

LISA Amendment Request Legal Review RESPONSES (Feb 9, 2021):

- **Recess Waiver**

- **Needs a waiver of Section 7.11 of the DESE Rules Governing Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools**

APPLICANT RESPONSE: *Applicant wishes to add a waiver of Section 7.11 of the DESE Rules Governing Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Public Schools.*

ADDED TO WAIVER REQUESTS

- **Health Services Program**

- **What is the rationale behind the request for a waiver of 2-E.2?**

APPLICANT RESPONSE: *Applicant wishes to rescind the waiver request of 2-E.2.*

MODIFIED IN WAIVER REQUESTS

- **Gifted and Talented**

- **Should be Ark. Code Ann. 6-20-2208(c)(6)**

APPLICANT RESPONSE: *Applicant wishes to edit the requested waiver from Ark. Code Ann. 6-2208(c)(6) to Ark. Code Ann. 6-20-2208(c)(6)*

MODIFIED IN WAIVER REQUESTS

- **Food Services**

- **Only a waiver of Ark. Code Ann. 6-20-709 is necessary, not the entire subchapter**

APPLICANT RESPONSE: *Applicant wishes to modify the request for a waiver of Ark. Code Ann. 6-20-701 et seq to only a waiver of Ark. Code Ann. 6-20-709.*

MODIFIED IN WAIVER REQUESTS

- **School Safety Policies**

- **What is the rationale behind the request? What does LISA need to do in the satellite centers that is not compliant with 6-A.2?**

APPLICANT RESPONSE: *Applicant wishes to request a waiver of this Standard as it pertains to the provision of hybrid instruction and not traditional on-site instruction. This waiver will only be utilized at the satellite learning centers. The school will work with the landlords where space is leased for satellite campuses to ensure that the facility is conducting regular inspections, appropriate for the type of facility.*

- **Attendance**

- **I do not believe a waiver of 6-18-209 is necessary as it does not require the school to use alternative classrooms or ISS, rather to develop strategies for promoting maximum student attendance. If the school is unable to use ISS or alternative classrooms, then the school would plan for other strategies for promoting**

maximum student attendance. Further, the requirement is on the district, not on particular schools, and other schools in the LISA district do have the ability to offer ISS and/or an alternative classroom setting.

APPLICANT RESPONSE: *Applicant wishes to rescind the request for a waiver of Ark. Code Ann. 6-18-209
REMOVED FROM WAIVER REQUESTS*

- **Instructional Materials**

- **Applicant needs a waiver of Section 5.01 of the DESE Rules Governing Instructional Materials to effectuate the waiver**

APPLICANT RESPONSE: *Applicant wishes to request a waiver of Section 5.01 of the DESE Rules Governing Instructional Materials to effectuate the waiver already requested of Ark. Code Ann. 6-21-413.
MODIFIED IN WAIVER REQUESTS*

- **Classroom Expenditures**

- **Will there be a process by which a teacher can request materials and/or be reimbursed for materials? Please provide additional rationale behind the request for (b)(2).**

APPLICANT RESPONSE: *Teachers who teach only in the hybrid school will not have a dedicated classroom, and will have less need for supplemental classroom supplies as in a traditional classroom. LISA Academy has a process in place that provides an account with Class Wallet for all teachers to purchase classroom supplies and materials as needed to supplement school-provided materials. In addition, there is already a system in place by which teachers may request additional funding for needed supplies by submitting a purchase request to the building principal and may receive reimbursement through that process. This same funding and process will be available to teachers within the Hybrid School.
MODIFIED IN WAIVER REQUESTS*

- **Facilities and Safety**

- **If the school is having satellite sites, is there not a need to do drills at those sites?**
- **Only a waiver of Ark. Code Ann. 6-10-110(d) is necessary.**

APPLICANT RESPONSE: *Applicant wishes to modify the request of a waiver of all of Ark. Code Ann. 6-10-110 and Ark. Code Ann. 6-10-121 to instead request only a waiver of Ark. Code Ann. 6-10-110 (d). Drills will be conducted at satellite locations.
MODIFIED IN WAIVER REQUESTS*

- **Discipline and Safety**

- **The cited rules have been repealed and replaced with the DESE Rules Governing Student Discipline and School Safety. In those Rules, Section 4.10 is a definition.**

No detailed rationale was provided that explained what the Applicant needed waived, so it's unclear. Please provide a much more detailed rationale and cite to the current version of the rules.

