

Dr. Lloyd C. Elam Academy of Excellence and Innovation

**Red**=Waivers not previously requested, need additional discussion, or have remaining issues

**Green**=Waivers previously granted, no remaining issues

*Information provided by Applicant is in italics.*

## **Dr. Lloyd C. Elam Academy of Excellence and Innovation 2019 Open Enrollment Application**

**General Comment:** Applicant should confirm it plans to meet the requirements of all family and community engagement rules, facility rules, school nurse services, and the new requirements related to guidance counselors as none of these waivers were requested.

**Response:** LEA confirms that it plans to meet the requirements of all family and community engagement rules, facility rules, school nurse services. The requested waiver for guidance counselor requirements is found under Student Support Services as we have requested a waiver for 4-E.1 and 4-E.2 of the Standards for Accreditation.

### **1. Superintendent**

**Ark. Code Ann. § 6-13-109**

**Ark. Code Ann. § 6-17-427**

**ADE Rules Governing School District Superintendent, Section 15.01**

*A waiver for the role of Superintendents is being requested. LEA will make every effort to hire staff with these credentials but is requesting a waiver in order to have flexibility in this area. Other school administrators may be hired or contracted, as necessary and training provided to supplement the superintendent mentoring program.*

**Legal Comments:** Only a waiver of Ark. Code Ann. § 6-13-109(a) is necessary. Applicant needs an additional waiver of the ADE Rules Governing the Superintendent Mentoring Program. Applicant should provide additional information on how it plans to ensure its superintendent is qualified and trained if it is not participating in the mentoring program. There are no ADE Rules Governing School District Superintendents. Applicant may have intended to request Section 15.01 of the Standards for Accreditation, which would be a request for a repealed Standard. Applicant would need 4-B.2 under the current Standards for Accreditation, and should review Standard 4-B.1 to determine whether a waiver is needed.

**Response:** Applicant requests Ark. Code Ann. § 6-13-109(a), 4-B.1 and 4-B.2 of the Standards for Accreditation, and the ADE Rules Governing the Superintendent Mentoring Program. A waiver for the role of Superintendents is being requested. LEA will make every effort to hire staff with these credentials but is requesting a waiver in order to have flexibility in this area. Other school administrators may be hired or contracted as necessary and training provided to supplement the superintendent mentoring program. LEA will seek to utilize

Dr. Lloyd C. Elam Academy of Excellence and Innovation

**Red**=Waivers not previously requested, need additional discussion, or have remaining issues

**Green**=Waivers previously granted, no remaining issues

*Information provided by Applicant is in italics.*

training through the Arkansas Public School Resource Center as well as other resources in order to ensure multiple training opportunities.

**Legal Comments:** Applicant should confirm that it still seeks a waiver of Ark. Code Ann. § 6-17-427.

**Response:** Applicant confirms that it still seeks a waiver of Ark. Code Ann. § 6-17-427.

**Legal Comments:** None.

## **2. Principals**

**Ark. Code Ann. § 6-17-302**

**Section 15.02, Standards for Accreditation**

*The school will hire directors who will manage the day to day instructional and administrative decisions and perform academic officer duties for the school. This person will be responsible for developing the culture and establishing strong connections with the local communities. The goal is to eventually hire a principal but with the flexibility to choose one with pertinent skills in lieu of principal licensure. They will also be responsible for reporting professional development needs. If we hire a principal that is not licensed, every effort will be made to direct them to receiving principal licensure through alternative licensure methods.*

**Legal Comments:** Applicant has requested a waiver of the repealed version of the Standards for Accreditation. Applicant needs a waiver of 4-C.1 and 4-C.2 under the current version of the Standards for Accreditation, rather than Section 15.02 of the old Standards. Applicant only needs a waiver of Ark. Code Ann. § 6-17-302(a), rather than the entire statute.

