

CHARTER APPLICATION REQUEST FOR WAIVERS

Charter Applicant: Newman Virtual Academy of Arkansas

Submitted: August 15, 2024

Waiver Topic #1	Typical School Day/Minimum Clock Hours/Competency
Arkansas Code Annotated	A.C.A. § 6-16-102 (a)(5) (School Day recess) A.C.A. § 6-15-216 (120 clock hours)
Standard for Accreditation	1-A.4.2 (6 Hour Day) 1-A.2 (Seat Time) 1-A.4.3 (recess)
ADE Rules	
Rationale for Waiver	<p>The purpose of this waiver is to enhance student learning opportunities and promote innovation with flexibility in awarding course credit, use of seat time, and recess in a virtual school setting. Newman seeks a waiver from the requirement in the Standards for Accreditation of Arkansas Public Schools and School Districts that units of credit be awarded for a minimum number of clock hours. Newman seeks to award units of high school course credit based on a demonstration of subject matter competency instead of, or in combination with, completing hours of classroom instruction and will record demonstrated subject matter competency on high school transcripts.</p> <p>Students will work at the pace needed to complete the courses. Individual needs can be met by students pacing their learning and/or accelerating as needed. Students will also have the ability to work outside the normal Monday-Friday school week. Credit will be awarded based on subject matter competency. Mentor teachers monitor students' progress on a weekly basis to make sure they are meeting goals. Teachers will work with parents and students to help ensure success in the program. This waiver helps support our goal of flexibility.</p> <p>Since Newman is virtual, a waiver of the at least forty (40) minutes of instructional time per school day that shall be used for recess during the school day is also requested. Recess time is in the suggested schedule for students, but flexibility can be at the parent's discretion as well as what activities constitute "recess time".</p>

Waiver Topic #2	Mandatory Attendance
Arkansas Code Annotated	6-18-213 (a) (2)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	<p>The request is to waive the requirement of the basic record, showing the daily attendance and absence of each student for the school year, that shall be kept by a teacher or other officially designated person who notes the attendance or absence of each student on a daily basis.</p> <p>Newman Virtual Academy will have the opportunity to self-pace and to work each day of the week. Course completion will validate students' effort and will be monitored by teachers and mentors. We are seeking this waiver for attendance, not graduation requirements. Teacher mentors will update a weekly tracker of student progress, and if students are falling behind, contact will be made with family. This waiver helps support our goal of flexibility.</p> <p>Student progress is monitored daily. If a student is falling behind, teachers will work with the student and family to address academic achievement until the</p>

	student is back on track
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Waiver Topic #3	Flags/Period of Silence and Pledge of Allegiance
Arkansas Code Annotated	A.C.A §§ 6-10-115 (Period of Silence) A.C.A §§ 6-16-108 (Recitation of Pledge of Allegiance) A.C.A §§ 6-16-105 (US Flag) A.C.A §§ 6-16-106 (AR Flag)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	<p>The purpose of this request is to waive the requirements, within a virtual school setting, that our public school shall observe a one-minute period of silence at the beginning of school each school day, provide a time to recite the pledge without compulsion, or expend funds and provide American and Arkansas flags and/or flagpoles although fiercely patriotic in our mission.</p> <p>American and State flags will be displayed in our drop in centers. Since Newman Virtual Academy is an online learning environment, the period of silence and recitation of the pledge of allegiance will be impossible to monitor.</p> <p>Time will be allotted for these activities in the suggested schedule. Families will be encouraged to post flags in their learning space. This waiver helps support our goal of flexibility.</p>

Waiver Topic #4	<p>Teacher Licensure</p> <p>Teacher Licensure - Licensure Requirements Statute</p> <p>Teacher Licensure - Qualified Teachers in Every Classroom</p> <p>Teacher Licensure - Waivers Statute</p>
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Arkansas Code Annotated	<p>A.C.A §§6-15-1004 Qualified Teachers in every Public School Classroom</p> <p>A.C.A §§6-17-309 Licensure Waiver</p> <p>A.C.A §§6-17-401 Teacher License</p> <p>A.C.A §§Requirement 6-17-902 Definitions</p> <p>A.C.A §§ 6-17-919 Warrants Void Without Valid Certificates and Contracts</p>
Standard for Accreditation	4-D.1
ADE Rules	Licensure- Educator Licensure (Section 7 only)
Rationale for Waiver	<p>Newman Virtual Academy will hire Arkansas licensed teachers except in cases where a teacher cannot be found. Newman Virtual Academy will contact a curriculum provider to employ teachers that are licensed in the state of residence. This waiver will help to increase student achievement by providing students</p>