APPLICANT RESPONSE: *Applicant wishes to rescind the waiver request of DESE Rules 4.10 and instead requests waiver of ACA 6-18-502 and ACA 6-18-503 and section 5.0 of Rules Governing Student Discipline and School Safety. The rationale for this request is to allow flexibility to develop policies to meet the needs of the hybrid school students in the same way that LISA Academy has developed and published these policies for its other schools.*
MODIFIED IN WAIVER REQUESTS

- **Period of Silence**

- **None**

- **Six Hour Instructional Day**

- **Only need 6-16-102(a)(1)-(4) as you have addressed (a)(5) in your recess waiver and (b) is a requirement on DESE, not on a district.**

APPLICANT RESPONSE: *Applicant wishes to modify its request for only ACA 6-16-102(a)(1)-(4) instead of all of ACA 6-16-102 regarding the Six-Hour Instructional day.*
MODIFIED IN WAIVER REQUESTS

- **120 Clock Hours**

- **None**

- **Defibrillators Required**

- **Will defibrillators be provided in any space where an employee or a student may be physically present?**

APPLICANT RESPONSE: *RESCINDED FROM WAIVER REQUESTS*

- **Emergency Plans and Panic Button**

- **ARVA and ARCA are the two other schools with this waiver, but they do not have learning centers or satellite sites. What is the rationale behind this waiver when LISA will have some on-site learning?**

APPLICANT RESPONSE: *Applicant wishes to maintain a waiver of this requirement for satellite learning centers only, to allow the smaller learning center locations to utilize another method of emergency services contact, appropriate for each location.*
MODIFIED IN WAIVER REQUESTS

- **Pledge of Allegiance**

- **None**

- **Emergency First Aid**

- **ARCA is the only school with this waiver, but ARCA does not have learning centers or satellite sites. What is the rationale behind this waiver when LISA will have some on-site learning?**

APPLICANT RESPONSE: *Applicant wishes to rescind its waiver request of Ark. Code Ann. 6-17-102 and will provide emergency first aid training for staff at satellite learning centers.*

RESCINDED FROM WAIVER REQUESTS

- **Fire Hazard Inspections**

- **ARCA is the only school with this waiver, but ARCA does not have learning centers or satellite sites. What is the rationale behind this waiver when LISA will have some on-site learning? Update – Tripp will talk to Mary Claire**
- **Applicant wishes to utilize a waiver of this only for satellite learning centers where the school is leasing a small area within a larger facility. The school will work with the landlord to ensure that the facility is conducting its own inspections to ensure safety for students. Would this impact facilities funding?**

APPLICANT RESPONSE: *RESCINDED FROM WAIVER REQUESTS*

- **Report Cards**

- **None**

- **Other Comments**

- **Does LISA need a waiver of displaying the United States and Arkansas flags?**

APPLICANT RESPONSE: *Applicant requests waivers of ACA 6-16-105 and 6-16-106 for its satellite locations only. Because of leased space in buildings owned and operated by other entities, the school may not have authority to display flags outside of the buildings. Flags will be displayed inside in a visible location when the space is being used by the school.*

- **Please explain how LISA will use the Class Size and Teaching Load waivers in the context of the hybrid model.**

APPLICANT RESPONSE: *Online class load may be larger due to using traveling teachers who may serve multiple locations for virtual content delivery. This is most likely to impact non-core subject teachers.*

- **Please explain how the waivers of Ark. Code Ann. 6-18-502 and 503 will be used in the context of the hybrid model.**

APPLICANT RESPONSE: *The rationale for this request is to allow flexibility to develop policies to meet the needs of the hybrid school students in the same way that LISA Academy has developed and published these policies for its other schools. The policy for the hybrid school will be similar to the onsite policy but will allow for variances to best serve hybrid students. There will be different sections to address attendance, on-site participation, and other topics specific to the hybrid environment.*

(UPDATE INCLUDED IN RATIONALE IN WAIVER SECTION)

➤ **What is the rationale behind a waiver of 2-C.2 in this context?**

APPLICANT RESPONSE: *Applicant holds waivers of A.C.A. 6-18-2003(a)(2)(A) and A.C.A. 6-18-2003(a)(2)(B) and only utilizes the waiver of 2-C.2 as needed to effectuate these waivers. The counseling services provided on our onsite campuses will be provided for hybrid students as well. The waivers only address allowing waiver of counselor licensure and utilizing different counselor frameworks.*

➤ **What is the rationale behind a waiver of 2-D.1 in this context?**

APPLICANT RESPONSE – Digital resources will be available; some print materials will also be provided. This waiver is already in place for other LISA Academy schools.

