

INITIAL LEGAL REVIEW

Charter School Name: Bauxite Miner Academy

General Concerns

Enrollment information on the application differs from enrollment information on My School info. Application states the school serves grades K-6 virtual students and grades 7-12. My School Info states that grades served are 6-12.

WAIVER TOPIC	STATUTES, STANDARDS, RULES	NOTES
1. Library Media Services - RESCIND	Standard 2-D.1	No concerns.
2. Class Size & Teaching Load - CONTINUE	Ark. Code Ann. § 6-17-812 Standards 1.A-5, 1-A.6	In order to effectuate this waiver, you would need to request a waiver of the DESE Rules Governing Class Size & Teaching Load. Please provide additional rationale in your final application for why you need this waiver.
3. Clock Hours - CONTINUE	Ark. Code Ann. § 6-15-216 Standard 1-A.2	MSI does not show that your school currently has a waiver of 6-15-216. Additionally, the language in this statute is “may” rather than “shall,” so a waiver is not necessary.
4. Personnel Policies – Employment of Licensed Personnel – CONTINUE	Ark. Code Ann. § 6-17-301 Standard 4-D.1	Please narrow your request to 6-17-301(a) – (b). Typically, we would group 4-D.1 with the waiver for teacher licensure.
5. Instructional Day – CONTINUE	Standard 1-A.4.2	You would also need a waiver of 6-16-102 in order to effectuate a waiver for instructional day.
6. Library Media Specialist and Library Media Services – CONTINUE	Ark. Code Ann. §§ 6-25-103, 6-25-104 Standard 4-F.1, 4-F.2	This is a request for a district-wide waiver. If library media specialists from other schools in the district are serving the students, you would not need this waiver.
7. Personnel Policies – Duty-Free Lunch Period – RESCIND	Ark. Code Ann. § 6-17-111	No concerns.
8. Principal - RESCIND	Ark. Code Ann. § 6-17-302 Standard 4-D.1	No concerns.

<p>9. Teacher Licensure – CONTINUE</p>	<p>Ark. Code Ann. §§ 6-15-1004 6-17-309 6-17-401 6-17-902 6-17-919(a)(1)</p> <p>Standard 4-D.1</p>	<p>You would need to waive the entirety of 6-17-919.</p> <p>Please confirm that AQT requirements will be met.</p> <p>Please provide additional rationale for your request.</p> <p>Rationale on pg. 28 of the initial application states that the waiver has helped with increasing elective offerings for students at your high school and middle school, as well. Please provide additional explanation.</p>
<p>10. School Calendar – School Start Date – CONTINUE</p>	<p>Ark. Code Ann. § 6-10-106</p> <p>Standard 1-A.4</p>	<p>The rationale does not match the waiver request. You would not need a waiver of school start date to extend the school year.</p>
<p>11. Comprehensive School Counseling Plan & School Counselor - CONTINUE</p>	<p>Ark. Code Ann. § 6-18-2003</p> <p>Standard 4-E.1</p>	<p>This would be a request for a district-wide waiver. (See Waiver # 6)</p>
<p>12. Flexible Schedule - CONTINUE</p>	<p>Ark. Code Ann. § 6-16-102</p> <p>Standards 1-A.4.1, 1-A.4.2</p>	<p>Based on your rationale, it sounds like you are asking for a waiver of seat time, which is no longer a requirement. Because seat time is no longer required, if you are providing the 178 days and 6 hours per day or 30 hours per week of instruction time, you would not need a waiver of flexible schedule.</p>
<p>13. Superintendent – RESCIND</p>	<p>Ark. Code Ann. §§ 6-13-109 6-17-427</p> <p>Standard 4-B.2</p>	<p>No concerns.</p>
<p>14. Teachers’ Salaries – Twelve-Month Contract for Vocational Agriculture Teachers – CONTINUE</p>	<p>Ark. Code Ann. § 6-17-802</p>	<p>No concerns.</p>

The school has not asked for any new waivers.