

## **AgSTEM 2020 Open Enrollment Application**

### **Notes:**

- 1.** Sponsoring entity is ASSET Foundation, incorporated by Greta Greeno who is still an officer. Also, Abby Jones (daughter of Greta Greeno), Brad Doyle, and Mary Norris are directors. The Secretary of State's list of officers on the Board is different than the list provided on page 6 in the application. Ms. Greeno is also listed as the Executive Director. The ASSET Board will be the governing Board. I believe it is a conflict of interest for Ms. Greeno to be the Executive Director and serve on the board. Similarly, I believe it would be a conflict for her daughter to serve on the board.
  
- 2.** I am concerned that the school will not be able to be financially stable with a cap of 90-150 students in the first three years. I am concerned when looking at the robust course offerings (pages 15-16) in the Application. I'm not sure how the school will be able to offer those courses with such a limited budget. Additionally, the administrative salaries seem very high for such a small school. Even at \$90,000, it would be \$1,000 per student nearly 15% of the ADM.
  
- 3.** I think the mission statement should be better aligned to the Ag and STEM goals of the school.
  
- 4.** Is the school trying to become a "School of Agricultural Studies" as defined in Ark. Code Ann. § 6-23-108, or is the Applicant seeking to be a traditional open-enrollment charter with an Ag component? I did not see the required request or components in the application.
  
- 5.** In the positions listed (page 24) I did not see a special education teacher position listed. SPED teachers must be fully licensed and that requirement cannot be waived.
  
- 6.** In the original application, Applicant requested waivers for teacher licensure. In the document submitted to me prior to our meeting, those waivers were removed. In the application, the Applicant in several places says the teachers will not hold licenses. There is an inconsistency that needs to be resolved. Applicant should also confirm it plans to abide by the restrictions in Ark. Code Ann. § 6-17-111, § 6-17-114, and § 6-17-117 related to non-instructional duties, planning periods, and duty free lunches. No waivers were requested for Teacher Fair Dismissal or the Public Employee Fair Hearing Act. Applicant should confirm it plans to meet those requirements. No waiver was requested of the Teacher or Classified Employee Minimum Salary schedules, so Applicant should confirm it will follow those laws.

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7. The Applicant mentioned that it wishes to waive ELL services, which is prohibited. Applicant should redo the “ELL” portion of the Application to provide information on how it will provide mandatory services to those students. Applicant should also provide additional information on “Alternative Education” on the same question.

### **1. Alternative Learning Environment**

<b>Waiver Topic #1</b>	Alternate Learning Environment
<b>Arkansas Code Annotated</b>	§6-48-101-103
<b>Standard for Accreditation</b>	Standard 2-I.1
<b>ADE Rules</b>	Section 4 of the Rules Governing Student Special Needs Funding
<b>Rationale for Waiver</b>	Alternative education programs are designed to serve those students whose educational progress deviates from the standard. Often their behavior interferes with their own learning or the educational process of others. AgStem Academy will promote success at varying levels for students through small class sizes, teacher-pupil ratio, and methods of instruction that are very hands-on and at appropriate levels. We believe that the level of involvement will offset many of the student’s struggles with classroom behavior reducing the need for ALE Should a student need services beyond our capabilities we will seek counselling and guidance to provide this student with the most supportive environment.

**Legal Comments:** Applicant should explain how it will meet the needs of students who are unable to function in the traditional school environment, particularly those with special needs. Applicant needs an additional waiver of Ark. Code Ann. § 6-15-1005(b)(5) and § 6-18-503(a)(1)(C)(i). Applicant only needs a waiver of Ark. Code Ann. § 6-48-102 and 103.

### **2. School Board**

<b>Waiver Topic #2</b>	School Board of Directors and Election Laws
<b>Arkansas Code Annotated</b>	§6-13-601 et seq. (with exception of §6-13-612, 618,

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	620, 622, 623, 625, 626, 628 and 629) §6-13-619 (c) and (d) School District Board of Directors §6-14-101 et seq General Application of Election Laws.
<b>Standard for Accreditation</b>	
<b>ADE Rules</b>	
<b>Rationale for Waiver</b>	<p>ASSET Foundation, a 501c3 non-profit, seeks a waiver from the selection, board size, qualifications, powers, terms and vacancies of a School Board of Directors. ASSET Foundation Board of Directors will oversee the AgStem Academy. These board members are not selected by public. The ASSET Foundation Board, currently consisting of eight (8) members, with By-Laws permitting appointment of five (5) to twenty (20), will serve in that capacity. Any interested party may nominate an individual for a position on the Board of Directors by submission of a nomination in writing to the Board. Upon nomination, the Board will investigate the nominee's qualifications and interest in the position. Upon motion by a Director, the nomination may be brought to the floor during a regular or special meeting of the Board of Directors for a vote. A simple majority approval is required for acceptance of the nomination and appointment of the nominee to a position as a Director. Director terms shall be for a period of 3 years, starting January 1- December 31. The first year of any new member may be a partial year if their term does not begin on January 1. Since By-Laws state additional members are chosen at the discretion of the existing board we request a waiver for school election (§6-14-101 et seq.). ASSET's board is made up of business leaders, educators, and agricultural representatives with a common vision and goal. We ask for a waiver regarding physical attendance of board meetings due to additional responsibilities, work schedules and feasibility. Our members currently reside in Fayetteville, Jonesboro, Cash, and areas surrounding Weiner. This has necessitated the use of electronic media, such as conference calls and ZOOM, for ASSET's regular meetings. We request permission for AgStem Academy School Board meetings to be a</p>

