



**COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC
FACILITIES AND TRANSPORTATION**

APPEAL HEARING AGENDA

ADE Auditorium

December 7, 2020 at 1:00 p.m.

1. Summary Meeting Minutes – September 24, 2020

Recommendation – That the Commission approve the minutes for the September 24, 2020, Commission meeting.

2. Appeal

a. Decatur Public Schools

Partnership Program Project # 1920-0402-500

3. West Memphis School District

Partnership Program Project # 1718-1803-300

Presenter - Tim Cain, Director, DPSAFT

Michelle Herzog, Arkansas Legislative Audit, notified the Division an error was found in the Project Cost Funding Factor for Project # 1718-1803-300, which resulted in \$85,086.90 less State Financial Participation funding than should have been.

The error occurred as the result of the West Memphis School District removing demolition from the project, and thus funding for demolition before the Agreement was signed. Cost factors for new schools are based on the number of students the new school will support as well as the cost center. The project was for a new elementary school to service 697 students. The Area Project Manager- Planning and Construction (APM-PC) mistakenly used the Cost Factor for a new elementary school for 750 students (\$173.29/sq. ft.) instead of the Cost Factor for 550 students (\$175.00/sq. ft.). When the number of students falls between two cost bands, the lower enrollment cost is used. The Cost Factor was above the \$175/sq. ft. with the demolition. When the demolition was removed, it brought the Cost Factor below \$175/sq. ft. Because the Cost Factor was capped at \$175.00/sq. ft., there was no indication at the time of initial approval that the wrong Cost Factor was used.

Recommendation – That the Commission approve \$85,086.90 more Partnership Program funds to the West Memphis School District for Partnership Program Project # 1718-1803-300.

4. Rules

Presenter - Lori Freno, General Counsel, ADE

a. Commission for Arkansas Public School Academic Facilities and Transportation Rules Governing the Academic Facilities Partnership Program, Section 6.02 Only

On September 24, 2020, the Commission approved Section 6.02 be released for Public Comment. A Public Comment Meeting was held on November 10, 2020. The Public Comments were non-substantive, consistent with the Administrative Procedures Act, the Division seeks the Commission's final approval of the Section 6.02 of the rules.

Recommendation – That the Commission approve these final rules.

5. Adjourn