

**Arkansas Department of Education**  
**Open-Enrollment Public Charter School**  
**2017 Application**

**SCORING RUBRIC**

**PART A      GENERAL INFORMATION**

Name of Proposed Charter School: **Southeast AR Preparatory High School**

Eligible Entity Status:

- Public institution of higher education
- Private nonsectarian institution of higher education governmental entity
- Nonsectarian organization exempt from taxes under Section 501(c)(3) of the Internal Revenue Code
- Nonsectarian organization that has applied for exemption from taxes under Section 501(c)(3) of the Internal Revenue Code
- No evidence of eligibility

**IF EVIDENCE OF ELIGIBILITY TO APPLY IS NOT INCLUDED, NO FURTHER REVIEW OF THE APPLICATION WILL OCCUR.**

The general information section of the application provides the authorizer with summary information related to the applicant and the application submitted.

***Evaluation Criteria:***

- General information fields are completed, as applicable;
- The specific geographical area that would be served by the charter school; and

Information on the school districts likely to be affected by the charter school

**Fully Responsive**

## **PRE-APPLICATION MATERIALS**

The Arkansas Department of Education requires that all applicants submit a Letter of Intent, outlining a general description of the proposed charter school.

### *Evaluation Criteria:*

- A Letter of Intent filed with Arkansas Department of Education on time and including all the necessary information

**Fully Responsive**

## **PART B EXECUTIVE SUMMARY**

The Arkansas Department of Education requires all applicants to include an executive summary.

### *Evaluation Criteria:*

- A succinct mission statement that indicates what the school intends to do, for whom, and to what degree;
- An explanation of how the mission statement was developed;
- The key programmatic features of the proposed charter school;
- A plan for involving parents and guardians in the school's education programs; and
- A proposal that involves the parents of students, employees and the broader community in carrying out the terms of the charter

**Fully Responsive**

## **PART C NARRATIVE DESCRIPTION OF THE PROPOSED CHARTER**

### **C1: PUBLIC HEARING RESULTS**

All proposed school design teams must conduct a public hearing before applying for an open-enrollment charter school, to assess support for the school's establishment. Applicants are asked both to document the logistics of the hearing and to include a narrative of the hearing results.

### *Evaluation Criteria:*

- A thorough description of the results of the public hearing;
- Evidence of public support exhibited at the hearing;
- Documentation of required notices published to garner public attention to the hearing; and

- Documentation of required notices of the public hearing to superintendents of districts from which the proposed school is likely to draw students and to superintendents of districts that are contiguous to the district in which the charter school would be located

**Fully Responsive**

## **C2: GOVERNING STRUCTURE**

The Governing Structure section should explain how the school will be governed. It should present a clear picture of the school's governance processes and composition, what responsibilities various groups and people will have and the relationships among the groups.

### *Evaluation Criteria:*

- Documentation of proper legal structure of the governing board and sponsoring entity;
- A comprehensive description of the planned relationship between the governing board of the school and governing board of the sponsoring entity;
- A clear description of the governing board's roles and responsibilities;
- Adequate policies and procedures for board operation, including board composition, member term length, member selection, and plan for continuous professional development;
- A clear, sensible delineation of roles and responsibilities in relation to governance and school management; and
- A reasonable plan for involving parents, staff, students and community in the decision-making of the school

**Fully Responsive**

### **Concerns and Additional Questions**

- Identify who will have the final decision-making authority for student discipline issues.
- Confirm that the Advisory Bodies will report back to the Board of Directors, who hold ultimate authority.

### **Applicant Response:**

**The Principal will have final decision-making authority for student discipline issues. However, when it comes to expulsions, the Principal will be required to make a recommendation of expulsion to the Board of Directors. In the case of expulsions, the Board will have the final decision-making authority.**

**All advisory bodies will report back to the Board of Directors with their recommendations on a matter. The Board of Directors holds ultimate authority and will use the recommendations as needed.**

### **C3: EDUCATIONAL NEED**

The Educational Need section should explain the need for a charter school in the proposed location and the innovative educational option offered by the charter school in the geographical area to be served.

#### *Evaluation Criteria:*

- Valid, reliable, and verifiable quantitative data substantiate an educational need for the charter; and
- Innovations that would distinguish the charter from other schools in the geographical area to be served by the charter

**Fully Responsive**

### **C4: ACADEMIC ACHIEVEMENT GOALS**

The Academic Achievement Goals section should define the performance expectations for students and the school as a whole and support the charter's mission.