**Response:** Applicant requests Ark. Code Ann. § 6-17-302(a) and Sections 4-C.1 and 4-C.2 of the Standards for Accreditation. The school will hire directors who will manage the day to day instructional administrative decisions and perform academic officer duties for the school. This person will be responsible for developing the culture and establishing strong connections with the local communities. The goal is to eventually hire a principal but with the flexibility to choose one with pertinent skills in lieu of principal licensure. They will also be responsible for reporting professional development needs. If we hire a principal that is not licensed, every effort will be made to direct them to receiving principal licensure through alternative licensure methods.

**Legal Comments:** None.

### **3. School Boards**

**Ark. Code Ann. § 6-13-601 et seq.**

**Ark. Code Ann. § 6-14-101 et seq.**

**Ark. Code Ann. § 6-1-619(c)(1)(A) and (d)**

**ADE Rules Governing School Election Expense Reimbursement**

**ADE Rules Governing School Board Zones and Rezoning**

*The Bylaws of Transforming Life, which governs the actions of its Board of Directors are consistent with all requirements of Nonprofit Corporate law. They specify the number of members, the process of electing them, the length of their term of service, and processes for resignation and /or removal, and meeting requirements all of which are consistent with the requirements of law. The Board will appoint members to serve of the School Board who will be authorized and empowered to make regular decision of the school and each member will be physically present at monthly meetings. The last part of the requested waiver will allow member to participate in meetings via conference or video call if necessary.*

**Legal Comments:** Ark. Code Ann. § 6-1-619(c)(1)(A) and (d) does not exist. If Applicant intended Ark Code Ann. § 6-13-619, it is already included in the request for § 6-13-601 et seq. Ark. Code Ann. §§ 6-13-601-607 have been repealed so no waiver is necessary. Applicant should provide detail on the length of the terms of the board members, board member training, size of the board, and how board members will be appointed. Applicant only needs a waiver of Ark. Code Ann. § 6-13-612(c), rather than the entire statute. No rationale has been provided for a waiver of Ark. Code Ann. § 6-13-619, and the statute specifically allows for virtual attendance. No rationale has been provided for a waiver of Ark. Code Ann. § 6-13-620 through 629, therefore no waiver is necessary. Applicant has provided no rationale for the waiver of Ark. Code Ann. § 6-13-632 or 635. No waiver of the ADE Rules Governing Reimbursement by School Districts for Election Expenses is necessary if there will be no election of board members.

**Response:** Applicant seeks waiver of Ark. Code Ann. § 6-13-601 et seq., Ark. Code Ann. § 6-14-101 et seq., and the ADE Rules Governing School Board Zones and Rezoning. The Bylaws of Transforming Life, which governs the actions of its Board of Directors are consistent with all requirements of Nonprofit Corporate Law. They specify the number of members which is no less than 5 but no more than 9, the process of electing or appointing in the event of a vacancy, their length of their term of services which is in renewable 2 year terms, and processes for resignation and/or removal, and meeting requirements all of which are consistent with the requirements of law. The Board will appoint members to serve who will be authorized and empowered to make regular decisions for the school and each member

Dr. Lloyd C. Elam Academy of Excellence and Innovation

**Red**=Waivers not previously requested, need additional discussion, or have remaining issues

**Green**=Waivers previously granted, no remaining issues

*Information provided by Applicant is in italics.*

will be physically or virtually present at monthly meetings. The Board will also be required to partake in annual training as required by law.

**Legal Comments:** Applicant should confirm it has rescinded its request for a waiver of ADE Rules Governing Reimbursement by School Districts for Election Expenses. Ark. Code Ann. §§ 6-13-601-607 have been repealed so no waiver is necessary. Applicant only needs a waiver of Ark. Code Ann. § 6-13-612(c), rather than the entire statute. No rationale has been provided for a waiver of Ark. Code Ann. § 6-13-619, and the statute specifically allows for virtual attendance. No rationale has been provided for a waiver of Ark. Code Ann. § 6-13-620 through 629, therefore no waiver is necessary. Applicant has provided no rationale for the waiver of Ark. Code Ann. § 6-13-632 or 635.

