

OFFICIAL MINUTES FROM THE BOARD OF TRUSTEES MEETING OF THE
ARKANSAS SCHOOL FOR THE DEAF AND BLIND

The Board of Trustees for the Arkansas School for the Deaf and Blind met for their monthly meeting May 19, 2026, at the Arkansas School for the Deaf and Blind. The next meeting is scheduled for June 16th, 2026, in Woolly Auditorium at the Blind Department.

Present: Dr. John McAllister, Chair; Jerry Belew, Vice Chair; Cary Smith, Board Secretary; Robert Fagan, Board Member; Phillip Miller, Deaf Department Parent Representative; Nicole Walsh, ARDB Superintendent; Interpreters; Members of the community.

Absent: Philip Powell, Board Member

A student from the Deaf Department led the Pledge of Allegiance.

Dr. McAllister called the meeting to order at 5:00pm.

There were two parents' comments read, the first from Alex Elam, mother of a 3rd grade Blind Department student. Mrs. Elam said:

"My son has been going to this school since he was three years old. There has been a common theme every year that he has gone to this school and that has been secrecy. Parents are not informed when something important happens. When there is a discrepancy with an employee, we must rely on the rumors of other employees to get the full picture of what has incurred. There are people on your staff who were caught drinking on the job and endangering employees, students, and parents. This person is still on your staff and receiving a paycheck when our children were endangered by their actions. I want to reiterate that my child attends this school. As my child's parent, I have every right to know what is happening around him, who is around him, what events are happening around him, both good and bad, what things are being changed around them, if there was a dangerous person around them. I have every right to know these things because that is my child. I carried him in my stomach and from the moment I found out I was pregnant; I have been hell bent to protect him. You have made this hard for me due to the lack of transparency. You have made me question your ability to protect my child and your ability to inform me of anything. Yes, there is ParentSquare. I check ParentSquare regularly but some days, it's not the first thing I look at. I do have more than just one child and it's your job to keep my mind at ease knowing you're doing everything to protect the one that attends here while they are not in my care. I expect full transparency when it comes to my child and events at my child's school. This can include weekly newsletters, regular updates to ParentSquare about information for that week with a reminder the day before about the next day's events. When there is an incident here, we should be informed immediately. I didn't find out about the "school shooter" scare until three hours after school had been let out due to me not looking at ParentSquare. My son was at lunch at 11:30 on a Friday, which is early out at 1:00pm The post about the "school shooter" was posted at 1:03pm after people were picking up their children. That's unacceptable. When I get on to ParentSquare, I am flooded by information from the Deaf School. Why are y'all more capable of informing the deaf parents of events but the blind children are, excuse my pun, left in the dark? Public schools can

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inform parents regularly about all issues. This school is by far smaller than any public school even with the combined schools. Communication and transparency are all we have ever asked for, and it has never been received. In the future, we expect clear, honest communication and we expect consequences for those that are doing our children wrong. Thank you for your time.”

Mr. Michael Fultz, father of a 3rd grade Blind Department student. Mr. Fultz said:

“Hello, my name is Michael Fultz. I am here requesting clarification on the recent incident that occurred Friday, May 1st, 2026. We were informed that a safety related incident had occurred on campus. It was quickly resolved by the security staff. When trying to get more information, we were told “no additional details were required due to security staff doing an excellent job intercepting the person before entering campus.” But after finding out things from students, other parents, and rumors, we found out that the school had an underground tunnel that teachers had to barricade students in due to not having a lock from the inside. By saying that, students were distraught, repeating what was said by teachers and staff; that it could potentially be a shooter and kids were scared “they were going to get shot by a shooter.” All parents were made aware in an email, and no follow-up or details were given about what happened and who was involved. This did not involve my son, but it does now with the schools merging.

There has been a pattern of incidents happening with little to no communication or details given to parents, from major events like this or just not knowing that our children are going on field trips. Jacksonville High School was recently on lockdown and the news shared it almost instantly, but here we are the parents of disabled children trusting you to take care of our children while not in our presence, and at the same time being told that within “30 minutes of a situation being resolved” and that is supposed to be good enough? This is barely scraping the surface of issues that have been brought to our attention, including unfair salaries, testing scores, unprofessionalism by staff forcing Mr. Williams out of his position of Assistant Principal, and the incident with Mrs. Doan, and don’t get me started on Mr. Jacob Oliva, who came here from Florida. We uprooted our lives to be here so our son could get the best help he deserves, and having to beg for communication is a slap in the face to all parents.

