

**Fort Smith Virtual Academy Charter  
2021 District Conversion Application**

**General Legal Concerns**

1. Confirm you are aware that you will be required to meet the Standards in this school alone.

**1. Attendance**

**Ark. Code Ann. § 6-18-213(a)(2)**

**Legal Comments:** None.

**2. Instructional Day**

**Ark. Code Ann. § 6-16-102  
Standard 1-A.4.2**

**Legal Comments:** None.

**3. Class Size**

**Ark. Code Ann. § 6-17-812(a)(2)  
Standard 1-A.5  
DESE Rules Governing Class Size and Teaching Load**

**Legal Comments:** None.

**4. Recess**

**Ark. Code Ann. § 6-16-102(a)(5)  
Standard 1-A.4.3  
DESE Rules Governing Nutrition and Physical Activity, Section 7.11**

**Legal Comments:** None.

## **5. 120 Clock Hours**

### **Standard 1-A.2**

**Legal Comments:** None.

## **6. Principal**

**Ark. Code Ann. § 6-17-302**

### **Standard 4-C.1**

**Legal Comments:** Based on the rationale provided, only a waiver of Ark. Code Ann. § 6-17-302(a) is necessary. Nothing in the rationale supports a waiver of 4-C.1.

## **2. 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. § 6-17-919**

**Standard 4-D.1**

**DESE Rules Governing Educator Licensure – Section 7**

**Legal Comments:** If you are using an approved digital learning provider for these courses, no waiver of teacher licensure is required. If you are not using an approved digital learning provider, you must have a licensed Arkansas teacher of record. I need to know what you will be doing to determine if additional waivers of the DESE Rules Governing Distance and Digital Learning are required.

## **3. School Nurse**

**Ark. Code Ann. § 6-18-706**

**Standard 2-E.1**

**Legal Comments:** None.

#### 4. Library Media

Ark. Code Ann. § 6-25-103

Ark. Code Ann. § 6-25-104

Standard 4-F.1; 4-F.2

**Legal Comments:** The rationale says that district LMS will be available to provide instruction and assistance. That LMS is still bound by the Standards LMS ratio. Does that LMS have the ratio flexibility to be providing services to another school? Does the other school have the necessary waivers to make that happen?

#### 5. Flag Display

Ark. Code Ann. § 6-10-115

Ark. Code Ann. § 6-16-105

Ark. Code Ann. § 6-16-106

Ark. Code Ann. § 6-16-108

**Legal Comments:** None.

#### 6. Food Services

Ark. Code Ann. § 6-18-705

Standard 3-D.1

**Legal Comments:** Please review the DESE Rules Governing Nutrition and Physical Activity and add necessary sections to your request. How will students have access to meals at the neighborhood schools? Since they are not enrolled in those schools, I do not think they would be reimbursable meals.

#### 7. Report Cards

Ark. Code Ann. § 6-15-903(a)(2)

**Legal Comments:** None.