

**In The Matter Of:**  
*BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION  
CHARTER AUTHORIZING PANEL*

---

*January 20, 2016*

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*Sharon Hill Court Reporting  
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Bryant, AR 72022  
(501) 847-0510*

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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION  
CHARTER AUTHORIZING PANEL

#4 CAPITOL MALL  
LITTLE ROCK, AR 72201

JANUARY 20, 2016

A P P E A R A N C E S

PANEL MEMBERS:

Ms. Deborah Coffman	Chairman/Chief of Staff
Dr. Debbie Jones	Vice Chair/Asst. Commissioner of Learning Services
Ms. Ivy Pfeffer	Asst. Commissioner - HR/Educator Effectiveness & Licensure
Dr. Eric Saunders	Asst. Commissioner - Fiscal & Administrative Services
Ms. Annette Barnes	Asst. Commission - Public School Accountability
Mr. Greg Rogers	Asst. Commissioner - Fiscal & Admin. Services
Dr. Mark Gotcher	Deputy Commissioner
Ms. Jennifer Liwo	PLSB Attorney
Mr. Bobby Lester	Director of Federal Programs

ALSO APPEARING:

Ms. Mary Perry	Coordinator - Learning Services
Ms. Alexandra Boyd	Public School Program Coordinator

ADE LEGAL COUNSEL:

Ms. Jennifer Davis ADE Deputy General Counsel

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E X H I B I T S

REPORT 2 - FEBRUARY HEARING PROCEDURES

EXHIBIT ONE (1)

Agenda

EXHIBIT TWO (2)

Hearing Procedures

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P R O C E E D I N G S

CHAIRPERSON COFFMAN: Good morning, Ladies and Gentlemen. We'll call the January 20, 2016 meeting of the Charter Authorizing Panel to order. I want to welcome everyone to the ADE auditorium and ask you to please silence all of your electronic devices.

CONSENT AGENDA

CHAIRPERSON COFFMAN: With no objection from the Panel, I will move the two reports to the end of the meeting and ask you to take a look at the Consent Agenda, the minutes from November 17, 18 and 19.

You've had an opportunity to review those minutes. Are there any questions or corrections? If not, I will accept a motion to approve the Consent Agenda.

DR. GOTCHER: Motion to approve.

DR. JONES: Second.

CHAIRPERSON COFFMAN: A motion has been made by Dr. Gotcher and seconded by Dr. Jones to accept or to approve the Consent Agenda. All those in favor?

(UNANIMOUS CHORUS OF AYES)

CHAIRPERSON COFFMAN: Any opposed? The motion has passed unanimously.

A-1: 2016 OPEN-ENROLLMENT CHARTER SCHOOL APPLICATION

CHAIRPERSON COFFMAN: We'll move then to the

1 Action Agenda, A-1, 2016 Open-Enrollment Charter  
2 School Application. Ms. Boyd, you are recognized.  
3 Good morning.

4 MS. BOYD: Good morning. Thank you, Madam  
5 Chair. Panel Members, the 2016 Open-Enrollment  
6 Charter School Application includes revisions to  
7 existing prompts, as suggested by various  
8 stakeholders, and updates to the timeline, as  
9 approved by the State Board of Education in August of  
10 2015. Approval is requested to present the  
11 application to the State Board in February. Do you  
12 have any questions or concerns about the changes made  
13 or any additional suggestions?

14 CHAIRPERSON COFFMAN: Panel Members? Ms.  
15 Pfeffer.

16 MS. PFEFFER: I just have, you know, a few  
17 comments. I like the organization, I like the  
18 streamlining of it, and I just appreciate the work  
19 that's gone into doing this. So I just wanted to  
20 make that comment.

21 MS. BOYD: Thank you.

22 MS. PFEFFER: I think it will make it an easier  
23 review process.

24 MS. BOYD: Thank you. We appreciate that.

25 CHAIRPERSON COFFMAN: Any other? Then I'll

1 accept a motion to approve the application.

2 MS. BARNES: So moved.

3 MS. PFEFFER: Second.

4 CHAIRPERSON COFFMAN: Motion has been made by  
5 Ms. Barnes and seconded by Ms. Pfeffer to approve the  
6 2016 Open-Enrollment Charter School Application. All  
7 those in favor?