Agenda

26-DB-79 Motion to Approve March Minutes, Financial Statements, and Personnel Items

Mrs. Smith made a motion to approve the March meeting minutes, financial statements, and personnel items. Mr. Belew seconded the motion. The motion to approve the March meeting minutes, financial statements, and personnel items unanimously passed.

26-DB-80 Motion to Approve April Minutes, Financial Statements, and Personnel Items

Mrs. Smith made a motion to approve the April meeting minutes, financial statements, and personnel items. Mr. Belew seconded the motion. The motion to approve the April meeting minutes, financial statements, and personnel items unanimously passed.

Action Items – Superintendent's Evaluation

Dr. McAllister stated that the Board would like to go to Executive Session to discuss the Superintendent's Evaluation. Mrs. Walsh introduced our attorney from the Arkansas Department of Education (ADE), Mr. Daniel Shultz. Mr. Shultz thanked the Board for allowing him to address them and that, while this has come up with another Board, it has come to their attention that there is a practice on some Boards of moving to Executive Session for routine evaluations. The Attorney General's office has confirmed they do not believe that an Executive Session can be called for routine evaluations and he has come to let them know about this and give the Board the opportunity to ask questions. Mrs. Smith asked if it was not a personnel item, and Mr. Shultz confirmed that it was. He said the justifications to go into Executive Session are employment, promotion, demotion, discipline, or resignation. The Attorney General's opinion is that employment does not mean routine evaluation.

Mrs. Smith asked if it has not been the Board's decision in the past to demote or promote someone in the Superintendent position. Dr. McAllister confirmed they had done it that way in the past. Mrs. Walsh stated that to her understanding, those recommendations had to be given to the Secretary of Education. Mr. Shultz explained that there was statute that the Board can make recommendations to the Secretary.

Mrs. Smith asked if the Board would get to have the evaluation in an open forum and Mr. Shultz confirmed that it is an option, but that the only justifications to go into Executive Session would be to consider the appointment, promotion, demotion, discipline, or resignation and that it is a bit of an unusual circumstance where it is the Board's authority to make a recommendation but the Board does not have the authority to make the action. There is a presumption under the Freedom of Information Act (FOIA), which governs Executive Sessions that when in doubt, you lean toward transparency. Mrs. Smith asked Mr. Shultz when he was made aware of this change that was to be implemented and he explained that he was there to advise. The discussions about legal interpretation happened months ago. Mrs. Smith said she finds it interesting they are changing the process of how they do this for this year at the last minute. Mrs. Walsh explained that she had no idea that this was coming up when she made her prior suggestion and had only learned about it the previous Friday. Mr. Shultz confirmed that when he originally reached out to Mrs. Walsh that this was not intended. Mrs. Smith asked which Board this was discovered on. Mr. Shultz was unsure, but the question had come up from a different Board on how they should deal with routine evaluations in the context of the Board. Mr. Fagan asked what would happen if the Superintendent wanted to discuss the evaluation with the Board. Mr. Shultz explained that she could, but the issue is with the Executive Session. Mr. Fagan stated that it is her private business. Dr. McAllister stated that Mr. Shultz was receiving pushback due to in the past the Board performed the evaluation in Executive Session. He said it is a private employment matter in which the Board could discuss their individual ratings and come to a consensus as well as gather their responses before speaking with the Superintendent about their evaluation. Mr. Miller questioned how many times the FOIA rules have been changed from an opinion that has not been settled since 2009. Mr. Shultz responded that while it is an opinion that the principles are statutory, that particular provision has not

changed. Dr. McAllister stated the Board only has the opportunity to meet once per month as they are not allowed to meet outside of these meetings, and he asked how are they to come up with a consensus about an employment issue, which in this case is an evaluation, but they no longer have the authority to go into Executive Session? Mrs. Smith asked if they were required to have Secretary Oliva's express permission to go into an Executive Session because it was her understanding after going to several Board training courses that they can call for Executive Session at any time. Mr. Shultz said the statutory basis for Executive Session is for employment, appointment, promotion, demotion, discipline, or resignation, and that the Board could articulate any of those reasons. Mrs. Smith stated that she hoped that the rating scales they evaluated Mrs. Walsh on would be considered by Secretary Oliva. Mrs. Walsh confirmed that all documentation is submitted to him. Mrs. Smith inquired about any promotion or added benefit that Mrs. Walsh would receive should she get 5-star reviews, and Mrs. Walsh responded that she would not.