	<p>with a full catalog of courses to help meet student success plans.</p> <p>Newman Virtual Academy will comply with Arkansas Qualified Teacher requirements as applicable. Newman Virtual Academy is aware that special education services must be taught by a licensed special education teacher. Teachers will all be required to successfully complete criminal background and Child Maltreatment Registry checks. Newman Virtual Academy requests the flexibility to make timely personnel decisions to meet the needs of online students. All efforts will be made to support teachers to be successful in the virtual learning environment.</p> <p>Waiver in Section 7 of the Educator Licensure Rules will only be necessary if we choose to utilize certified teachers to teach in an area outside of their areas of certification.</p>
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Waiver Topic #5	Class Size and Teaching Load
Arkansas Code Annotated	
Standard for Accreditation	1-A.5 1-A.6
ADE Rules	DESE Rule class size and teaching load Sections 3.00 and 4.00
Rationale for Waiver	<p>In Newman Virtual Academy, teachers will instruct students using an Arkansas DESE approved digital learning provider. Through personalized learning, teachers can provide quality instruction to a larger group of students. Newman Virtual Academy recognizes that class size requirements cannot be waived for special education courses.</p> <p>Transition to new standards of waiver granted 11/17/15. K-5 Teachers - 50:1 student/teacher ratio;</p>

	6-8 Teachers - 38:1 ratio; Advisory Teachers - 300:1 ratio
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Waiver Topic #6	Food Services- Breakfast Program and National School Lunch Program Child Nutrition Monitoring Report
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Arkansas Code Annotated	A.C.A. 6-18-705 A.C.A §§ 6-20-701 et seq.
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	<p>Newman Virtual Academy requests a waiver from the rule that if forty percent (40%) or more of the students enrolled in the preceding school year were eligible for free or reduced-price meals Newman shall establish a school breakfast program. This will not apply as students will not be physically present on campus to eat breakfast or lunch. Support for choosing healthy meals in collaboration with the Learning Coach will be offered through health and guidance programming.</p> <p>We therefore also request a waiver of Child Nutrition Monitoring Reports requirements.</p>

Waiver Topic #7	<p>Library Media Services- Library Media Specialist Library Media Services - Program Library Media Services - Specialist Licensure Library Media Services - Specialist Ratio</p>
Arkansas Code Annotated	<p>A.C.A §§ 6-25-105 A.C.A §§ 6-25-104 A.C.A §§ 6-25-103</p>
Standard for Accreditation	<p>4-F.1- allow teachers to teach outside licensure area 4-F.2</p>
ADE Rules	
Rationale for Waiver	<p>The purpose of this waiver is to enhance student learning opportunities and promote innovation by waiving a traditional “library media services program” delivered by a library media specialist under time and class size constraints. Various professionals will provide resources available to stakeholders such as identifying, locating, and interpreting information, providing</p>

	<p>opportunities related to new technologies, supporting curriculum development and assessment projects, providing professional development in appropriate use of technologies and electronic retrieval systems.</p> <p>We request a waiver of the requirement that only trained and certified library media services program personnel shall be assigned to carry out duties of the library media specialist. Professionals will maintain library media materials for students, and assist students in obtaining/using them.</p> <p>Newman Virtual Academy will offer creative programming to support delivery of library media services. This waiver will allow for atypical pathways to providing mandated programming that runs parallel with other developmental, educational, social-emotional, career prep, capstone, etc. developmental efforts that build whole students that graduate with holistic plans and preparation.</p>
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Waiver Topic #8	<p>Salaries - Classified School Employee Minimum Salary Act</p> <p>Salaries - Teacher Compensation Program</p> <p>Salaries - Teacher Definition</p> <p>Salaries - Warrants Void Without Valid License and Contract</p> <p>Salaries - Warrants Void Without Valid License and Contract</p>
Arkansas Code Annotated	<p>A.C.A §§ 6-17-2201 et seq</p> <p>A.C.A §§ 6-17-2401 et seq.</p> <p>A.C.A §§ 6-17-902</p> <p>A.C.A §§ 6-17-919</p>
Standard for Accreditation	
ADE Rules	<p>School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries</p>

<p>Rationale for Waiver</p>	<p>The purpose of this waiver is to allow Newman to increase equitable access to effective teachers for Arkansas students. Waivers of the “Classified School Employee Minimum Salary Act” and “Teacher Compensation Program of 2003” subchapters are requested; however we will meet minimum salary requirements even if funding is requested from those made available to districts for this purpose. A “teacher” might not be a full-time employee of the school district and may not be compelled by law to secure a license from the State Board of Education in Arkansas. Furthermore, all warrants issued in payment of teachers' salaries would not be voided if the teacher is not licensed to teach in the State of Arkansas by a license issued by the State Board of Education; or substitute teacher employed under § 6-15-1004 and rules of the State Board of Education. Teachers will be employed with a written contract.</p> <p>Newman Virtual Academy requests the opportunity to recruit and retain the highest quality staff possible at a fair market price that matches the demands and flexibility of the virtual school setting. Each position will have the requisite skills and experience and be held accountable for academic and other district outcomes as described in their job description. Flexibility may fall into areas such as out-of-state certification, partial FTE salaries, payment for course load versus salary, flexible schedule in contract period, daily work hours, etc. to provide flexibility for successful management of the virtual school environment.</p>
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<p>Waiver Topic #9</p>	<p>Principal Licensure</p>
<p>Arkansas Code Annotated</p>	
<p>Standard for Accreditation</p>	<p>4-C.2</p>

