

ARKANSAS DIVISION OF
ELEMENTARY AND SECONDARY EDUCATION
CHARTER AUTHORIZING PANEL

SEPTEMBER 13, 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
DR. ERIC FLOWERS	ADE Asst. to Director
MR. PHIL BALDWIN	Retired Bank Executive
MS. KARLI SARACINI	ADE Asst. Commissioner - Educator Effectiveness & Licensure
DR. SONJA WRIGHT-McMURRAY	Division of CTE Associate Director
MR. KIM DAVIS	Former State Board of Education Member
MR. MARK ZELLNER	Lead Cyber Security Analyst, Southwest Power Pool

ADE LEGAL COUNSEL:

MS. WHITNEY JAMES DESE Attorney

ALSO APPEARING:

MS. DORIE SUMMONS DESE Charter Schools Director

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

1
2 CHAIRMAN COFFMAN: Good morning, everyone.
3 Welcome to the September 13, 2022 meeting of the
4 Charter Authorizing Panel. The meeting is now called
5 to order

6 I'd ask that you please silence all of your
7 electronic devices and that if you are speaking today
8 that you come close to the microphone, state your
9 name for the record and continue to speak into the
10 microphone for the benefit of the Panel, the
11 audience, and the viewing audience.

12 This meeting is being live-streamed and recorded
13 and a transcript of this meeting will be posted on
14 the DESE website.

15 CONSENT AGENDA

16 CHAIRMAN COFFMAN: So, good morning, Panel. And
17 our first item is on our Consent Agenda and it's the
18 minutes from our August 16th meeting. You've had a
19 chance to review those. Any discussion?

20 I'll accept a motion.

21 DR. WRIGHT-McMURRAY: I move approval of the
22 minutes.

23 MS. SARACINI: I second.

24 CHAIRMAN COFFMAN: I have a motion by Ms. Sonja
25 Wright-McMurray and a second by Karli Saracini to

1 accept the minutes as presented.

2 All those in favor?

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIRMAN COFFMAN: Any opposed?

5 Motion passes.

6 1) CONSIDERATION OF THE ARKANSAS LIGHTHOUSE ACADEMIES
7 AMENDMENT REQUEST

8 CHAIRMAN COFFMAN: Agenda Item Number 1, Ms.
9 Summons.

10 MS. SUMMONS: Good morning. Dorie Summons, the
11 DESE Charter Office.

12 The Lighthouse -- the Arkansas Lighthouse
13 Academies is requesting a name change. However, Ms.
14 Noel, the superintendent of Arkansas Lighthouse
15 Academies, sent an email to the Charter Office, dated
16 September 12, 2022, requesting that the amendment
17 item be removed from the agenda.

18 CHAIRMAN COFFMAN: Thank you.

19 So, Panel, we've pulled that item.

20 2) REVIEW THE CHARTER AUTHORIZING PANEL GENERAL OPERATING
21 PROCEDURES

22 CHAIRMAN COFFMAN: Let's move to Action Item
23 Number 2, please.

24 MS. SUMMONS: Yes, ma'am. The Charter
25 Authorizing Panel will review and adopt the General

1 Operating Procedures.

2 CHAIRMAN COFFMAN: Thank you.

3 And, Ms. James, do you want to come up and kind
4 of walk us through the Operating Procedures? And I
5 know you've made an amendment to it since they --
6 maybe the Panel saw it last. Is that correct?

7 MS. JAMES: Yes, ma'am. Whitney James with the
8 Department.

9 The only change that we've made -- and this
10 should be reflected on the copy that you have on the
11 agenda -- is we've added the public comment section
12 in. At the last Charter Panel meeting, as you
13 remember, you did have a public comment. It occurred
14 to us at that time that we probably do need something
15 added to the Operating Procedures so that we know how
16 to handle those. And if there are any questions
17 regarding the Operating Procedures, I will be happy
18 to answer those.

