

In The Matter Of:
ARKANSAS CHARTER AUTHORIZING PANEL

January 18, 2022

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ARKANSAS DIVISION OF
ELEMENTARY AND SECONDARY EDUCATION

CHARTER AUTHORIZING PANEL

JANUARY 18, 2022
9:00 a.m.

A P P E A R A N C E S

PANEL MEMBERS:

MS. DEBORAH COFFMAN	Chairperson/ADE Asst. Commissioner - Public School Accountability
MR. PHIL BALDWIN	CEO, Citizens Bank
DR. SONJA WRIGHT-McMURRAY	Division of CTE - Assoc. Director for Career Readiness
MS. KARLI SARACINI	ADE Asst. Commissioner - Educator Effectiveness & Licensure
DR. ERIC FLOWERS	ADE Asst. to Director

ADE LEGAL COUNSEL:

MS. LORI FRENO
MS. CRISTY PARK

ALSO APPEARING:

DR. MATTHEW SUTHERLIN ADE Coordinator, Special Programs

LOCATION:

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

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P R O C E E D I N G S

CHAIRMAN COFFMAN: Good morning. The January 18, 2022 meeting of the Charter Authorizing Panel is called to order. I'd like to welcome everyone to the Department of Education auditorium and ask you to please silence all of your electronic devices.

Mr. Baldwin, can you hear us?

MR. BALDWIN: Yes, I can. Thank you.

CHAIRMAN COFFMAN: Thank you for joining us.

Just a quick oversight that we've asked Ms. Toyce Newton to rejoin the Charter Authorizing Panel and we hope to see her at the next meeting.

But I would also like to say that today is Dr. Matthew Sutherlin's birthday, so everybody -- happy birthday to Dr. Sutherlin.

[APPLAUSE]

CHAIRMAN COFFMAN: And tomorrow is Felicia Shelton's birthday. So our Charter Unit is celebrating.

Today we will facilitate a fair and responsible hearing. And I would ask that each of you speak into the microphone, clearly state your name and title for the record, and ask that you continue to speak clearly into the microphone for the benefit of the Panel, the audience and the viewing audience. This

1 meeting is being live-streamed and recorded and a
2 transcript of the meeting will be posted on the DESE
3 website.

4 CONSENT AGENDA

5 CHAIRMAN COFFMAN: So let's start with our
6 Consent Agenda. And, Dr. Sutherlin, if you will come
7 up and explain the revisions.

8 DR. SUTHERLIN: So Matthew Sutherlin, Standards
9 and Systems Support, Charter/Interim Charter
10 Director.

11 So we have the approval of the December 14th and
12 the December 15th, 2021 CAP minutes. You will notice
13 that there is a Version 3 of the December 15th CAP
14 minutes. That was because the request that has been
15 included for Exalt today was on that set of minutes
16 and so that had to be removed. And then also a
17 change in whether or not it was every two years or a
18 biannual review; it has been added that it is a
19 biannual review.

20 CHAIRMAN COFFMAN: Okay. Any questions about
21 the minutes?

22 Then I'll accept a motion to approve the minutes
23 as revised.

24 MS. SARACINI: I make a motion to approve the
25 minutes as revised.

1 DR. FLOWERS: Second.

2 CHAIRMAN COFFMAN: We have a motion by Ms.
3 Saracini and a second by Dr. Flowers.

4 All those in favor?

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRMAN COFFMAN: Motion approved. So minutes
7 will stand as revised.

8 ACTION AGENDA

9 1. 2022 CHARTER AUTHORIZING PANEL CALENDAR AND TIMELINE UPDATE

10 CHAIRMAN COFFMAN: All right. Action item 1,
11 Dr. Sutherlin.

12 DR. SUTHERLIN: Okay. Matthew Sutherlin,
13 Standards and Systems Support, Charter/Interim
14 Charter Director.

15 The 2022 Charter Authorizing Panel meeting
16 schedule that was approved at the December meeting
17 required revision after the State Board of Education
18 calendar was posted. These changes were made in
19 order to continue the practice of meeting the week
20 following the State Board's monthly meetings.

21 CHAIRMAN COFFMAN: Any discussion?

22 There was a March date that's somewhere close to
23 spring break, so I'm just bringing that to all the
24 Panel's -- panel members' attention. Sometimes we
25 don't need that meeting, but I just wanted to bring

1 that to your attention as you're making your plans.

2 All right. No discussion. I'll take a motion
3 to approve or whatever we're going to do with the
4 calendar and timeline.

5 DR. WRIGHT-McMURRAY: I move we approve the
6 proposed calendar for the Charter Authorizing Panel.

7 DR. FLOWERS: Second.

8 CHAIRMAN COFFMAN: I have a motion by Dr.
9 Wright-McMurray to approve the Charter Authorizing
10 Panel calendar and timeline updates as posted. All
11 those in favor?

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRMAN COFFMAN: Any opposed?

14 Motion passes.

15 2. CHARTER AMENDMENT REQUESTS

16 a) EXALT ACADEMY SOUTHWEST LITTLE ROCK

17 CHAIRMAN COFFMAN: Number 2.

18 DR. SUTHERLIN: All right. So the next thing up
19 is a charter amendment request and we have Exalt
20 Academy of Southwest Little Rock.

21 Exalt Academy Southwest Little Rock has
22 submitted an amendment request to increase the
23 student enrollment cap from 540 students to 1,080
24 students. If approved, the increase would be
25 incremental over a five-year period: '22 to 2023

1 adding 108 students resulting in a 648 student cap;
2 2023-2024 adding 108 students resulting in a 756
3 student cap; 2024-2025 adding a 108 -- adding 108
4 students resulting in an 864 student cap; 2025-2026
5 adding 108 students resulting in a 972 student cap;
6 and 2026-2027 adding 108 students resulting in a
7 1,080 student cap. The amendment request was
8 included in the charter renewal application and the
9 amendment is located on page 29 of the attached
10 application.

11 CHAIRMAN COFFMAN: All right. Thank you.

12 Ms. Park, would you like to come and read the
13 process to us please?

14 MS. PARK: Cristy Park, Attorney Specialist at
15 the Arkansas Department of Education.

16 All persons, with the exception of the attorneys
17 representing the parties, who plan to provide
18 testimony during the hearing must be sworn in by the
19 Chair of the body conducting the hearing.

20 The open-enrollment public charter school or
21 applicant shall have 20 minutes to present the case
22 to the authorizer for approval of the purpose --
23 open-enrollment public charter school application,
24 renewal or request. The Chair of the authorizing
25 body must grant additional time, if necessary.