➤ **The DESE Rules Governing School District Requirements for Personnel Policies, Salary Schedules, etc. was changed to the DESE Rules Governing Website Requirements in 2020. Please review the Rule and determine which sections are necessary.**

APPLICANT RESPONSE: *Applicant wishes to modify the waiver request to address current rules and requests waivers of Sections 5.01.4 and 6.02 of DESE Rules Governing Website Requirements . The school will still post salary schedules and personnel policies to websites, but they may be in a different format than the traditional step scale.*

➤ **Please provide more detail on how the K-12 school will roll out with grades, including an enrollment cap per year.**

APPLICANT RESPONSE: *Applicant provides below a projection of the grade roll-out and expected enrollment. However, the applicant requests the flexibility to alter this projection based on the demand of both new hybrid school applicants and current students wishing to transfer to the hybrid school from an existing LISA Academy school.*

Grade	2021-22		2022-23		2023-24		2024-25		2025-26		2026-27		2027-28 and after	
	Section	Total	Section	Total	Section	Total	Section	Total	Section	Total	Section	Total	Section	Total
K	2	40	2	40	2	40	2	40	2	40	2	40	2	40
1	1	25	2	50	2	50	2	50	2	50	2	50	2	50
2	1	25	1	25	2	50	2	50	2	50	2	50	2	50
3	1	25	1	25	1	25	2	50	2	50	2	50	2	50
4	1	25	1	25	1	25	1	25	2	50	2	50	2	50
5	1	25	1	25	1	25	1	25	1	25	2	50	2	50
6	2	56	2	56	2	56	2	56	2	56	2	56	3	84
7	2	56	2	56	3	84	3	84	3	84	3	84	3	84
8	2	56	3	84	3	84	3	84	4	112	4	112	4	112
9	2	56	3	84	4	112	4	112	4	112	4	112	4	112
10		0	2	56	3	84	4	112	4	112	4	112	4	112
11		0		0	2	56	3	84	4	112	4	112	4	112
12		0		0		0		0	3	84	4	112	4	112
Total	15	389	20	526	26	691	29	772	35	937	37	990	38	1018

- **Different LISA Campuses have different waivers. Please provide a list of waivers that you intend to apply to this License.**

APPLICANT RESPONSE: *The following waivers that are already held by LISA Academy for all Central Arkansas schools are requested to apply to the LISA Academy hybrid school as well.*

Topic	Waiver Type	Statute/Standard/Rule
Alternative Learning Environment	DESE Rule	Student Special Needs Funding
Alternative Learning Environment	Statute	A.C.A §§ 6-18-508
Alternative Learning Environment - Environment	Statute	A.C.A §§ 6-48-101 et seq.
Alternative Learning Environment - Placement	Statute	A.C.A §§ 6-18-503(a)(1)(C)(i)
Alternative Learning Environment - Required Program	Statute	A.C.A §§ 6-15-1005(b)(5)
Alternative Program Requirement	Standard	2-I.1
Board of Directors	Statute	A.C.A §§ 6-13-601 et seq.
Board of Directors - General Election Laws	Statute	A.C.A §§ 6-14-101 et seq.
Class Size and Teaching Load	DESE Rule	Class Size and Teaching Load
Class Size and Teaching Load	Standard	1-A.5
Class Size and Teaching Load - Compensation	Statute	A.C.A §§ 6-17-812
Comprehensive School Counseling Services Plan - School Counselor Licensure	Statute	A.C.A §§ 6-18-2003(a)(2)(A)

