I didn't hear you speak about --

23 CHAIRMAN ZOOK: Ms. McFetridge, excuse me for
24 interrupting. Would you straighten your microphone?

25 MS. McFETRIDGE: Sorry.

1 CHAIRMAN ZOOK: I think you're cutting yourself
2 off.

3 MS. McFETRIDGE: I can't ever get this -- okay.
4 You hadn't earlier mentioned Professional
5 Learning Communities.

6 MS. LANE: Okay.

7 MS. McFETRIDGE: Can you tell us where the
8 District is at with that?

9 MS. LANE: Yes. On the Professional Learning
10 Communities, the elementary is fully implemented. We
11 --

12 CHAIRMAN ZOOK: Can you speak into the
13 microphone?

14 MS. LANE: Yes; sorry.

15 We meet weekly. And actually the 3rd grade
16 teacher has to meet three times a week with people
17 and she's the pivot point at our school to get that
18 going, so -- because we have one 3rd grade teacher.
19 So she meets with 4th, 5th and 6th, because we have a
20 departmentalized group, and then she'll meet with 2nd
21 to make sure everything is aligned, make sure -- and
22 so everybody knows what's going on. And right now
23 we're in the alignment process.

24 MS. McFETRIDGE: Okay. So has everyone been
25 trained --

1 MS. LANE: Yes.

2 MS. McFETRIDGE: -- in the District?

3 MS. LANE: Yes.

4 MS. McFETRIDGE: Okay.

5 MS. LANE: High school will start -- they've
6 been trained and they're going to start their PLC's
7 this year. In a small district it was hard to find
8 time, and we're still trying to just find the time to
9 get their PLC's set up.

10 MS. McFETRIDGE: Thank you.

11 CHAIRMAN ZOOK: Anything -- anyone else?

12 I think all of my questions were covered.

13 I think one of my concerns based on your history
14 is -- not your history, but the District's history --
15 is that you have people around you with regard to
16 being supportive with public school finance. Because
17 as you know -- well know from your service, it's a
18 whole different ballgame than just about anything
19 else.

20 And my other question would be -- I don't know
21 if it's Ms. Hyatt or Ms. Coffman -- if they get this
22 waiver will they be cited for not meeting a standard
23 because their superintendent is on waiver?

24 MS. HYATT: No.

25 CHAIRMAN ZOOK: No, they would not. Okay.

1 Ms. Hyatt.

2 MR. CLEVELAND: May I respond to what you just
3 said?

4 CHAIRMAN ZOOK: Absolutely.

5 MS. HYATT: And I think -- and I wanted to make
6 sure Ms. Newton heard this too -- the financial Tier
7 1 training that's required for financial officers he
8 would still be required to do, which would go over
9 all of the financial components. And so I know there
10 was a training and a finance kind of concern, so I
11 wanted to make sure you had that.

12 MR. CLEVELAND: I was in the Legislature --
13 Herschel Cleveland again. I forget to do that.

14 CHAIRMAN ZOOK: That's okay.

15 MR. CLEVELAND: I was in the Legislature during
16 the adequacy -- in fact, I was Speaker of the House
17 during the adequacy issue. I attended every adequacy
18 meeting that they had; I met with Odden and Picus.
19 And the Department of Ed. and the Governor's office
20 did not give us a funding bill. So Olen Cook, me,
21 Fred Milligan, Paul Weaver, Jody Mahony, and I think
22 there was somebody else -- we wrote the funding
23 formula for the schools based upon the reports of
24 Odden and Picus, and what we did was a building-to-
25 building funding formula. See, they -- we did

1 exactly what they said. The bill passed. We got it
2 through the House, over to the Senate. And the
3 Senate changed it so they used all of our figures and
4 all of our work and made the funding formula a money-
5 per-child, which meant that the larger districts who
6 are more economically efficient would receive more
7 money and the smaller districts less.

8 And so, you know, I was involved in the initial
9 -- I think I can do school finance. I was the
10 assistant budget director for the House, and my main
11 fellow got hurt; you remember when the budget fellow
12 couldn't do his work. So after a week in the
13 Legislature I did the budget for my second year in
14 there. And there's a few -- eight or nine people
15 that do the budget, so I did the -- I was one of
16 those eight or nine people for four years that did
17 the state budget. So -- and I'll say this: I
18 probably messed the budget up, but I think I can do
19 that. But a refresher course will be just exactly
20 what I need.