ADE Rules	
Rationale for Waiver	<p>Newman requests to waive Principal licensure requirements in accordance with the laws of the State of Arkansas and the rules of the Department.</p> <p>Newman Virtual Academy requests the opportunity to recruit and retain the highest quality principal possible at a fair market price that matches the demands and flexibility of the virtual school setting. Each principal will have the requisite skills and experience and be held accountable for academic and other campus outcomes as outlined in their job description. Flexibility may fall into areas such as out-of-state certification, partial FTE salaries, flexible contract period and daily/weekly work schedules, etc. to provide proper flexibility for successful management of the virtual school environment.</p>

Waiver Topic #10	Principals - Qualifications and Responsibilities Principal Licensure
Arkansas Code Annotated	A.C.A §§ 6-17-302
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	<p>The purpose of this waive the Principal licensure requirements. Newman board of directors can employ through written contract public school principals who can hold valid supervisory or administrative licenses in the United States and who shall supervise the operation and management of the school and property as the board of directors shall determine necessary.</p> <p>Despite licensure, the principal shall assume administrative responsibility and instructional leadership, under the supervision of the</p>

	<p>superintendent and in accordance with the legal rules and regulations of the board of directors, for the planning, management, operation, and evaluation of the educational program of the attendance area to which he or she is assigned.</p> <p>Newman Virtual Academy requests the opportunity to recruit and retain the highest quality principal possible at a fair market price that matches the demands and flexibility of the virtual school setting. Each principal will have the requisite skills and experience and be held accountable for academic and other campus outcomes as outlined in their job description. Flexibility may fall into areas such as out-of-state certification, partial FTE salaries, flexible contract period and daily/weekly work schedules, etc. to provide proper flexibility for successful management of the virtual school environment.</p>
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Waiver Topic #11	Salaries
Arkansas Code Annotated	<p>A.C.A §§ 6-17-902 A.C.A §§ 6-17-908 A.C.A §§ 6-17-919</p>
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	<p>The purpose of this waiver is to secure flexibility for teacher salaries, status, and licensure. In flexibility with this subchapter, "teacher" could include a full-time employee of a school district who is compelled by law to secure a license from the State Board of Education. A waiver of warrants or checks in payment of salaries of teachers; contributions to the Arkansas Teacher Retirement System; and Insurance or other fringe benefits for teachers is requested as</p>

	<p>needed.</p> <p>Newman Virtual Academy requests the opportunity to recruit and retain the highest quality teachers possible for the flexibility of the virtual school setting.</p>
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Waiver Topic #12	Student Attendance
Arkansas Code Annotated	<p>A.C.A §§ 6-18-209(b)</p> <p>A.C.A §§ 6-18-213</p>
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	<p>Newman requests a waiver from the requirement that as a part of its six-year educational plan, the district shall develop strategies for promoting maximum student attendance, including, but not limited to, the use of alternative classrooms and in-school suspensions in lieu of suspension from school. Also, a waiver is requested from the basic record, showing the daily attendance and absence of each student for the school year, that shall be kept by a teacher or other officially designated person who notes the attendance or absence of each student on a daily basis.</p> <p>Newman Virtual Academy will operate under a version of competency-based education. Students will have the opportunity to self-pace and to work each day of the week. Course completion demonstrating competency will validate students' effort and will be monitored by teachers and mentors. We are seeking this waiver for attendance, not graduation requirements. Teacher mentors will update a weekly tracker of student progress, and if students are falling behind, contact will be made with family. This waiver helps support flexibility in a virtual setting.</p>

Waiver Topic #13	Text Books
Arkansas Code Annotated	A.C.A §§ 6-21-413
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	A waiver is requested for Newman from creating a textbook selection committee to be composed of a majority of certified personnel, which shall include classroom teachers. Newman Virtual Academy will have the opportunity to work from a variety of curriculum materials that meet state standards. When state textbooks are the most appropriate material, Newman can select them for use. This waiver helps support our goal of flexibility and innovation in delivery of the required curricular standards of the state.

