

Mountainburg Middle School

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Green=Waivers previously granted, no remaining issues

Information provided by Applicant is in italics.

Mountainburg Middle School 2019 District Conversion Application

1. Educator Licensure

Ark. Code Ann. § 6-17-309

Ark. Code Ann. § 6-17-401

Section 4-D.1 of the Standards for Accreditation

In our Brain Academy there will be a new shift in the way we teach content, monitor physical activity through extended Brain Breaks, and mentor/coach student throughout a more individualized and student-centered learning plan. Having flexibility in how we hired teachers and use teachers would help us meet some of the academic, physical, and emotional/social goals we are trying to meet.

Legal Comments: Will the Applicant comply with the Right to Read Act, mandating the hiring of teachers who demonstrate proficiency in knowledge and practices of scientific reading instruction? If not, Applicant will need a waiver of Ark. Code Ann. § 6-17-429 and Section 4-D.3 of the Standards for Accreditation. Will there be licensed teachers teaching outside of their licensure area? If yes, Applicant needs a waiver of Section 7 of the ADE Rules Governing Educator Licensure. Applicant should review Ark. Code Ann. §§ 6-15-1004, 6-17-902, and 6-17-919 and determine whether it needs a waiver of those laws. Applicant needs a waiver of Section 4-D.1 of the Standards for Accreditation to effectuate the waiver.

Applicant Response:

The Applicant intends to comply with the Right to Read Act, mandating the hiring of teachers who demonstrate proficiency in knowledge and practices of scientific reading instruction; therefore we do not seek to waive Ark. Code Ann. § 6-17-429 and Section 4-D.3 of the Standards for Accreditation.

The Applicant may need to employ licensed teachers teaching outside of their licensure area; therefore seeks to waive Section 7 of the ADE Rules Governing Educator Licensure and Applicant needs a waiver of Section 4-D.1 of the Standards for Accreditation to effectuate the waiver, plus Ark. Code Ann. §§ 6-15-1004, 6-17-902, and 6-17-919.

Legal Comments: None.

2. Flexible Schedule

Ark. Code Ann. § 6-18-210

Ark. Code Ann. § 6-16-102

Waiver for Definition of planned instructional time would allow us flexibility in using teacher planning to support our growing PLC plan.

Waiver for School Day Hours would give us some additional opportunities to offer RTI for students who continue to struggle academically despite RTI time offered in the school day. More than 6/10 of our students are in need of support in reading and math. We are looking for any way we can find more time in the day to address these students.

Legal Comments: Since the Applicant is a Middle School, there is no need for a waiver of Ark. Code Ann. § 6-16-102(a)(5). To effectuate a waiver of Ark. Code Ann. § 6-16-102, the Applicant will also need a waiver of Section 1-A.5.2 of the Standards for Accreditation. Ark. Code Ann. § 6-18-210 was repealed in 2017, therefore, no waiver is necessary. Without additional rationale, I'm unable to make further suggestions as to which waivers are necessary. Applicant should provide additional information on why it needs flexible scheduling. How will the Applicant use a waiver of the 6/hr per day and 30/hr per week average student: teacher interaction time? How does that waiver help the Applicant achieve its stated goals?

Applicant Response:

Please repeal previous request for 6-18-210.

Applicant requests a waiver of 6-17-114. Applicant plans to provide planning periods as per law, but seeks flexibility to ensure teacher teams are able to meet weekly for collaborative planning, data teams, and student behavior team collaboration as needed without violation of planning periods.

Legal Comments: Since the Applicant is a Middle School, there is no need for a waiver of Ark. Code Ann. § 6-16-102(a)(5). To effectuate a waiver of Ark. Code Ann. § 6-16-102, the Applicant will also need a waiver of Section 1-A.5.2 of the Standards for Accreditation. Applicant should review Ark. Code Ann. § 6-17-117 to determine if it needs a waiver of that provision. How will the Applicant use a waiver of the 6/hr per day and 30/hr per week average student: teacher interaction time? How does that waiver help the Applicant achieve its stated goals?

3. Class Size and Teaching Load

Waiver for class size would allow Brain Academy to hold larger classes for physical activity and extended brain breaks. If one teacher can work through the students' physical course with 30-40 students, the other teacher could use the physical activity time to re-teach to learners who are not quite ready to move on with the rest of the class. This idea would be a response to and daily formative assessment. These students would still attend physical activity, but have time and a teacher to address their academic challenges first.

Legal Comments: Applicant did not cite to any laws, rules, or Standards for this waiver request. The current law and rules already allow larger class sizes for physical activity. Based on the rationale provided, I'm unsure what waivers the Applicant needs. Please review the ADE Rules Governing Class Size and Teaching Load, Section 1-A.6 of the Standards for Accreditation and, Ark. Code Ann. § 6-17-812.

Applicant Response:

The Applicant requests Arkansas Code Annotated Code Number Code Title 6-17-812 Class Size and Teaching Load, and Standards for Accreditation Section 1-A.6 Curriculum and Instruction. Due to the Mountainburg Middle School Brain Academy's unique curricular program offerings, there may be instances where instruction is provided to larger groups of students, and instances where an instructor may have to exceed the daily teaching load. While the Middle School Brain Academy intends to keep such instances to a minimum, we desire the flexibility afforded by the waiver when these instances arise.

Legal Comments: Applicant needs a waiver of the ADE Rules Governing Class Size and Teaching Load.

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General Comments: I did not see waiver requests for start and end dates for the school year, ALE, salary schedules, media services, gifted and talented, or guidance counseling. Applicant should confirm it plans to meet all of these requirements.

Applicant Response:

The middle school intends to meet requirements for start and end dates for the school year, ALE, salary schedules, media services, gifted and talented, or guidance counseling. Applicant does not seek waivers.

The Applicant seeks to waive 6-17-111 Duty Free Lunch. Due to limited staffing we need to use teachers to supervise students during lunch time, and want to offer student optional learning opportunities during lunch time such as Project Lead the Way explorations, Innovation Stations and Lunch Time Book Clubs, which would require teacher supervision. Teachers would have 50% of the lunch period free for lunch, and would serve no more than 60 minutes of non-instructional duty per week.

The Applicant seeks a waiver for Standards for Accreditation Section 1-A.1.2.5 Physical Education. Mountainburg Middle School Brain Academy seeks to replace Physical Education as a course with Brain Breaks incorporated into the day, short, frequent opportunities for movement, activity, and exercise, along with weekly scheduled Personal Fitness Activity and Training sessions, were students engage in fitness level assessment, set personal goals, and develop an individualized fitness plan to exercise and monitor progress.