



DISTRICT WAIVER REQUEST FORM

District Name: Fort Smith Public School District

Superintendent: Doug Brubaker

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District LEA: 6601000 **Submission Date:** 12/13/2018

Phone Number: 479-785-2501

Name of Charter School(s) Attended by District Students

Future School of Fort Smith

Waiver Topic: Personnel

Statute/Standard/Rule to be Waived

Arkansas Code Annotated

- Ark. Code Ann. §6-17-203
- Ark. Code Ann. §6-17-205

Rationale for Waiver

Since 1970, the District has recognized the Fort Smith Education Association ("FSEA," f/k/a Fort Smith Classroom Teacher's Association) for the purpose of negotiating personnel policies, salaries, and educational matters of mutual concern under a written policy agreement. The District has learned that FSEA falls well short of representing a majority of its certified staff as required by: (1) Ark. Code Ann. § 6-17-202(a); (2) the current Consulting Agreement the District executed with FSEA in 1987; and, (3) District Policy GCQF. Currently, little more than 30% of the District's certified staff are represented in personnel policies, salaries, and educational matters of mutual concern. The District also has learned that FSEA has been on a continuous membership decline and has not held a membership comprising a majority of its certified staff for more than a decade. As such, the District desires to form a Certified PPC ("PPC") as quickly as possible to dramatically increase certified staff representation in the District. Given the decades that have passed without a PPC (if the District ever has had one), and the limitations imposed by Ark. Code Ann. § 6-17-203 and § 6-17-205 regarding the time of year and assistance that can be provided in organizing the PPC, a waiver would give the District the flexibility to move immediately to create a broad based, fully representative committee of certified staff with representation from each of its 27 school buildings.

When the form is complete, email it with the waiver lists for the charter school(s) that serve district students to Kelly McLaughlin at kelly.mclaughlin@arkansas.gov. Waiver lists can be accessed from the Arkansas Department of Education: My School Info webpage at <https://myschoolinfo.arkansas.gov/>. Instructions for accessing waiver reports can be found at www.arkansased.gov/public/userfiles/Learning_Services/Charter_Schools/Accessing_Waivers_on_My_School_Info.pdf.

Questions should be directed to Kelly McLaughlin by email at kelly.mclaughlin@arkansas.gov or by phone at (501) 682-2130.

OPTIONAL CONSIDERATIONS TO ADDRESS

The State Board of Education requests, but cannot require, written responses to the following considerations as part of the petition for district waivers. All written responses should be emailed to the Arkansas Department of Education with the waiver request and list(s) of open-enrollment charter waivers.

Discuss the ways in which the proposed waivers will impact the district.

- Ways in which the waivers would support or complement the district's **vision, mission, and/or strategic plan**
- District **policies**, if any, that would have to be developed or revised to implement the waiver
- The **fiscal impact** of the waivers, if any
 - Additional costs associated and sources of funding
 - Planned uses for savings
- Effects of the waivers, if any, on current academic, fiscal, or facilities **distress status**
 - Ways the waivers will help alleviate distress issues
 - Potential for implementation of the waivers to cause distress issues
- Effects of the waivers, if any, on compliance with the **Standards for Accreditation**
 - Ways the waivers will help alleviate accreditation issues
 - Potential for implementation of the waivers to cause accreditation issues

Discuss the planning that has taken place to ensure successful implementation of the waivers.

- **Options considered** by the district to request the waivers
 - School of innovation
 - District conversion charter
 - Reasons district waivers are being requested rather than seeking a school of innovation or a charter
- **Student gains** for students if these waivers are granted
 - Academic gains
 - Other benefits
- **Implementation** of the waivers
 - **Charter** school(s) use of the waivers
 - ◆ Application of the waivers
 - ◆ Evaluation of ongoing need for the waivers
 - **District** use of the waivers
 - ◆ **Specific plans** to implement the waivers
 - Certain schools, grade levels, and/or programs to be affected
 - Description of the changes to take place
 - Length of time for which the waivers are requested
- **Evaluation** of the usefulness of the waivers
 - **Method(s)** to be used to determine benefits of and/or problems with using the waivers
 - **Timeframe** for assessing the use of the waivers
 - **Outcome(s)** that will demonstrate successful use of the waivers
 - **Plan of action** if use of waivers is not achieving the desired results

Discuss the transparency of the process and methods used for garnering support for the waivers.

- Efforts, including **methods, times, dates, places**, for notifying and including all stakeholders
 - Students
 - Teachers and other staff
 - Parents
 - Community members
 - School board (board resolution)
- **Feedback** received from stakeholders and how it was and will be used in district planning