8 (UNANIMOUS CHORUS OF AYES)

9 CHAIRPERSON COFFMAN: Any opposed? Motion is  
10 passed unanimously.

11 A-2: 2016 DISTRICT CONVERSION CHARTER SCHOOL APPLICATION

12 CHAIRPERSON COFFMAN: Action Item 2, 2016  
13 District Conversion Charter School Application. Ms.  
14 Boyd, you're recognized.

15 MS. BOYD: Thank you, Madam Chair. The 2016  
16 District Conversion Charter School Application  
17 includes revisions to existing prompts, as suggested  
18 by various stakeholders, and updates to the timeline,  
19 as approved by the State Board of Education in August  
20 2015. Approval is requested to present the  
21 application to the State Board of Education in  
22 February.

23 Do you guys have any questions, comments or  
24 concerns, or additions to make to the application?

25 CHAIRPERSON COFFMAN: Board Members?

1 DR. GOTCHER: Question, Ms. Boyd. In your  
2 revising these applications, what was the major  
3 change between the open and the conversion charter  
4 application, or were there any major changes?

5 MS. BOYD: There weren't a lot of major changes.  
6 I would say the most significant changes were with  
7 the budget pieces. For both, we allowed them to  
8 start including federal funds, which is something we  
9 haven't done in the past. But it will be  
10 communicated to the applicants that there's a burden  
11 on them to make sure that they can explain why  
12 they've got those estimates for those federal funds  
13 of revenue.

14 And then also for the district conversion,  
15 previously we didn't have any budget questions for  
16 them, but now we are asking them where they're going  
17 to get the money from to do the new programs that  
18 will happen in their charter, so --

19 DR. GOTCHER: I think that's a good addition.  
20 Thank you.

21 MS. BOYD: Thank you.

22 CHAIRPERSON COFFMAN: Any other questions or  
23 comments? I will accept a motion.

24 DR. JONES: I'll make a motion to approve.

25 DR. GOTCHER: Second.

1 CHAIRPERSON COFFMAN: Dr. Jones has made a  
2 motion, seconded by Dr. Gotcher to accept -- to  
3 approve the 2016 District Conversion Charter School  
4 Application. All those in favor?

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRPERSON COFFMAN: Any opposed? Good job,  
7 Ms. Boyd.

8 MS. BOYD: Oh, thank you so much. And thanks so  
9 much to everybody who helped us work on this  
10 application.

11 REPORT-1: CHAIR'S REPORT

12 CHAIRPERSON COFFMAN: All right. That moves us  
13 to reports. We'll start with the Chair's Report.  
14 And Ms. Boyd -- I have asked Ms. Boyd to assist me  
15 with two items that we'd like to bring before the  
16 Panel today.

17 WAIVERS EXCEL DOCUMENT

18 CHAIRPERSON COFFMAN: The first one is, I've  
19 asked Ms. Boyd to put together an Excel document of  
20 waivers. Because I'm very visual, I needed to see  
21 what were the patterns of waivers that were approved  
22 and so she's been working on that. And, Ms. Boyd, do  
23 you want to kind of fill in what your thinking of  
24 next steps are?

25 MS. BOYD: All right. So, first, I'd like to

1 give appreciation to Elise Maddox. She's not here  
2 today, but she's the one who kind of dug in the  
3 trenches and got these details for us on one chart,  
4 and we really appreciate her hard work.

5 I sent you all the waiver chart last night. You  
6 should have it. And you see it's a very, very  
7 extensive document. There is -- so you see it has  
8 the waivers outlined for open-enrollment charter  
9 schools, district conversion charter schools, schools  
10 of innovation, and then our new traditional districts  
11 that are now receiving waivers. As you can see, the  
12 document is very expansive. It's not up-to-date as  
13 of yet. Charters and waivers are constantly growing  
14 in this state, and so -- just last week Barton-Lexa  
15 was granted waivers and they haven't been put on this  
16 chart yet. So across the top you see we have those  
17 different classifications of schools and the waivers  
18 they have, and then the very last column gives you  
19 the number of schools holding a particular waiver.  
20 So going vertically down on the left you'll see the  
21 topic of the waiver, the general topic, the code and  
22 statute, and then additional information.

