

Initial Legal Review

Prepared by: Stephen M. Reynolds, Associate Legal Counsel

Charter School Name: Somerset Academy Arkansas

The charter is requesting the following waivers:

| Waiver Topic | Statutes, Standards, Rules | Notes |
|--------------------------------|---|--|
| 1. Board of Directors | Ark. Code Ann. §§ 6-13-608 6-13-611 6-13-612(c) 6-13-613 6-13-615 6-13-616(a) 6-13-617 6-13-618 6-13-619(a), (c), (d)(1)(A), (d)(4) 6-13-620(5) 6-13-622(b) 6-13-630 6-13-631 6-13-634 6-13-635 6-13-1303 6-14-101, et seq. Rules Governing School Board Zones and Rezoning | A citation may be incorrect. A.C.A. 6-13-619(d)(1)(A) does not exist. Did you mean A.C.A. 6-13-619(d)(2)(A)? |
| 2. Superintendent & Principal | Ark. Code Ann. §§ 6-13-109 6-17-302 6-17-427 Standard 4-B.2, 4-C.1, 4-C.2 | Are you intending to hire licensed superintendents or principals in the future? Please be prepared to explain this to the CAP. |
| 3. Facilities and Flag Display | Ark. Code Ann. §§ 6-16-105 United States Flag 6-16-106 Arkansas State Flag 6-21-117 Leased Academic Facilities | Please limit the waiver of § 6-21-117 to subdivisions (2)-(5). You will need to add a waiver for Standards for Accreditation 6-A.1 and 6-A.2 to fully |

| | | |
|---------------------------------------|--|---|
| | | effectuate the waiver for leased academic facilities. |
| 4. Personnel Policies | <p>Ark. Code Ann. §§ 6-17-2301(c) 6-17-2301(c)(1) & (d)(2) 6-17-2302 6-17-2303 6-17-2304 6-17-2305 6-17-203 6-17-205 6-17-209 6-17-301 6-17-208 6-17-210 6-17-202 6-17-201(a) & (c)</p> <p>Standard 3-A.2 (only to the extent that the classified salary schedule must be published on the school's website)</p> <p>Rules Governing Documents Posted to School District and Education Service Cooperative Websites – 5.01.4, 5.01.5, 6.01, 6.02 (as for these sections, only to the extent that classified & administrator salary information is required to be published on the school's website)</p> | If you have a written grievance procedure that has the minimum requirements in 6-17-208, you do not need a waiver. Please be prepared to explain this to the CAP. |
| 5. School Counselor, Student Services | <p>Ark. Code Ann. § 6-18-706</p> <p>Standard 4-E.1, 4-E.2</p> | I have no legal concerns. Please be prepared to explain this to the CAP. |
| 6. Required Instruction K-12 | Standard 1-A.1.3 | I have no legal concerns. Please be prepared to explain this to the CAP. |
| 7. Teacher Licensure | <p>Ark. Code Ann. §§ 6-15-1004 6-17-309 6-17-401 6-17-418 6-17-902</p> | <p>Do you currently have applicants or educators in mind that do not have a license?</p> <p>Please be aware that all teachers must be AQT.</p> |

| | | |
|---|---|--|
| | <p>6-17-908 6-17-919</p> <p>Standard 4-D.1</p> <p>DESE Rules Governing Educator Licensure – Section 7</p> | <p>Please be prepared to explain this to the CAP.</p> |
| <p>8. Library Media Services</p> | <p>Ark. Code Ann. §§ 6-25-103 6-25-104</p> <p>Standard 2-D.1 Standard 4-F.1, 4-F.2</p> | <p>The law does not require a physical library. Are you intending to not have a library media program at all? Please be prepared to explain this to the CAP.</p> |
| <p>9. Class Size & Teaching Load</p> | <p>Ark. Code Ann. § 6-17-812</p> <p>Standard 1-A.5 (Class Size) Standard 1-A.6 (Teaching Load)</p> <p>DESE Rules Governing Class Size and Teaching Load</p> | <p>I have no legal concerns.</p> |
| <p>10. ALE</p> | <p>Ark. Code Ann. §§ 6-15-1005(b)(5) 6-18-503(a)(1)(C)(i) 6-48-102 6-48-103</p> <p>Standard 2-I.1</p> <p>DESE Rules Governing Student Special Needs Funding – Section 4</p> | <p>What is your plan to provide alternative learning environments for students should the need arise? Please be prepared to explain this to the CAP.</p> |
| <p>11. Report Cards</p> | <p>Ark. Code Ann. § 6-15-903(a)(2)</p> | <p>I have no legal concerns.</p> |
| <p>12. Planning Period, Duty Free Lunch Period and Non-Instructional Duties</p> | <p>Ark. Code Ann. §§ 6-17-111 6-17-114 6-17-117</p> | <p>I have no legal concerns. Please be prepared to explain this to the CAP.</p> |

| | | |
|--------------------------------|--|---|
| <p>13. Gifted and Talented</p> | <p>Ark. Code Ann. §§ 6-20-2208(c)(6) 6-42-109</p> <p>Standard 2.G.1</p> <p>DESE Rules Governing Gifted and Talented Program Approval Standards</p> | <p>I have no legal concerns. Please be prepared to explain this to the CAP.</p> |
|--------------------------------|--|---|

Note: I have a few general questions: (1) Can the charter clarify that it is requesting six individual charters for schools that seem to have only two locations and clarify the reasoning; (2) Will the charter be merging these charters at some point in the future; and (3) Can the charter explain why it chose this method of expansion into Arkansas instead of opening a single pilot campus under one charter, and then expanding from there?