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	<p>mixture of in-person and electronic attendance (following State and Federal guidelines as closely as possible). We will require the Professional Development of our board members. ASSET Foundation shall govern the school with fiscal accountability and regulations per the law.</p>
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**Legal Comments:** Ark. Code Ann. § 6-13-601 through 607, 609, 610, 614, 627, and 633 have been repealed. Applicant needs a waiver of Ark. Code Ann. § 6-13-612(c). No rationale has been provided for a waiver of Ark. Code Ann. §§ 6-13-617, 632, or 635. Ark. Code Ann. § 6-13-619 specifically allows for virtual attendance. Applicant should provide additional rationale as to why these sections should be waived.

**3. Administrators**

<b>Waiver Topic #3</b>	Administration
<b>Arkansas Code Annotated</b>	<p>§6-13-109 School Superintendent Definition                  §6-17-302 Public School Principal Qualifications and Requirements                  §6-17-427 Superintendent License</p>
<b>Standard for Accreditation</b>	<p>Std. 4 Human Capital:                  4-B.1                  4-B.2                  4-C.1                  4-C.2</p>
<b>ADE Rules</b>	Rules Governing The School Superintendent Mentoring Program
<b>Rationale for Waiver</b>	<p>To be fiscally responsible ASSET Foundation believes the positions normally identified as Superintendent and Principal will best be filled by one person named as the “Director of Schools”. The success of AgStem Academy depends upon having the right leaders and staff. The multiple roles of the school director, in addition to the regular academic and day to day management of the school, will include fund raising and public relations with businesses and advanced educational institutes. We believe this requires a special person who may or may not hold certification in these areas through Teacher Licensure of the state of Arkansas. We do ensure that the person selected</p>

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	will understand the job requirements and have the capabilities to carry these forward. This will be an “at will” position. All state rules regarding the duties of the school administrator will be followed.
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**Legal Comments:** No rationale has been provided for a waiver of the Superintendent Mentoring Program (Ark. Code Ann. § 6-17-427 and the DESE Rules Governing the Superintendent Mentoring Program).

#### **4. Teacher Licensure-- Rescinded**

Please see note above on this waiver.

#### **5. School Year**

<b>Waiver Topic #5</b>	School Year
<b>Arkansas Code Annotated</b>	§6-10-106 Uniform Dates
<b>Standard for Accreditation</b>	
<b>ADE Rules</b>	
<b>Rationale for Waiver</b>	Agriculture has its own calendar that varies from the academic calendar. Because of our focus on agriculture we request to follow §6-10-108 Twelve Month School Year to adjust our school calendar to best meet the curriculum needs.

**Legal Comments:** If Applicant is following Ark. Code Ann. § 6-10-108 and doing a year-round calendar, no waiver is needed. Applicant should confirm it plans to meet the requirements of Ark. Code Ann. § 6-16-102 and Standard 1-A.4.2 (2020 Standards, previously 1-A.5.2)

#### **6. Personnel Policies**

<b>Waiver Topic #6</b>	Personnel Policy Committee
<b>Arkansas Code Annotated</b>	§6-17-201 et seq Committee for Each School District

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	§6-17-2301 et seq. Committee for Each School District
<b>Standard for Accreditation</b>	
<b>ADE Rules</b>	
<b>Rationale for Waiver</b>	The guidelines for Personnel Policy (PP) committee are not feasible for our staff as we are too few in number. We will have a PP Committee selected by the staff as closely to guidelines as possible.

**Legal Comments:** The waivers requested are expansive. Applicant should review these sections to determine which laws need to be waived. The rationale only addresses Ark. Code Ann. § 6-17-203, 205, 209, 2303, 2305, which all have to do with a PPC. The rationale does not address the other components including, mandatory personnel policies, the information contained in the policies, etc.