#### *Evaluation Criteria:*

- Specific goals in reading, English, writing, mathematics, and science that are clear, measurable, and attainable;
- Valid and reliable assessment tools to be used to measure the goals; and
- Attainment of the goals demonstrate that the charter is meeting the identified educational need for the school and fulfilling its mission

**Fully Responsive**

#### **Concerns and Additional Questions**

- Provide the rationale for selecting a five percent annual gain in proficiency as the threshold for demonstrating achievement, given that students in the district are currently performing at only 34% proficiency in math and 44% proficiency in English, as stated in response to Prompt 3.

**Applicant Response:** While we understand the sense of urgency for these students, we also are realistic in knowing that they are missing some foundational skills that are needed for the significant gains we would like to see. In light of the anticipated high percentage of students below grade level and with IEPs, we chose 5% as a baseline of our expectations. Ideally, we would like to see 10-15% gains each year in proficiency, but the 5% number is a safe bet given the unknown factors of the incoming student body. Additionally, we understand that student growth is highly dependent on teacher performance as well. Given we are a new school, the 5% minimum growth goal is also reflective of our teachers implementing a model that's new to them. We, as a Board of Directors, plan to re-evaluate this measure after year 1.

## C5: SCHEDULE OF COURSES OFFERED

The Schedule of Courses Offered section should describe the schedules for a week at the elementary level and courses offered at each grade at the secondary level.

### *Evaluation Criteria:*

- Evidence that the charter school meets minimum state requirements of courses offered at appropriate grade levels

**Fully Responsive**

### Concerns and Additional Questions

- Explain when Instrumental Music and AP English will be offered.

### Applicant Response:

**AP English will be offered in the 11<sup>th</sup> grade and we will replace Advanced Music with Instrumental Music and offer it at each grade level.**

## C6: EDUCATIONAL PROGRAM

The Educational Program section should describe the educational foundation of the school and the teaching and learning strategies that will be employed.

### *Evaluation Criteria:*

- A clear description of the proposed educational program, including but not limited to the foundational educational philosophy and curricular and instructional strategies to be employed;
- An educational program with ample resources to ensure that students achieve academic goals and excel;
- Revenue to pay for all curriculum expenses as outlined in the budget; and
- A description of the grade levels and maximum enrollment, by year, if the charter plans to grow over time

**Fully Responsive**

## C7: CURRICULUM ALIGNMENT

The Curriculum Alignment section should define the process by which the charter will ensure that the curriculum aligns with Arkansas Curriculum Frameworks and state standards.

### *Evaluation Criteria:*

- Evidence that the applicant has a process to ensure all curriculum materials, used in the educational program, align with the Arkansas Department of Education's curriculum

frameworks and the state standards

### **Fully Responsive**

#### **Concerns and Additional Questions**

- Describe how frequently curriculum alignment will occur.
- Identify who will participate in the curriculum alignment.

#### **Applicant Response:**

**Because there is new information happening regularly, we will review our curriculum every year. There will be formative reviews of the curriculum during data days where teachers develop reteach plan as well as the summer when a more formal comprehensive review of the curriculum will be analyzed to ensure we are providing our students with the most relevant and up to date information that will allow for a better understanding and demonstration of the standards. During both the informal formative review of the curriculum and the end of year formal review, the entire staff will play a role in curriculum review and alignment.**

## **C8: STUDENT SERVICES**

The Student Services section should describe how the school will address specific services for its student body.

#### ***Evaluation Criteria:***

A description of the ways in which the following services will be provided to students **even in each area for which a waiver is requested:**

- A guidance program that will serve all students;
- A health services program that will serve all students;
- A plan for a media center for use by all students;
- Sound plans for educating students with disabilities that reflect the full range of programs and services required to provide such students with a high quality education;
- A transportation plan that will serve all **eligible** students;
- An alternative education plan for eligible students, including those determined to be at-risk and to offer access to one or more approved Alternative Learning Environments;
- A plan to serve students who are English language learners; and
- Plans for a gifted and talented program for eligible students

### **Fully Responsive**

#### **Concerns and Additional Questions**

- Clarify if a licensed guidance counselor will be hired or not. If that counselor will be hired, explain how that counselor will be afforded. If that counselor will not be hired, provide a waiver request of the necessary rules and laws.
- Request a waiver of the necessary rules and laws of student health services or describe how the charter plans to comply with the required rules and laws.

