



Act 1240 District Waiver Request Extension

District:	Smackover-Norphlet School District
LEA Number:	7008000
Superintendent:	Jason Black
Email:	Jason.black@smackover.net
Contact for Waiver:	Jennifer Lee
Contact Email:	Jennifer.lee@smackover.net
Contact Phone:	(870) 725-1234
Date Received by DESE:	3/2/21

The following documents must be submitted with the waiver request:

1. Evidence of the local school board's approval of the waiver request(s)
2. Evidence of stakeholder involvement, including teachers and student families

Waiver Extension Request #1

Topic:	Teacher Licensure
Standards/Statutes/Rules:	Standard 4-D.1 DESE Rules Governing Teacher Licensure – Section 7 6-15-1004 – Qualified teachers in every classroom 6-17-309 – Waivers for teacher licensure 6-17-401 – Licensure requirements 6-17-902 – Teacher definition 6-17-908 – Teacher Salary Fund 6-17-919 – Warrants void without valid license and contract
Duration Requested:	5 years – through the 2025-26 school year
Name of Open-Enrollment Charter Holding the Waiver	Arkansas Virtual Academy
Schools, Grades or Classes the Wavier Will Apply To	K-12

1. Provide a detailed rationale explaining how the waiver will enhance student learning opportunities, promote innovation or increase equitable access to effective teachers. Include information about the problem or obstacle, if any, the waiver will help the district overcome.

The Smackover-Norphlet School District is requesting an extension of our current Act 1240 waiver regarding teacher licensure to help increase equitable access of effective teachers to students within our school district. The SNSD originally requested an Act 1240 waiver in 2016 due to the challenges in finding licensed applicants.

It is the goal of the Smackover-Norphlet School District to have licensed teachers in every classroom. However, there are barriers for our district, as well as many other districts in our area and across the state.

- Currently, there is a teacher shortage across the state and the nation.
- Several of our local universities do not have secondary licensure programs available for all of the content areas.
- There has been a decline in the number of graduates from the Teacher Education programs from our local universities and across the state.

When we are unable to find a licensed teacher, then our next best option is to find a qualified applicant who is willing to obtain an Arkansas teaching license. To get enrolled in a licensure program takes time. The Act 1240 Waiver provides the applicant with the time needed to get enrolled in an education preparation program, pass a PRAXIS exam, or complete any other necessary requirement.

To be eligible for an Act 1240 Waiver in the Smackover-Norphlet School District, an applicant teaching in a core content area will be able to show documentation that they are an Arkansas highly qualified teacher.

In addition, any applicant hired as a teacher under the Act 1240 Waiver is required to receive New Teacher Mentoring and obtain professional development training annually. Professional development training includes, but is not limited to ethics, human trafficking, and the Science of Reading.

This Act 1240 waiver extension will support our students by having teachers who meet the criteria of an Arkansas Qualified Teacher and who are working towards educator licensure when we are unable to hire a licensed teacher of record as opposed to placing a long-term substitute in the position.

2. Provide a detailed explanation of how the services being waived will be provided for students.

Due to the increasing number of non-traditional and Act 1240 waiver teachers being hired, especially at the middle school and high school levels, the Smackover-Norphlet School District has designed and will implement a new teacher induction program for all newly hired teachers in the school district beginning in the summer of 2021. This training will be in addition to the New Teacher Mentoring Program which is supported for our school district by the South Central Service Cooperative.

The new teacher induction program will begin with two to three days of training, including pedagogy, instructional strategies, and classroom management strategies. Instructional facilitators will provide on-going in-time support for the new teachers throughout the year. New middle and high school teacher will follow up with an additional two days of training during the second summer of their employment with the SNSD. Two days will feature topics specifically focused on instructional strategies and a third day will be more intensive classroom management support.

In addition, new teachers will be engaged in professional learning community teams to provide curriculum, assessment, and planning support. These professional learning communities will focus on the following four questions:

- What do we want all students to know and be able to do?
- How will we know if they learn it?
- How will we respond when some students do not learn?
- How will we extend the learning for students who are already proficient?