Waiver Topic #14	Gifted and Talented- Annual Reporting Gifted and Talented- Expenditures
Arkansas Code Annotated	A.C.A §§ 6-42-109 A.C.A §§ 6-20-2208(c)(6)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose is to waive the annual expenditures percentage where Newman is required to expend state and local revenues on Gifted and Talented Programs in an amount equal to fifteen percent and the annual reporting requirements as allowable for this virtual

	charter school.
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Waiver Topic #15	Gifted and Talented Program Approval Standards
Arkansas Code Annotated	
Standard for Accreditation	
ADE Rules	DESE Rule
Rationale for Waiver	<p>The purpose of this waiver is to establish flexibility with meeting the minimum standards for approval of gifted programs within the requirements of community involvement, staff development, personnel, identification, program options, curriculum, and evaluation to match the virtual school setting and Learning Coach model.</p> <p>Newman Virtual School will meet the nature and needs of gifted students through various innovative methods embedded within our digital curriculum, co-curricular courses, teaching strategies, advancement paths, and wide variety of course path sequences that can be accelerated to meet interests and needs of gifted and talented students at their level of development and achievement.</p>

Waiver Topic #16	Gifted and Talented Services
Arkansas Code Annotated	
Standard for Accreditation	2-G.1
ADE Rules	Gifted and Talented Program Approval Standards

Rationale for Waiver	<p>The purpose of this waiver is to enhance Student Learning Opportunities and Promote Innovation.</p> <p>Newman Virtual School will meet the nature and needs of gifted students through various innovative methods embedded within our digital curriculum, co-curricular courses, teaching strategies, advancement paths, and wide variety of course path sequences that can be accelerated to meet interests and needs of gifted and talented students at their level of development and achievement.</p>
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Waiver Topic #17	Wellness: Food Services Breakfast Program
Arkansas Code Annotated	
Standard for Accreditation	3-D.1
ADE Rules	
Rationale for Waiver	Newman requests a waiver from providing students food services in accordance with federal and state laws and rules since students will not be present on campus. Support for choosing healthy meals in collaboration with the Learning Coach will be offered through health and guidance programming.

Waiver Topic #18	Health Services - CPR CPR Instruction
Arkansas Code Annotated	A.C.A §§ 6-16-143
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	Newman Virtual requests a waiver for training of public school students in grades nine through twelve (9-12) in quality psychomotor skill bases in cardiopulmonary resuscitation before the student graduates from high school as students will not be present for training due to virtual schooling.

	Newman Virtual Academy students can receive CPR instruction virtually through their required health courses..
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Waiver Topic #19	Health and Safety Services: Students, Employees, and Visitors
Arkansas Code Annotated	
Standard for Accreditation	2-E.1 2-E.2
ADE Rules	
Rationale for Waiver	The purpose is to waive that Newman shall provide a health services program under the direction of a licensed registered nurse in accordance with the laws of the State of Arkansas and the rules of the Department. Also, Newman shall not have to maintain appropriate materials and expertise to reasonably ensure the safety of students, employees, and visitors. (D-S/C-P) since Newman is a virtual school where students participate from a location of their choosing under the safety protocols of their learning coach/parent/guardian. Employees operate virtually as well for the vast majority of their work, however if physical meetings are necessary public spaces are utilized which have public safety protocols in place.

Waiver Topic #20	Health and Safety Tornado and Safety Drills
Arkansas Code Annotated	A.C.A. § 6-10-121
Standard for Accreditation	ACT 61 - Junior Fire Marshal Program
ADE Rules	ESE Rule

Rationale for Waiver	Newman requests to waive participation in the Junior Fire Marshal Program, and fire and safety drills, due to the virtual nature of our schooling. Students participate from a location of their choosing under the safety protocols of their learning coach/parent/guardian. No fire drills or other drills are necessary for safety.
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Waiver Topic #21	Board of Directors - Vacancy Due to Felony Conviction
Arkansas Code Annotated	A.C.A §§ 6-13-612(c)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	Should a member of the Board of Directors be removed due to a felony conviction, a vacancy on a school district board of directors due to the conviction of a felony shall be filled, however a waiver of the timelines and election process is requested. the officers will vote by majority to replace the vacated director position.

Waiver Topic #22	Board of directors – Meeting attendance
Arkansas Code Annotated	A.C.A §§ 6-13-619(c)
Standard for Accreditation	
ADE Rules	

Rationale for Waiver	The purpose of this waiver is to address attendance when a member announces a conflict of interest with regard to the issue, the member may remain in the virtual meeting until the voting on the issue is concluded, and the member who abstains from voting thereby shall not be counted as having voted.
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Waiver Topic #23	Board of Directors – Attend Meeting Remotely
Arkansas Code Annotated	A.C.A §§ 6-13-619(d)(2) A.C.A §§ 6-13-619(d)(3)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	This waiver addresses the board of directors adopting a policy permitting a member of the board of directors who is unable to be physically present at a meeting to attend the meeting virtually. Since Newman is a virtual school, Board members will participate virtually for each meeting during the calendar year to establish a quorum.

