



**ADE USE ONLY:** Completed  
Waiver Request Submission  
Date: 9/24/20

## Act 1240 Waiver Request

**District Name:** Batesville School District

**LEA:** 3201000

**Superintendent:** Dr. Michael Hester

**Email:** [mhester@gobsd1.org](mailto:mhester@gobsd1.org)

**Phone:** 870-793-6831

Waiver Topic	Standard for Accreditation	Division Rules	Arkansas Statutes	Duration Requested	Name of Open Enrollment Charter Holding Waiver
Daily/Weekly Planning Period			§6-17-114	1 year	E Stem

**The proposed waiver(s) will apply to the following schools:**

Schools	Grades	Specific Classes (if applicable)
Batesville Junior High School	6-8	
Batesville High School	9-12	

## **1. Provide a detailed rationale explaining how the waivers will enhance student learning opportunities, promote innovation or increase equitable access to effective teachers.**

This waiver will make it safer and healthier for students and staff by modifying our Fast Friday schedule to further decrease transitions between classes from eight passing periods to four. BHS/BJHS implements a rotating A/B, (4 x 80 minutes), block schedule that allows for students to take classes on alternating days (A =M-W & B = T-Th). On each Friday, all eight classes meet (8 x 40 min.) to round out the week. Block scheduling not only safely eliminates unnecessary transition time but allows teachers time to go into higher learning pedagogical methods but greater depth in subject matter with students and much needed hands on lab and real world experiences. Our block schedule was designed to align with all of our community partners in the secondary career center and concurrent credit classes at UACCB.

Legal counsel informs us that the ADE RFL waivers only applied on days or portions of days when technology-based approaches are the primary instructional delivery method for specific groups of students receiving it or for staff delivering it. Batesville School District has scrimaged with our 1:1 PreK-12 chromebook initiative where students take their chromebooks home 24/7/365 the last four years. With our web based culture and our established instructional technology pedagogy... pivoting to remote learning is not an anomaly for BSD but our new paperless norm and the safest pandemic strategies to use. BSD's innovation should be an advantage for our students and staff during this pandemic because our mission is to "Empower Today's Students for Tomorrow's Challenges". We are and have been closing the digital divide for all students and all teachers have equitable access to our web based culture.

## **2. Provide a detailed explanation of how the services being waived will be provided for students.**

At the second PPC meeting for BSD this year, we had a staff member grieve the fact that through our COVID schedule modifications to decrease transitions in the halls, we had violated the 40 minutes a day and 200 minutes a week in statute 6-17-114. The administration claimed the Ready For Learning (RFL) waivers as to the justification for health reasons but when ADE legal counsel reviewed it we were told it did not qualify under the RFL waivers.

The ADE Ready For Learning response levels for on-site learning, recommend school districts determine health risks for on-site learning by modifying schedules to further decrease transitions. We signed the ADE Arkansas Ready for Learning Model and Appropriate Waivers for School year 2020-2021. We thought we were covered to modify student and teacher schedules to further decrease transitions between classes. There are fewer student transitions in our schedule by eliminating nine passing periods to five on Fridays. Our administrative standard justification for this move was that our teacher plan time in a two week cycle... not a weekly or daily cycle as per state Statute 6-17-114 was meeting the 200 minutes per week language. Our original A/B Block that was blessed by all stakeholders had 200 minutes a week of planning time but not 40 minutes a day. When we modified the 8 period Fridays on our A/B block it placed teacher planning at 160 minutes one week and 240 minutes the next week. The A/B block has a 200 minute average plan time from every teacher over a two week cycle so the spirit of the law is being satisfied. We ran the grievance complaint by the ADE and our own lawyers and after further review they said our RFL waivers did not apply and that we had three options: 1) Apply for a waiver; 2) Pay for the secondary staff lack of planning time for the week of 160 minutes at approximately \$360,000; or 3) Go to a 9 period day every day with eight passing periods for all secondary schools.

Not only does this waiver keep students and staff safer but this waiver will enhance student learning opportunities by eliminating the loss of

instructional time of eight passing periods on Fridays and keep the integrity of the spirit of the law for teachers to have the average of a 200 minute plan time over a two week A/B block cycle. This waiver will promote innovation by eliminating traditional eight - nine period days as the only scheduling option for students and staff. This waiver will allow better and more efficient use of facilities and resources. This waiver will equalize the secondary and elementary school plan time discrepancies created by response levels for safe onsite learning and restrictive statute language.