Comprehensive School Counseling Services Plan - State and National Frameworks	Statute	A.C.A §§ 6-18-2003(a)(2)(B)
Discipline - Policies	Statute	A.C.A §§ 6-18-503
Discipline - Rules for Development of Policies	Statute	A.C.A §§ 6-18-502
Discipline, Safety	DESE Rule	Guidelines for the Development, Review and Revision of School District Student Discipline and School Safety Policies
Employ Full-Time Superintendent	Standard	4-B.1
Employ Library Media Specialist	Standard	4-F.2
Employ Principal	Standard	4-C.1
Employment - Employment of Licensed Personnel	Statute	A.C.A §§ 6-17-301
Evaluations	DESE Rule	Teacher Excellence and Support System
Facilities - Arkansas Flag	Statute	A.C.A §§ 6-16-106
Facilities - Leased Academic Facilities	Statute	A.C.A §§ 6-21-117
Facilities - U.S. Flag	Statute	A.C.A §§ 6-16-105
Guidance Program	Standard	2-C.2
Instructional Materials	DESE Rule	Instructional Materials
Library Media Services - Library Media Specialist Licensure	Statute	A.C.A §§ 6-25-104
Library Media Services - Program	Statute	A.C.A §§ 6-25-103

Library Media Specialist Licensure	Standard	4-F.1
Maintain appropriate balance of print, non-print and electronic media	Standard	2-D.1
Minimum Schoolhouse Construction	DESE Rule	Minimum Schoolhouse Construction
Personnel - Non-Instructional Duties	Statute	A.C.A §§ 6-17-117
Personnel Policies - Classified Personnel Policies	Statute	A.C.A §§ 6-17-2301 et seq.
Personnel Policies - Minimum Teacher Compensation Schedule	Statute	A.C.A §§ 6-17-2403
Personnel Policies - Committee for Each School	Statute	A.C.A §§ 6-17-203
Personnel Policies - Public School Employee Fair Hearing Act	Statute	A.C.A §§ 6-17-1701 et seq.
Personnel Policies - Requirements	Statute	A.C.A §§ 6-17-201 et seq.
Personnel Policies - Requirements	Statute	A.C.A §§ 6-17-201(c)(2)
Personnel Policies - Teacher Fair Dismissal Act	Statute	A.C.A §§ 6-17-1501 et seq.
Personnel Policies, Salaries/Compensation	DESE Rule	School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites
Principal Licensure	Standard	4-C.2
Principals - Qualifications and Responsibilities	Statute	A.C.A §§ 6-17-302

Salaries - Classified School Employee Minimum Salary Act	Statute	A.C.A §§ 6-17-2203
Salaries - Fringe Benefits	Statute	A.C.A §§ 6-17-908(a)(4)(B)
Salaries - Teacher Definition	Statute	A.C.A §§ 6-17-902
Salaries - Warrants Void Without Valid License and Contract	Statute	A.C.A §§ 6-17-919
Salaries/Compensation	Statute	A.C.A §§ 6-17-1001
School Calendar	Statute	A.C.A §§ 6-10-106
School Counselor Licensure	Standard	4-E.1
School Counselor Ratio	Standard	4-E.2
Student Services	DESE Rule	Public School Student Services
Substitute Teachers	DESE Rule	Waivers for Substitute Teachers
Superintendent	DESE Rule	Superintendent Mentoring
Superintendent - Licensure	Statute	A.C.A §§ 6-13-109
Superintendent - Superintendent Mentoring Program	Statute	A.C.A §§ 6-17-427
Superintendent Licensure	Standard	4-B.2
Teacher Licensure	DESE Rule	Educator Licensure
Teacher Licensure	Standard	4-D.1
Teacher Licensure - Arkansas History Requirement	Statute	A.C.A §§ 6-17-418

Teacher Licensure - Licensure Requirements	Statute	A.C.A §§ 6-17-401
Teacher Licensure - Qualified Teachers in Every Classroom	Statute	A.C.A §§ 6-15-1004
Teacher Licensure - Waivers	Statute	A.C.A §§ 6-17-309
Technology Training Centers	DESE Rule	Techonology Training Centers
Transportation - Regulations and Standards	Statute	A.C.A §§ 6-19-101 et seq.
Unit of Credit meets for 120 clock hours	Standard	1-A.2