19 CHAIRMAN COFFMAN: Ms. Wright-McMurray?

20 DR. WRIGHT-McMURRAY: I don't have any questions
21 at this time.

22 CHAIRMAN COFFMAN: Ms. Saracini?

23 MS. SARACINI: No questions.

24 CHAIRMAN COFFMAN: Mr. Baldwin?

25 MR. BALDWIN: The only question I had is are

1 these basically the same as what we've been operating
2 under or have there been changes?

3 MS. JAMES: These -- this is how we have been
4 handling everything. It is just putting everything
5 in writing, basically. We did not have a procedure
6 for public comment, so we did add that back in. And
7 a lot of this is from our charter rules and just kind
8 of the general procedures that we've been using.

9 MR. BALDWIN: Thank you.

10 CHAIRMAN COFFMAN: Mr. Zellner?

11 MR. ZELLNER: I had some -- a question or some
12 questions about the voting --

13 MS. JAMES: Yes, sir.

14 MR. ZELLNER: -- section. And I sent those
15 earlier; I don't know if you had a chance to review
16 those. But for everyone else, in the voting section
17 under the three bullet points, in the first three --
18 the first three paragraphs under the bullet points,
19 my questions basically are: are those paragraphs
20 written as we would expect a member to actually take
21 part in the meeting? And the reason I say that --
22 let me start by what my -- what I think my
23 understanding of the expectation of a member would
24 be, and then go to the verbiage as written.

25 MS. JAMES: Yes, sir.

1 MR. ZELLNER: So my understanding is if a member
2 participates in a meeting, be it in person or
3 electronically, that the expectation would be if
4 there is a vote that that member would log their
5 vote, for or against or abstain, in the voting sheet?

6 MS. JAMES: That is correct.

7 MR. ZELLNER: And then if a member has voted
8 either for or against they're also expected to add
9 their comments as to the reasons that they did so?

10 MS. JAMES: That is correct. Yes, sir.

11 MR. ZELLNER: But that's not the case for
12 abstaining. They only have to log that they
13 abstained?

14 MS. JAMES: That is correct. If a panel member
15 chooses to abstain from the vote, they will just need
16 to note the abstention by checking the box in the
17 voting sheet and a reason for the abstention is not
18 required.

19 MR. ZELLNER: Okay. So when I read these three
20 paragraphs I don't see that.

21 MS. JAMES: Okay.

22 MR. ZELLNER: As -- if I were to take this and
23 be a new board member or a new panel member, I don't
24 -- that wouldn't tell me that, I don't believe. In
25 the first paragraph it says each panel member who

1 votes to approve -- so this is only for those who
2 approve -- an item on the agenda will complete a
3 voting sheet and will read his or her voting sheet
4 during the roll-call for the vote. So that's clear
5 for those who approve.

6 MS. JAMES: Okay.

7 MR. ZELLNER: During the roll call vote on each
8 open-enrollment public charter initial application,
9 if a particular member of the authorizing body votes
10 against the initial application, the member should
11 state his or her reasons for disapproval.

12 So, and it may be splitting hairs, and that's
13 fine if I'm incorrect. But to me that doesn't say
14 that someone voting against has the same
15 requirements; i.e., the first paragraph says they
16 will complete a voting sheet and will read their
17 reason for approving.

18 The second paragraph says that if they vote
19 against they should state their reasons for
20 disapproval. I think it's assumed that they would
21 state that because they populated the voting sheet
22 comments?

23 MS. JAMES: Yes, sir.

24 MR. ZELLNER: But it doesn't say that. Does
25 that make sense?

1 MS. JAMES: It does make sense. And that
2 language was taken directly verbatim from our rules,
3 and that's why I hesitated to change any of that
4 language. But if it would clarify it, we can add to
5 that first paragraph that regardless of the way you
6 vote you will include your reasoning in the voting
7 sheet and read that back, if that would clarify.