Scheduling waivers or modification of statute 6-17-114 language should be applied to all districts in the state for the future to eliminate barriers that restrict all districts to walking in lock step for a eight to nine period traditional instructional model. The restrictive statute language "Shall" & "40 Minutes Daily" timeframe constraint limits districts and our teacher workforce creativity when we try to be innovative or in this case healthy in scheduling, yet meet the high instructional standards of 200 minutes of planning per week.

Please consider our waiver for now to get through COVID-19 for this year and future statute modifications for scheduling and plan time cycles. The use of a web based culture to deliver technology-based instruction by districts as the norm, helps to transcend time and space barriers for possible year round schooling. We need waivers and statutes that protect the high standards of teacher planning time but give flexibility with the new norms to pivot in our scheduling, delivery methods and safety requirements and guidelines. We will be back next year for this discussion.

### **3. Provide a detailed explanation of how the district will monitor and evaluate the effectiveness of the waiver.**

The district will continue to monitor feedback from ADH, ADE, staff, students, and families regarding the A/B rotating 2 week block cycle on an annual basis. The effectiveness of block scheduling without the Fast Friday 8 period day will be discussed in AAEA COVID meetings, PPC meetings, building leadership teams and with RFL parent/student advisory groups. We will engage our college concurrent credit partners and our apprenticeship/internship partners in the community about how the schedule benefited students and their opportunities.

The following documents must be submitted with the waiver request:

1. Evidence of the local school board's approval of the waiver request(s);

- 9-21-20 Batesville [BOE Meeting Minutes](#) Submitted. Resolution - Educational Services, sub point 3:

2. Evidence of stakeholder involvement, including teachers and student families - School improvement and safety efforts were designed with input from staff, RFL stakeholders, and BOE. All secondary, grades 6-12, in Jr. High and Sr. High must share staff and facilities with each other so the plans must be unified for staff, facility use and schedule efficiencies to happen at BSD.

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

	<b>Batesville</b> School District <b>STUDENTS FIRST</b>
<b><u>Board of Directors</u></b>	
<b>Scott Fredricks</b> - Pres. (AL - 2022)	<b>George Latus</b> - V.P. (D5 2024)
<b>Heather Fulbright</b> - Sec. (D3 - 2021)	<b>Josh Swinea</b> (D4 - 2020)
<b>Kathy West</b> (D2 - 2023)	<b>Chris Milum</b> (D1 - 2021)
<b>Wesley Beal</b> (AL - 2024)	
<b>Dr. Michael Hester, Superintendent</b>	

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

**DATE:** September 21, 2020

**REGULAR MEETING:** 5:30 P.M. DAC or [Google Meet](#)

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In order to ensure an orderly and productive meeting, the Board of Directors of the Batesville School District will follow Board Policy 1.14.

**A. PRELIMINARY MEETING:**

Board President Scott Fredricks called the meeting to order at **5:33** p.m. and welcomed all in attendance. Director Latus led the Pledge of Allegiance.

Board Members Present

Scott Fredricks, Pres.  
George Latus, V. Pres  
Heather Fulbright, Sec.  
Wesley Beal, Director - Joined Virtually

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Josh Swinea, Director  
Kathy West, Director

### Administration Present

Dr. Michael Hester, Superintendent  
David Campbell, Asst. Superintendent  
Stacey Lindsey, BHS Principal  
Mary Eary, WRA Director  
Kevin Bledsoe, BHS Asst. Principal  
Stephen Robertson, BHS Asst. Principal  
Danny Daniels, BJHS Asst. Principal  
Sandy Daniels, SBMH Director  
Michelle Puckett, Preschool Director  
Kristi Cox, SpEd Director  
Robbie Cox, Transportation Director  
Susan Fredricks, ESOL & Migrant Coordinator  
Pam Gipson, Treasurer  
Byron Difani, EM Principal  
Mychelle Spivey, EM Asst. Principal  
Sonya Gaither, West Principal  
Marissa Hernandez, Board Clerk  
Megan Renihan, Communications Coordinator  
Glenda Haley, FSD

### Media Present

Teisha Bagwell, White River Now

## **B. PROCEDURAL MATTERS:**

1. Extend welcome to guests: Director Fredricks
2. Pledge of Allegiance: Director Latus
3. Approval of Regular Agenda

### Addendums and Deletions

Director Latus made the motion to approve the regular agenda. Director Fulbright seconded the motion and it carried unanimously.