Our goal for all of our new teachers (including those on the Act 1240 waiver) is to surround them with so much intensive support that our students, parents, and community members will be unable to tell which teachers were licensed through a traditional education program and which were not.

As a matter of transparency, the SNSD sends out letters to parents at the beginning of the year notifying them of the class and the teacher that is working under an Act 1240 Waiver.

3. Provide a detailed explanation of how the district will monitor and evaluate the effectiveness of the waiver.

Since the Smackover-Norphlet School District's initial Act 1240 waiver for teacher licensure was approved in 2016, the district has utilized the waiver 14 times. The District currently has 5 teachers operating under an Act 1240 waiver. Two of those teachers are currently enrolled in the MAT program and are currently waiting for their provisional license to be issued by the Division of Elementary and Secondary Education.

In the majority of cases, most teachers in the SNSD operating under an Act 1240 are issued a standard or provisional license in less than one school year.

To monitor the progress of a teacher of record under an Act 1240 waiver, the Human Resources Coordinator does the following annually:

- Meets individually at the beginning of the school year and has the teacher sign an addendum to his/her contract explaining the steps the teacher shall take during the current school year to make progress towards obtaining a teaching license.
- Meets individually in December with each teacher to review the addendum and obtain documentation of the progress being made. Each teacher is required to sign a memo stating that failure to complete the steps needed towards obtaining a teaching license will result in termination of his/her contract.
- Conducts follow-up meetings as necessary during the second semester to ensure compliance.

- If a teacher does not make adequate progress, then his/her teaching contract will not be renewed for the upcoming school year. (This scenario has only happened once. The teacher turned in his letter of resignation effective at the end of the school year.)

The Smackover-Norphlet School District takes Act 1240 Waivers for teacher licensure very seriously and expects the teacher to willingly and quickly make steps toward teacher licensure.

4. Describe how the waiver has ensured success in the school or district over the past five years. Provide data or evidence to support your answer.

The Smackover-Norphlet School District has utilized the Act 1240 Waiver 14 times since it was granted in 2016. Because of the Act 1240 Waiver, the district has had an Arkansas Qualified Teacher in every classroom who was actively pursuing a standard teaching license. Any teacher working under an Act 1240 Waiver who failed to make progress did not have their contract renewed.

Of the 14 Act 1240 Waivers utilized in our district:

- 5 have obtained an Arkansas teaching license.
- 2 have completed all of the requirements of obtaining an Arkansas teaching license and are waiting on the license to be issued.
- 2 are actively working towards an Arkansas teaching license.
- 5 are no longer with the school district.
 - One obtained her standard teaching license the year after she left our district and has contacted the school district regarding job opportunities in her area of licensure.
 - One returned to Texas where he held a teaching license.
 - One is working in another school district under an Act 1240 Waiver.
 - One is enrolled in a MAT program where he is still working towards licensure.
 - One has obtained a job in industry effective at the end of the school year.

If the district had not had the Act 1240 Waiver, the district would have had to hire long-term substitutes to fill the vacant positions. This would have had a negative affect on student achievement due to the inability to fill the positions with applicants who had the content knowledge and/or the background experience through work related experiences.

Although several of the teachers who utilized the Act 1240 Waiver are no longer affiliated with the Smackover-Norphlet School District, 12 of the 14 teachers are still in education in Arkansas. Given the declining number of people pursuing education careers in the state and nationally, our Act 1240 Waiver is helping to increase the number of licensed teachers in the pipeline in Arkansas.

