

Initial Legal Review

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Charter School Name: IOTA Leadership Academy K-5 & 6-8

The charter is requesting the following waivers:

Waiver Topic	Statutes, Standards, Rules Requested to be Waived by the Charter	Legal Notes
1. Board of Directors	Ark. Code Ann. §§ 6-13-608; 6-13-615; 6-13-617; 6-13-618; 6-13-630; 6-13-631; 6-13-1303;	<p>The following statutes may need added to the waiver request to fully effectuate the waiver unless IOTA plans to follow the requirements of the statutes:</p> <p>6-13-611 – School board vacancies. Will IOTA be following these laws on school board vacancies? (See attached statute.)</p> <p>6-13-612(c) – Vacancy due to felony. Will IOTA be following these laws on school board vacancies? (See attached statute.)</p> <p>6-13-613 – Temporary Vacancies. Will IOTA be following these laws on school board vacancies? (See attached statute.)</p> <p>6-13-616(a) – School board qualifications. Will IOTA be following these laws on school board qualifications? (See attached statute.)</p> <p>6-13-619(a), (c), (d)(2)(A), (d)(4) – School board meetings. Will IOTA be following these laws on school board meetings? (See attached statute.)</p> <p>6-13-620(5) – School board powers. Will IOTA school board be hiring staff? (See attached statute.)</p> <p>6-13-622(b) – Budget publication. This needs to be waived since IOTA doesn't plan to elect its school board members.</p>

		<p>Therefore, it could not possibly comply with 6-13-622(b). (See attached statute.)</p> <p>6-13-634 – School board size. Will IOTA be following these laws on school board size? (See attached statute.)</p> <p>6-14-101, et seq. – School board elections. This entire statute section needs waived since IOTA doesn't plan to elect its school board members.</p>
2. Acquisition of Commodities	Arkansas Code § 6-21-303	No legal concerns.
3. Library Media Specialist	Arkansas Code § 6-25-104 Standard 2-D.1	<p><i>*Typically, Library Media Services and Library Media Specialist are both requested to be waived if one is waived.</i></p> <p><i>Standard 2-D.1 is regarding media resources and not a library media specialist. (See attached standards.)</i></p> <p>The following statute may need added to the waiver request to fully effectuate the waiver unless IOTA plans to follow the requirements of the statute:</p> <p>Arkansas Code 6-25-103-Library media services program. (See attached statute.)</p> <p>The following standards may need added to the waiver request to fully effectuate the waiver unless IOTA plans to follow the requirements of the standards:</p> <p>Standards 4-F.1 and 4-F.2 – Library media specialists. (See attached standards.)</p>
4. Classified Employee Minimum Salary	Ark. Code Ann. § § 6-17-2201, et seq.	<p>The following statute may need added to the waiver request to fully effectuate the waiver unless IOTA plans to follow the requirements of the statute:</p> <p>Arkansas Code 6-17-2403-Minimum teacher compensation schedule. (See attached statute.)</p>

<p>5. Personnel Policies</p>	<p>Ark. Code Ann. § § 6-17-102 6-17-111 6-17-114 6-17-117 6-17-203 6-17-204 6-17-205 6-17-208 6-17-209 6-17-210 6-17-211 6-17-301(a) & (b) 6-17-304 6-17-309 6-17-1201, et seq. 6-17-1301, et seq. 6-17-2301(c)(1) & (d)(2) 6-17-2302 6-17-2303 6-17-2304 6-17-2305 6-11-129(a)(1)(b)</p> <p>DESE Rules Governing Documents Posted to School District and Education Service Cooperative Websites – Section 6</p>	<p>The following statutes may need added to the waiver request to fully effectuate the waiver unless IOTA plans to follow the requirements of the statutes:</p> <p>6-17-201 (a) & (c) – Required personnel policies. (See attached statute.)</p> <p>6-17-202 – Right to join professional organization. (See attached statute.)</p> <p>6-17-2801, et seq. – Teacher Excellence and Support System.</p> <p>6-11-129(a)(1)-(a)(3) & (b) – Website Posting Requirements. (See attached statute.)</p> <p>The following rules may need added to the waiver request to fully effectuate the waiver unless IOTA plans to follow the requirements of the rules:</p> <p>DESE Rules Governing Educator Support and Development. (See attached rule.)</p> <p>DESE Rules Governing Documents Posted to School District and Education Service Cooperative Websites- <i>Section 5- Financial Documents Required to be Posted to the District Website.</i> (See attached rule.)</p> <p>The following statute cannot be waived per 6-23-401(b)(6) and needs removed from this waiver:</p> <p>6-17-102 – Emergency First Aid Personnel. (See attached statutes and DESE Rules Governing Emergency Response Equipment and Training in Arkansas Public Schools.)</p> <p>The following statute is typically not requested to be waived and will require</p>
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		<p>further explanation to the Charter Authorizing Panel:</p> <p>6-17-304 – Employment of Teacher Obligated to Another School District – Liability of Hiring School District. (See attached statute.)</p> <p>The following listed statute needs removed from this waiver because it applies to teacher licensure:</p> <p>6-17-309 – Needs listed under teacher licensure waiver request only.</p>
6. Teacher Licensure	<p>Ark. Code Ann. § § 6-15-1004 6-17-309 6-17-401 6-17-418 6-17-902 6-17-908 6-17-919</p> <p>DESE Rules Governing Educator Licensure – Section 7</p> <p>Standard 4-D.1</p>	No legal concerns.
7. School Counselor	Standard 4-E.2	<p>The following standard may need added to the waiver request to fully effectuate the waiver unless IOTA plans to follow the requirements of the standard:</p> <p>Standard 4-E.1 – Licensed counselor. (See attached standards.)</p>
8. Instructional Materials	Ark. Code Ann. § 6-21-413	<p>The following rules may need added to the waiver request to fully effectuate the waiver unless IOTA plans to follow the requirements of the rules:</p> <p>DESE Rules Governing Instructional Materials – Sections 5.01 and 5.01.2. (See attached standards.)</p>
9. Alternative Learning Environment	Ark. Code Ann. §§ 6-15-1005(b)(5) 6-18-503(a)(1)(C)(i)	The following rules may need added to the waiver request to fully effectuate the

	6-48-102 6-48-103 Standard 2-I.1	waiver unless IOTA plans to follow the requirements of the rules: DESE Rules Governing Student Special Needs Funding – <i>Section 4 – Special Needs-ALE</i> . (See attached rules.)
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