23 We are working to get this into a form where it  
24 will be ready to be put on the website, but we want  
25 to be able to give the public a little bit more

1 information as to -- kind of like a Frequently Asked  
2 Questions document about how to interpret some of  
3 these things. So, for example, you can see in the  
4 beginning there a lot of schools that have waivers on  
5 school year dates. We don't want anybody thinking  
6 that we're letting schools have fewer days, because  
7 that's not the case. In most cases, the schools have  
8 extended years. So we would probably make like a  
9 general comment, another column that says General  
10 Comment, and let them know generally that's what that  
11 waiver does, that it usually has limitations. All  
12 the waivers have limitations. And before we give it  
13 straight to the public and put it on the website, we  
14 want to make sure that we provide them with that  
15 information.

16 Do y'all have any questions or concerns or  
17 comments about this document?

18 CHAIRPERSON COFFMAN: Dr. Saunders.

19 DR. SAUNDERS: Yeah. I just want to comment. I  
20 think it's a great document. It's a great way to  
21 look at that and to help us to look at the trends and  
22 different things that are going on. And I know it  
23 had to take a lot of work to put this together, so I  
24 appreciate that.

25 MS. BOYD: Thank you, Dr. Saunders.

1                   CHAIRPERSON COFFMAN: I think the work is  
2 exceptional. I would ask, one of the points that you  
3 and I have been discussing, in the top left-hand  
4 corner you've put the date, the latest date that it  
5 was revised. I think I would make that large and  
6 bold --

7                   MS. BOYD: Okay.

8                   CHAIRPERSON COFFMAN: -- so that it's very  
9 noticeable. Because, just like you said, any time  
10 there is a State Board meeting additional waivers  
11 might be granted, and when people look at this they  
12 need to know exactly the last date it was updated.  
13 So that's going to be critical. I think the work is  
14 exceptional. It helps me to see the patterns.

15                  MS. BOYD: Thank you.

16                  CHAIRPERSON COFFMAN: Any other questions,  
17 comments, suggestions?

18                  And I would invite our colleagues from APSRC  
19 that I know are in the audience, would you take a  
20 careful look at this and if you have any feedback for  
21 us let Alexandra know? That would be much  
22 appreciated.

23                               PROFESSIONAL DEVELOPMENT

24                  CHAIRPERSON COFFMAN: All right. You have a  
25 professional development --

1 MS. BOYD: Yes. So I've been made aware that  
2 you guys are going to have a wonderful opportunity to  
3 work with the National Association of Charter School  
4 Authorizers to receive some training. So they're  
5 going to come to us and you guys are going to receive  
6 training, with the State Board, so that you all can  
7 get on -- well, not that you're not already on the  
8 same page, but on the same maybe stronger page about  
9 charter authorizing and a lot of things that go into  
10 authorizing charter schools. Some of the things that  
11 they are going to help us to understand are the roles  
12 and responsibilities of charter authorizing and  
13 preserving school autonomy and protecting the public  
14 interest; performance based accountability, including  
15 the importance of multiple measures, which you guys  
16 already take very seriously, and we appreciate that;  
17 and school specific objectives. And then we'll also  
18 get to discuss aspects of authorizing in the charter  
19 school community that are of particular relevance to  
20 the State Board, and especially here in Arkansas,  
21 since we have a lot of rural schools. So they will  
22 be speaking to those points with you.

23 We are currently holding four dates for those  
24 trainings. They'll be the Friday after the State  
25 Board, and they will either be in February, March and

1 -- either February and March, or March and April, so  
2 just to keep that in mind. So it will be the Friday  
3 morning of the State Board, most likely from about  
4 8:00 to 12:30 on both of those Fridays.