Resolution Act 1240 Waiver

WHEREAS, the mission of the Smackover-Norphlet School District is to prepare students in becoming college and career ready citizens; and,

WHEREAS, the research shows that effective teachers are the most important factor contributing to student achievement; and,

WHEREAS, the Smackover-Norphlet School District acknowledges that our ability to recruit and hire the best and most qualified teachers is our greatest challenge; and,

WHEREAS, the Smackover-Norphlet School District is facing extreme challenges employing licensed teachers for all classrooms; and,

WHEREAS, the Smackover-Norphlet School District has exhausted options to recruit new teachers for licensed positions from students who have completed traditional educational licensure programs and persons enrolled in or pursuing non-traditional licensure programs, including APPEL, MAT, Teach for America, and ABCTE;

WHEREAS, waivers of certain state laws and administrative rules would allow the Smackover-Norphlet School District more flexibility in placing teachers in classrooms; and,

WHEREAS, Act 1240 of 2015, codified at Ark. Code Ann. § 6-15-103, allows public school districts to petition the State Board of Education for all or some of the waivers granted to an open-enrollment public charter school that draws students from the public school districts; and,

WHEREAS, Arkansas Virtual Academy is an open-enrollment public chart school that draws students from the Smackover-Norphlet School District; and,

WHEREAS, the Arkansas State Board of Education granted Arkansas Virtual Academy a series of waivers, including waivers from the Arkansas Department of Education Rules Governing Standards of Accreditation of Arkansas Public Schools and School Districts, including: (1) ACA § 6-15-1004, (2) ACA § 6-17-309, (3) ACA § 6-17-919

NOW, THEREFORE, BE IT RESOLVED BY THE SMACKOVER-NORPHLET SCHOOL DISTRICT BOARD OF DIRECTORS, THAT:

1. Pursuant to Act 1240 of 2015, codified at Ark. Code Ann. § 6-15-103, the Smackover-Norphlet School District Board of Directors is requesting the extension of the following waivers from the Arkansas State Board of Education:
 - a. Standard 4-D.1
 - b. DESE Rules Governing Teacher Licensure
 - c. 6-15-1004 – Qualified teachers in every classroom
 - d. 6-17-309 – Waivers for teacher licensure
 - e. 6-17-401 – Licensure requirements
 - f. 6-17-902 – Teacher definition


- g. 6-17-919 – Warrants void without valid license and contract and
- h. Any other such waivers as may legally be required and granted by the Arkansas State Board of Education to give effect to the efforts to place licensed teachers in classrooms.

2. The Smackover-Norphlet School District is requesting the extension of these waivers for a period of five years which would culminate in the 2025-2026 school year.

Adopted this 25th day of January, in the year of our Lord, 2021, by the Smackover-Norphlet School District Board of Directors.



Joe Bates, President



Don Thomas, Secretary

The Buckaroo Blog

News from the Smackover-Norphlet School District

Act 1240 Waiver Extention

The Smackover-Norphlet School District Board of Directors signed a resolution supporting the district in seeking an Act 1240 Waiver regarding teacher licensure from the Arkansas Department of Education in August of 2016. SNSD is required to seek an extension of its current Act 1240 Waiver regarding teacher licensure from the state board of education every 5 years. The waiver will continue to allow the school district to hire an eligible non-licensed applicant for a teaching position if the applicant meets the following criteria:

- Has a minimum of a bachelor's degree
- Has demonstrated content knowledge in the core academic subject area being taught
- Is willing to make annual progress towards obtaining an Arkansas Teaching License

For more information regarding this Act 1240 Waiver Extension request including frequently asked questions, please click on the link below.

[Act 1240 FAQ \(https://thebuckaroblog.files.wordpress.com/2021/02/act-1240-faq.pdf\)](https://thebuckaroblog.files.wordpress.com/2021/02/act-1240-faq.pdf)

If you would like to provide any comments to the Smackover-Norphlet School District regarding the Act 1240 Waiver, please click on the link below through Monday, February 22.

[Comments \(https://docs.google.com/forms/d/e/1FAIpQLScjcDb9gt7B6YNaglyaWNZGGZDr-Y5YEh5nyFoV2bQN8geoKA/viewform?usp=sf_link\)](https://docs.google.com/forms/d/e/1FAIpQLScjcDb9gt7B6YNaglyaWNZGGZDr-Y5YEh5nyFoV2bQN8geoKA/viewform?usp=sf_link)

Posted in [Buckaroo News](#) on [February 12, 2021](#) by [The Buckaroo Blog](#). >

[BLOG AT WORDPRESS.COM.](https://thebuckaroblog.wordpress.com)

Act 1240 Informational Document

The Smackover-Norphlet School District was approved by the Arkansas State Board of Education to receive an Act 1240 Waiver regarding teacher licensure for five years beginning in the 2016-2017 school year.