8 MR. ZELLNER: Okay. I mean I'm just bringing it
9 up for discussion, honestly.

10 MS. JAMES: Those are very good questions.

11 MR. ZELLNER: And then in the third paragraph,
12 although it is the duty of every member with an
13 opinion on a question to express it by vote, he or
14 she can abstain, since he or she cannot be compelled
15 to vote.

16 Okay. So I think if we make it clear in the
17 first paragraph that no matter how you vote,
18 including abstaining, that you're expected to
19 indicate that on the voting sheet, I don't think I
20 have a problem with that third paragraph.

21 MS. JAMES: Okay. Okay. So just to clarify, we
22 can add that if you are voting against an item or
23 voting not to approve an item then you would still
24 include your reasoning in the voting sheet. And also
25 clarify that if you're abstaining you do not have to

1 fill out the voting sheet, other than checking
2 abstain. Okay.

3 MR. ZELLNER: So I think if we did that our
4 documentation would match our expectation.

5 MS. JAMES: Okay. I can add those and bring
6 them back next month.

7 CHAIRMAN COFFMAN: That's perfect.

8 Mr. Davis?

9 MR. DAVIS: No questions from me.

10 CHAIRMAN COFFMAN: All right. Dr. Flowers?

11 DR. FLOWERS: No questions from me.

12 CHAIRMAN COFFMAN: All right. Panel, any other
13 discussion?

14 And so then would we make a motion to table this
15 until the next meeting and let you make those
16 revisions? Would that be the proper motion?

17 MS. JAMES: Yes, ma'am. That would be the
18 proper motion, if that's what the Panel would like to
19 do.

20 CHAIRMAN COFFMAN: Okay. All right. Panel?

21 Let me get back to my minutes.

22 MS. SARACINI: So I make a motion to table until
23 amendments are completed by Ms. James and brought
24 back next week -- next month.

25 MR. ZELLNER: I'll second.

1 CHAIRMAN COFFMAN: I have a motion from Ms.
2 Saracini and a second from Mr. Zellner to table
3 Action Item Number 2 until next month in order to
4 allow our team to make the revisions that were
5 discussed today.

6 All those in favor?

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN COFFMAN: Any opposed?
9 Motion passes.

10 MS. JAMES: Thank you.

11 3) WAIVER CLEAN-UP

12 CHAIRMAN COFFMAN: Ms. Summons, Action Item
13 Number 3.

14 MS. SUMMONS: Okay. Waiver clean-up due to
15 Standards for Accreditation being adopted May 2,
16 2022, resulting in Class Size and Teaching Load
17 becoming two separate standards.

18 CHAIRMAN COFFMAN: Okay. Ms. James, do you want
19 to come and give additional information? We live it
20 in this office, but the rest of the world doesn't
21 live it like we do.

22 MS. JAMES: Whitney James for the Department.

23 So earlier this year, our Standards for
24 Accreditation changed. We promulgated a not brand-
25 new set, but we made some amendments that are now

1 finalized. And during that time as a result of those
2 amendments the standards for Class Size and Teaching
3 Load, which was one standard before, is now two; it's
4 separated. And so I believe that -- and tell me if
5 I'm incorrect, but this is causing -- without the
6 clean-up this is causing some problems and districts
7 are flagging in the FFA system and it's not showing
8 they have the correct standards now that those have
9 been updated.

10 So we are asking to go ahead and clean that up
11 and give each school that has the previous standard,
12 which is -- what is it?

13 CHAIRMAN COFFMAN: 1-A.5.

14 MS. JAMES: 1-A.5 -- give those schools -- or
15 give the school 1-A.5 and 1-A.6, each one that has 1-
16 A.5, and also the waiver of the full set of Class
17 Size and Teaching Load rules, just so that they're
18 covered and hopefully we won't have any more issues
19 with flagging in FFA.