- Explain who will provide guidance and support to the special education teacher on required documentation and implementation of student IEP's.
- Confirm that a full continuum of special education services will be provided.
- Describe how students with dyslexia will be accommodated and explain who will oversee those accommodations.
- Confirm that a licensed Gifted and Talented teacher will be hired to ensure the appropriate services for Gifted and Talented students will be provided. (insert page 49 as an attachment to this response)
- Explain how the Gifted and Talented teacher and services will be afforded.
- Explain how ALE services will be afforded and who will provide those services, should a need arise.
- Explain who will provide ELL services and how those services will be afforded should a need arise.

### **Applicant Response:**

- **Guidance Counselor:** A full time licensed guidance counselor will be hired. This position is vital to our restorative culture plan. In regards to affordability, the counselor is already accounted for in the budget under Guidance Services. Please excuse the language in our application that states that we are requesting a waiver of this position. It was inserted in error.
- **Special Education Support:** Although we will have a licensed special education teacher on our staff, when specific support is needed, our special education teacher will be supported by the Special Education Unit under the Division of Learning Services at ADE. The Special Education Unit offers workshops as well as other resources for our teacher to access if needed.
- **Continuum of Services:** Southeast Arkansas Preparatory High School will offer a continuum of services available to meet the varied needs of students with disabilities. This continuum represents services that are available both at the school level as well as through ADE approved agencies through the Arkansas Collaborative Consultants and other state-supported programs.
  - **General Education Programs:** In this setting, students with a disability receive the same services and supports available to all students. These services include, when necessary, academic intervention services in the content area and specialized reading instruction Behavioral support is will also be provided through a contracted school psychologist and/or social worker. The general education teacher may also receive consultation from our special education teacher and administrators.
  - **Related Services:** Students with disabilities may receive a number of periods per week of related services provided by appropriate specialists. These services include counseling, physical therapy, occupational therapy, and teacher of the visually impaired/hearing impaired, mobility training, and behavioral support. The extent of these services may range from daily sessions to less frequent contacts depending upon the delivery plan outlined in the IEP.
  - **Consultant Services:** Consultant teacher service is direct or indirect consultation provided by a certified special education teacher to the general education teacher(s) within the general education environment. This service is the least restrictive and can be implemented as a direct service during instruction of the content or as an indirect service for the teacher outside of instructional time. The purpose is to assist the classroom teacher in adjusting the learning environment and/or modifying instructional methods to meet the needs of students with disabilities.

- **Resource Services:** Our resource services are designed as a parallel support system to the general education class program for students with disabilities. The student's specific learning needs are such that he/she needs specialized supplementary instruction in an individual or small group setting. Emphasis is on collaboration between the special education teacher and the subject teacher in the learning process.
- **Declassification Support Service:** When a student is being declassified, he/she may continue to receive support services for up to one year from the date of declassification. The purpose of these services is to provide support to general education teachers during the student's transfer from special education to general education.
- **Special Class Integrated/Non-Integrated:** When it is deemed necessary, students receive primary instruction in math, reading and writing. This service can be delivered within the classroom (integrated-co-teaching) or as a pullout program (non-integrated). Special class options are provided if a student's needs are such that a combination of other services within the general education environment is not successful. This is the most restrictive service available at SAPHS.
- **Dyslexia:** Since dyslexia often involve reading and language challenges, the following strategies, as part of our universal instructional framework for teachers, also serve as some of the best practices for serving students with dyslexia. All teachers, para-professionals, and administrators will be responsible for implementing these strategies. However, ultimately, the Principal will oversee the instructional program at SAPHS.
  - Audiobooks
  - A lot of visual pictures
  - Large print options
  - Provide guided reading notes
  - Repetition of directions and posting them for students to read on their own.
  - Small group work
  - Multiple ways to demonstrate understanding
  - Use of sentence starters that show how to begin a written response
- **ELL:** From the first day of school, ELL students will be assigned to a advisory period with their peers. The placement into immersive advisory classes ensures their constant exposure to English and allows for an early integration into the SAPHS community. If needed, SAPHS will form an English Language Development (ELD) course where they will receive literacy instruction using a research based literacy curriculum. SAPHS will use the **free** services/resources of the ADE English Learner support program and their Teacher Center Coordinators for professional development of teachers and administrators in the implementation of effective English for Speakers of Other Languages (ESOL) program design and delivery. Additionally, SAPHS will adopt a program of structured English immersion for all students. The purpose of this program is to achieve English proficiency for all students as quickly as possible, while holding the utmost respect for the language and culture of every student who enters the school.. The educational needs of English language learners will be met by the curriculum through an intensive reading program, project-based instruction, intensive writing program (Collins), differentiated instruction that caters to English language learners, an English Language Development (ELD) course, and extra intensive tutoring for ELL students as needed. If we see that our ELL population is larger than expected, we will hire a certified ELL teacher or have one of our existing teachers to become ELL certified. Also, because the Pine Bluff school district is made up of 96% African Americans, we are not expecting a significant ELL population when we open our doors.