**Response:** LEA confirms it has rescinded its request for a waived of ADE Rules Governing Reimbursement by School Districts for Election Expenses. LEA understands that Ark. Code Ann. §§ 6-13-601-607 have been repealed so no waiver is necessary. LEA understands and confirms that it only needs a waiver of Ark. Code Ann. § 6-13-612(c), rather than the entire statute. Applicant confirms that it is rescinding its request for Ark. Code Ann. § 6-13-619, § 6-13-620 through 629, 632, and 635. LEA also is requesting to update the language in the rationale to state that “The Board will appoint members to serve who will be authorized and empowered to make *governance and policy decisions* for the school...” in the place of the word regular so as to not allow for overreach of the Board in operational decisions of the school.

**Legal Comments:** None.

#### **4. Teacher Licensure**

**Ark. Code Ann. § 6-15-1004**

**Ark. Code Ann. § 6-17-309**

**Ark. Code Ann. § 6-17-401**

**Ark. Code Ann. § 6-17-902**

**Ark. Code Ann. § 6-17-908**

**Ark. Code Ann. § 6-17-919**

**ADE Rules Governing Educator Licensure**

**Section 15.01 of ADE Rules Governing Educator Licensure**

**Section 15.01.3 "Requires all administrative, teaching, and other personnel shall hold a current, valid Arkansas license"**

### **Section 15.03.3 "Allows a person not fully qualified for a position to be used in emergencies only"**

*A waiver for teacher license is being requested. All of our teachers will be Highly Arkansas Qualified if applicable; however, within those licensure requirements generally, we want to have the autonomy to hire the best possible teachers, even if some of those candidates' qualifications do not include an Arkansas license. The school will be committed to recruiting and hiring quality staff members who are eligible to earn a teacher certification. Any individuals hired as a result of this waiver will meet all other requirements, such as Highly Arkansas Qualified status if applicable, and the successful completion of criminal background and Child Maltreatment Registry checks. Every effort will be made for all unlicensed personnel to enter into alternative licensure programs.*

**Legal Comments:** There are no Sections 15.01 and 15.01.3 of the ADE Rules Governing Educator Licensure. Applicant likely intended to request Sections 15.01 and 15.01.3 of the repealed version of the Standards for Accreditation. In the current version of the Standards for Accreditation, Applicant needs a waiver of Section 4-D.1. Will the Applicant have licensed teachers teaching outside of their licensure area? If yes, they only need a waiver of Section 7 of the ADE Rules Governing Educator Licensure. If no, they need no waiver of the ADE Rules Governing Educator Licensure. Applicant should provide additional rationale on how it will ensure only qualified teachers are in the classroom. Applicant should confirm it is aware that "Highly Arkansas Qualified" is not a valid standard and that all teachers must be Arkansas Qualified Teachers and those rules cannot be waived. Applicant should confirm it is aware that special education licensure cannot be waived.

**Response:** Applicant requests waivers of Ark. Code Ann. §§ 6-15-1004, 6-17-309, 6-17-401, 6-17-902, 6-17-908, and 6-17-919, as well as the ADE Rules Governing Educator Licensure and Section 4-D.1 of the ADE Rules Governing Educator Licensure. A waiver for teacher licensure is being requested. All of our teachers will be Arkansas Qualified Teachers if applicable; however, within those licensure requirements generally, we want to have the autonomy to hire the best possible teachers, even if some of those do not include an Arkansas license. The school will be committed to recruiting and hiring quality staff members who are eligible to earn a teacher certification. Every effort will be made for all unlicensed personnel to enter into an alternative licensure program. LEA is also aware that special education licensure cannot be waived.

**Legal Comments:** In the current version of the Standards for Accreditation, Applicant needs a waiver of Section 4-D.1. There is no Section 4-D.1 of the ADE Rules Governing Educator Licensure; I believe they intended to request a waiver of the Standard. Will the Applicant have licensed teachers teaching outside of their licensure area? If yes, they only need a waiver of

Dr. Lloyd C. Elam Academy of Excellence and Innovation

**Red**=Waivers not previously requested, need additional discussion, or have remaining issues

**Green**=Waivers previously granted, no remaining issues

*Information provided by Applicant is in italics.*

Section 7 of the ADE Rules Governing Educator Licensure. If no, they need no waiver of the ADE Rules Governing Educator Licensure.

