

Final Legal Review

Prepared by: Stephen M. Reynolds, staff attorney for the Department

Charter School Name: Unbound Academy

The charter is requesting the following waivers:

Waiver Topic	Statutes, Standards, Rules	Notes
1. Transportation	Ark. Code Ann. §§ 6-19-101, et seq.	I have no legal concerns.
2. Leased Academic Facilities	Ark. Code Ann. § 6-21-117(2)-(5) Standards for Accreditation 6-A.1 and 6-A.2	Under Ark. Code Ann. § 6-23-401(b) Standard 6-A.2 is not waivable. Please be prepared to provide a rationale to the CAP.
3. Maintain School Facilities	Standards for Accreditation 6-A.1	I have no legal concerns. Please be prepared to provide a rationale to the CAP.
4. Tornado & Earthquake Safety Drills	Ark. Code Ann. § 6-10-121	I have no legal concerns. Please be prepared to provide a rationale to the CAP.
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	Under Ark. Code Ann. § 6-23-401(b) this is not waivable.
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	Under Ark. Code Ann. § 6-23-401(b) this is not waivable.
7. Flag Display	Ark. Code Ann. §§ 6-16-105 6-16-106	I have no legal concerns. Please be prepared to provide a rationale to the CAP.
8. Food Services	Ark. Code Ann. §§ 6-18-705 (breakfast program) 6-20-701, et seq. (school lunch program)	Under Ark. Code Ann. § 6-23-401(b) sections 5.02.5 and 12.00 of the DESE Rules Governing Nutrition and Physical Activity and Body Mass Index for Age Assessment Protocols in Arkansas

	<p>Standard 3-D.1</p> <p>DESE Rules Governing Nutrition and Physical Activity and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools</p>	<p>Public Schools are not waivable. Please be prepared to provide a rationale to the CAP.</p>
<p>9. Physical Education</p>	<p>Ark. Code Ann. § 6-16-132</p> <p>Standards for Accreditation 1-A.1.1.6, 1-A.1.2.6, & 1-A.1.3.8</p> <p>DESE Rules Governing Nutrition and Physical Activity and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools – Sections 7.01, 7.01.1, 7.01.1.1, 7.01.1.2, 7.01.3, 7.09</p>	<p>I have no legal concerns. Please be prepared to provide a rationale to the CAP.</p>

Notes and General Concerns: Additional rationale is needed for most of the requested waivers.