

FINAL LEGAL REVIEW

Charter School Name: Omni Classical Prep of Cabot

Questions/Concerns

Separation of Duties & Conflicts of Interest

In order to avoid conflicts of interest and audit findings, there must be a clear separation of duties between your sponsoring entity, board, CMO and director/administrators. It appears that, based on the information listed on the Arkansas Secretary of State's website, your director and one board member are officers of the sponsoring entity. Please also provide additional information regarding the board's oversight and approval of director's spending power as well as your conflicts of interest policy.

Because the director is an administrator as defined by law (see Ark. Code Ann. § 6-24-101, et seq.), the school would not be able to legally contract with the sponsoring entity for management services.

Budget

Please provide additional explanation regarding how the charter will meet its financial obligations. As it stands, the budget relies on the school having full enrollment of 200 students during the first year in order to have enough funding to cover budgeted expenses. Concerns include that the school may not have budgeted enough for Special Education and that there is no allocation of funds for transportation for students who may require it as part of IEPs.

You have budgeted \$50,000.00 for your CMO. Please be more specific about services that your CMO would provide.

Food Services

Regarding food services, please state whether you will participate in the school lunch program. The application states that the school will apply to participate in the school lunch program and school breakfast program "unless the Federal Government requires schools to violate Arkansas Code § 6-16-1006." This appears to state that participation in the programs is conditioned upon potential violation of a statute that is not related to food services. Please be prepared to provide additional explanation at the CAP meeting.

If you do not participate in the school lunch program, how will the school provide meals for its students? The school has not asked for waivers related to food services which means that the school would be required to meet the requirements of laws and rules related to food services/child nutrition. Do you plan to ask for waivers related to food services at a later date? If you needed to ask for a waiver at some point after instruction begins, will the school participate in the school lunch program and breakfast program until that waiver is granted?

The budget allocates \$95,000.00 for food services. Please clarify what these food services funds will be used for. Will some or all of the funds be used for a food service consulting company or food service management company?

Waivers

WAIVER TOPIC	STATUTES, STANDARDS, RULES	NOTES
1. Superintendent	Ark. Code Ann. §§ 6-13-109 6-17-427 Standard 4-B.2 DESE Rules Governing the Superintendent Mentoring Program	None; however, you may need to provide additional rationale regarding how you will ensure that your administrators are properly trained.
2. Principal	Ark. Code Ann. § 6-17-302 Standard 4-C.1	None; however, you may need to provide additional rationale regarding how you will ensure that your administrators are properly trained.
3. Teacher Licensure	Ark. Code Ann. § 6-15-1004 6-17-301(a)(1) 6-17-309 6-17-401 6-17-427 6-17-902 6-17-908 6-17-919 Standard 4-D.1 DESE Rules Governing Educator Licensure, Section 7	None.
4. Library Media Specialist	Ark. Code Ann. § 6-25-104 Standards 4-F.1, 4-F.2	At the CAP meeting, please be prepared to provide additional rationale for your waiver request.
5. Library Media Services	Ark. Code Ann. § 6-25-103	At the CAP meeting, please be prepared to provide additional rationale for your waiver request.

		How will the library media academic standards be taught?
6. Gifted & Talented	Ark. Code Ann. § 6-42-109 6-20-2208(c)(6) Standard 2-G.1 Rules Governing Gifted & Talented Program Approval Standards	At the CAP meeting, please be prepared to provide additional rationale regarding how you will meet the needs of students.
7. Personnel Policies - Teacher Fair Dismissal Act	Ark. Code Ann. §§ 6-17-1501, et seq.	None.
8. Personnel Policies - Public School Employee Fair Hearing Act	Ark. Code Ann. §§ 6-17-1701, et seq.	None.
9. Board of Directors	Ark. Code Ann. §§ 6-13-608 6-13-611 6-13-613 6-13-615 6-13-616 6-13-619 6-13-620 6-13-621 6-13-630 6-13-631 6-13-634 6-13-1303 6-13-1401, et seq. 6-14-101, et seq. Arkansas Dept. of Education Rules and Regulations for Reporting Compliance with Ark. Code Ann. § 6-13-631 and for Withholding Aid From School Districts Not in Compliance with Ark. Code Ann. § 6-13-631 Arkansas Department of Education Rules Governing	Please see comments above regarding separation of duties.

	Reimbursement by School Districts for Election Expenses	
10. Alternative Learning Environment	Ark. Code Ann. §§ 6-48-102 6-15-1005(b)(5) 6-18-503(a)(1)(C)(i) Standard 2-I.1 DESE Rules Governing Student Special Needs Funding, Section 4	None.
11. Financial Management – Business Manager	Ark. Code Ann. § 6-15-2302(b) Standard 3-A.5	None.
12. Curriculum, Required Instruction	Standard 1-A.1.3, et seq.	Please narrow down your request for waivers of the standards to specific sections and be prepared to provide additional rationale at the CAP meeting.
13. Personnel Policies - Requirements	Ark. Code Ann. §§ 6-17-201 Standard 3-A.2 DESE Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to Websites, Sections 4-8	If you will have personnel policies in place, do you need a waiver of the entirety of 6-17-201? Do you want to narrow your request for waivers of the website rules to parts of Sections 5 & 6? Sections 4, 7, and 8 do not address personnel policies.
14. Personnel Policies – Classified Employees Personnel Policies	Ark. Code Ann. §§ 6-17-2301, et seq.	Please narrow down your request to specific statutes and sections of statutes.
15. Teaching Load	Ark. Code Ann. § 6-17-812	This was listed in your application with your request for a licensure waiver. This code section addresses teaching load. If you are requesting a waiver of teaching load, you will also need to cite the appropriate standard

		for accreditation and the appropriate section of the DESE Rules Governing Class Size & Teaching Load.
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