The SNSD is preparing to request a five-year extension for this waiver.

Frequently Asked Questions

What is an Act 1240 Waiver?

Act 1240 established that a school district may petition the State Board of Education to be granted the same waivers that are granted to open-enrollment public charter schools. A school district is eligible to apply for waivers if a student who resides in the school district attends a charter school.

What does the Act 1240 Waiver allow the SNSD to do?

The SNSD's Act 1240 Waiver allows the school district to hire an eligible applicant for a teaching position.

To be eligible for an Act 1240 Waiver in the Smackover-Norphlet School District, the applicant must meet the following criteria:

1. Have a minimum of a bachelor's degree
2. Have demonstrated content knowledge in the core academic subject area being taught
3. Be willing to make annual progress towards obtaining an Arkansas Teaching License

In addition, any applicant hired as a teacher under the Act 1240 Waiver is required to receive New Teacher Mentoring and obtain professional development training annually.

What does it mean to have "demonstrated content knowledge in the core academic subject being taught?"

Not just anybody is eligible for an Act 1240 Waiver. There are multiple ways that an applicant can demonstrate that they have content knowledge in the core academic subject. To qualify, an applicant must have at least one of the following:

- Have 18 undergraduate/graduate hours of college credit related to the area in which the applicant would be assigned to teach
- Passed the PRAXIS content knowledge exam in the area the applicant would be assigned to teach
- Prior employment in a specific field or occupation for at least one (1) year that required the educator to demonstrate knowledge and skills in the content area to be taught

Why does the SNSD need the Act 1240 Waiver?

It is the goal of the Smackover-Norphlet School District to have licensed teachers in every classroom. However, there are barriers for our district, as well as many other districts in our area and across the state.

- Currently, there is a teacher shortage across the state and the nation.

- Several of our local universities do not have secondary licensure programs available for all of the content areas.
- There has been a decline in the number of graduates from the Teacher Education programs from our local universities and across the state.

When we are unable to find a licensed teacher, then our next best option is to find a qualified applicant who is willing to obtain an Arkansas teaching license. To get enrolled in a licensure program takes time. The Act 1240 Waiver provides the applicant with the time needed to get enrolled in an education preparation program, pass a PRAXIS exam, or complete any other necessary requirement.

What does the SNSD do to try to recruit licensed teachers?

- Attends job fairs
- Posts positions on the AAEA job website
- Posts positions on the South Central Service Cooperative job website
- Posts positions on the career websites of universities
- Posts positions on The Buckaroo Blog and the district website
- Posts positions in the local newspapers
- Contacts DESE for a list of applicants in the APPEL program which is a non-traditional licensure program. Appropriate applicants are notified of job openings.

How many teachers have used the Act 1240 waiver since 2016 in the SNSD?

The SNSD has had a total of 14 teachers who have used the waiver since 2016. Most of the teachers need the waiver for less than a year. For the 2020-2021 school year, five (5) teachers are under the Act 1240 Waiver.

How would I know if my child has a teacher using an Act 1240 waiver?

The SNSD sends out letters to parents at the beginning of the year notifying them of the class and the teacher that is working under an Act 1240 Waiver.

Next Steps

The Smackover-Norphlet School District will do the following to obtain an extension to their current Act 1240 Waiver:

- Request a resolution of support from the Smackover-Norphlet School District board of directors
- Obtain public comment regarding the Act 1240 Waiver
- Submit the Act 1240 Waiver to the Division of Elementary and Secondary Education
- Participate in a hearing with the State Board of Education for approval of the waiver extension.

Act 1240 Waiver Comments

Please provide any comments to the Smackover-Norphlet School District regarding the proposed Act 1240 Waiver extension.