**7. Student Health**

<b>Waiver Topic #7</b>	Student Health
<b>Arkansas Code Annotated</b>	§6-18-706 School Nurse
<b>Standard for Accreditation</b>	Std. 2: Student Support Services Std. 2-E Health and Safety Services 2-E.1 Health services program
<b>ADE Rules</b>	
<b>Rationale for Waiver</b>	We have a verbal agreement with Access Medical Clinic in Weiner to provide such services as needed. All our staff will be trained in First Aid. Our local Fire Department has an excellent First Responders service that will be a phone call away. An RN will prepare or approve of the preparation of student health plans.

**Legal Comments:** Should this be Standards 2-E.1 and 2-E.2? Please confirm. Otherwise, no issues.

**8. Library Media**

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<b>Waiver Topic #8</b>	Library Media
<b>Arkansas Code Annotated</b>	§ 6-25-103 Library Media Services Defined §6-25-104 Library Media Specialist
<b>Standard for Accreditation</b>	Standard 4-F Library Media Specialist 4-F.1 Library Media Specialist 4-F.2 Library Media Specialist
<b>ADE Rules</b>	
<b>Rationale for Waiver</b>	We are seeking to fill this service with a Technology Specialist who will be responsible for developing and maintaining reliable communications, data, hardware and software as well as provide proper technical support. Each student will be issued a computer networked to the necessary materials. We will be using multiple online libraries and programs that best support our curriculum. AgStem Academy students will have access to Library of Congress and courses provided from Arkansas' schools and prestigious not-for-profit educational providers. We will assist students in accessing and utilizing digital resources as a component of day-to-day instruction, not just special assignments. This reflects current industry practices where communications, collaboration, and document development are created and accessed digitally. Our classrooms will build and maintain libraries of relevant materials. The West Poinsett Memorial Library, located 3 blocks from our proposed location, is part of the Crowley's Ridge Regional Library and will work with us to obtain any materials students or teachers need. Teachers and students may advise the local librarian which materials are needed and she will secure these. The Regional Library delivers materials daily via a courier to the Weiner branch along with the 7 regional library branches. Teachers may schedule class visits to the library at any time.

**Legal Comments:** None.

**9. Gifted and Talented**

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<b>Waiver Topic #9</b>	Gifted and Talented Services
<b>Arkansas Code Annotated</b>	§ 6-42-109 Reports by School District §6-20-2208 (c) (6) Monitoring of Expenditures
<b>Standard for Accreditation</b>	Standard 2: Student Support Services Standard 2-G Gifted and Talented Services 2-G.1 Gifted and Talented Services
<b>ADE Rules</b>	Standard 2-G Gifted and Talented Services Rules Governing Gifted and Talented Program Approval Standards
<b>Rationale for Waiver</b>	AgStem Academy seeks a waiver in the area of Gifted and Talented Services as we believe our entire educational concept is built on differentiation of instruction according to subject matter and student ability. Students will be challenged to “think outside the box”. Technology today provides an endless capacity for curriculum which responds to student’s needs. Their potential will be evidenced through interaction and performance. The diverse student–focus of our curriculum will meet the learning characteristics and educational needs of all students, not just our gifted and talented students.

**Legal Comments:** None.

**10. Guidance Services**

<b>Waiver Topic #10</b>	Guidance Services
<b>Arkansas Code Annotated</b>	§6-18-2003 (a)(2)(A).)
<b>Standard for Accreditation</b>	Standard 4 – Human Capital: Standard 4-E Guidance Counselors Standard 4 – Human Capital; Standard 4-E Guidance Counselors 4-E.1, 4-E.2
<b>ADE Rules</b>	
<b>Rationale for Waiver</b>	AgStem Academy will seek a waiver for the first two years regarding the requirement of a guidance program and on-campus certified counselor for students in Grades 7-10. The Director of School and carefully selected campus teachers will receive Professional Development in the



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	<p>areas of career awareness, exploration, opportunities, and planning, with respect to individual’s strengths and desires. Our Agricultural teachers will play a strong role in this as our school emphasis is Agriculture and STEM. All teachers will be available to help guide students and parents regarding course choices and career options. We will seek an outside consultant’s service (Ex: Families Inc.) through a contractual basis for social, emotional and mental health needs that may arise. Our aim is to hire a guidance counselor as soon as finances permit, which we believe will be year 3. Should finances permit we will hire in year 2.</p>
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**Legal Comments:** Is the intent to waive school counseling services entirely for the first two years? If so, much more comprehensive waivers are necessary. Applicant should review Ark. Code Ann. § 6-18-2001 et seq. and 4-E.3 in the 2020 Standards, to determine which additional waivers are necessary. Outside of career guidance, Applicant should provide information on how it is meeting the personal, social, and educational needs of its students. Applicant should review Standards 2-C.1 and 2-C.2.

**Desegregation Analysis:** Responsive.