21 CHAIRMAN ZOOK: Okay. Thank you.

22 Any other questions?

23 Do I have a motion?

24 MS. CHAMBERS: I have a question, please.

25 CHAIRMAN ZOOK: Oh, I'm sorry. I didn't see

1 you.

2 MS. CHAMBERS: No, no, no. I'd like to make a
3 motion, but just wanted to be clear on what -- what
4 the waiver -- with the request is specifically
5 targeting from a waiver perspective?

6 MS. HYATT: I'm glad you asked that question
7 because my question was going to be similar.

8 So I'm still confused as to whether they're
9 going to continue moving forward with their request
10 for the Superintendent Mentoring rules and law, which
11 is in the request as it's written. So that's one
12 component of the waiver request. And the other is
13 Superintendent Licensure, which they have the law and
14 the standard for that as well.

15 So there's kind of two components -- the
16 Superintendent Licensure and then the Superintendent
17 Mentoring Program -- that are part of the waiver
18 request. And it would be really helpful for me if
19 they could clarify whether they intend to move
20 forward with the Superintendent Mentoring component
21 -- and if they are, then maybe to clarify what they
22 meant by "mentoring program."

23 MR. CLEVELAND: Herschel Cleveland.

24 I've been informed that we don't even need the
25 waiver for the mentoring program, since I'm going to

1 do that anyway. So I think we're good.

2 MS. HYATT: So I believe that would just make
3 the request just for Superintendent Licensure; so it
4 would have the standard and the law required for
5 Superintendent Licensure.

6 Am I missing anything, Kelly?

7 MS. McLAUGHLIN: No, that's all.

8 MS. NEWTON: Would we need to make the
9 stipulation that he undergoes the training -- the
10 training for superintendents?

11 MS. HYATT: So I believe all that training is
12 going to be required as he'll be the superintendent
13 and they didn't request a waiver of any of that
14 training, just of the licensure component.

15 MS. NEWTON: Okay.

16 SECRETARY KEY: Yes. Madam Chair, I don't think
17 we need to add that to the motion. I mean I think
18 we'll work with AAEEA setting that up. Mr. Cleveland
19 -- I think he said that he's going to go through the
20 training as soon as we get him out of here today, so
21 I don't see the need. From my perspective, I think
22 the only thing I was concerned about was the
23 licensure. And if we eliminate the mentoring under
24 the code 6-17-427 and the rules, I think what they
25 need is reflected in 6-13-109, a waiver from that,

1 and Standard 4-B.2 of the standards.

2 MS. CHAMBERS: So I would like to move that,
3 what the Secretary just said.

4 CHAIRMAN ZOOK: Ms. Donovan, did you get that?

5 MS. DONOVAN: Yes.

6 CHAIRMAN ZOOK: Do I have a second?

7 MS. McFETRIDGE: Second.

8 MS. DEAN: Second.

9 CHAIRMAN ZOOK: Moved by Ms. Chambers, second by
10 Ms. McFetridge and Ms. Dean.

11 All in favor say "aye."

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRMAN ZOOK: Okay. Go forth and superintend.

14 MR. CLEVELAND: Thank you, Madam Chair.

15 SECRETARY KEY: Madam Chair, he -- I was going
16 to mention, you know -- because I think he -- in his
17 introduction and description of his background he did
18 not initially mention the fact that he was Speaker
19 during the time following the Lake View decision.
20 I'm glad he got around to that because I was going to
21 have to tell that on him if he didn't. So I'm
22 confident that the Department will be there to help
23 them. I had asked Ms. Coffman to make sure that she
24 was prepared to answer any questions from a
25 standpoint of support, and she contacted the Western

1 Yell team in the last couple of days and really got
2 down to a lot of the issues that might've been of
3 concern. So I feel comfortable with this and
4 appreciate y'all taking this vote.

5 MR. CLEVELAND: Thank you.

6 CHAIRMAN ZOOK: Okay. And as stated, you have a
7 worthy goal and I think you have the support behind
8 you to meet that goal.