1 Parties opposed to the open-enrollment public
2 charter school application, renewal or request, if
3 any, shall have 20 minutes to present its case to the
4 authorizer for disapproval of the proposed open-
5 enrollment public charter school application, renewal
6 or request. The Chair of the authorizing body may
7 grant additional time, if necessary. Any party in
8 opposition that wishes to present or participate at
9 the hearing must notify the Division Chair -- I'm
10 sorry -- the Division's Charter School Office and the
11 school or applicant in writing no later than 10
12 business days prior to the hearing. If a party in
13 opposition intends to use a presentation, handouts,
14 or any other document, it must provide copies to the
15 Charter School Office and the school or applicant no
16 later than 10 business days prior to the hearing. A
17 party in opposition that fails to notify the Charter
18 School Office no later than 10 business days prior to
19 the hearing may only present or participate at the
20 hearing with the permission of the authorizer.

21 The open-enrollment public charter school or
22 applicant shall have five minutes to respond to any
23 arguments in opposition of the open-enrollment public
24 charter school application, renewal or request. The
25 Chair of the authorizing body may grant additional

1 time, if necessary.

2 The authorizer will follow the presentation with
3 discussion of the open-enrollment public school
4 application, renewal or request and questions, if
5 any, to the open-enrollment charter school or
6 applicant, opposing parties, or both.

7 The authorizer may issue a final decision at the
8 hearing or take the matter under advisement until the
9 future scheduled meeting. The authorizer may defer
10 to -- may defer -- I'm sorry -- the authorizer may
11 defer the vote to approve or disapprove the charter
12 application, renewal or request in order to allow a
13 public charter school or applicant to make
14 modifications or receive technical assistance to
15 correct deficiencies in the application, renewal or
16 request.

17 During the roll-call vote on each open-
18 enrollment public charter initial application, if a
19 particular member of the authorizing body votes
20 against the initial application, that member should
21 state his or her reasons for disapproval as necessary
22 to comply with Arkansas code annotated section 6-23-
23 305.

24 CHAIRMAN COFFMAN: Thank you. And do you know
25 of any opposition to Exalt Academy?

1 MS. PARK: There are no legal concerns --

2 CHAIRMAN COFFMAN: Thank you.

3 MS. PARK: -- and I do not know of any
4 opposition.

5 CHAIRMAN COFFMAN: Thank you.

6 All right. Then if you will stand, raise your
7 right hand -- do you swear or affirm the testimony
8 you're about to give shall be the truth, the whole
9 truth and nothing but the truth?

10 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

11 CHAIRMAN COFFMAN: All right. Ms. Long, you're
12 recognized.

13 SUPT. LONG: Good morning, everybody. Thank you
14 for hearing us. My name is Christina Long and I
15 serve as the superintendent of Exalt Academy.

16 So we come before you today, as Mr. Sutherlin
17 said, for requesting the 540 student cap lift from
18 the December 15th. And per the request of the
19 Charter Authorizing Panel, some additional
20 information was provided to help clarify and answer
21 any questions that you may have.

22 So with me today is our Chief Operating Officer,
23 Mr. Dennis Tiede. It's appropriate that he present
24 this considering this is his area. So, here you go.

25 MR. TIEDE: Good morning, Chairman Coffman,

1 Members of the Charter Authorizing Panel. We
2 appreciate you hearing our amendment request.

3 After Exalt Education's presentation in
4 December, we have gone ahead and basically explored
5 all possibilities that we may have for classroom
6 space in the fall of 2022. We are very fortunate to
7 have three different options within about 100 feet of
8 our front door. We have the location at 8201
9 Frenchmen's Lane, another building at 8300 Geyer
10 Springs, and then we've also looked into modular
11 classrooms. We have the benefit of having two
12 foundational slabs on our property that are not being
13 used. And going through the initial steps of
14 exploring modular classrooms we found that that is a
15 big deal, because basically you're putting a building
16 on a piece of land and having foundational slabs is a
17 big deal.

18 We included three proposals for modular
19 classrooms, as well as listings for the two buildings
20 that we're looking at. Every option that we're
21 looking at has -- will be -- if we pursue it, will be
22 ready with plenty of time to prepare the space for
23 the fall. We've also been working on an early draft
24 of our budget to make sure that the financial aspect
25 will align with our goals to make sure that we're

1 doing the thing that makes the most sense for us.

2 So we definitely are the biggest fans of making
3 priority of 8201 Frenchmen's Lane, but it definitely
4 provides peace of mind knowing that we have several
5 contingency plans that are suitable for our
6 community.

7 So that was everything.

8 CHAIRMAN COFFMAN: Any legal concerns, Ms. Park?

9 MS. PARK: Christy Park, Department of
10 Education.

11 There are no legal concerns.

12 CHAIRMAN COFFMAN: Thank you.

13 Mr. Baldwin, questions?

14 MR. BALDWIN: Well, I don't -- I'm not sure I
15 really have a question, but I do have an observation.

16 I do appreciate you for phasing in the request
17 for increasing the number of students. I think doing
18 it incrementally and just a bit over 100 students a
19 year was prudent and thoughtful. And that was one of
20 my questions previously, so thank you for that, for
21 having that so clearly stated in your request.

22 CHAIRMAN COFFMAN: Thank you, Mr. Baldwin.

23 Dr. Flowers, questions?

24 DR. FLOWERS: No questions on my end. Thank
25 you.

1 CHAIRMAN COFFMAN: Ms. Saracini?

2 MS. SARACINI: No questions.

3 CHAIRMAN COFFMAN: Dr. Wright-McMurray?

4 DR. WRIGHT-McMURRAY: No. But thank you for
5 coming back and providing the detailed information.

6 SUPT. LONG: Thank you.

7 CHAIRMAN COFFMAN: I would just like to
8 compliment you on a well-prepared packet. You've got
9 your 35-day notice; you've got your options available
10 to you. I'm sure you talked to all of those vendors
11 and you'll be making the best decision, and then
12 letting us know what the final decision is so we can
13 put the appropriate information into the system.

14 SUPT. LONG: Thank you.

15 CHAIRMAN COFFMAN: All right. I'll accept a
16 motion.

17 DR. WRIGHT-McMURRAY: I move that we approve the
18 amendment request for Exalt Academy.

19 MS. SARACINI: I second.

20 CHAIRMAN COFFMAN: I have a motion by Dr.
21 Wright-McMurray and a second by Ms. Saracini to
22 approve the amendment request as presented.

23 All those in favor?

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIRMAN COFFMAN: Any opposed?