**Response:** Applicant confirms that our request for a waiver of Section 4-D.1 is from the Standards for Accreditation. LEA may have teachers teaching outside of their licensure area and still requests a waiver of Section 7 of the ADE Rules Governing Educator Licensure.

**Legal Comments:** Can the Applicant confirm whether it is seeking a waiver of the ADE Rules Governing Educator Licensure in whole, or just Section 7?

## **5. Personnel Policies**

**Ark. Code Ann. § 6-17-201(c)(2)**

**Ark. Code Ann. § 6-17-1501 et seq.**

**Ark. Code Ann. § 6-1-1701 et seq.**

**Ark. Code Ann. § 6-17-2203**

**Ark. Code Ann. § 6-17-2302**

**Ark. Code Ann. § 6-17-2301**

**Ark. Code Ann. § 6-17-2403**

**Ark. Code Ann. § 6-17-203**

**Ark. Code Ann. § 6-17-204**

**Ark. Code Ann. § 6-17-205**

**Sections 4-8 of ADE Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites**

*The Board shall establish an employee handbook which outlines all LEA personnel policy requirements. School personnel will have an opportunity to provide input into these policies through public comment during meeting of the Board which are open to the public.*

*Decisions to invite staff to return in subsequent school years will be at the discretion of the Board based on performance and school budget. All school employees will be offered a salary commensurate to salaries offered to similar positions in local area schools.*

*Furthermore, the waivers of the Fair Dismissal Act and Public Employee Fair Hearing Act are requested to help us fully implement our "at will" employment policy. These waivers will help us to make employment decisions in a more expeditious manner than the above Acts allow, and enable us to help ensure that we have proper staff in place to execute our educational model. The salary waivers are requested in that we wish to establish our own compensation model, which will vary in some respects from the minimum salary schedules*

Dr. Lloyd C. Elam Academy of Excellence and Innovation

**Red**=Waivers not previously requested, need additional discussion, or have remaining issues

**Green**=Waivers previously granted, no remaining issues

*Information provided by Applicant is in italics.*

*required by the statute, but which again will be in accordance with our educational and operational model.*

**Legal Comments:** Applicant should explain why it needs a waiver of Ark. Code Ann. § 6-17-201(c)(2), rather than the entire section. Applicant needs Ark. Code Ann. § 6-17-2201 et seq. and Ark. Code Ann. § 6-17-2401 et seq.

**Response:** Applicant requests waivers of: Ark. Code Ann. § 6-17-201, Ark. Code Ann. § 6-17-1501 et seq., Ark. Code Ann. § 6-1-1701 et seq., Ark Code Ann § 6-17-2201 et seq., Ark. Code Ann. § 6-17-2203, Ark. Code Ann. § 6-17-2302, Ark. Code Ann. § 6-17-2301, Ark Code Ann § 6-17-2401 et seq., Ark. Code Ann. § 6-17-2403, Ark. Code Ann. § 6-17-203, Ark. Code Ann. § 6-17-204, Ark. Code Ann. § 6-17-205, and Sections 4-8 of ADE Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites.

The Board shall establish an employee handbook which outlines all LEA personnel policy requirements. School personnel will have an opportunity to provide input into these policies through public comment during meeting of the Board which are open to the public.

Decisions to invite staff to return in subsequent school years will be at the discretion of the Board based on performance and school budget. All school employees will be offered a salary commensurate to salaries offered to similar positions in local area schools.

Furthermore, the waivers of the Fair Dismissal Act and Public Employee Fair Hearing Act are requested to help us fully implement our "at will" employment policy. These waivers will help us to make employment decisions in a more expeditious manner than the above Acts allow, and enable us to help ensure that we have proper staff in place to execute our educational model. The salary waivers are requested in that we wish to establish our own compensation model, which will vary in some respects from the minimum salary schedules required by the statute, but which again will be in accordance with our educational and operational model.