- **Health Services:** We are submitting page 49 and 50 of our application as attachments showing we are requesting a waiver for a school nurse. For this waiver request we are also acknowledging that it was an error to request a waiver for the Standards of Accreditation and ADE Rules. A new waiver is being requested as a response to the legal section/comments.
- **Gifted and Talented:** We are submitting page 49 of our application as attachments showing we are requesting a waiver for a school nurse. For this waiver request we are also acknowledging that it was an error to request a waiver for the Standards of Accreditation and ADE Rules.
- **ALE:** Our instructional approach is one that is considerate and effective in supporting students who are both gifted as well as those who may need extra support. The same supports that are normally found in ALE's such as small group learning, one-on-one support, socio-emotional and behavior supports, and alternate ways of demonstrating proficiency are part of our instructional framework. As a part of our instructional framework, our students engage in hands on learning, small group projects, differentiated instruction using instructional technology, restorative mediation, character building classes during advisory, as well as service learning in the community. We are confident that our approach will serve the needs of all of our students, including those identified as Gifted and Talented as well as those who would traditionally not fair well in the regular school system.

#### Remaining concerns:

- It remains unclear how the needs of gifted and talented students will be met.
- It does not appear to be the intention of the applicant to have a dyslexia specialist on staff.

## C9: ANNUAL PROGRESS REPORTS

The Annual Progress Reports section should define how the academic progress of individual students and the school as a whole will be measured, analyzed, and reported.

#### *Evaluation Criteria:*

- A timeline for data compilation and completion of an annual report to parents, the community and the authorizer that outlines the school's progress; and
- A plan for dissemination of the annual report to appropriate stakeholders

#### Fully Responsive

#### Concerns and Additional Questions

- Explain the plan for dissemination of the Annual Report in accordance with the ADE Rules Governing Standards of Accreditation of AR Public Schools and School Districts.

**Applicant Response:** We will adhere to and disseminate the school Annual Report in accordance with ADE reporting rule 7.02.2 by publishing a report to the public detailing progress toward accomplishing program goals, accreditation standards, and proposals to correct deficiencies in a newspaper with general circulation by November 15 of each year as well as sending a copy of the report to the ADE by January 15<sup>th</sup> following publication.

## **C10: ENROLLMENT CRITERIA AND PROCEDURES**

The Enrollment Criteria and Procedures section should describe how the school will attract and enroll its student body, including any criteria for admission and enrollment. Applicants must also describe the random, anonymous lottery selection process.

### ***Evaluation Criteria:***

- A student recruitment plan that will provide equal opportunity for all parents and students to learn about and apply to the school;
- An enrollment and admissions process that is open, fair, and in accordance with applicable law;
- A clear and transparent to the public process for, and a guarantee of, an annual random, anonymous lottery process should there be more student applications than can be accommodated under the terms of the charter;
- The method by which parents will be notified of each child's selection for the school or placement on the waiting list; and
- The effect students leaving the charter throughout the school year will have on the students on the waiting list

### **Fully Responsive**

### **Concerns and Additional Questions**

- Explain the process for enrolling siblings once the 10% threshold has been reached.
- Provide documentation of the legality for permitting "Founding Family" enrollment preference
- Explain how student information will be protected if the waiting list is made public.
- Explain how parents will be notified that their child has received a placement in the school via lottery. Include how long parents will have to respond to that notification.
- Explain how parents with students on the waitlist will be notified that their child has received a placement in the school. Include how long parents will have to respond to that notification.