1 All right. Give us just a second to fill out
2 our voting sheets.

3 SUPT. LONG: Thank you.

4 (A FEW MOMENTS OF SILENCE)

5 CHAIRMAN COFFMAN: Ms. Saracini.

6 MS. SARACINI: I approve increasing the cap from
7 540 to 1080. This will give opportunities to a
8 larger number.

9 CHAIRMAN COFFMAN: Dr. Wright-McMurray.

10 DR. WRIGHT-McMURRAY: I support the amendment
11 request. Exalt Academy's administration prepared a
12 well thought-out and reasonable plan for student and
13 facility growth. This will support the needs of
14 their students and community.

15 CHAIRMAN COFFMAN: Dr. Flowers.

16 DR. FLOWERS: I vote to approve the amendment
17 request as presented. I look forward to hearing
18 about your continued efforts to support the needs of
19 your students.

20 CHAIRMAN COFFMAN: And I think that brings up a
21 good point. You know, we did discuss a biannual
22 report just to let us know how you're doing as you're
23 growing.

24 SUPT. LONG: Absolutely. We're excited to
25 present that.

1 And just want -- on behalf of the entire
2 Southwest community, Exalt Academy and all of our
3 students, we thank you for your continued and ongoing
4 support. And we are just excited to see the growth
5 in our students and to come back and present it to
6 you. So, thank you.

7 CHAIRMAN COFFMAN: Mr. Baldwin.

8 MR. BALDWIN: Yes, thank you. Yes, I also
9 support the application, very thoughtful, well-
10 prepared application. And I also know it will
11 increase the student capacity for the Academy, which
12 sounds like it's needed and appropriate.

13 CHAIRMAN COFFMAN: Thank you. Congratulations.

14 SUPT. LONG: Thank you.

15 b) CROSS COUNTY HIGH SCHOOL

16 CHAIRMAN COFFMAN: Dr. Sutherlin.

17 DR. SUTHERLIN: Matthew Sutherlin, Standards and
18 Systems Support, Charter/Interim Charter Director.

19 Cross County High School has submitted an
20 amendment request to add waivers for statutes 6-17-
21 908 and 6-17-919.

22 CHAIRMAN COFFMAN: Mr. Prince, if you will raise
23 your right hand. Do you swear or affirm that the
24 testimony you're about to give shall be the truth,
25 the whole truth and nothing but the truth?

1 MR. PRINCE: Yes.

2 CHAIRMAN COFFMAN: Thank you.

3 Ms. Park, if you'll come up and present the two
4 waivers.

5 MS. FRENO: Good morning. Lori Freno,
6 Department of Education. This one is mine.

7 The hearing procedures in this -- for this
8 hearing will be the same as they were -- as Ms. Park
9 read them earlier.

10 As far as the waivers, 6-17-908, that section of
11 the code prohibits payments from the teachers' salary
12 fund for teachers without a -- would prohibit -- let
13 me try again. It would prohibit payments from the
14 teachers' salary fund unless the educator has a
15 license. And in this case this waiver would allow
16 non-licensed teachers, when there is a waiver of
17 teacher licensure, to receive payments from that
18 fund.

19 Section 6-17-919 provides that all warrants,
20 which is the state word for checks, that are issued
21 to pay for a teacher without a license shall be void.
22 And a waiver of that, likewise, is so that teachers
23 -- educators who do not have licensure and the
24 licensure has been waiver they will be able to be
25 paid without their checks being voided.

1 CHAIRMAN COFFMAN: Thank you, Ms. Freno.

2 MS. FRENO: And there are no legal objections to
3 this waiver request.

4 CHAIRMAN COFFMAN: Thank you.

5 Mr. Prince.

6 MR. PRINCE: Yes, ma'am.

7 CHAIRMAN COFFMAN: I'm assuming you are just
8 wanting to get all of your buildings aligned?

9 MR. PRINCE: Yes. When we renewed the
10 elementary charter, those two were identified that we
11 would add on to the teacher licensure to help
12 compliment everything and tie it all together better.
13 And so after that was approved I decided that we need
14 to ask for those same two for the high school.

15 CHAIRMAN COFFMAN: All right. And are you
16 requesting that these waivers be in place for the
17 full length of the charter for the high school?

18 MR. PRINCE: Yes, ma'am. Yes, for the remaining
19 four years of the charter -- or five. We just --
20 well, four years. We're going to do five. We did
21 one right now.

22 CHAIRMAN COFFMAN: Right. All right.

23 Any -- let's start -- Dr. Flowers, any
24 questions?

25 DR. FLOWERS: No questions on my end. Thank

1 you.

2 CHAIRMAN COFFMAN: Ms. Saracini?

3 MS. SARACINI: No. But I just want to say you
4 were very thorough when you put your proposal
5 together so that we can understand around teacher
6 licensure. Thank you.

7 CHAIRMAN COFFMAN: Ms. -- Dr. Wright-McMurray?

8 DR. WRIGHT-McMURRAY: No questions. Thank you.

9 CHAIRMAN COFFMAN: Mr. Baldwin, any questions?

10 MR. BALDWIN: No questions.

11 CHAIRMAN COFFMAN: If there are no questions,
12 I'll accept a motion.

13 MR. BALDWIN: I'll make the motion.

14 MS. SARACINI: I second.

15 CHAIRMAN COFFMAN: I have a motion from Mr.
16 Baldwin and a second from Ms. Saracini to approve the
17 addition of the two waivers for the Cross County High
18 School to be in place through the length of the
19 charter.

20 All those in favor?

21 (UNANIMOUS CHORUS OF AYES)

22 CHAIRMAN COFFMAN: Any opposed?

23 Motion passes.

24 Mr. Prince, if you'll give us just a moment to
25 work on our voting sheets.

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(A FEW MOMENTS OF SILENCE)

CHAIRMAN COFFMAN: Mr. Baldwin, if you'd like to begin?

MR. BALDWIN: Yes. It looks to me like the waivers are appropriate. I like the fact that they're also consistent across your school system. And I vote to approve.

CHAIRMAN COFFMAN: Thank you.

Dr. Wright-McMurray.

DR. WRIGHT-McMURRAY: I support the waiver request. This will allow the school district to insure all campuses are aligned.

CHAIRMAN COFFMAN: Thank you.

Dr. Flowers.

DR. FLOWERS: I vote to support the waivers as presented to insure all campuses are aligned.

CHAIRMAN COFFMAN: Thank you.

Ms. Saracini.

MS. SARACINI: I support the waiver request of teacher licensure to continue during the time of the charter.

CHAIRMAN COFFMAN: All right. Thank you, Mr. Prince. Have a great day. And thanks for making sure all your waivers are aligned.

MR. PRINCE: Thank you. Y'all have a good day

1 too.