5 Do you guys have any questions about that?

6 CHAIRPERSON COFFMAN: The reason we don't have  
7 secure dates is the paperwork is in process for the  
8 procurement -- Mr. Rogers' office will take care of  
9 that with Doug -- and so they are holding those  
10 dates. The State Board has selected our meeting  
11 dates to be that Friday, which will cause the reports  
12 that are usually on that Friday to be moved to the  
13 Thursday of State Board, so there will be some long  
14 days. And so they have requested those dates be  
15 held. If you want to mark your calendars, it's  
16 tentatively February 12th -- highly unlikely;  
17 probably March 11th and April 15th. And Commissioner  
18 Key has requested that all members of the Charter  
19 Panel attend both sessions. Any questions or  
20 comments?

21 MS. LIWO: Just from what you said, it's  
22 mandatory then? And not because I'm trying to slack  
23 on my responsibilities, right, or anything like that.  
24 But I do have evidentiary hearings set on those  
25 dates.

1 CHAIRPERSON COFFMAN: Okay. They will be open  
2 meetings, so we'll have to check with the Nexus to  
3 see if we can videotape those.

4 MS. LIWO: That would be great.

5 CHAIRPERSON COFFMAN: Yeah. We'll have to  
6 check. Alexandra, will you help --

7 MS. BOYD: Uh-huh.

8 CHAIRPERSON COFFMAN: -- remember to ask that  
9 question? I can't imagine why we couldn't, but we'll  
10 double-check.

11 All right. Any other questions or comments?

12 REPORT-2: FEBRUARY HEARING PROCEDURES

13 CHAIRPERSON COFFMAN: We'll move to Report  
14 Number 2, February Hearing Procedures. Good morning,  
15 Ms. Davis.

16 MS. DAVIS: Good morning. Jennifer Davis, Staff  
17 Attorney. I believe -- did everybody get a copy of  
18 the proposed procedures?

19 DR. GOTCHER: Yes, ma'am.

20 MS. DAVIS: Okay. And I have a few extra for  
21 anybody else. And do y'all have the chart that Ms.  
22 Boyd had put together? Okay. So as y'all know, the  
23 February Charter Panel meeting is now three days and  
24 there's a whole lot going on during the meetings.  
25 And in order to try to help simplify and streamline

1 things, because many of these schools are being heard  
2 for two different reasons -- and both of those  
3 reasons follow different hearing procedures, in lieu  
4 of having two hearings, we gave the schools the  
5 option of a combined procedure. And so most of them  
6 all have agreed -- I believe the two in red have, I  
7 think, verbally consented that they have. We've made  
8 them sign an agreement saying that they do agree to  
9 it and we have not received that back, but we do  
10 believe that by the time this meeting happens they  
11 will get that back to us.

12 So what I passed out to you, the first few pages  
13 should not be anything different. They're just the  
14 regular procedures, as they are for district  
15 conversions. And we've noted in this chart which  
16 procedure -- what school was being heard for what,  
17 and what procedures we're going to be using, so come  
18 February we're not figuring it out on the fly or  
19 getting confused. Because I know I will be.

20 So in this packet of hearing procedures the last  
21 page has the combined hearing procedures. And,  
22 really, the only difference is -- and these  
23 procedures, I believe they do say they're for open-  
24 enrollment but they will apply to district  
25 conversions as well, the one on the -- but the only

1 difference is Section 3; that section is  
2 traditionally not included in the procedures for  
3 applications, renewals or amendments. So that's been  
4 included for a combined procedure. And then Section  
5 6 and 7, those are not included for any kind of  
6 modification, probation or revocation. So we've  
7 basically just taken both procedures, combined them  
8 all together. It's nothing new that we've been  
9 doing; it's just we're going to be doing it all at  
10 once.

11 Also, on Section 3 of the rules, where it says  
12 the Department of Education has 20 minutes to present  
13 its agenda item, generally, Ms. Boyd and the Charter  
14 Office will just present, kind of give the history of  
15 what has gotten us to this point and go from there.  
16 It's not really that we have a case or anything of  
17 that nature to present; it's just giving you  
18 background information in order to lay out the reason  
19 that that charter is being heard that day.