20 CHAIRMAN COFFMAN: And just to help the Panel
21 understand that, Class Size and Teaching Load was
22 together. And the reason that we separated it is
23 because we really want to understand are school
24 districts having issues with Class Size or are they
25 having issues with Teaching Load, and we couldn't do

1 it when it was all together; data were merged
2 together. So this is helping us to separate the
3 data. And by asking for this request today, this
4 just gives the benefit to all of our charters that
5 have this waiver of 1-A.5 the benefit of 1-A.5 and 1-
6 A.6 until they come back for their renewal. And at
7 such time then they can come to the Panel and decide,
8 you know, what they need or if they need both, but we
9 would give them that until such time as their charter
10 is up for renewal. And this is typical; when we do
11 have rule change, law change, we do typically come in
12 and do clean-up with charters. Instead of having to
13 bring all the charters back in and have them fill out
14 a bunch more forms, we just wait till their renewal
15 time comes up, because basically they had both of
16 these standards waived previously in their last
17 renewal. So we're not giving them any more than
18 they've had; we're just making sure they continue to
19 have the same waivers that they requested originally.

20 Any questions?

21 Mr. Baldwin?

22 MR. BALDWIN: When we do this, does this come
23 back to this committee or does it go to the State
24 Board for their decision?

25 MS. JAMES: It would go to the State Board to

1 review or not review.

2 MR. BALDWIN: So that's your recommendation?

3 MS. JAMES: Yes, sir.

4 MR. BALDWIN: Okay. Thank you.

5 CHAIRMAN COFFMAN: Mr. Zellner?

6 MR. ZELLNER: Do you have an idea of the number
7 of schools that this would affect?

8 MS. SUMMONS: There's a list that I added to the
9 agenda.

10 MS. JAMES: There are 12 open-enrollment
11 charters and 20 district conversion charter schools,
12 and they're listed individually on the agenda.

13 MR. ZELLNER: Okay. Thank you.

14 MS. JAMES: Yes.

15 CHAIRMAN COFFMAN: Ms. Saracini?

16 MS. SARACINI: No questions.

17 CHAIRMAN COFFMAN: Ms. Wright-McMurray?

18 DR. WRIGHT-McMURRAY: No.

19 CHAIRMAN COFFMAN: Mr. Davis?

20 MR. DAVIS: No questions from me.

21 CHAIRMAN COFFMAN: Dr. Flowers?

22 DR. FLOWERS: No questions.

23 CHAIRMAN COFFMAN: All right. Hearing no
24 additional questions, if you're ready for a motion?

25 MR. BALDWIN: I move to approve the clean-up as

1 recommended.

2 MS. SARACINI: I second.

3 CHAIRMAN COFFMAN: I have a motion by Mr.
4 Baldwin and a second by Ms. Saracini to approve this
5 waiver clean-up.

6 All those in favor?

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN COFFMAN: Any opposed?

9 Motion passes.

10 All right. Thank you, Ms. James.

11 MS. JAMES: Thank you.

12 CHAIRMAN COFFMAN: I think that wraps up all of
13 our agenda items.

14 MISCELLANEOUS BUSINESS

15 CHAIRMAN COFFMAN: Ms. Baroni, if you would come
16 up. And I know that you have a -- APSRC has a
17 training scheduled for September 22nd. If you would
18 give us a brief reminder and tell us what you'd like
19 us to do.

20 MS. BARONI: Sure. Luanne Baroni with Arkansas
21 Public School Resource Center.

22 We would love for all of you to be able to
23 participate in the training. You've received an
24 invitation to training for charter authorizers. It's
25 going to be held on the 22nd, here. It's part of the

1 requirement for our CSP grant that we have available
2 to schools in the state of Arkansas, and the federal
3 authorizers are asking us to have this in person. So
4 if there's any way you can make that, we would
5 certainly appreciate it. It's really good quality
6 training done by a national organization and I think
7 it would be very beneficial for you. We really would
8 appreciate it if you could all participate in that.
9 If there's some reason you can't, please email me --
10 my email address is in the invitation that you
11 received -- and let me know and we'll see if we can
12 make some arrangements for you. But thank you all
13 for what you do and hope to see you there.