Waiver Topic #24	Emergency Plans and Panic Button
Arkansas Code Annotated	A.C.A §§ 6-15-1302
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	Since Newman Virtual Academy is a virtual school, a waiver for the Panic Button alert system integrated with 911 is requested. Students participate from a location of their choosing under the safety protocols of

	their learning coach/parent/guardian.
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Waiver Topic #25	Acquisition of Commodities - Reimbursement for Classroom Activities
Arkansas Code Annotated	A.C.A §§ 6-21-303(b)(1)(A)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to adjust the rule that each school district, according to its established reimbursement policy, shall provide to each prekindergarten through sixth grade (preK-6) teacher in each fiscal year for use by that teacher in his or her classroom or for class activities the greater of (i) Twenty dollars (\$20.00) per student enrolled in the teacher's class for more than fifty percent (50%) of the school day at the end of the first three (3) months of the school year; or (ii) Five hundred dollars (\$500) for the teacher to apply toward the purchase of related commodities. Virtual teachers' resource needs vary from those of traditional teacher classrooms.

Waiver Topic #26	Alternative Learning Environment
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Arkansas Code Annotated	Standard 2-I.1
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to provide a parallel alternative learning environment that affords all students an environment that seeks to eliminate barriers to learning for any student whose academic and social progress is negatively affected by the student's personal characteristics or situation through being a virtual school environment.

Waiver Topic #27	Alternative Learning Environment - Assessment and Intervention Services
Arkansas Code Annotated	A.C.A. § 6-48-103
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose is to waive the requirement to assess a student either before or upon entry into the alternative learning environment; and provide intervention services designed to address a student's specific educational needs. Students in Newman virtual school will not be assigned to an alternative learning environment for behavioral reasons.

Waiver Topic #28	Student Discipline: Written Student Discipline Policies
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Arkansas Code Annotated	A.C.A §§ 6-18-503(a)(1)(C)(i)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The request is to waive the school district requirement that if the district authorizes use of corporal punishment in its discipline policy it shall include provisions for administration of the punishment. Students attend virtually and will not receive physical discipline as they are not physically present.

Waiver Topic #29	Educational Standards and Quality: Safe, Equitable, and Accountable Public Schools
Arkansas Code Annotated	A.C.A §§ 6-15-1005(b)(5)(A)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	Newman requests a waiver from providing safe and functional facilities that meet existing state and federal requirements and are designed and structured to support learning. Schooling at Newman is offered in a virtual setting.

Waiver Topic #30	Alternative Learning Environment - Requirement
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Arkansas Code Annotated	A.C.A. § 6-48-102
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose is to waive the district requirement to provide alternative learning environments for all students who meet the minimum criteria established by the Division of Elementary and Secondary Education. This is not necessary for virtual school students who attend remotely under the support of a Learning Coach.

Waiver Topic #31	Alternative Pay Programs Personnel
Arkansas Code Annotated	A.C.A §§ 6-17-119
Standard for Accreditation	DESE Rule - Alternative Pay Programs
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to have flexibility in the school district offering or participating in an alternative pay program for Newman’s licensed employees, classified employees, or both employee groups to meet the virtual school employment environment.

Waiver Topic #32	Alternative Learning Environment
Arkansas Code Annotated	DESE Rule - Student Special Needs Funding

Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to remove stipulations on provision of an Alternative Learning Environment (ALE) for virtual school students who attend remotely under the support of a Learning Coach.

Waiver Topic #33	Board of Directors - Election by Zone and At Large
Arkansas Code Annotated	A.C.A §§ 6-13-630
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to waive the requirement that the board of directors of any school district shall have the authority to provide by resolution adopted by a majority vote that a portion of the board members shall be elected by zone, at large, or a combination thereof. The directors of Newman are not elected to but appointed without regard to zone or at large zones.

Waiver Topic #34	Board of Directors - Election from Single-Member Zones
Arkansas Code Annotated	A.C.A. § 6-13-615
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to waive the requirement that qualified electors of a school district may, by petition, be placed on the ballot of any annual school

	<p>election to determine whether to elect the school district board of directors:</p> <p style="padding-left: 40px;"> (A) From single-member zones; (B) At large; or (C) A combination of single-member zones and at large. </p> <p>The directors of Newman are not elected to but appointed without regard to zone or at large zones.</p>
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Waiver Topic #35	Board of Directors - General Election Laws
Arkansas Code Annotated	A.C.A §§ 6-14-101 et seq.
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to waive the requirement that general election laws shall apply to school elections. Board members will be appointed.

Waiver Topic #36	Board of Directors - Length of Terms
Arkansas Code Annotated	A.C.A §§ 6-13-608
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to waive the requirement that members of a school district board of directors shall be elected to a term of office of not less than three (3) years nor more than five (5) years in length. Board members will be appointed and can serve longer terms if effective in service to build an effective virtual school system.

Waiver Topic #37	Board of Directors - Meeting Attendance
Arkansas Code Annotated	A.C.A §§ 6-13-619(c)(1)(A) A.C.A §§ 6-13-619(d)(4)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	Arkansas Code states that a board member must be present at a meeting to be counted as part of a quorum or to vote. This waiver requests that virtual participation is allowable to reach quorum.

