

Initial Legal Review

Prepared by: Daniel Shults

Charter School Name: Unbound Virtual Academy

THE CHARTER IS REQUESTING THE FOLLOWING WAIVERS:

WAIVER TOPIC	STATUTES, STANDARDS, RULES	NOTES
1. Transpiration	Ark. Code Ann. §§ 6-19-101, et seq.	I have no legal concerns with respect to this waiver.
2. Leased Academic Facilities	Ark. Code Ann. § 6-21-117(2)-(5); Standard 6-A.1, 6-A.2	I have no legal concerns with respect to this waiver.
3. Maintain School Facilities	Standard 6-A.1	I have no legal concerns with respect to this waiver.
4. Tornado & Earthquake Safety Drills	Ark. Code Ann. § 6-10-121	I have no legal concerns with respect to this waiver.
5. Body Mass Index (BMI) Assessment	DESE Rules Governing Nutrition and Physical Activity and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools, Section 5.02.5, 12.00	I have no legal concerns with respect to this waiver.
6. Eye and Vision Screening	Ark. Code Ann. §§ 6-18-1501 6-18-1502; DESE Rules Governing Eye & Vision Screening Report in Arkansas Public Schools	I have no legal concerns with respect to this waiver.
7. Flag Display	Ark. Code Ann. §§ 6-16-105 6-16-106	I have no legal concerns with respect to this waiver.
8. Food Services	Ark. Code Ann. §§ 6-18-705 (breakfast program) 6-20-701, et seq. (school lunch program); Standard 3-D.1; DESE Rules Governing Nutrition and Physical Activity and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools	I have no legal concerns with respect to this waiver.

9. Health Services – School Nurse	Ark. Code Ann. § 6-18-706	The requirements of this section are not waivable pursuant to Ark. Code Ann. § 6-23-401(b)
10. Health and Safety Services	Standard 2-E.1, 2-E.2	The requirements of this standard are not waivable pursuant to Ark. Code Ann. § 6-23-401(b)
11. Physical Education	Ark. Code Ann. § 6-16-132; DESE Rules Governing Documents Posted to School District and Education Service Cooperative Websites – Sections 5&6	It appears the applicant inadvertently entered the wrong rule and omitted the required standards to effectuate this waiver. If the correct provisions are requested, I have no legal concerns with this waiver.