2 CHAIRMAN COFFMAN: Bye-bye.

3 c) PREMIER HIGH SCHOOL OF FORT SMITH

4 CHAIRMAN COFFMAN: Dr. Sutherlin.

5 DR. SUTHERLIN: Matthew Sutherlin, Standards and
6 Systems Support, Charter/Interim Charter Director.

7 Premier High School of Fort Smith has submitted
8 an amendment request for the approval of the location
9 of the school scheduled to open in the fall of 2022.

10 CHAIRMAN COFFMAN: All right. If everyone
11 speaking on behalf of Premier High School of Fort
12 Smith would raise your -- stand and raise your right
13 hand. Do you swear or affirm that the testimony
14 you're about to give shall be the truth, the whole
15 truth, and nothing but the truth?

16 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

17 CHAIRMAN COFFMAN: All right. And, Ms. Park, do
18 we have any opposition?

19 MS. FRENO: No, there's no opposition.

20 CHAIRMAN COFFMAN: Okay. Thank you.

21 MS. FRENO: There are legal concerns, but no
22 opposition.

23 CHAIRMAN COFFMAN: Okay. All right. Good
24 morning. If you'll state your name and title --

25 MR. FELTON: Okay. I'm Dennis Felton, State

1 Director of Premier High Schools. Good morning.

2 CHAIRMAN COFFMAN: Good morning.

3 MR. FELTON: Now I submitted a presentation.

4 MR. DAN DAVIS: You should be able to stream it.
5 It's just getting it all --

6 MR. FELTON: Okay.

7 MR. DAN DAVIS: Just a second. All right. Give
8 it a whirl now. There you go.

9 MR. FELTON: All right. So we're here this
10 morning to talk about Premier High School Fort Smith.
11 Just an overview of our amendment -- we have the
12 overview of the amendment, the actual amendment
13 request, kind of the rationale, the impact, and the
14 proposed site.

15 So remember last fall we were approved to open
16 up Premier High School of Fort Smith in August of
17 2022. In the application for that charter school, we
18 did indicate that the school would not be located
19 within 1,000 feet of any business that serves
20 alcohol. We've spent probably the past probably nine
21 months looking for a facility in the area. I think
22 the last time I looked at the list it was over 30
23 different properties. And when we're looking at
24 these properties there's different things we're
25 looking at, from safety, from accessibility, to

1 location. And one of the things that we've
2 identified is in the community there's a facility
3 located at 3400 Rogers Avenue that we are highly
4 interested in pursuing. However, we noticed that
5 there was a Dollar General that's located within the
6 1,000 feet of that facility that has a beer permit.

7 So the rationale here is that we've spent our
8 due-diligence in the community looking for several
9 properties. A lot of properties we identified were
10 within 1,000 feet of alcohol sales. We also noticed
11 that when we were reviewing the facility as well and
12 looking at the renovations that we want to get done
13 to the facility that we did go ahead and get those
14 renovations started in order to make the timeline for
15 school. One of the things we also looked at is
16 looking at other schools in the community that this
17 is not a foreign case, by itself; that there were
18 other charter schools in Arkansas that are located
19 within 1,000 feet of alcohol sales, as well as other
20 public schools. So this idea is not foreign.

21 We did reach out to Arkansas Alcoholic Beverage
22 Control Commission to get guidance on this and we
23 were communicated that the statute of the beer off-
24 premises does not apply to the 1,000 feet rule when
25 it comes to a liquor -- business liquor license

1 permit.

2 We've also reached out to the local Dollar
3 General. We started conversations about what does
4 this impact look like on your business. We've
5 started having conversations about the safety and
6 health of the students. So, for instance, those who
7 know about our schools, we have not only resource
8 officers but we have secure access to control what
9 students are doing as they're leaving and coming to
10 the school, as well as camera surveillance as well.

11 Also, we've had conversations with city
12 officials to see if they have any oppositions to
13 this, to us moving to this location. There was no
14 opposition there as well.

15 This is the proposed location. It's a little
16 red where you can kind of see -- well, you can't see
17 the Dollar General in sight. This is the next suite
18 over. There's a suite in between the 3400 Rogers
19 Avenue, which is a suite that we're a part of.

20 The reason why we want this location, it's local
21 -- I mean it's close to a local resource, Creekmore
22 Community Center. It's also on the bus route line.
23 A lot of our students typically provide -- use public
24 transportation. And also it's in our desired price
25 range and has adequate parking.

1 Questions?

2 CHAIRMAN COFFMAN: We'll have some.

3 MR. FELTON: Okay. In general, we're seeking to
4 basically locate this facility near this Dollar
5 General.

6 CHAIRMAN COFFMAN: Thank you.

7 Let's hear the concerns from our legal team,
8 please.

9 MS. FRENO: Lori Freno, Department of Education.

10 Well, we have concerns of proximity and
11 accessibility. This -- I mean this is not perfectly
12 clear; it's not clear from the law whether this would
13 be allowed as a proper placement for this school.
14 Also, I know that there was a question asked to the
15 Charter -- from the Charter Authorizing Panel to this
16 charter group that has not yet been answered that has
17 to do with -- I believe, Ms. Coffman, was it -- did
18 it have to do with the effect it would have upon the
19 Dollar General store, the legal effect it would have
20 on Dollar General store. And I know this morning we
21 were told that they are still seeking an answer to
22 that question for you. But we do continue -- Legal
23 does continue to have concerns about this.

24 CHAIRMAN COFFMAN: Thank you, Ms. Freno.

25 Mr. Walter.

1 MR. WALTER: Thank you, Madam Chair, Members of
2 the Panel, DESE Staff. My name is Tripp Walter. I'm
3 the staff attorney with the Arkansas Public School
4 Resource Center.

5 If I could, I just wanted to hopefully allay
6 some of the concerns that Ms. Freno brought before
7 you and also add a couple of other things to what Mr.
8 Felton said, I guess to address the issues right
9 away.

10 As we all know, the issue at play really is the
11 1,000 feet requirement that is established in the
12 application. As far as state law goes, I think
13 you've been provided information to address the
14 proper placement issue I guess, first, that Ms. Freno
15 raised. The 1,000-foot restriction that you may have
16 heard of that's in law between a school and an
17 establishment that sells alcohol only applies under
18 the law and under the Alcoholic Beverage Commission
19 rules when that entity that sells alcohol holds a
20 retail liquor permit. If you will look at the
21 information that we forwarded to you late Friday from
22 the Alcoholic Beverage Commission, it sets forth --
23 and the regulations say the very same thing -- that
24 that does not apply in the case of an entity like
25 Dollar General that sells -- that has a beer off-

1 premises permit. That is not considered a retail
2 liquor permit, and you have an explanation I think
3 from Mr. Lewis, one of the attorneys for the
4 Alcoholic Beverage Commission, in your materials. So
5 there's no alcoholic beverage restriction, nor, I
6 think as Mr. Felton indicated, any city restrictions
7 or land use restrictions that would keep Premier from
8 locating in that space. So I wanted to make sure
9 that we were all clear with that.