9 MR. CLEVELAND: I think so too.

10 CHAIRMAN ZOOK: Because your numbers are not
11 what you or we want them to be.

12 MR. CLEVELAND: No.

13 CHAIRMAN ZOOK: Okay. You're excused.

14 MR. CLEVELAND: Thank you very much.

15 CHAIRMAN ZOOK: Do I have a motion to recess
16 until after lunch?

17 MS. CHAMBERS: So moved.

18 MS. DEAN: I'll move.

19 CHAIRMAN ZOOK: Ms. Dean and Ms. Chambers.
20 We will come back at 1:30.

21 (LUNCH BREAK: 12:40 - 1:31 p.m.)

22 CHAIRMAN ZOOK: I'll call the afternoon session
23 of the State Board of Education to order.

24 A-6: CHARTER CONTRACT AGREEMENT

25 CHAIRMAN ZOOK: And our first order of business

1 is the Charter Contract Agreement. And it looks like
2 we have a duo going to present -- Ms. Hyatt and Mr.
3 Ballard -- "dynamic duo," as Ms. Dean says.

4 MS. HYATT: Thank you, Ms. Zook -- our new
5 Chair.

6 So I put a new copy of the Charter Agreement in
7 all of your -- well, not in your chairs, but on top
8 of your piles of things. The version that got
9 uploaded to the agenda still had some of our mark-
10 thru's from when we met with some stakeholders to
11 kind of work out some components of the agreement.
12 So I'm glad you got to see that because you can see
13 some of the changes we made when we met with the
14 stakeholders. But the version that's in your -- was
15 on top of your stuff is the final version.

16 So just a little bit of background: we've used a
17 formal charter contract in the past, but the last
18 year or so we've really moved away from using a
19 formal charter contract. And we have been using the
20 application mixed with the minutes and the
21 transcripts of their hearings, the videos from their
22 hearings, and then any amendment requests as all-
23 together being the charter contract, which as you can
24 imagine gets a little bit complicated when you're
25 trying to find a particular provision. And we also

1 get a lot of requests to view the charter contract of
2 particular charters, which it's hard to give people
3 that information when it's not in a succinct place.
4 So we're going to move back to having a charter
5 contract, the one that you have in front of you.

6 So we drafted it; we did meet with some
7 stakeholders and made some revisions; presented it to
8 the Charter Panel in June and they approved it. And
9 I think the goal is that anyone who doesn't have an
10 active charter contract, anyone who has -- is granted
11 a new charter contract -- in August?

12 MR. BALLARD: Yes.

13 MS. HYATT: August, okay -- or anyone who then
14 goes through the renewal process will move to this
15 contract. But we're not going to make people who
16 have signed charter contracts then switch to this
17 one; so it's not going to be retroactive or change
18 anyone's currently existing charter contract. And I
19 think the idea is that then once these are signed
20 we'll start putting them on the website, on the
21 charter school website for transparency and so
22 everyone can see. And we've also added -- well, the
23 whole thing is new, but one thing that I want to
24 point out is that the Appendix C is just for
25 amendments to the charter; so all of the amendment

1 requests through the year will be added in one place
2 so that people can see them.

3 And do you have anything?

4 MR. BALLARD: I don't think so.

5 MS. HYATT: Okay. If you have any questions
6 we're happy to --

7 CHAIRMAN ZOOK: So since this was in-house, sort
8 of administrative, did we get stakeholder -- or
9 input, like we usually call them public comment? Did
10 you get that?

11 MS. HYATT: So we didn't do -- this is -- since
12 it's not a rule that has to be promulgated we didn't
13 do a formal public comment hearing. But we did meet
14 with some stakeholders; we met with APSRC; we did
15 talk to some charter schools and get some feedback,
16 as well as look at previous versions of the charter
17 contract that we've used in the past.