Waiver Topic #38	Board of Directors - Powers and Duties
Arkansas Code Annotated	A.C.A §§ 6-13-620(5)(A)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	<p>The purpose of this waiver is to adjust powers and duties of a school district's board of directors in Arkansas for a virtual school district. The board is responsible for providing an efficient, suitable, and general system of free public schools. Some of their duties include:</p> <ul style="list-style-type: none"> ● <i>Attending meetings (Virtually)</i> ● Determining the school district's mission and direction ● Following state and federal laws ● Enacting, enforcing, and following school district policies ● Employing staff ● Understanding and overseeing school district finances ● Reviewing, adopting, and publishing the school district's budget ● <i>Entering into contracts for goods and services</i>

	<ul style="list-style-type: none"> ● <i>Buying, selling, renting, and leasing real and personal property (adjusted)</i> ● <i>Receiving, reviewing, and approving annual financial audit reports</i> ● <i>Presenting the annual financial audit reports to the public</i> ● <i>Ensuring that necessary facilities are built, furnished, and maintained (adjusted)</i> ● <i>Ensuring that all district properties are managed and maintained (adjusted)</i>
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Waiver Topic #39	Board of Directors - Quorum
Arkansas Code Annotated	A.C.A §§ 6-13-619(c)(3)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to waive the requirement that a quorum of the board of directors must be physically present for the board of directors to enter an executive session. Meetings of the board will be held virtually but require a quorum.

Waiver Topic #40	Board of Directors - Size
Arkansas Code Annotated	A.C.A. § 6-13-634
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is for Newman to have flexibility with regards to the size of the board of directors to range from four (4) to seven (7) members as determined best to meet the governance needs of the virtual school system.

Waiver Topic #41	Board of Directors - Temporary Vacancy
Arkansas Code Annotated	A.C.A §§ 6-13-613
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to have flexible treatment in the filling of temporary vacancies for directors who have entered the services of the United States Armed Forces or its allies.

Waiver Topic #42	Board of Directors - Vacancies
Arkansas Code Annotated	A.C.A §§ 6-13-611(b) A.C.A §§ 6-13-611(c)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to extend the timeline of 30 days and the residency rules should a vacancy occur on the school district board of directors. The vacancy shall be filled by the appointment of an individual who is a qualified elector but they may not reside in the same zone. Rules for attending meetings as a criteria for removal are adjusted to virtual meeting attendance.

Waiver Topic #43	Business Manager
Arkansas Code Annotated	
Standard for Accreditation	DESE Rule- Minimum Qualifications for General Business Managers
ADE Rules	

Rationale for Waiver	The purpose of this waiver is to allow for altered general business manager qualifications that require Certified Arkansas School Business Official (CASBO) to allow for effective management of virtual charter resources that exist across state lines meeting similar qualifications in other states.
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Waiver Topic #44	Defibrillators Required
Arkansas Code Annotated	A.C.A §§ 6-10-122
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	Newman requests waivers of the State Board of Education rules that require that: (A) Each school campus have an automated external defibrillator, as these are not necessary in a virtual school environment where students do not physically attend schools.

Waiver Topic #45	Documents Posted to School District Websites
Arkansas Code Annotated	
Standard for Accreditation	DESE Rule Documents Posted to School District Websites Sections 6.01-6.04
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to alter the Governing School District Requirements for Personnel Policies, Salary. Schedules, Minimum Salaries, and Documents Posted to be posted to District Websites.

Waiver Topic #46	Employ Full-Time Superintendent Superintendent - Licensure Superintendent Mentoring Program
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Arkansas Code Annotated	A.C.A §§ 6-13-109 A.C.A §§ 6-17-427
Standard for Accreditation	Standard 4-B.1
ADE Rules	DESE Rule Superintendent Mentoring Program DESE Rule Educator Licensure
Rationale for Waiver	The purpose of this waiver is for flexibility in the requirement to employ a “Superintendent of schools”, whose qualifications, duties and mentoring could vary from those prescribed by the General Assembly and the State Board of Education. The Superintendent can share the burden of directing the affairs of the school district as a full or part time employee as determined by organizational chart needs and the role of the Principal and other staff in meeting the needs of students in a virtual setting.

Waiver Topic #47	Employ General Business Manager
Arkansas Code Annotated	A.C.A. § 6-15-2302 (b)
Standard for Accreditation	Standard 3-A.5
ADE Rules	
Rationale for Waiver	The purpose of this waiver is for flexibility in the requirement to employ a general business manager responsible for the fiscal operations of the school district- either part time or full time. This role will be determined by organizational chart needs and the role of the Superintendent and other staff in meeting the fiscal operational needs.

Waiver Topic #48	Employ Principal
Arkansas Code Annotated	
Standard for Accreditation	4-C.1

ADE Rules	
Rationale for Waiver	The purpose of this waiver is for flexibility in the requirement to employ at least a half-time principal or a full-time principal. This role will be determined by organizational chart needs and the role of the Superintendent and other staff in meeting the needs of students.

