

GENERAL OPERATING PROCEDURES

General

Agenda

The agenda will be made available to panel members prior to the panel meeting. The agenda is also made public and can be found at <https://dese.ade.arkansas.gov/StateBoard/meeting-agenda>. The panel may remove items from the agenda or re-organize items at the panel's discretion.

Consent Agenda

Items not likely to need discussion and that are non-controversial may be placed on the consent agenda. Items may be removed from the consent agenda and placed on the action agenda at the request of any panel member.

Action Agenda

All persons, with the exception of attorneys representing the parties, who plan to provide testimony during the hearing must be sworn by the Chair of the panel. The charter school or applicant will have twenty (20) minutes to present its case to the panel for approval of the proposed charter school application, renewal, or request. The Chair may grant additional time, if necessary.

Parties opposed to the charter school's application, renewal, or request will have twenty (20) minutes, to present its case to the authorizer. This is the total amount of time allotted for the presentation regarding opposition to the application, renewal, or request. The Chair of the panel may grant additional time, if necessary.

The charter school or applicant shall have five (5) minutes to respond to any arguments in opposition to the charter school application, renewal, or request. The Chair of the panel may grant additional time, if necessary.

The authorizer will follow the presentation(s) with discussion of the public charter school application, renewal, or request, and questions, if any, to the open-enrollment public charter school or applicant, opposing parties, or both.

Additionally, an affected school district may submit written comments concerning the application to the authorizer to be considered at the time of the authorizer's review of the application.

Public Comment

An individual or group wishing to make public comment should notify the DESE charter unit, in writing, prior to the panel meeting date.

Anyone wishing to address the panel who has not notified the DESE charter unit will be allowed to make public comment only with permission of the Chair. The Chair may set time limits or limit the number of public comments the panel will hear.

While in session, comments will be received:

1. On an agenda item, following the initial presentation of the item and before the panel undertakes discussion and deliberation. Individuals making public comment may do so by being recognized by the Chair. Unless the Chair votes to extend time, each public comment will be limited to three minutes. Repetitive presentations may be restricted by the Chair.
2. For matters not on the panel agenda, public comment will be received at the conclusion of the published agenda. Presentations will be limited to three minutes unless the Chair allows otherwise.

Quorum

The minimum number of members who must be present at meetings of the panel for business to be validly transacted is a quorum of the panel. A quorum is the majority of members. All decisions of the panel must be made by a majority vote of the quorum. In the absence of a quorum, any business transacted is null and void.

Public Notice and Access to Charter Authorizing Panel Proceedings

All meetings are open to the public and will conform to the Arkansas Freedom of Information Act. (Ark. Code Ann. § 25-19-101 *et seq.*)

Each regularly scheduled meeting of the panel will be live streamed. Individuals may access the live stream at <https://dese.ade.arkansas.gov/StateBoard/watch-meeting-live>

Panel Rules of Procedure

Speaking

Before a member can make a motion or speak in debate, he or she must obtain the floor by being recognized by the Chair as having the right to speak at that time. There is no limit on the amount of time members may speak or on the number of times a member may speak. During discussion and debate, every member, including the Chair, has the right to speak.

Motions

Motions are made using the following order:

1. Discussion
2. A member makes the motion
3. Another member seconds
4. The Chair states the question on the motion
5. Voting

Once the Chair recognizes that the motion is pending, the Chair may allow additional debate before voting. Discussion of a topic is permitted before a motion is before the panel.

Voting

Affirmative voting comes first, and the Chair indicates the manner by which members should vote. The negative vote follows. The Chair must always call for a negative vote.

The panel may:

1. Issue a final decision at the hearing;
2. Take the matter under advisement until a future scheduled meeting; or
3. Defer the vote to approve or disapprove a charter application, renewal, or request in order to allow a public charter school or applicant to make modifications or receive technical assistance to correct deficiencies in the application, renewal, or request.

Each panel member who votes to approve an item or votes against approval of an item will complete a voting sheet and will read his or her voting sheet during the roll call for the vote.

During the roll call vote on each open-enrollment public charter initial application, if a particular member of the authorizing body votes against the initial application, that member should state his or her reasons for disapproval as necessary to comply with Ark. Code Ann. § 6-23-305.

Although it is the duty of every member who has an opinion on a question to express it by vote, he or she can abstain, since he or she cannot be compelled to vote. Abstentions may not have an effect on the outcome of the vote since a majority vote is required. Panel members are not required to state a reason for abstaining from the vote but should indicate the abstention by checking the appropriate box on the voting sheet.

The Chair has the same voting rights as any other member. The Chair protects his or her impartial position by exercising his or her voting right only when his or her vote would affect the outcome. If he or she does not wish to vote, he or she can abstain.

Where there is a tie without the Chair's vote, and the Chair abstains, the motion is lost. When there is one affirmative more than the negative without the Chair, the motion is adopted if the chair abstains, but if the Chair votes in the negative, the result is tied and the motion is lost.

Method of Voting

The vote of a motion is taken by voice, unless the Chair otherwise specifies. No votes will be accepted by proxy. A member must be in attendance, either in person or by telephone or similar technology, in order to discuss and vote on any issue before the panel.