20 So, hopefully, this will kind of cut down more  
21 just because it's going to be such a busy three days  
22 with all these issues, just so, that way, we don't --  
23 we don't want to be unfair to the schools and not  
24 give them the proper hearing procedures; we don't  
25 want to miss something; and we don't want to spend

1 half the day -- or at least I don't want to spend  
2 half the day trying to figure out what I'm supposed  
3 to be doing and not actually doing it. So,  
4 hopefully, this will help cut down on any confusion.

5 And if you have any questions or concerns, I'll  
6 be glad to answer those at this time. And we'll  
7 provide this to you again next month, but we just  
8 wanted to give you a heads-up of what's coming up.

9 CHAIRPERSON COFFMAN: Any questions or comments,  
10 suggestions?

11 DR. GOTCHER: Other than thank you, Ms. Davis,  
12 for working on this, this is going to help give the  
13 time needed for the districts, for the applicants.  
14 So, thank you.

15 CHAIRPERSON COFFMAN: And we're definitely  
16 limited to this list of schools or is there a  
17 possibility of any additions?

18 MS. BOYD: At this point, this should be all of  
19 the schools that can request amendments at this time,  
20 unless the -- I don't even think at this point the  
21 Commissioner can grant a special request; it's too  
22 late in the calendar. So this should be it.

23 CHAIRPERSON COFFMAN: Okay. The chart is very  
24 helpful.

25 DR. GOTCHER: Yes.

1                   CHAIRPERSON COFFMAN:  Extremely helpful.  All  
2                   right.  Thank you, Ms. Davis.

3  MISC.  MATTERS

4                   CHAIRPERSON COFFMAN:  Are there any other issues  
5                   before the Panel today?  Dr. Jones has an  
6                   announcement.

7                   DR. JONES:  I do.  This will be my last hearing  
8                   for the Charter.  The Bentonville School Board hired  
9                   both my husband and I, to accept -- to offer  
10                  positions.  I will be going to Bentonville School  
11                  District as Deputy Superintendent and I really wanted  
12                  to express my appreciation to not just this board --  
13                  you know, this is a really tough job and I have found  
14                  that you are all knowledgeable and unique in so many  
15                  different ways.  Everyone at the Department brings  
16                  different skills to the table and you're genuinely  
17                  good people.  And I see that you make decisions based  
18                  on what's in the best interest of students, and I  
19                  admire you for that.  I think that we'll have  
20                  lifelong friendships and I will miss you.

21                  I really want to thank the people within  
22                  Learning Services Division, and Alexandra, bright,  
23                  young leader, educator, and under the mentorship of  
24                  Mary Perry, who is just fabulous.  And I appreciate  
25                  the work that they do every day.  I don't know that

1 the State really recognizes the knowledge that we  
2 have at this level, but I'm amazed and I'm better for  
3 having been here.

4 We start the next chapter in our lives, my  
5 husband and I, and we'll be closer to family and we  
6 have children at U of A. And I'm excited about the  
7 opportunity to get to work in a district that truly  
8 exemplifies excellence, and I know that just the next  
9 part of my journey is beginning. I have a lot to  
10 learn and I'm excited to get to go there, but I  
11 appreciate the relationships we've built here. Thank  
12 you.

13 DR. GOTCHER: Motion to not approve the  
14 departure of Dr. Debbie Jones.

15 CHAIRPERSON COFFMAN: Can I get a second?

16 (CHORUS OF SECONDS)

17 CHAIRPERSON COFFMAN: Well, Dr. Jones, you'll  
18 certainly be missed. But as other Assistant  
19 Commissioners that have come before the Panel, you  
20 know that you'll be back to see us and we'll be up to  
21 see you. Best of luck to you.

22 Any other questions, comments? Then I'll accept  
23 a motion to adjourn.

24 MS. PFEFFER: So moved.

25 DR. SAUNDERS: Second.

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CHAIRPERSON COFFMAN: Motion has been made by  
Ms. Pfeffer and seconded by Dr. Saunders. All those  
in favor?

(UNANIMOUS CHORUS OF AYES)

CHAIRPERSON COFFMAN: The meeting is adjourned.

(The meeting was adjourned at 8:50 a.m.)

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EXHIBIT ONE (1)

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EXHIBIT TWO (2)

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