Waiver Topic #49	Eye and Vision Screening Procedures
Arkansas Code Annotated	A.C.A §§ 6-18-1501 et. seq.
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to waive the requirements that children in prekindergarten (preK), kindergarten (K), grades one (1), two (2), four (4), six (6), and eight (8) and all transfer students shall receive an eye and vision screening as students are not present at school for screening.

Waiver Topic #50	Health/Safety: Automated External Defibrillator Devices and CPR Health/Safety: Eye and Vision Screening Report Health/Safety: Nutrition and Physical Activity Standards
Arkansas Code Annotated	
Standard for Accreditation	DESE Rules Nutrition/Physical Sections 5.02, 6.00, 7.08- 7.11, 12.00
ADE Rules	
Rationale for Waiver	Newman requests waivers of the defibrillator devices, CPR, Eye and Vision Screening Report, Nutrition and Physical activity standards as these are not necessary

	in a virtual school environment where students do not physically attend schools.
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Waiver Topic #51	Facilities - Fire Hazard Inspections
Arkansas Code Annotated	A.C.A §§ 6-21-106
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	Newman requests we waive inspection of the premises by the fire department prior to breaks by the entity providing fire protection to the school buildings as the virtual school district has no buildings. Newman will comply with this requirement as far as it applies to any brick-and-mortar facilities that may be used at a testing site, etc.

Waiver Topic #52	Finance - Teacher Salaries
Arkansas Code Annotated	A.C.A §§ 6-20-2208(c)(1)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	Newman Virtual Academy requests a waiver of the requirement that each school district shall expend sums for teacher salaries in order to meet the requirements of Arkansas law. The virtual school model proposed has unique staffing and other costs as presented in the budget model. Newman will expend the sums allocated to the school district under § 6-20-2305(b) for salaries and other instructional aid components to benefit students and ensure that those sums are used to improve the educational opportunity of children with a primary emphasis on improving each student's proficiency in the virtual school environment.

Waiver Topic #53	Fire Marshal Program
Arkansas Code Annotated	A.C.A. § 6-10-110
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	A fire marshal program shall include periodic review and inspection of school buildings and facilities for fire and other hazards, create evacuation plans, etc. These are not necessary in a virtual school environment.

Waiver Topic #54	Health Services - School Nurse
Arkansas Code Annotated	A.C.A §§ 6-18-706
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The request waives the requirement that Newman provide an appropriate school nurse-to-student ratio to effectively meet the healthcare needs of students during normal school hours as the virtual school has no students physically present.

Waiver Topic #55	Personnel - Emergency First Aid Statute
Arkansas Code Annotated	A.C.A §§ 6-17-102
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The request waives the requirement that Newman employ at least one (1) person who is certified by the American Red Cross or approved by the Department of Education as qualified to administer emergency first aid

	and who shall be on the school grounds during normal school hours as the virtual school has no school grounds or students physically present.
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Waiver Topic #56	Instructional Materials
Arkansas Code Annotated	
Standard for Accreditation	DESE Rule Instructional Materials (5.01)
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to allow for selection of instructional materials outside of a selection committee composed of a majority of licensed personnel, which shall include classroom teachers.

Waiver Topic #57	Personnel Policies - Classified Committee Organization and Duties Personnel Policies - Classified Personnel Policies Personnel Policies - Classified Personnel Policy Committee Personnel Policies - Incorporation Into Classified Contracts
Arkansas Code Annotated	A.C.A. § 6-17-2305 A.C.A. § 6-17-2301 A.C.A. § 6-17-2303 A.C.A. § 6-17-2304
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to allow Newman to adjust operations with regard to organization, officers, calendar, and other requirements of the committee on personnel policies for classified employees. The committee or the board of directors may propose new personnel policies or amendments to existing policies.

Waiver Topic #58	Personnel Policies - adopted and posted to website
Arkansas Code Annotated	
Standard for Accreditation	Standard 3-A.2
ADE Rules	
Rationale for Waiver	<p>The purpose of this waiver is to provide for innovation in personnel policies, guidelines, regulations, and procedures that pertain to the terms and conditions of a teacher's employment in a virtual and charter work setting. This can include adjustments to inclusion or exclusion of the following categories and posting of a signed copy of these policies on the website:</p> <ul style="list-style-type: none"> (1) Benefits; (2) Compensation; (3) Designation of workdays; (4) Holidays and non-instructional days; (5) The annual calendar; (6) Methods of evaluations; (7) Extra duties; (8) Leave; (9) Grievances; (10) Dismissal or nonrenewal; (11) Reduction in force; and (12) Assignment of teacher aides <p>Newman will post personnel policies to our website; the waiver requests latitude, if needed, to create personnel policies that may look different from a traditional school district's policies. Newman will ensure that policies are made available to employees.</p>

