

**Arkansas Military and First Responders Academy  
2021 Open Enrollment Application**

*Legal comments are below, separated by waiver. For each comment, please provide a response in the "Response" field. The attorney will review your comments once you resubmit this Legal Review. Any legal concerns that are not addressed by your responses must be discussed in front of the Charter Authorizing Panel during your hearing. If you have any questions about the Legal Review, please contact Mary Claire Hyatt at 501-683-0960.*

**General Legal Concerns**

3. If you are providing transportation, please review Ark. Code Ann. § 6-19-101 et seq. to determine if any additional waivers are necessary.
  
5. Explain the relationship between the AQS board and the AMFRA board. Will members of the AQS Board be on the AMFRA board? Will employees of AQS be on the AMFRA board? Are decisions ultimately made by the AQS Board or the local board? All employees of the school will be AQS employees, not AMFRA employees? Where is the separation of power?
  
7. How often will be AQS Board meet?

**1. Administration**

**Ark. Code Ann. § 6-13-109**

**Ark. Code Ann. § 6-17-302**

**Ark. Code Ann. § 6-17-427**

**Standards: 4-B.1, 4-B.2, 4-C.1, and 4-C.2**

**DESE Rules Governing the Superintendent Mentoring Program**

**Legal Comments:** The rationale states that the superintendent is willing to participate in the Mentoring Program, but the Applicant has requested a waiver of participation in that program. Please explain. Based on the updated rationale, it appears the school will have a full-time superintendent to oversee the operations of the school, as required by 4-B.1. If that's the case, no waiver is necessary. If that's not the case, please explain.

**2. ALE**

**Ark. Code Ann. § 6-48-102**

**Ark. Code Ann. § 6-48-103**

**Ark. Code Ann. § 6-15-1005(b)(5)**

Ark. Code Ann. § 6-8-503(a)(1)(C)(i)

Standard 2-I.1

Section 4, DESE Rules Governing Student Special Needs Funding

**Legal Comments:** None.

### 3. Class Size and Teaching Load

Ark. Code Ann. § 6-17-812

Standard 1-A.5

DESE Rules Governing Class Size and Teaching Load

**Legal Comments:** Based on the rationale provided, it appears the waiver will only be used for non-core courses. Please confirm.

### 4. Gifted and Talented

Ark. Code Ann. § 6-42-109

Ark. Code Ann. § 6-20-2208(c)(6)

Standard 2-G.1

DESE Gifted and Talented Program Approval Standards

**Legal Comments:** None.

### 5. Instructional Structure and Clock Hours

#### **Standard 1-A.1.3**

**Legal Comments:** Please confirm this request is limited until the school is built out to 9-12. Please confirm that all courses will be offered to students in 9<sup>th</sup> grade, 10<sup>th</sup> grade, 11<sup>th</sup> grade as the roll out continues. Please explain how a student will be able to access a course that is part of the required 38, but not offered by the school.

### 6. Library Media

Ark. Code Ann. § 6-25-103

Ark. Code Ann. § 6-25-104

Standards: 4-F.1 and 4-F.2

**Legal Comments:** None.

## 7. Minimum Salaries for Classified Employees

Ark. Code Ann. § 6-17-2201 et seq.

Ark. Code Ann. § 6-17-2403

Sections 5.01.4 and **6.01, DESE Rules Governing Documents Posted to School District and Education Service Cooperative Websites**

**Legal Comments:** What is the rationale behind waiving the requirement to post district licensed and classified personnel policies and salary schedules? Will you post personnel policies, just not salary schedules?

## 8. Personnel

Ark. Code Ann. § 6-17-111

Ark. Code Ann. § 6-17-114

Ark. Code Ann. § 6-17-201(a)

Ark. Code Ann. § 6-17-201(c)

Ark. Code Ann. § 6-17-203

Ark. Code Ann. § 6-17-204

Ark. Code Ann. § 6-17-205

Ark. Code Ann. § 6-17-208

Ark. Code Ann. § 6-17-209

Ark. Code Ann. § 6-17-210

Ark. Code Ann. § 6-17-211

Ark. Code Ann. § 6-17-2301(c)

**Legal Comments:** None.

## 9. School Board and Elections

Ark. Code Ann. § 6-13-608

Ark. Code Ann. § 6-13-611

Ark. Code Ann. § 6-13-612(c)

Ark. Code Ann. § 6-13-613

Ark. Code Ann. § 6-13-615

Ark. Code Ann. § 6-13-616(a)

Ark. Code Ann. § 6-13-619(c) and (d)

Ark. Code Ann. § 6-13-620(5)(A)(ii)(b)

Ark. Code Ann. § 6-13-621

Ark. Code Ann. § 6-13-624

Ark. Code Ann. § 6-13-628  
Ark. Code Ann. § 6-13-630  
Ark. Code Ann. § 6-13-631  
Ark. Code Ann. § 6-14-101 et seq.

**Legal Comments:** None.

## **10. School Year**

**Ark. Code Ann. § 6-10-106**

**Legal Comments:** The uniform start date law does not prohibit a school for extending the school year past the 178 days. Based on the rationale, no waiver is necessary.

## **11. Personnel Policies**

Ark. Code Ann. § 6-17-201(c)  
Ark. Code Ann. § 6-17-2303  
Ark. Code Ann. § 6-17-2301(c)  
**Sections 5.01.4 and 6.01, DESE Rules Governing Documents Posted to School District and Education Service Cooperative Websites**

**Legal Comments:** What is the rationale behind waiving the requirement to post district licensed and classified personnel policies and salary schedules? Will you post personnel policies, just not salary schedules?

## **12. TFDA and PSEFHA**

Ark. Code Ann. § 6-17-1501 et seq.  
Ark. Code Ann. § 6-17-1701 et seq.

**Legal Comments:** None.

### **13. Teacher Licensure**

**Ark. Code Ann. § 6-17-919**

**Ark. Code Ann. § 6-17-301**

**Ark. Code Ann. § 6-17-309**

**Ark. Code Ann. § 6-17-401**

**Ark. Code Ann. § 6-17-902**

**Ark. Code Ann. § 6-17-1004**

**Ark. Code Ann. § 6-17-2301(c)**

**Standard 4-D.1**

**Section 7, DESE Rules Governing Educator Licensure**

**Legal Comments:** None.