10 The reality is too that now that there is a
11 methodology in place, which as you probably know
12 there hasn't always been, for convenience stores like
13 Dollar General and the like to obtain off-campus or
14 off-premise beer permits -- that even if Premier were
15 to locate somewhere else there's no guarantees that a
16 Dollar General or a Kum-and-Go or some kind of entity
17 that obtains a beer off-premises permit could locate
18 as close to them as they wanted to.

19 The other thing I wanted to -- I guess I wanted
20 to address too was the relationship as I understand
21 it -- I won't attempt to speak for Mr. Felton, but as
22 I understand it between RES and then specifically Mr.
23 Felton since he's been the point person on this, RES
24 and Dollar General. I think he stated in his
25 presentation that Dollar General has no concerns with

1 this issue. I know one of the things that's going to
2 be on your mind obviously is security and the health
3 and safety of the students. So I would just add to
4 that -- again, this is an off-premise permit; there
5 are not going to be individuals in the store
6 consuming alcohol within 1,000 feet of the school. I
7 think Mr. Felton said in his presentation the intent
8 of the school as far as security goes, if it is
9 granted this amendment by you and that's upheld by
10 the State Board of Education.

11 I have become -- I have been impressed myself
12 with both the amount of due-diligence that Mr. Felton
13 and his team have done in trying to find an adequate
14 location. I think he mentioned to you that they
15 reviewed I believe the number was 30 to 33 different
16 sites.

17 And the final concern that I understand is the
18 proximity and accessibility to the Dollar General
19 store. I know these are things that have come up as
20 what would happen. If, let's say, you grant the
21 amendment and Premier goes in and at some point in
22 time the Dollar General store decides to give up its
23 beer on-premises permit and then at some subsequent
24 time decides to re-seek it, so it would go through
25 the permitting process. I've heard concerns that,

1 well, that could cause a strained, difficult
2 relationship between Dollar General and Premier and
3 those kind of issues. The reality is if that were to
4 happen -- again, there's no 1,000-foot requirement
5 and, yes, the Alcoholic Beverage code rules do
6 provide in that situation that somebody could make a
7 protest, or a concern, rather, because it is -- it
8 might have an affect on what the rules call a
9 schoolhouse. But realize that that could happen with
10 any permit to be sought anywhere. That's not
11 something that's particular -- again, there's no bar,
12 there's no distance bar either by state statute or
13 Alcoholic Beverage code rules. So, yes, somebody
14 would have the opportunity to raise an objection, but
15 there's no absolute bar -- and, again, that objection
16 is the same that could be raised for any permit going
17 in.

18 CHAIRMAN COFFMAN: Mr. Walter, do we have any --
19 so I'm assuming the documents that you submitted were
20 excerpts? They're not the complete full documents?

21 MR. WALTER: They are. They are the full
22 documents. I do have -- I can -- if the Panel would
23 like, I have a set of them I can pass around.

24 CHAIRMAN COFFMAN: So it starts in the rules
25 document Subtitle C?

1 MR. WALTER: Yes.

2 CHAIRMAN COFFMAN: That's the full document?

3 MR. WALTER: Well, there's a lot more to
4 Subtitle C, but what I've excerpted out I believe are
5 the definitions of beer off-premise permits and the
6 permits not to be issued to premises within the
7 following stated distance from church or schoolhouse
8 and the retail liquor permit, which this -- which the
9 Dollar General holds is not that, being 1,000 feet.
10 And I've got either a longer excerpt or I've got a
11 whole copy of the multipage I'll call it beverage
12 rules I'd be glad to provide.

13 CHAIRMAN COFFMAN: And do you have any written
14 documentation from Dollar General?

15 MR. FELTON: No, I do not.

16 CHAIRMAN COFFMAN: Okay.

17 MR. FELTON: But I'm sure that won't be hard to
18 get at all. We've been in ongoing dialogue ever
19 since we've been looking at the facility about the
20 impact and everything. So I'm sure that won't be
21 hard at all to get that.

22 CHAIRMAN COFFMAN: Mr. Baldwin, questions?

23 MR. BALDWIN: Yes, thank you.

24 So let me ask -- I have three questions, and
25 maybe this first one is for ADE.

1 Is there -- is this a first-time precedent or
2 are there other charter schools that have received
3 this exemption?

4 MS. FRENO: Lori Freno, Department of Education.

5 Mr. Baldwin, I'm sorry, we do -- I do not know
6 the answer to that question.

7 MR. BALDWIN: Okay.

8 MS. FRENO: It's something we certainly can look
9 up and get back to you with the information.

10 MR. BALDWIN: Yes, if you could, I'd be
11 interested maybe just to know what we're doing here,
12 if it's the first time or if there's a history and
13 pattern for this.

14 MR. FELTON: I do have in my notes that I don't
15 mind to share this with the Panel, but we kind of did
16 some research on were there other charter schools or
17 public schools throughout the state. And at a quick
18 glance, Academics Plus in Maumelle is located within
19 1,000 feet of alcohol sales; eSTEM Junior High School
20 in Little Rock is located within 1,000 feet of
21 alcohol sales; Haas Hall in Rogers, Arkansas, is
22 located within 1,000 feet of alcohol sales; LISA
23 Academy North in North Little Rock; and then on
24 public school actually in Fort Smith -- Fort Smith
25 Northside is located 1,000 feet within alcohol sales.

1 So hopefully that helps you, Mr. Baldwin.

2 MR. BALDWIN: All right. So that's helpful.

3 Let me ask you this: how -- so I understand the
4 1,000-foot rule and I have a follow-up question on
5 that. But how close are we to the Dollar General or
6 how many feet is it within that?

7 MR. FELTON: So door to door it's about 700
8 feet, but it's weird. The reason why it's -- that
9 the -- the back half of the building actually touch.
10 But when you look at it from the street view there's
11 actually a suite in between the Dollar General and
12 the school.

13 MR. BALDWIN: Okay.

14 MR. FELTON: Like a whole 'nother business.

15 MR. BALDWIN: Okay. Thanks.

16 And then my final rule -- or my final question
17 is the 1,000-foot rule, is that a -- I guess I got
18 confused on whether that was an Alcoholic Beverage
19 rule or whether that was an ADE rule, or is it both?