## **C. RECOGNITIONS AND PRESENTATION**

## Minutes - Regular Meeting - September 21, 2020

1. To present the Citizens Bank Above and Beyond [Award for September](#).
2. To receive a [Transportation Report](#) from Director Robbie Cox.
3. To receive the [Annual Report to the Public](#) (pdf) ([recording](#)). The annual report will be discussed detailing progress toward goals, accreditation status, and proposals to correct deficiencies. [Special Education Report](#)
  - a. QUESTIONS & ANSWERS
4. To receive the recognitions and presentations as presented.

Director Fulbright made the motion to approve the recognitions and presentations as presented. Director West seconded the motion and it carried unanimously.

### D. CONSENT AGENDA:

“Any item on the Consent Agenda may be removed for further discussion by the Board Of Directors at the request of a Director.”

1. To approve the [minutes](#) of the Regular Board Meeting held on August 17th.
2. To approve the [Salary & Commercial Warrants](#) for August 2020.
3. To approve the [Contract addendum](#) as presented.
4. To approve the [Personnel Report](#) as presented.
5. To approve the items on the Consent Agenda as submitted.

Director Latus made the motion to approve the items on the Consent Agenda as submitted. Director Fulbright seconded the motion and it carried unanimously.

### E. EDUCATIONAL SERVICES DIVISION:

1. To consider approving the [District Parents and Family Engagement Plan](#) for 2020-2021 school year.

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Director Swinea made the motion to approve the District Parents and Family Engagement Plan for the 2020-2021 school year. Director Latus seconded the motion and it carried unanimously.

2. To consider approving the [School Level Improvement Plans](#) for 2020-2021 school year.

Director Latus made the motion to approve the School Level Improvement Plans for the 2020-2021 school year. Director West seconded the motion and it carried unanimously.

3. To consider approving an ACT 1240 request to petition the State Board of Education for a waiver regarding the daily/weekly teacher plan time as outlined in § 6-17-114. This request is a result of the RFL COVID response level health strategies to decrease transitions in secondary schools.

Director Swinea made the motion to approve the ACT 1240 request. Director West seconded the motion and it carried unanimously.

### F. BUSINESS SERVICES DIVISION:

1. Nothing at this time.
  - a. Upcoming Budget Report - need for a Special Meeting - virtually

### G. DISTRICT OPERATIONS:

1. To consider adding to the [camera server](#) at BHS, BJHS, Eagle, West, Sulphur Rock.

Director Latus made the motion to approve adding camera servers for BHS, BJHS, Eagle, West and Sulphur Rock. Director West seconded the motion and it carried unanimously.

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2. To consider replacing the [stadium sound system](#) at BHS.

Director Fulbright made the motion to approve replacing the stadium sound system at BHS. Director Swinea seconded the motion and it carried unanimously.

3. To consider authorizing participation in the: [Arkansas Public School Unemployment Compensation Account](#).
  - a. The cost is based on the number of employees and is estimated to be around \$2,500.

Director Latus made the motion to approve participation in the Arkansas Public School Unemployment Compensation Account. Director West seconded the motion and it carried unanimously.

### H. HUMAN RESOURCES DIVISION:

1. Nothing at this time.

### I. REPORTS AND COMMUNICATIONS:

#### 1. Communications FYI

- a. [National Hispanic Heritage Month](#) (September 15-October 15) celebrates the many contributions, diverse cultures, and extensive histories of the American Latino community ([Secretary DeVos' video](#)).

#### 2. Superintendent Address

- a. COVID Update - Letters & Mask w/social distancing
- b. PPC studying traditional & year round creative schedule & supplemental salary schedule.

### J. ADJOURNMENT:

Director Fulbright made the motion to adjourn the meeting. Director Latus seconded the motion and it carried unanimously.

The next regular scheduled meeting will be at 5:30 pm on October 19, 2020 at Eagle Mountain/ Via Google Meet.



**Minutes - Regular Meeting - September 21, 2020**

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Scott Fredricks, Board President

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Dr. Michael L. Hester, Superintendent

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Heather Fulbright, Secretary

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Date Approved

Time: 6:17 p.m.