18 CHAIRMAN ZOOK: Do we have any questions?

19 Dr. Moore.

20 DR. MOORE: Are there any big differences
21 between the previous versions of the contract to
22 this?

23 MS. HYATT: So I think this one is much more
24 comprehensive than ones we've used in the past -- and
25 there have been multiple versions in the past. But

1 everything that's in this contract can either be
2 found in law or rule or as something that the Charter
3 Panel has the authority to do. So I don't know that
4 it's ever been in one place so comprehensively, which
5 is why this is longer than the previous contracts,
6 but we really wanted to put all of the expectations
7 in one place. But it's really hard I think even for
8 existing charters to know all of the expectations
9 that are in 5,000 pages of a code book and hundreds
10 of rules, so --

11 DR. MOORE: Thank you. That's great. That's
12 great to have that all in one document now.

13 CHAIRMAN ZOOK: Anyone else?

14 Do I have a motion?

15 DR. MOORE: Move to approve.

16 MS. NEWTON: Second.

17 CHAIRMAN ZOOK: Dr. Moore moved and Ms. Newton
18 seconded.

19 All in favor?

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN ZOOK: Opposed?

22 It passed.

23 MS. HYATT: Thank you.

24 CHAIRMAN ZOOK: Now I have good news with regard
25 to Action Item B on the School Choice applications:

1 all four of those have been resolved to the benefit
2 of the students. They will all get to make the
3 transfers that they had chosen.

4 B-2: CONSIDERATION FOR RELEASE FOR PUBLIC COMMENT: ADE RULES
5 GOVERNING THE SCHOOL WORKER DEFENSE PROGRAM AND THE SCHOOL
6 WORKER DEFENSE PROGRAM ADVISORY BOARD

7 CHAIRMAN ZOOK: And so that skips us right down
8 to the Item 2, which is the Consideration for Release
9 for Public Comment: ADE Rules Governing the School
10 Worker Defense Program.

11 Mr. Dugan.

12 MR. DUGAN: Thank you, Madam Chair. Good
13 afternoon, Board.

14 What you have in front of you are the School
15 Worker Defense Rules. I had spoken with Ms. Alyssa
16 Moore, who has retired now, but she was the one who
17 administered this program. And what she was getting
18 was a lot of attorneys that were not providing back-
19 up documentation and also putting their meals and
20 things of that sort and wanting to be reimbursed for
21 that. So she asked if we could add a definition for
22 "costs," and so this is the definition that we came
23 up with to put here in the rules. And also to
24 require that anything that they would like to be
25 reimbursed for that they provide back-up

1 documentation of that.

2 Also what has been included in these rules is
3 Act 557 of 2019, which states that if you provide
4 corporal punishment to a student that is disabled,
5 non-ambulatory, that you will not be covered under
6 this program; you will not get the benefit of this
7 program.

8 And so I would ask that this board approve these
9 rules so I can release them for public comment. And
10 with that, if there's any questions -- that's all I
11 have.

12 CHAIRMAN ZOOK: Do we have any questions?
13 There being none, do I have a motion?

14 MS. McFETRIDGE: Move to approve.

15 MS. DEAN: Second.

16 CHAIRMAN ZOOK: Moved by Ms. McFetridge, second
17 by Ms. Dean.

18 All in favor?

19 (UNANIMOUS CHORUS OF AYES)

20 CHAIRMAN ZOOK: Motion passes.

21 MR. DUGAN: Thank you.

22 CHAIRMAN ZOOK: Thank you very much.

23 MR. DUGAN: May I step aside?

24 CHAIRMAN ZOOK: You may.

25 MR. DUGAN: Thank you.

1 ADJOURNMENT

2 CHAIRMAN ZOOK: Okay. Do we have any new
3 business to come before the panel?

4 Seeing none, do we have any public comment?

5 I'll entertain a motion to adjourn.

6 MR. WILLIAMSON: So moved.

7 MS. DEAN: So moved.

8 CHAIRMAN ZOOK: Moved by Mr. Williamson, second
9 by Ms. Dean.

10 All in favor?

11 (UNANIMOUS CHORUS OF AYES)

12 CHAIRMAN ZOOK: Opposed?

13 Okay. So we will see you tonight at dinner.

14 And then we will have three more school choice
15 applications that will come before us tomorrow
16 morning.

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19 (The meeting was concluded at 1:38 p.m.)

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A-1: TIMOTHY REDDIN

ADE EXHIBIT ONE (1)

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A-1: TIMOTHY REDDIN

ADE EXHIBIT TWO (2)

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A-1: TIMOTHY REDDIN
ADE EXHIBIT THREE (3)

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A-1: TIMOTHY REDDIN

ADE EXHIBIT FOUR (4)

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A-6: CHARTER AGREEMENT

ADE EXHIBIT ONE (1)

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