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Green=Waivers previously granted, no remaining issues
Information provided by Applicant is in italics.

Siloam Springs School District 2019 Renewal Application

Expiring Waivers

All waivers, other than those listed below, are fine and there are no legal comments. **I did not see waivers in the following areas, and the Applicant should review the Arkansas Code, Standards, and ADE Rules to determine if additional waivers are necessary: ALE, Display of US and AR flags, planning periods, guidance counseling or instructional materials.**

Flexible Schedule

Ark. Code Ann. § 6-16-102

Legal Comments: Applicant does not need a waiver of Ark. Code Ann. § 6-16-102(a)(5).

Applicant Response: Siloam Springs School District rescinds the request for this waiver.

Legal Comments: Did applicant intend to rescind the request for the entire waiver, or just Ark. Code Ann. § 6-16-102(a)(5)?

Superintendent

4-B.2, Standards

Legal Comments: Applicant needs a waiver of Ark. Code Ann. § 6-13-109(a) to effectuate this waiver.

Applicant Response: Siloam Springs School District rescinds the request for this waiver.

Legal Comments: Did applicant intend to rescind the request for the entire waiver?

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Teacher Licensure

ADE Rules Governing Educator Licensure

Ark. Code Ann. § 6-17-401 et seq.

Legal Comments: Does the Applicant have licensed teachers teaching outside of their licensure area? If yes, only a waiver of Section 7 is needed. If no, no waiver of these Rules is needed. Applicant only needs a waiver of Ark. Code Ann, § 6-17-401, not the entire subchapter.

Applicant Response: Siloam Springs High School has two programs of study in our CTE Department which could require teachers who do not hold an Arkansas teaching license. We currently operate an Industrial Maintenance Technician's program and a Registered Medical Assistant's program which, though currently utilizing teachers licensed through the state, upon loss of those teachers, could have the need to hire professional practitioners from those fields to teach those courses. Siloam Springs High School also currently has two licensed teachers teaching outside of their licensure area. As such, we would like to keep the waiver request for Ark. Code Ann. § 6-17-401 et seq. as is.

Because we also wish to start a virtual school and we have a business teacher teaching yearbook and a middle school teacher teaching 9th grade physical science we wish to add section 7 of the ADE rules governing educator licensure to our waiver requests.

Legal Comments: Applicant should confirm it is rescinding its request for a waiver from the entire ADE Rules Governing Educator Licensure, and instead asking for only Section 7. Applicant only needs a waiver of Ark. Code Ann, § 6-17-401, not Ark. Code Ann. § 6-17-401 et seq.

Mandatory Attendance

Ark. Code Ann. § 6-18-211

ADE Rules Governing Mandatory Attendance for Students in Grades 9-12

Legal Comments: These Rules and law was repealed, therefore no waiver is necessary.

Applicant Response: Siloam Springs School District rescinds the request for this waiver.

Legal Comments: None.

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New Waivers

Siloam Springs High School is beginning the research and development phase of implementing a virtual school program for our students. The following waivers are requested for use with those students who will participate in this program, but may not attend school on our campus.

1. Food Services

Standard 3-D.1

Rationale: This waiver would eliminate mandatory food services to virtual students.

Legal Comments: Applicant needs a waiver of Ark. Code Ann. § 6-18-705.

Applicant Response: Applicant adds a request for a waiver of Ark. Code Ann. § 6-18-705.

Legal Comments: Applicant should confirm it is aware that it must still meet all federal requirements regarding food service to students and that the CAP cannot waive any federal law or USDA Rule.

2. Moment of Silence

Ark. Code Ann. § 6-10-115

Rationale: This waiver would exempt students who participate in a virtual school setting from participating in a moment of silence.

Legal Comments: None.

3. School Nurse and Safety Equipment

Standards 2-E.1 and 2-E.2

Rationale: The school will continue to employ a school nurse to serve students on site, but this student service would not be provided for virtual students. This equipment will not be provided to virtual students. Property safety equipment will be provided on campus.

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Legal Comments: Applicant stated that “this equipment will not be provided to virtual students.” What does “this equipment” mean? Additional waivers may be necessary. Applicant will need a waiver of Ark. Code Ann. § 6-18-706 to effectuate the school nurse waiver.

Applicant Response: Applicant adds a request for a waiver of Ark. Code Ann. § 6-18-706

Applicant also wishes to correct a typographical error. The applicant would like to replace the “Rationale” with this statement: The school will continue to employ a school nurse to serve students on site, but this student service would not be provided for virtual students unless they opt to come to the school campus.

Legal Comments: None.

Desegregation Analysis: Fully responsive.