Mrs. Smith asked if they had illegally demoted someone, and Mrs. Walsh stated that they were making that decision as it pertains to the recommendation from the Board to Secretary Oliva. Mr. Shultz clarified that he had raised the statute as far as the Secretary's role, but that it was separate from the Executive Session question. He said he was trying to provide counsel on when the Board has the authority to discuss things in private. Mrs. Smith posed the question that if the Board moved to Executive Session and someone did not like that, could they FOIA the Session? Mr. Shultz replied that a court would be the ultimate arbiter of FOIA and should the Board go into Executive Session without the legal authority, the acts would be void. Mrs. Smith clarified that this Board is a State Board and not a School Board, and Mr. Shultz confirmed that. Mrs. Smith went on to state that you can see how it is a little muddy with what they can and cannot do. She said other school boards make decisions on employment and terminations along with recommendations for positions. She said she was unaware of Mr. Swartzlander being hired until he was present at a Board meeting. She also expressed that the Superintendent evaluation was the only position that the Board had ability to comment on. Mr. Shultz confirmed that is correct but that FOIA and when the Board is allowed to go into Executive Session would apply in the same way at a local school district.

Mrs. Smith made a motion to go to Executive Session to discuss the employment of Mrs. Walsh. Mr. Fagan asked if she was referring to employment or evaluation. Mrs. Smith replied that the evaluation plays into her employment and asked if the evaluation had to be done publicly. Mr. Shultz confirmed that the Board does not have the authority to go into Executive Session on this, but that Mrs. Smith is otherwise correct. Mrs. Smith asked Mrs. Walsh how she felt about having her evaluation done in a public forum. Mrs. Walsh stated that she would do whatever the Board recommends and she appreciates the Board advocating for her private business to remain private, but to ensure legality, she will do whatever the Board decides. Mrs. Smith questioned if Mrs. Walsh knew anything about this at the last Board meeting before her evaluation was performed. Mrs. Walsh stated that she did not. Mrs. Smith explained that the Board was given the Microsoft form but that they could not see one another's remarks nor did they have a chance to discuss the evaluation. Mrs. Smith also asked Mr. Shultz if there was a reason why the Board was not made aware of this until this meeting. He responded they were unaware of it until late last week and he

came to this meeting to discuss it as he felt that was the appropriate way to handle it. Dr. McAllister asked why he, as Board Chair, was not in the loop so that he would know what was happening and only found out about it in this meeting. Mr. Shultz apologized and stated that he may have underestimated the significance of the distinction. Dr. McAllister asked Mr. Shultz if, as legal counsel, he did not feel it was important to contact him about this situation. Mr. Shultz said he didn't say it was okay, but it seemed the most efficient way to discuss it. He apologized again for not understanding the significance of the distinction but that in the future he will make sure that he communicates in advance. He felt because of the short timeline the most efficient way was to come to the meeting to discuss. Dr. McAllister asked how the timeline was too short to include him, but it was not too short to include Mrs. Walsh.