20 CHAIRMAN COFFMAN: Mr. Walter.

21 MR. WALTER: Thank you, Madam Chair.

22 Good morning, Mr. Baldwin. I guess there are
23 two things at play. What the application says --
24 their application says and what Premier specifically
25 is seeking an amendment request to is there's a

1 question that says -- and to my knowledge it's not in
2 the charter school rules -- but the application says
3 are there any alcohol sales within 1,000 feet of the
4 facility. Then there's also an Alcoholic Beverage
5 code rule and the state statute that says that an
6 entity with a retail liquor permit cannot locate
7 within 1,000 feet of a school.

8 MR. BALDWIN: But they don't have a retail
9 permit, so you're saying that that is not at issue
10 here from the ABC perspective?

11 MR. WALTER: That's correct. That's why the ABC
12 has opined in the regulation and both the law --
13 Arkansas code annotated 3-4-206 specifically used the
14 term "retail store permit" or "retail liquor permit,"
15 rather, when talking about the 1,000 feet distance
16 requirement. And, yes, so we're saying as Dollar
17 General has a beer on-premises permit that that
18 1,000-foot distance per state law and Alcoholic
19 Beverage code is not applicable.

20 MR. BALDWIN: Okay. And then, what you said
21 also -- let me clarify that -- so the ADE has a
22 question as it relates to school locations, but it's
23 not a regulation or statute?

24 MR. WALTER: Well, I'll let Ms. Freno and Ms.
25 Park address that. My understanding is no, but I

1 will not attempt to answer for them.

2 MS. FRENO: Lori Freno.

3 Mr. Baldwin, there is no specific rule or
4 regulation there. It is a question. But in the
5 charter -- when the charter was authorized, the
6 school specifically said that it would not locate
7 itself within 1,000 feet of a store -- of a facility
8 that sells alcoholic beverages.

9 MR. BALDWIN: Okay. Thank you.

10 Madam Chair, that's all I had.

11 CHAIRMAN COFFMAN: Thank you, Mr. Baldwin.

12 Dr. Flowers?

13 DR. FLOWERS: Yes. Out of the other facilities
14 that you reviewed, out of the top three or four, were
15 there also concerns in relation to distance?

16 MR. FELTON: Yes.

17 DR. FLOWERS: Okay.

18 MR. FELTON: We found out in Fort Smith it was
19 kind of hard -- really especially with the off-
20 premises beer permit as a rule -- if you know
21 anything about places like Dollar Generals, like
22 Tripp mentioned, your gas stations, a lot of the
23 convenience stores just have like the off-premises
24 beer permit. So it's not like a liquor license
25 permit, but that was very common throughout the

1 community.

2 DR. FLOWERS: Okay.

3 CHAIRMAN COFFMAN: Ms. Saracini?

4 MS. SARACINI: So you've done your homework, you
5 were very detailed about that. And I'm -- I'm not
6 going to ask anymore questions. I think I totally
7 understand.

8 CHAIRMAN COFFMAN: Dr. Wright-McMurray?

9 DR. WRIGHT-McMURRAY: First, thank you for
10 coming back with information and the details and
11 doing your additional research on other schools that
12 are in this situation.

13 The only question that I have -- and I apologize
14 if it was clarified and I just didn't quite get it --
15 so the Dollar General, so have they come forward and
16 said "we're a hundred percent okay with this" and
17 Premier won't have any future issues with the school
18 being there? I don't know. I don't know the renewal
19 process that they would have to go through for
20 applications. Now if the school was there, are they
21 not going to run into any issues with that going
22 forward? I'm just wondering about that. And I'm not
23 trying to be nitpicky, but I'm looking at this like,
24 you know, like if the percentage of alcohol has been
25 less than 5% -- like what if they have something and

1 it's like 6%, so are they going to have that issue
2 going forward? I just want to make sure that if we
3 make this decision going forward then we're not
4 harming the business that was already there and
5 established, if there was a process to be renewed and
6 now that the school is there then that hinders the
7 renewal. Does that make sense?

8 CHAIRMAN COFFMAN: Uh-huh.

9 MR. FELTON: I'll speak a little bit to it --
10 and, Tripp, you may have to help me out here.

11 As far as Dollar General goes, I'll re-emphasize
12 it's been ongoing dialogue. We've had constant
13 communication with them, as well as others in that
14 suite about the impact of a charter school. And
15 everyone is in support of it, they understand our
16 mission and vision and the type of school we're
17 offering and why we want to be located in that area
18 and being that accessible.

19 As far as the law goes, me and Tripp, we've
20 spent a lot of time talking to Michael Lewis from ABC
21 who has helped clarify this for us. And in this
22 scenario, due to the permit they have it's not
23 applicable; so it doesn't impact Dollar General as
24 far as the permit they have.

25 I didn't know if you wanted -- did that answer

1 your --

2 CHAIRMAN COFFMAN: Any additional --

3 DR. WRIGHT-McMURRAY: Well, so I guess -- and
4 part of our conversation that we've had this morning
5 is that -- I thought I heard that there was a
6 decision that we were still waiting on or feedback
7 we're still waiting on from someone. Have we already
8 gotten that? And I apologize, there were so many
9 different people that were being thrown around in the
10 conversation I was trying to follow whose permission
11 we were waiting on and whose responses and whose
12 decisions. So was -- there was a decision that I
13 think that maybe you -- like ADE had requested a
14 response and maybe we hadn't gotten that yet and
15 maybe we're still waiting for that to come. Has that
16 already come through? Is that part of the packet or
17 -- because that's just part of my --

18 MR. FELTON: There's a response in regards to
19 the impact -- I think what it is, it's like a
20 hypothetical situation and we've ran it by Mr. Lewis.
21 I think what gets confusing here is the fact that
22 Dollar General has an off-premises beer permit and
23 we're talking about the 1,000 feet rule -- and you
24 can correct me if I'm wrong, Tripp. That concerns
25 the liquor license permit which they do not have, and

1 it's like we're kind of confusing the two.

2 As far as that permit goes, to answer your
3 question, Premier does not impact Dollar General's
4 permit. And the 1,000 feet rule is not applicable to
5 the permit that they have.

6 DR. WRIGHT-McMURRAY: But that is the off --

7 MR. FELTON: Because they have the off-premises
8 beer permit. If there was a -- if they were selling
9 liquor in a liquor store, it would be totally
10 different -- retail liquor license permit, which I
11 guess is why there are several other schools that are
12 located within, because of the off-premises beer
13 permit.

14 DR. WRIGHT-McMURRAY: Okay.

15 MR. FELTON: And we have communication from
16 Michael Lewis, the attorney at ABC, in your packet.
17 He kind of clarifies to us and puts in writing the
18 things that we were talking about in our meeting and
19 how this is not applicable and how even if Dollar
20 General -- just because they have a permit, us coming
21 in doesn't take anything away or hinder them from
22 getting a permit or renewing a permit.

