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Capital City Lighthouse Charter School 2019 Renewal Application

Expiring Waivers

All waivers, other than those listed below, are fine and there are no legal comments.

Board of Directors

Ark. Code Ann. § 6-13-601 et seq.

Legal Comments: Applicant needs to review this subsection and state which sections it needs waived. Ark. Code Ann. § 6-13-601 through 607 have been repealed, as well as sections 609 and 610. What is the rationale behind the waiver of Ark. Code Ann. § 6-12-612(a) and (b) and Ark. Code Ann. § 6-13-619? What is the rationale behind the waiver of Ark. Code Ann. § 6-13-621 through 629 and Ark. Code Ann. § 6-13-632?

Applicant Response:

“Board of Directors: Applicant wishes to amend its waiver request to Ark. Code Ann. §§6-13-608, 611, 615, 616, 619 (c)-(d), 620, 621, 630, 631, 634 and 635. The rationale for the waiver request of Ark. Code Ann. §6-13-621 is that the statute is inapplicable to open-enrollment public charter schools, as it concerns a school district’s ability to convey sixteenth section lands.”

Legal Comments: Applicant needs a waiver of Ark. Code Ann. § 6-13-612(c) to effectuate the waiver of § 6-13-611.

Annual Report

Ark. Code Ann. § 6-15-2006(b)

Legal Comments: What is the rationale behind the continuation of this waiver?

Applicant Response:

We do not wish to continue this waiver: see below

“Annual Report. Applicant wishes to rescind this waiver request, as it was only intended to be effective for the school’s first year of operation. This rescission was also noted in the “Waivers to be Rescinded” section.”

Legal Comments: None.

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Personnel Policies

Ark. Code Ann. § 6-17-201(c)(2)
Ark. Code Ann. § 6-17-2301 et seq.

Legal Comments: Is the Applicant meeting all other requirements of Ark. Code Ann. § 6-17-201? Does the Applicant have written personnel policies for classified employees? If yes, it does not need a waiver of the entire subchapter Ark. Code Ann. § 6-17-2301 et seq. Applicant should review that law and determine which sections it needs waived.

Applicant Response:

“Personnel Policies. Applicant wished to amend its waiver request to a waiver of Ark. Code Ann. §§6-17-201 (c), 203, 204, 205, 208, and 209-211, as well as Ark. Code Ann. §§6-17-2301 (b)-(c), 2302, 2303, 2304 and 2305.”

Legal Comments: What is the rationale behind the waiver of Ark. Code Ann. §§ 6-17-208 and 210? Does Capital City have a grievance procedure for employees?

Library Media

Ark. Code Ann. § 6-25-101 et seq.
2-D.1, Standards

Legal Comments: No waiver of Ark. Code Ann. § 6-25-101 or 102 is necessary. What is the rationale behind the request to waive Ark. Code Ann. § 6-25-105 and 106? What is the rationale behind the waiver of 2-D.1 in the Standards?

Applicant Response:

“Library Media. Applicant wishes to amend its waiver request to a waiver of Ark. Code Ann. §§6-25-103 and 104 only.”

Legal Comments: None.

Alternative Learning Environment

Ark. Code Ann. § 6-48-101 et seq.

Legal Comments: Very similar to my other comments, only Ark. Code Ann. § 6-48-102 and 103 have requirements that impact schools and school districts. No waiver of the other sections is needed.

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Applicant Response:

“Alternative Learning Environment: Applicant wishes to amend its waiver request to a waiver of Ark. Code Ann. §6-48-102 and 103 only.”

Legal Comments: None.

Guidance Counseling

4-E.2, Standards

Legal Comments: Applicant needs a waiver of Ark. Code Ann. § 6-18-2003(a)(2)(A) to effectuate this waiver.

Applicant Response:

“Guidance Counseling: Applicant request a waiver of Ark. Code Ann. §6-18-2003 (a) (2) (A) to effectuate this waiver.”

New Waivers

1. Duty Free Lunch, Planning Periods, Non-Instructional Duties

Ark. Code Ann. § 6-17-111

Ark. Code Ann. § 6-17-114

Ark. Code Ann. § 6-17-117

Rationale: Capital City Lighthouse seeks a waiver from this portion of the Educational Code to the extent that it requires teachers to be contracted if they are assigned to more than sixty (60) minutes of non-instructional duties per week. Instead, CCLCS requests that the time be increased to hundred forty (240) minutes. This waiver request would allow us to utilize our teachers to perform both instructional and non-instructional duties to achieve efficient and economical operation of the school. Applicant requests this waiver to be able to, as needed, provide its teachers with the required planning time during their regularly scheduled hours of work, but not during the students’ instructional day (ie... during a time range of 7am-8am or 4pm to 5pm). Applicant requests a waiver to allow it to effectively utilize its staff in making assignments for duty free lunches. Although we will continue to provide 150 minutes of duty free lunch per week, we request the ability to use the time in a manner that will address our staffing needs.