14 CHAIRMAN COFFMAN: So it's from 9:00 to 11:00?

15 MS. BARONI: Yes, from 9:00 to 11:00 on the
16 22nd.

17 CHAIRMAN COFFMAN: And any questions?

18 Our State Board members have been invited as
19 well?

20 MS. BARONI: Yes, State Board members --

21 CHAIRMAN COFFMAN: So it will be a joint meeting

22 --

23 MS. BARONI: -- and charter.

24 CHAIRMAN COFFMAN: -- of Charter and State
25 Board. A great opportunity to see another team of

1 people.

2 MS. BARONI: Yeah.

3 CHAIRMAN COFFMAN: Any questions?

4 DR. FLOWERS: Is she saying --

5 CHAIRMAN COFFMAN: Repeat, Dr. Flowers.

6 DR. FLOWERS: Is she saying 27th or 22nd?

7 MS. BARONI: Two-two.

8 CHAIRMAN COFFMAN: 22nd.

9 DR. FLOWERS: Okay.

10 MS. BARONI: Yes.

11 DR. FLOWERS: Thank you.

12 CHAIRMAN COFFMAN: September 22nd, 9:00 to
13 11:00.

14 MS. BARONI: Yes.

15 DR. FLOWERS: Okay. Thank you.

16 CHAIRMAN COFFMAN: Mr. Davis, any questions or
17 comments?

18 MR. DAVIS: None from me. Look forward to being
19 there.

20 CHAIRMAN COFFMAN: Perfect. All right. Yes, if
21 you have any needs or anything let Ms. Baroni know
22 and we'll try to accommodate.

23 The other -- last thing I would just remind you
24 is that we -- Ms. Summons, we will be having renewals
25 coming up. We have a district -- we have a new

1 district conversion application coming forward to us
2 -- in October?

3 MS. SUMMONS: October.

4 CHAIRMAN COFFMAN: And then in December we will
5 have a full two-day meeting, so make sure that you
6 block that time out. And just a reminder that there
7 are five open-enrollments and three district
8 conversions up for renewal at that time. So if you
9 have a chance to schedule a visit, go ahead and
10 schedule that. Make sure that Dorie knows. And if
11 any of you want to go together she has to make sure
12 that there's an announcement, just making sure we've
13 dotted all the i's and crossed all the t's.

14 So, all right. Any questions or comments?
15 Anything for the good of the group?

16 MS. SARACINI: Just to clarify, we have a two-
17 day coming up in October and --

18 CHAIRMAN COFFMAN: December.

19 MS. SARACINI: In December, okay.

20 CHAIRMAN COFFMAN: Right now, we have one day in
21 October --

22 MS. SARACINI: Okay.

23 CHAIRMAN COFFMAN: -- and one day in November on
24 the schedule.

25 MS. SUMMONS: Yes.

1 MS. SARACINI: Okay.

2 ADJOURNMENT

3 CHAIRMAN COFFMAN: All right. Then I'll -- with
4 hearing nothing else, I'll accept a motion to
5 adjourn.

6 DR. WRIGHT-McMURRAY: I move we adjourn.

7 CHAIRMAN COFFMAN: And a second?

8 MR. BALDWIN: Second.

9 CHAIRMAN COFFMAN: I have a motion by Ms.
10 Wright-McMurray and a second by Mr. Baldwin to
11 adjourn.

12 All those in favor?

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRMAN COFFMAN: Any opposed?

15 Meeting is adjourned. Thank you all. Have a
16 wonderful day.

17

18

19

20 (The meeting was concluded at 9:20 a.m.)

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24

25

C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.
 COUNTY OF SALINE)

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter and Notary Public before whom the foregoing proceedings was taken, do hereby certify that the same is a true and correct transcription before the Arkansas Division of Elementary and Secondary Education, Charter Authorizing Panel, in Little Rock, Arkansas, on September 13, 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: September 16, 2022.

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