**Legal Comments:** None.

## **6. School Year Dates**

**Ark. Code Ann. § 6-10-106**

**Ark. Code Ann. § 6-16-102**

**Ark. Code Ann. § 6-18-213(a)(2)**



Dr. Lloyd C. Elam Academy of Excellence and Innovation

**Red**=Waivers not previously requested, need additional discussion, or have remaining issues

**Green**=Waivers previously granted, no remaining issues

*Information provided by Applicant is in italics.*

*Due to the school model, the anticipated school calendar may extend beyond that start and end date as prescribed by Ark. Code Ann 6-10-106. In the event that the school closes during the school year due to inclement weather and/or emergencies, the school will add any necessary make-up days the end of the term or use possible inclement weather days that we may build into the current school calendar*

**Legal Comments:** Applicant needs a waiver of Section 1-A.5.2 in the Standards for Accreditation to effectuate the waiver of § 6-16-102. Applicant should explain whether it intends to begin school prior to August 13 each year. Will the Applicant be operating on a year-round calendar? If so, a waiver of Ark. Code Ann. § 6-10-106 is not necessary as Ark. Code Ann. § 6-10-108 already allows for a year-round calendar. Applicant has provided no rationale for the waiver of Ark. Code Ann. § 6-18-213(a)(2), attendance records, therefore no waiver is necessary.

**Response:** Applicant requests waivers of Ark. Code Ann. § 6-10-106, § 6-16-102, and Section 1-A.5.2 of the Standards for Accreditation. Note: Haven't decided on whether or not to use a year round calendar. This is just in case we do choose to do so (106). Due to the school model, the anticipated school calendar may extend beyond that start and end date as prescribed by Ark. Code Ann 6-10-106. In the event that the school closes during the school year due to inclement weather and/or emergencies, the school will add any necessary make-up days the end of the term or use possible inclement weather days that we may build into the current school calendar.

**Legal Comments:** Applicant should explain whether it intends to begin school prior to August 13 each year. Will the Applicant be operating on a year-round calendar? If so, a waiver of Ark. Code Ann. § 6-10-106 is not necessary as Ark. Code Ann. § 6-10-108 already allows for a year-round calendar. Applicant has provided no rationale for the waiver of Ark. Code Ann. § 6-18-213(a)(2), attendance records, therefore no waiver is necessary.

**Response:** After much consideration, LEA intends to operate on an extended school calendar, but not a year round calendar, and begin school each year before August 13th. This will allow flexibility in setting the school calendar each year. LEA wants to rescind our waiver request for Ark. Code Ann. § 6-18-213(a)(2).

**Legal Comments:** None.



## **7. Instructional Structure and Clock Hours**

**Ark. Code Ann. 9.03.3 "The following courses shall be taught annually for a total of 38 units except as otherwise allowed in Ark Code Ann 6-15-213 and 6-15-214, as articulated in these rules"**

### **Section 14.03 – ADE Rules Governing Seat Time**

*The school will offer grades 6-12 at full capacity. The first year we will not have high school grades. We plan to offer all of the curriculum each year to the grades being served. Even though this applies to high school grades, we want it to be in place when we start offering Grade 9.*

**Legal Comments:** Ark. Code Ann. § 9.03.3 does not exist. It's likely that Applicant intended to request a waiver of the outdated version of the Standards, Section 9.03.3. In the current version of the Standards, this waiver would be of section 1-A.1.3, however the Applicant should confirm it is aware that graduation requirements, the required 22, cannot be waived and it must fully comply with those requirements. There are no ADE Rules Governing Seat Time. Applicant may have intended to request Section 14.03 of the repealed version of the Standards. The 120 clock-hour requirement is in 1-A.2 of the current Standards for Accreditation.

**Response:** Applicant requests waivers of Sections 1-A.1.3 and 1-A.2 of the Standards for Accreditation. The school will offer grades 6-12 at full capacity. The first year we will not have high school grades. We plan to offer all of the curriculum each year to the grades being served. Even though this applies to high school grades, we want it to be in place when we start offering Grade 9. LEA is aware that graduation requirements cannot be waived and will fully comply with those requirements.