Mr. Miller reminded the Board there was a Motion on the floor but there was not a second. Mr. Fagan explained that he is a "school board nerd" and he has noticed that many boards go into Executive Session almost every month, with his hometown school board having just replaced their superintendent with someone new. Mrs. Smith responded they have the authority to do that, but this Board does not. Mr. Fagan asked what the point of the Board was if they could not go to Executive Session. Mr. Shultz explained that Mr. Fagan's hometown school board has authority over more individuals, but he is not saying that the Board cannot go into Executive Session. Mrs. Smith said that the Board should go to Executive Session and if someone wants to FOIA it later, they can and make the evaluation void as that would be the only thing that would be discussed. Mr. Miller added that if they came out of Executive Session and did not take any action, then there would be nothing to FOIA in the Executive Session. Mr. Shultz stated that he felt obligated to say that the FOIA general language says that negligent violation of FOIA is a misdemeanor. Mrs. Smith asked if they were a Board that had no authority over anybody and if they were just figureheads for someone to tell them what to do. Mr. Shultz explained that the Board hires in consultation with the Secretary and Attorney General. Mrs. Smith responded that they never speak to the Secretary and asked Mr. Fagan and Mr. Belew if he had called them, and they answered no. Mrs. Smith continued that she doesn't know what they are supposed to do be doing as a Board. Mrs. Walsh stated that the Secretary did take a lot of insight from the Board in the hiring process for the new Superintendent. The Secretary did meet with members of the Board to hear their opinions on the matter. Mr. Fagan confirmed that he did speak with Secretary Oliva during the hiring process. Mrs. Smith then asked Dr. McAllister how the Secretary met with him, and Dr. McAllister explained that he did not meet with anybody and that the Secretary spoke to the board and to the Chair at the time and that's possibly where he got his consensus. Mr. Shultz reiterated that he hoped that coming to the meeting would provide useful information to the Board and while he doesn't attend the meetings often, he does recall the Secretary attending a couple of them. Mrs. Smith asked if it was the meeting where Mr. Tyrone Williams was demoted. Mrs. Walsh explained that those were two different things with her being hired on April 29th of 2024 and Mr. Williams moved back to his position as principal on or around August 15th of 2024. Mrs. Smith asked Mr. Shultz if his legal advice to the Board was to do Mrs. Walsh's evaluation in a public forum, and Mr. Shultz confirmed that it should be as it is a routine evaluation. He also stated that he was told about the issue when documentation was submitted that the Board intended to go into Executive Session and he was aware of the legal issue. Mrs. Walsh said she wanted to make sure that the Board was covered

because it is not public. Mr. Shultz explained that he would convey information in the best way going forward and apologized if he didn't understand the significance of this to the Board. He said he would be remiss if he did not bring this to the Board's attention. Mr. Fagan asked if Mrs. Walsh could call an Executive Session and Mrs. Walsh responded she could not. Mrs. Walsh asked Mr. Shultz if the Board wanted to seek additional information or conversation with Secretary Oliva or anyone else, would they have the option to adjourn the meeting and call a special session at a different time and he responded affirmatively. Dr. McAllister stated that he did not want anybody to get in trouble so the Board will defer to Mr. Shultz's advice. Dr. McAllister asked Mrs. Walsh if she was okay with having a public evaluation, and Mrs. Walsh replied it was okay. She felt it was an opportunity to have productive conversation. Mrs. Smith withdrew her motion to enter Executive Session and Dr. McAllister accepted.

Mrs. Smith stated that the Superintendent Performance Evaluation results look to be an average score of the responses from the Microsoft form that the Board was requested to complete at the last meeting. The Board went over Mrs. Walsh's evaluation. The results were as follows:

Communication – 3.33

Accountability – 3.16

Professionalism – 3.6

Superintendent's Initiative – 3.8

Job Knowledge, Skills and Work Product – 3.5

Superintendent's Supervisory/Leadership – 3

Mr. Miller asked if there would be an evaluation of Mrs. Walsh beyond what the Board does, and if the Secretary does an evaluation. Dr. McAllister confirmed that they do based on what the Board writes. Mr. Miller asked if it would be public, and Dr. McAllister explained that he does not believe so, but that they will write their own evaluation and the scores could change. Mrs. Walsh stated that she would have her evaluation meeting with Secretary Oliva and his Chief of Staff later in the week and the Board's evaluation will be submitted to them.

Dr. McAllister asked Mrs. Smith to read the comments on the evaluation. Mrs. Smith read the comments: Mrs. Walsh has shown consistently to be invested in the well-being and successful outcome of the students. She takes the initiative to find ways to improve all aspects of the school while seeking the most cost-effective options. Having dealt with her on some very personal and sensitive school issues involving the safety and well-being of the students, she handled the situation with professionalism-but also with a caring and sensitive approach. Another comment read: The Superintendent continues to lead the school in its new period since the merger and works to ensure that the students and staff have the resources needed to succeed. The Superintendent continues to keep the Board in the loop with construction updates and school safety issues and other issues as they occur. A final comment read: Superintendent Walsh is doing a great job.