1. Name

2. Comments

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Google Forms

Act 1240 Waiver Extension
Stakeholder Meeting
March 10, 2021

8:30 am

AGENDA

1. Welcome and Introductions

Stacy Jerry
Amanda Arnold
Tara Pell
Meghan Preston
Andrew Schroeder
Jennifer Lee

2. Are you familiar with the Act 1240 Waiver?

Parent - don't have to have license - but going for license - must have some sort of degree

JL explained AQT (18 hours), Content knowledge exam, relevant work exp.)
- must make annual progress towards licensure

JL - ask if anyone has ever received notice that their child was taught by Act 1240 waiver → lead to discussion on notice for all licensure exceptions (All had received letters except elementary parent)
- notification is our transparency when a student is not taught by licensed teacher

3. How has the Act 1240 waiver supported our district?

Counselor - allowed us to get some teachers in here that normally we wouldn't - because there is nobody there or we would have to get a sub (LTS)

JL - explained how a current Act 1240 waiver teacher started off as a LTS, then passed her test, hired - been enrolled in MAT program the whole time

JL - what would have happened?

Parent - would have had to use virtual AP - her child is struggling b/c she doesn't have a face-face teacher - Act 1240 helped put someone in classroom & that is a blessing

4. Where do you think we would be without an Act 1240 waiver?

Parent - You wouldn't have anybody in a classroom - students would have to do more virtual instruction in the classroom - might as well do virtual @ home. Better to have someone face to face

Parent/Admin - Advocate for VAR but prefer face to face
JL - Our goal is to always put a licensed $\text{\textcircled{T}}$ in classroom

Counselor - I think we would lose enrollment 750

JL - We've had waiver 5 years & had to use it 4-5 times a year. In most cases we can get someone fully admitted into teacher ed program in less than a year & fully licensed in a year & a half.

5. What could we do to better support our teachers who are on an Act 1240 waiver.

Teacher - Discussed mentoring / New Teacher Induction plan for next year (building relationships, business aspects, instructional strategies, classroom mgmt.) - continued in year 2

Counselor - This is going to help especially those who have not had a student teaching experience

Parent - I want somebody qualified to teach my child - I would prefer that they are trained & mentored by someone who has already been here a long time

JL - Even though it's not a perfect solution - do you support the idea of having something like an Act 1240 waiver?

Counselor - I do

Parent - I do

Counselor - I see the struggle of trying to find qualified people - pay is not great in this area

Parent - Private schools don't have to have a licensed (T). I know this b/c I taught in a private school. That being said - we had meetings - it's not a bad thing b/c someone will be in front of them helping them one on one

JL - so the big thing for you is - you want a face-to-face instructor?

Parent - Right or why not just do it virtual from home? - And that's not what we really want. We want to be out in public

JL - The first year you went in - what did you need to be a successful teacher @ private school?

Parent - It helped that I had co-workers who worked together. She helped me - made me feel better about being the one person all the kids looked to. You do need that moral boost (feedback - different techniques)

Teacher - We have to do something. Pairwise mentoring helped when she was first starting out.

Counselor - Benefit - need support teachers but I think it's a great plan

Parent - It helps if you have someone there to support.

Other ideas for teacher recruitment, det 1240 waiver, etc.
Counselor - Stipends will be helpful especially for math teachers

JL - just to make sure we are all in agreement, ...

We would actually prefer a teacher with an det 1240 waiver face to face in front of a student than to go through virtual TR as an option?

Counselor - I think that's best. Virtual TR is good, but face to face is better

Parent - It is what it is - face to face is better based on the learning type of the student

Act 1240 Waiver Extension Stakeholder Meeting

March 10, 2021

8:30 am

Stacy Perry (NMS Counselor / HS parent)

Amenda Arnold - parent

Dana Pell - parent

~~Steph~~ ~~Pruder~~ - Instructional Facilitator

Andrew Schroeder - Assistant Principal / Parent

Jennifer Lee - Curriculum Director / Parent