**Legal Comments:** None.

## **8. Student Support Services**

**Ark. Code Ann. § 6-10-106**

**Ark. Code Ann. § 6-15-1005(b)(5)**

**Ark. Code Ann. § 6-18-502(a)(1)(C)(i)**

**Ark. Code Ann. § 6-18-503(a)(1)(C)(i)**

**Ark. Code Ann. § 6-18-1004(a)(2)**

**Sections 16.01.3 and 19.03 of the Standards for Accreditation**

**Section 4 of the ADE Rules Governing Student Special Needs Funds**

Dr. Lloyd C. Elam Academy of Excellence and Innovation

**Red**=Waivers not previously requested, need additional discussion, or have remaining issues

**Green**=Waivers previously granted, no remaining issues

*Information provided by Applicant is in italics.*

## **ADE Rules Governing Public School Student Services**

*LEA will offer a comprehensive guidance program but requesting this waiver for flexibility in hiring a certified guidance counselor. The school will make effort to do so but if efforts are not successful, the school will contract with a counseling center to provide the support required for implementation of the program. The school requests a waiver to providing an ALE. We will implement intervention strategies that cultivate a positive culture and climate and reduce the need for ALE environment. LEA will utilize an effective in-school reset environment.*

**Legal Comments:** Ark. Code Ann. § 6-10-106 is school start date, so Applicant should confirm how this relates. Ark. Code Ann. § 6-18-502(a)(1)(C)(i) does not exist. Applicant should review the new guidance counselor legislation and confirm whether it needs a waiver. Applicant cited to the repealed version of the Standards for Accreditation. Applicant should review 2-C.1, 2-C.2, 2-G.1, 2-I.1, 4-E.1, and 4-E.2 to determine which sections it needs. Applicant needs to provide more rationale on how these waivers will be used, how they help the Applicant meet its stated goals, and how these services will be provided to kids.

**Response:** Applicant requests waivers of Ark. Code Ann. §§ 6-15-1005(b)(5), 6-18-503(a)(1)(C)(i), 6-18-1004(a)(2), Section 4 of the ADE Rules Governing Student Special Needs Funds, ADE Rules Governing Public School Student Services, and sections 2-C.2, 2-G.1, 2-I.1, 4-E.1, and 4-E.2 of the Standards. LEA will offer a comprehensive guidance program but requesting this waiver for flexibility in hiring a certified guidance counselor. The school will make effort to do so but if efforts are not successful, the school will contract with a counseling center to provide the support required for implementation of the program. The school requests a waiver to providing an ALE. We will implement intervention strategies that cultivate a positive culture and climate and reduce the need for ALE environment. LEA will utilize an effective in-school reset environment.

**Legal Comments:** Ark. Code Ann. § 6-18-1001 et seq. was repealed by Act 190, therefore no waiver of Ark. Code Ann. § 6-18-1004(a) is necessary. Applicant needs to review Ark. Code Ann. § 6-18-2001 et seq. to determine from which sections it needs a waiver.

**Response:** Applicant understands that Ark. Code Ann. § 6-18-1001 et seq. was repealed by Act 190, therefore no waiver of Ark. Code Ann. § 6-18-1004(a) is necessary. Therefore we rescind this waiver request.

Dr. Lloyd C. Elam Academy of Excellence and Innovation

**Red**=Waivers not previously requested, need additional discussion, or have remaining issues

**Green**=Waivers previously granted, no remaining issues

*Information provided by Applicant is in italics.*

**Legal Comments:** Ark. Code Ann. § 6-18-1001 et seq. was replaced by a new School Counselor law. Applicant needs to review Ark. Code Ann. § 6-18-2001 et seq. to determine from which sections it needs a waiver.