Waiver Topic #59	<p>Personnel Policies - Duties and Organization of Licensed Committee</p> <p>Personnel Policies - Incorporation into Contracts</p> <p>Personnel Policies - Interim Committee</p> <p>Personnel Policies - Licensed Personnel Policy Committee</p> <p>Personnel Policies - Public School Employee Fair Hearing Act</p> <p>Personnel Policies - Requirements</p> <p>Personnel Policies - School Employees' Minimum Sick Leave Law</p>
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	<p>Personnel Policies - School Employees' Minimum Sick Leave Law</p> <p>Personnel Policies - Teachers' Minimum Sick Leave Law</p>
Arkansas Code Annotated	<p>A.C.A. § 6-17-205</p> <p>A.C.A. § 6-17-204</p> <p>A.C.A. § 6-17-209</p> <p>A.C.A. § 6-17-203</p> <p>A.C.A §§ 6-17-1701 et seq.</p> <p>A.C.A. § 6-17-201</p> <p>A.C.A §§ 6-17-1301 et seq.</p> <p>A.C.A §§ 6-17-1301 et seq.</p> <p>A.C.A §§ 6-17-1201 et seq.</p>
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	<p>The purpose of this waiver is to Promote InnovationThe purpose of this waiver is to provide for innovation in personnel policies for personnel appropriate for a virtual school setting.</p>

Waiver Topic #60	Site-Based Decision Making
Arkansas Code Annotated	A.C.A §§ 6-13-1301 et. seq.
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	<p>The AR definition of "Site-based decision making" means a joint planning and problem-solving process implemented within a local school building, providing for a sharing of power, authority, and responsibility among teachers, administrators, and parents, and designed to shift decision making activity to the local building level. The virtual school will utilize joint planning and problem-solving with stakeholders across the virtual community to ensure student success.</p>

Waiver Topic #61	Student Attendance - Reports
Arkansas Code Annotated	A.C.A §§ 6-18-213(a)(2)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The virtual setting is asynchronous and flexible, therefore Newman petitions for a potential waiver of the attendance reporting being quarterly with the actual number of days counted in each period to be no less than forty (40) nor more than fifty (50). Furthermore, a potential waiver is requested regarding the attendance record of the school district as reflected by the combined reports for the first three (3) quarters of the school year and filing deadlines that create the official data used in computing certain types of state aid for the following year. Best practices will be gleaned from the ADE legal department based on experiences of existing virtual schools' reporting practices.

Waiver Topic #62	School Counselor Ratio
Arkansas Code Annotated	
Standard for Accreditation	Standard 4-E.2
ADE Rules	
Rationale for Waiver	The purpose of this waiver is to gain flexibility with the student-to-guidance counselor ratio of no more than 1 to 450 that is part of the Comprehensive School Counseling Act of 2019. The counselor role works in tandem with other professionals and a Learning Coach in the virtual setting to provide a comprehensive counseling and support model, and thus ratios may be altered from the standard but still meet the needs of students.

Waiver Topic #63	Student Discipline and School Safety
Arkansas Code Annotated	
Standard for Accreditation	
ADE Rules	Student Discipline and School Safety DESE Rule Section 5.04.10
Rationale for Waiver	<p>These rules are designed to assist local school districts with the development, review and revision of student discipline and school safety policies that must include offenses such as 5.03.1 Willfully and intentionally assaulting or threatening to assault or abuse any student or teacher, principal, superintendent, or other employee of a school system; 5.03.2 Possession by students of any firearm or other weapon prohibited upon the school campus by law or by policies adopted by the school board of directors; 5.03.3 Using, offering for sale, or selling, beer, alcoholic beverages, or other illicit drugs, by students on school property; and 5.03.4 Willfully or intentionally damaging, destroying, or stealing school property by students. These are not necessary in the safety and discipline policies of a virtual school district.</p>

Waiver Topic #64	Student Services
Arkansas Code Annotated	
Standard for Accreditation	
ADE Rules	DESE Rule Public School Student Services 3.01.6
Rationale for Waiver	<p>The purpose of this waiver is to address eligibility of students to enroll in the EFA program under section 3.01.6 based on kindergarten programming, age, or meeting alternate eligibility requirements set forth in Arkansas Code § 6-18-207 for entering Kindergarten or first grade as appropriate in the virtual setting.</p>

Waiver Topic #65	Utility and Maintenance Expenditure Requirements
Arkansas Code Annotated	A.C.A. § 6-21-808 (d)
Standard for Accreditation	
ADE Rules	
Rationale for Waiver	The purpose is to waive the annual expenditure requirement for utilities and facilities maintenance that dictates that school districts dedicate nine percent (9%) of Foundation Funding exclusively to payment of utilities and costs of custodial, maintenance, repair, and renovation activities, which include related personnel costs, for public school facilities. The virtual school does not maintain school facilities.