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Legal Comments: With a combination of waivers for duty-free lunch, planning period, and teaching load, how is the Applicant working to make sure teachers have adequate planning time, breaks, and do not get overloaded. Based on the rationale provided, Applicant only needs a waiver of Ark. Code Ann. § 6-17-114(a)(2). The rationale provided for the waiver of duty-free lunch is confusing. Applicant should provide a more detailed rationale.

Applicant Response:

“Duty-Free Lunch, Planning Periods, Non-Instructional Duties: Applicant wishes to amend its waiver request of Ark. Code Ann. §6-17-114 to §6-17-114 (a) (2). Applicant will put in place a system consistent with its previously-provided rationale to ensure that teachers have adequate planning time and breaks, and do not get overloaded. A chief goal of this waiver request is to permit the Applicant the ability to use the collective periods of time in such a way as to maximize teacher interaction time with our students. We believe that implementing this system will both increase student achievement and improve the culture of the school. We have discussed this proposed system with our teaching staff, and they are supportive of it. We will provide for sufficient staff rotation in duties to allow an appropriate amount of time for teacher use to remain productive and prevent burnout.”

Legal Comments: Legal is still not understanding what the "proposed system" is. Applicant needs to provide more information. How and when will teachers have planning time? Will teachers have duty-free lunches?

2. Guidance Counselor

Ark. Code Ann. § 6-18-2001

4-E.2, Standards

4-E.1, Standards

Rationale: Capital City Lighthouse seeks to maintain the current standards waivers of 4-E.1, 4'E.2 and a waiver of Act 190. CCLCS has a Culture Coordinator that serves in the capacity of Counselor. At LHA, we provide training programs for this role that includes but are not limited to, parent engagement, trauma informed, restoration, conflict and resolution, grief and healthy relationship building that is responsive to our student’ needs. The Culture Coordinator also receive additional training from our partnerships with Mental Health Agencies on working with students and families. This partnership also serves as a support for our families and for staff in the area of parent nights with specified trainings that support our needs assessment and teacher professional learning. We are requesting to keep our current structure and model, as it has changed our school environment, student to student interaction, student to teacher interaction and teacher to family interaction to a calm and welcoming atmosphere of learning.

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Legal Comments: Applicant already has waivers of 4-E.1 and 4-E.2 in the Standards. Applicant does not need a waiver of Ark. Code Ann. § 6-18-2001, as that is just the title of the Subchapter. Assuming the Applicant intended to request Ark. Code Ann. § 6-18-2001 et seq., Applicant's rationale does not support a waiver of the entire subchapter. Applicant should provide a detailed rationale on why it needs waivers of each section.

Applicant Response:

Guidance Counseling: Capital City Lighthouse seeks to maintain its current waivers of ADE Standards Rules Sections 4-E.1, 4-E.2, and add waivers of Ark. Code Ann. §6-18-2003 (a) (2) (A) (concerning guidance counselor licensure) and 6-18-2004 (concerning the 90%/10% time allocation).

CCLCS has a Culture Coordinator that serves in the capacity of Counselor for 167 scholars in grades K-5.

We have found that our current model is best delivered by our culture coordinator in partnership with our mental health agency (The P.A.T. center). We currently have an 8 hour instructional day, beginning at 7:45 am and ending at 3:45pm for scholars along with an extended year for our scholars. Our scholars attend 190 days per year, exceeding the 178 the state requires. Our staff has a 7:45 am start time and 4:15pm ending time each day for 205 days per year, with 30 minutes for lunch each day. We do not use our counselors as test administrators, trainers, or monitors.

When broken down by minutes required per scholar for the year, CCLCS provides more direct/indirect minutes than the state requires. The difference in the time the state requires and CCLCS provides is listed below:

State requirement: 360 minutes per day x 178 days divided by 450 scholars per counselor x 90% = 128.16 minutes of direct/indirect minutes per scholar

LHA requirement: 450 minutes per day x 190 days divided by 167 scholars per counselor x 90% = 460.77 direct/indirect minutes per scholar

At LHA, we provide training programs for this role that includes but are not limited to;

- Dealing with Difficult parents
- parental engagement
- trauma informed
- Handle with care training is a behavioral management system that provides training on how to handle children that are behaviorally challenged and provides tools to assist with limit setting, verbal de-escalation and physical intervention.
- Restorative Justice
- Conflict and resolution
- Grief and anxiety
- Bullying
- Responsive classroom to build a positive school climate

The waivers of the portions of Act 190 listed above would allow CCLCS flexibility in how our counselor provides services for students while fully implementing the Comprehensive School Counseling Program Plan required by Act 190. It would allow and provide our counselors and mental health agency the

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opportunity to conduct additional classroom and group instruction as well as other tasks that may not be officially considered direct/indirect services. If granted, we commit to providing at least the state required average of 128.16 minutes of direct/indirect services per child per year.

Legal Comments: None.

Rescinded Waivers

Legal Comments: Applicant copied and pasted Sections 7.02.2 and 7.03 from an ADE Rule, but did not identify the Rule. Applicant needs to identify the Rule.

Applicant Response:

Rescinded Waivers: "Applicant intended to rescind its "Annual Report" waiver, Ark. Code Ann. §6-15-2006 (b)."

Legal Comments: None.

Desegregation Analysis: Fully responsive.