Dr. McAllister stated this concludes our action item on the Superintendent's evaluation.

Discussion items: None

Mrs. Walsh asked for a brief recess, and Dr. McAllister called for a five-minute recess.

Superintendent's Report

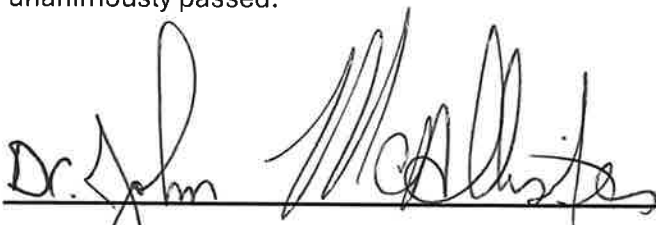
- April and May have been very busy on campus.
- Blind Department Junior helped announce an Arkansas Travelers game
- Teacher Appreciation Week with coffee and pastries
- Prom
- Our 6th-8th grade robotics Deaf Department students represented ARDB at the 7th Annual NRSC VEX IQ Robotics Competition for the Deaf and hard of hearing in Colorado Springs, placing 23rd and 21st in their respective competitions
- Athletic Banquets for both departments were great
- Partnership with Camp Aldersgate for Summer Camp
- Hump Day Heros started by Mrs. Lori Cole – recognizes someone who has impacted your day or week positively
- Hired two housekeepers: Cordell Farsee and Krystal Barnett
- Terminations: Matthew Cowart
- Retirements: Clay Herron
- Finishing emptying shipping containers from demolition, will save \$1,800 per month
- M&R – have found classrooms full of items to inventory and organize
- Security created a bed-check app for dorm staff to use
- Working on new transportation bid for next year
- Deaf Department: 56 Lower School, 34 Upper School
- ATLAS Testing – Growth noted
- New Elementary Leopard student joined ARDB
- Deaf Awareness Day at the Capitol on April 7th
- Implementing ARC reading curriculum
- Blind Department Eggstravaganza, STEM fair, Goalball, Spring Concert, Family Literacy Night
- 28 Elementary School, 26 Secondary School
- ATLAS incentive field trips to the park or movies
- Interpreter Coordinator Clayton attended the Arkansas Administrative Office of the Courts legal interpreter training to help support us through any hearings we may have
- Interpreting Department attended the UALR Interpreting Education Program Stakeholders Meeting and were able to contribute to ARDB's reputation as internship site and resource for the community
- One interpreter working through becoming certified braille transcriptionist
- Facebook followers reached 6,600
- Engagement rate increased 195%
- Post views increased by 136%
- Events and fundraising revenues totaled \$885.00
- Fundraising and grants have been very successful

- ANCRC funding meeting will take place at the end of May
- Greater than 90% of service minutes were delivered across all related service disciplines for April
- Total billed services: \$66,365.52
- Total received: \$56,757.38
- Statewide Services audit was 100%
- Currently serving 68 students with 14 referrals in progress
- Health Services attending mental health trainings
- Hopeful for School Based Health Center grant
- Mental Health: 61 behavior incidents, 7 classified as major, 54 classified as minor
- GT: noticeable growth in students' willingness to think outside the box and take risks
- GT training for staff
- Dorm students have been working on completing Activities of Daily Living (ADL) skills, staff will be assessing to see how students are able to do various skills independently without cues from staff
- Enrolled two new students in the Blind Department and held tours with two prospective families

Dr. McAllister apologized to Mrs. Walsh for not being able to have her evaluation private as it felt like a private matter to him. He apologized to the Board for not being able to go to Executive Session to discuss things as they are not allowed to discuss things outside of meetings. Mrs. Walsh expressed her gratitude for the candid feedback and acknowledged that it likely wasn't as candid as the Board would have preferred. She encouraged the Board Members to continue to reach out and have conversations with her. Mrs. Walsh thanked the Board for everything they do.

26-DB-81 Motion to Adjourn

Mrs. Smith made a motion to adjourn. Mr. Fagan seconded the motion. The motion to adjourn was unanimously passed.


 Dr. John McAllister, Board Chair


 Cary Smith, Board Secretary