## **9. Library Media**

**Ark. Code Ann. § 6-25-103**

**Ark. Code Ann. § 6-25-104**

**Section 16.02 of the Standards for Accreditation**

*The school will offer library media services through classroom libraries as well as access to online books. The nature of the educational program is such that it will offer variation in library media program and resources will be made available to students through online and classroom resources.*

**Legal Comments:** Applicant has cited the repealed version of the Standards. Applicant should review 2-D.1, 4-F.1, and 4-F.2 to determine what it needs waived.

**Response:** Applicant requests waivers of Ark. Code Ann. § 6-25-103, Ark. Code Ann. § 6-25-104, and Sections 2-D.1, 4-F.1, and 4-F.2 of the Standards for Accreditation. The school will offer library media services through classroom libraries as well as access to online books. The nature of the educational program is such that it will offer variation in library media program and resources will be made available to students through online and classroom resources.

**Legal Comments:** Based on the rationale provided, no waiver of 2-D.1 is necessary.

**Response:** Applicant rescinds its request for a waiver of 2-D.1.

**Legal Comments:** None.

## **10. Gifted and Talented**

**Ark. Code Ann. § 6-42-101 et seq.**

**Ark. Code Ann. § 6-20-2208(c)(6)**

**Section 18, Standards for Accreditation**

**ADE Rules Governing Gifted and Talented Program Approval Standards**

Dr. Lloyd C. Elam Academy of Excellence and Innovation

**Red**=Waivers not previously requested, need additional discussion, or have remaining issues

**Green**=Waivers previously granted, no remaining issues

*Information provided by Applicant is in italics.*

*LEA's mission is to foster challenging curriculum for all students at their level of learning. Students that are advanced will have more challenging academia and have access to programs to facilitate them excelling.*

**Legal Comments:** A waiver from Ark. Code Ann. § 6-42-101 is not necessary. Only a waiver from Ark. Code Ann. § 6-42-109 is necessary. Applicant cited to the repealed version of the Standards for Accreditation. In the current version of the Standards, the gifted and talented information is at 2-G.1. Applicant should provide additional rationale on how it plans to meet the needs of its Gifted and Talented students.

**Rationale:** Applicant requests Ark. Code Ann. § 6-42-109, § 6-20-2208(c)(6), 2-G.1 of the Standards, and the ADE Rules Governing Gifted and Talented Program Approval Standards. LEA's mission is to foster challenging curriculum for all students at their level of learning. Students that are advanced will have more challenging academia and have access to programs to facilitate them excelling.

**Legal Comments:** None.

## **11. Transportation**

**Ark. Code Ann. § 6-19-101 et seq.**

*LEA will not provide school transportation. However, if need arises, we will provide access to public means of transportation.*

**Legal Comments:** Applicant should provide additional rationale on how it plans to provide transportation services to special education students to and from school and on field trips, should they require specialized transportation.

**Rationale:** LEA will not provide school transportation. However, if need arises, we will provide access to public means of transportation. Also, if the need arises, we will contract out specialized transportation.

**Legal Comments:** None.

Dr. Lloyd C. Elam Academy of Excellence and Innovation

**Red**=Waivers not previously requested, need additional discussion, or have remaining issues

**Green**=Waivers previously granted, no remaining issues

*Information provided by Applicant is in italics.*

## **12. Curriculum**

**Legal Comments:** Based on its application, it will need waivers of curriculum in 5-8 since they are doing a grade roll-out, so it should review Section 1-A.1.2 of the Standards for Accreditation.

**Response:** Applicant requests a waiver of Sections 1-A.1.2 and 1-A.1.3 of the Standards for Accreditation.

**Legal Comments:** Applicant should confirm it is aware that no graduation requirements contained in 1-A.1.3 can be waived.

**Response:** Applicant confirms that we are aware that no graduation requirements contained in 1-A.1.3 can be waived and rescind our waiver request for this Standard.

**Legal Comments:** Applicant needs a waiver of 1-A.1.3 since it will not be operating all 9-12 grades until 2024-2025 and will not be teaching all of the curriculum components. The waiver only needs to last until 2024-2025 when they are 6-12. Applicant just needs to confirm that no graduation requirements can be waived, but the curriculum can.

**Desegregation Analysis:** Fully responsive