23 CHAIRMAN COFFMAN: Do you know -- and I realize
24 we've changed charter directors during this
25 conversation, from the beginning of it to the end of

1 it -- how was the Department contacted regarding
2 Dollar General?

3 MR. FELTON: Say it -- I don't know if I
4 understand the question.

5 CHAIRMAN COFFMAN: How did the Department of Ed.
6 come to find out about Dollar General, that you were
7 looking at the location near Dollar General?

8 MR. FELTON: I'm sure probably through my
9 communication. I'm not sure if I understand the
10 question. I submitted an amendment, and during -- in
11 that amendment I just included Dollar General because
12 I was really trying to be more transparent with you
13 all about the entity that we were talking about
14 versus just saying somebody is selling beer. But I
15 think most of us are familiar with Dollar General as
16 being a retail store, but it seems like here lately I
17 think they've added a beer selection or beer permit
18 to some of their stores.

19 CHAIRMAN COFFMAN: Okay. So here's the part
20 that bothers me is to my knowledge -- to my
21 knowledge, DESE has never approved knowingly -- to
22 me, that we've ever waived that 1,000-foot
23 regulation. Now, according to you, we have some that
24 are within 1,000 feet -- certainly something that we
25 will check into to see what the situation is there.

1 I think you've made a case that there's a difference
2 between alcohol permit, off-sale beer or whatever
3 this one is. I think the part that's struggling --
4 I'm struggling with is if you don't feel that's in
5 conflict with what you submitted in your charter,
6 then why are we seeking an amendment of the charter?

7 MR. FELTON: I'll be honest with you, I really
8 didn't think this required a hearing. But it being
9 that my contract is a legal document I consulted with
10 previous charter director, Mr. Tim Johnston, as well
11 as Mr. Tripp Walter, and under their guidance, since
12 I was changing a legal document that was on file with
13 the State, that I would be transparent with the Panel
14 about that change. I thought maybe I could handle
15 the informality by sending some documents in and
16 showing the justification and not even come to the
17 hearing, especially since it wasn't a rule by ADE or
18 a rule in the charter school rules. But it was -- I
19 was just trying to be transparent with the Panel.
20 And I had indicated in the application, as I did in
21 several applications that I (inaudible), this is a
22 different community. After doing my homework, I
23 found out, okay, I am going to be located within
24 1,000 feet. I didn't -- I like to be transparent, so
25 I wanted to show you guys everything as we're

1 preparing to open up this educational option for a
2 unique group in Fort Smith. And I'd rather have
3 everything in front of you all and have my ducks in a
4 row versus us making decisions on our own and then
5 somebody finding out that I'm located by a Dollar
6 General and then I'm being warned here to justify
7 that. So it was really just for clarity and really
8 for transparency more than anything. We didn't
9 really anticipate being too much out of --

10 CHAIRMAN COFFMAN: And I appreciate that. And
11 that's how I received it. I would feel better now
12 that we're this deep into it -- it helps to have the
13 letter from Mr. Lewis. It would have also helped to
14 have something from Dollar General. And the reason
15 being, in my view, you're asking us to amend -- for
16 us to get involved in this and to amend your charter
17 without knowing -- we don't know ABC's rules and
18 guidelines. I can read what's here, but this is an
19 excerpt, not all the information. I don't have an
20 expert from ABC to come and talk to me about these
21 rules on oath, under oath. I don't have anyone from
22 Dollar General that's not going to come back and say,
23 "Well, you know, you shouldn't have amended this; it
24 was a rule and you waived it; you don't have the
25 authority to waive it," because it's not our rule.

1 So we're in a mix.

2 MR. FELTON: Tell me this: you indicate that
3 basically I would not be here if what I -- if I did
4 not click, you know, yes on that application. So I
5 guess I'm trying to understand if I would have not
6 clicked yes, I would have signed a lease, moving
7 forward -- I'm guessing at what point -- I guess who
8 would -- I guess I'm kind of confused.

9 CHAIRMAN COFFMAN: Well, if you had not clicked
10 yes, then we would have discussed that at the
11 original hearing on your charter, what's your
12 location. I mean we try to have a good idea where
13 we're going. I mean safety has to be the most
14 important concern for everyone. And I appreciate
15 that you have a security person on your staff; I
16 don't know if Dollar General has one on their staff.
17 I don't know. There's -- that's the problem is there
18 are so many unknowns for me.

19 MR. WALTER: May we have a moment, Ms. Coffman?

20 CHAIRMAN COFFMAN: Sure.

21 (A FEW MOMENTS OF SILENCE)

22 MR. FELTON: Like I discussed with Mr. Walter,
23 so there seems to be -- we're still seeking some kind
24 of communication from Dollar General. We can work on
25 getting some kind of letter from Dollar General, as

1 well as we would've had a letter from the director of
2 ABC, as well as Mr. Michael Lewis today, but they
3 have a big alcohol board hearing tomorrow; and so due
4 to the timing -- but we can work on getting that as
5 well.

6 I don't know what that does for today. Once
7 again, I would -- if we could in any form or fashion,
8 do it outside of the formal hearing. I don't mind
9 setting something up with you, Ms. Coffman, or Dr.
10 Sutherlin, providing those documentations, or to the
11 Panel. But, you know, we are excited about what
12 we're doing. The first day of school will be here
13 soon, so we do want to start making hard concrete
14 decisions moving forward in the facility that we're
15 looking into.

16 CHAIRMAN COFFMAN: And you have no alternate
17 facility?

18 MR. FELTON: No.

19 CHAIRMAN COFFMAN: This is the only --

20 MR. FELTON: We had some. But as far as the
21 best facility on what we're looking at, this is the
22 best location. So if I go to another facility that
23 -- I doubt I can find one that's not located within
24 1,000 feet -- then I jeopardize other things, safety,
25 how close is the school to residential areas, the

1 price range that I'm looking at.

2 CHAIRMAN COFFMAN: Ms. Freno, do you want to
3 come and help the Panel?

4 MS. FRENO: Lori Freno.

5 The authorizer -- in accordance with section
6 6.22.7 of the rules, the authorizer -- of the charter
7 rules, the authorizer may defer the vote to approve
8 or disapprove the charter application, renewal or
9 request in order to allow a public charter school or
10 applicant to make modifications or seek technical
11 assistance to correct the deficiencies in the
12 application, renewal or request.

13 So bottom line is, you know, it would be
14 possible for -- if the board didn't want to move --
15 the authorizer didn't want to move forward today,
16 they could table it, move forward at the next
17 meeting. The only issue was -- I mean the charter
18 mentioned something about, you know, maybe there
19 could be more informal conversations. Certainly,
20 this board cannot act informally; it's got to act as
21 a board in public, under the Freedom of Information
22 Act.

