

Initial Legal Review

Charter School Name: Mountainburg High School

General Legal Concerns:

Has the Mountainburg School Board approved the decision to seek this district conversion charter?

WAIVER TOPIC	STATUTES, STANDARDS, RULES	NOTES
1. Salaries and Compensation	Ark. Code Ann. §§ 6-17-807 6-17-812 6-17-908 6-17-2401 et seq. 6-21-303(b)	<p>You cannot request a waiver of Ark. Code Ann. § 6-17-2403 and qualify for the additional teacher salary funding provided by the LEARNS Act.</p> <p>You cannot have a waiver of 6-17-2401 et seq, so please determine which waivers from the section you need and which ones you do not.</p> <p>The waiver of 6-17-812 implies that you intend for one of your teachers to go over on class load, but I did not see a class load standards waiver. Do you need to add a waiver request for class load, or can you eliminate this request?</p>
2. Teacher Licensure	Ark. Code Ann. §§ 6-15-1004 6-17-309 6-17-401 6-17-418 6-17-902 6-17-908 6-17-919 Standard 4-D.1 Section 7	<p>The correct name of the rules is “DESE Rules Governing Educator Licensure.”</p> <p>Be prepared to provide additional rationale to the CAP.</p> <p>If you are granted this wavier will this waiver be narrowed only to part-time teachers?</p>

3. Teacher Excellence & Support System	Ark. Code Ann. §§ 6-17-2801 et seq. Rules Governing Educator Support and Development	The correct title of the rules is “DESE Rules Governing Educator Support and Development.” Be prepared to provide more detailed rationale to the CAP.
4. Professional Development	Ark. Code Ann. §§ 6-17-703 6-17-704 6-17-705 4-G.1 Rules Governing Professional Development	The correct title of the rules is “DESE Rules Governing Professional Development.” How will you ensure that your part-time teachers are fully trained? Think about school safety trainings when formulating your response. Be prepared to provide more rationale in your final application and to the CAP.
5. Instructional Day	Ark. Code Ann. § 6-16-102 Standard 1-A.4.2	Since you are requesting to waive the entire statute, you do not need the waiver of Flexible Schedule below. Be prepared to provide additional rationale to the CAP.
6. Flexible Schedule	Ark. Code Ann. § 6-16-102, except (a)(5)	See above.
7. 178 Instructional Day	Standard 1-A.4.1	To qualify for the additional funding for teacher salaries, a district must be open for 178 in-person, on-site instructional days or 1,068 in person, on-site instructional hours.
8. Personnel Policies – Daily Planning Period	Ark. Code Ann. § 6-17-114	Please clarify if this waiver will be narrowed to part-time teachers only.
9. Personnel Policies – Duty Free Lunch Period	Ark. Code Ann. § 6-17-111	Please clarify if this waiver will be narrowed to part-time teachers only.