23 CHAIRMAN COFFMAN: Panel Members, would you like
24 to discuss? Do you want to have -- are there more
25 questions?

1 MR. BALDWIN: Madam Chair, I have --

2 CHAIRMAN COFFMAN: Mr. Baldwin.

3 MR. BALDWIN: -- a question. Yes, ma'am.

4 So would it be allowed for the board to act
5 today, subject to the receipt of the two letters --
6 the one from ABC and the other from the store,
7 preferably presented to the board chair for you to
8 look at? And if it's satisfactory our action has
9 happened. Or is that inappropriate to do because of
10 FOI?

11 MS. FRENO: Mr. Baldwin, I think that would not
12 be consistent with the FOI. And in any event, it
13 would be definitely pushing the envelope of it and we
14 tend to be overly cautious rather than not.

15 CHAIRMAN COFFMAN: Ms. Freno?

16 MS. FRENO: Yes.

17 CHAIRMAN COFFMAN: If the school is able to
18 present documents to you or your office for review --

19 MS. FRENO: Uh-huh.

20 CHAIRMAN COFFMAN: -- then if you feel
21 comfortable in advising the Charter Panel to move
22 forward, could we have a meeting in between our
23 scheduled meetings to get this facilitated or
24 expedited?

25 MS. FRENO: Yes. There are -- we can set a

1 special Charter Authorizing Panel meeting. Yes, we
2 can.

3 CHAIRMAN COFFMAN: Okay. Ms. Wright-McMurray,
4 do you have additional questions?

5 DR. WRIGHT-McMURRAY: No. I would just add that
6 I would support that process just so that we're
7 acting on all of our information and that we don't
8 get something to come back and then it's like, oh,
9 you know, we maybe shouldn't have decided that. So I
10 would be okay with meeting between the February
11 meeting to address this so that the school could move
12 forward if everything is what we want it to be.

13 CHAIRMAN COFFMAN: Ms. Saracini?

14 MS. SARACINI: I could support if we knew --

15 DR. FLOWERS: My thoughts as well.

16 CHAIRMAN COFFMAN: I think to kind of sum up,
17 number one, always appreciate honesty. This process
18 is to keep you out of trouble, to keep us out of
19 trouble, take care of kids. And I know it feels like
20 you had to go a lot of extra steps, but don't we want
21 to know for sure. And we just don't know the Alcohol
22 board's rules like we know education rules, and so we
23 just have to be confident and that's doing our best
24 diligence for you. We just want you to be safe;
25 because you're a charter that's growing in our state

1 we just want you to be safe.

2 So would you be amenable to that idea of let's
3 get these documents to our legal team, let them
4 review, see if we can get enough to figure out that
5 can we waive that. We don't even -- I don't even
6 know if we can waive someone else's rules or if we
7 have to.

8 MR. FELTON: Okay. Yeah, I'm totally in that --
9 I think what me and Tripp will do as well, we'll try
10 to reach out to Mr. Lewis and see if we can get not
11 only a letter but something -- maybe to hop on the
12 call additionally, as well. I know through our
13 technical assistance with him we were reading a lot
14 of statutes and then he was able to basically
15 articulate what was applicable to this situation and
16 not. And I think once the Panel is able to
17 understand what's applicable and not it will help you
18 guys in your decision-making. I anticipate two
19 weeks. Will that give enough time?

20 MR. WALTER: As soon as possible.

21 MR. FELTON: I think two -- I mean as soon as
22 possible. So I don't anticipate really -- by the end
23 of this week. So if we can get -- maybe revisit it
24 in a couple of weeks then we'll get that information
25 in to your office.

1 CHAIRMAN COFFMAN: So, Ms. Freno, if -- how many
2 days' notice do we need to give for a special
3 meeting?

4 MS. FRENO: I don't think as many. I think it's
5 just a couple.

6 CHAIRMAN COFFMAN: Okay.

7 MS. FRENO: But I would suggest that the
8 procedure today would be to table --

9 CHAIRMAN COFFMAN: Okay.

10 MS. FRENO: -- this item until the next Charter
11 Authorizing Panel meeting or a special called
12 meeting, whichever comes first.

13 CHAIRMAN COFFMAN: And then their communication
14 would be directly with you and your office?

15 MS. FRENO: Yes, it would be --

16 CHAIRMAN COFFMAN: Whitney?

17 MS. FRENO: Yeah, it would be with the Legal
18 Office, myself or Whitney -- with Whitney James.

19 CHAIRMAN COFFMAN: Thank you.

20 MS. SARACINI: We need a motion?

21 CHAIRMAN COFFMAN: We need a motion.

22 MS. SARACINI: I make a motion to table until
23 such time we either have our next Charter Panel
24 meeting or a special called meeting.

25 DR. WRIGHT-McMURRAY: Second.

1 CHAIRMAN COFFMAN: I have a motion by Ms.
2 Saracini and a second by Ms. Wright-McMurray to table
3 Premier High School of Fort Smith until either the
4 next regular scheduled board meeting or a special
5 called panel meeting.

6 All those in favor?

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN COFFMAN: Motion passes.

9 MR. FELTON: Thank y'all.

10 FINAL MATTERS

11 CHAIRMAN COFFMAN: And, Dr. Sutherlin, Haas Hall
12 has requested to be postponed until next month. Is
13 that correct?

14 DR. SUTHERLIN: That's correct.

15 CHAIRMAN COFFMAN: All right. Any other
16 business from any panel member?

17 ADJOURNMENT

18 CHAIRMAN COFFMAN: I'll accept a motion to
19 adjourn.

20 MS. SARACINI: I make a motion to adjourn.

21 DR. WRIGHT-McMURRAY: Second.

22 CHAIRMAN COFFMAN: I have a motion and a second
23 -- a motion by Ms. Saracini and a second by Dr.
24 Wright-McMurray to adjourn.

25 All those in favor?

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(UNANIMOUS CHORUS OF AYES)

CHAIRMAN COFFMAN: Thank you. Meeting is
adjourned.

(The meeting was concluded at 10:02 a.m.)

C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.
COUNTY OF SALINE)

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter and Notary Public before whom the foregoing proceedings was taken, do hereby certify that the same is a true and correct transcription before the Arkansas Division of Elementary and Secondary Education, Charter Authorizing Panel, in Little Rock, Arkansas, on January 18, 2022; that the said proceedings was reduced to typewritten form by me or under my direction and supervision; and that the foregoing pages constitute a true and correct transcription of all proceedings had in said matter.

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

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

WITNESS, MY HAND AND SEAL, THIS DATE: January 25, 2022.

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

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