### **Applicant Response:**

- The 10% enrollment threshold was referring to children of founding members only per the Arkansas Code 6-23-306. There was a misunderstanding of this code. All siblings of enrolled students will fall under enrollment preferences and receive priority.
- Founding Family: There was a misunderstanding in the meaning/definition of founding members. After researching what this means, we withdraw that portion of our application, as it is no longer applicable.
- SAPHS will protect student information on our public waiting list by using random numbers that are known only to the student and their families, not by using their name or other sensitive information that's protected by law.
- Upon completion of a lottery, if needed, all applicants will be notified whether or not they have been accepted by email, phone or both. Parents /guardians have 72 hours to complete all required registration documents. If all documents are not submitted by the stated deadline in

the acceptance email, the spot will be returned to the lottery at the end of the 72-hour deadline.

- If a student who was on our waitlist has received a placement in the school, we will notify the parents by email, phone, or both. Parents/guardians will have 72 hours to complete all required registration documents.

**Remaining concern: Seventy-two (72) hours seems to be a short time period for parents to have to complete all required registration documents.**

## **C11: PRIOR CHARTER INVOLVEMENT**

The Prior Charter Involvement section should identify all prior charter involvement, if any, for each individual connected with the proposed charter.

### ***Evaluation Criteria:***

- A complete Prior Charter Involvement Template for each individual connected with the proposed charter; and
- Accurate data in each Prior Charter Involvement Template, including active links to assessment data

**Fully Responsive**

## **C12: STAFFING PLAN**

The Staffing Plan section should describe the job duties of the school director and other key personnel. This section should also describe the professional qualifications which will be required of employees.

### ***Evaluation Criteria:***

- A job description for the school director and other key personnel, including but not limited to an operations director, board members, teachers, etc.;
- An outline of the professional qualifications required for administrators, teachers, counselors, etc.;
- A staffing plan that clearly outlines both the types and numbers of positions to be filled at the school and salary scales for such positions; and
- The staffing plan presented in this section matches the staff members noted in the budget

**Fully Responsive**

### **Concerns and Additional Questions**

- Address the following discrepancy: There is a job description for a business manager, but no funds allocated in the budget for this job description. There are, however, funds allocated for

an office manager. If they are not the same position, verify how the business manager will be afforded, and state the duties of the office manager.

- Designate who will be responsible for finance given that no finance duties are found in current job descriptions. (PROVIDE A BULLETED RESPONSE FOR DUTIES)
- Clarify who will conduct financial management onsite, day-to-day.

### **Applicant Response:**

- **You are correct in assuming that the Business Manager and the Office Manager is the same person. The job descriptions of the Principal, Treasure, Back Office Support, and Business Manager are bulleted below:**
  - **Business Manager**
    - Monitor expenditures and payroll processes on a monthly basis.
    - Stay informed on the status of charter property, casualty, and workers' compensation loss.
    - Input all financial data into ABSCAN.
    - Review and document accounting control procedures, including benefits reconciliation, bank reconciliation, liability reconciliation, grants, human resources, payroll, etc.
    - Manage cash flow.
    - Review internal controls.
    - Provide monthly financial reports to Principal.
    - Prepare and review monthly reports of actual versus budgeted expenditures.
    - Assist in the completion of state and other agency financial reports as required.
    - Prepare reports in compliance with the Financial Transparency Act requirements.
    - Oversee the preparation of audit work papers for the annual financial audit.
    - Track actual salary and benefit offers and contract acceptances against the approved budget.
    - Maintain the personnel files.
    - Order supplies and materials
    - Prepare invoices for payment
    - Make bank deposits
    - Assist in the onboarding process for all new employees
    - Pay bills monthly
    - Process all unemployment compensation forms as required.
    - Assist in compliance with Federal and State employment laws and regulations.
    - Analyze financial data and prepare financial reports, statements and projections for Principal and the Board of Directors.
    - Analyzes, reconciles, and/or evaluates the accuracy of general ledger, revenues, expenditures, accounting/budget/financial reports, and school cash balances, ensuring proper amounts, receipt, and classification, processing documents for input, and/or posting year end deferred revenue and accounts receivable as necessary.

- Prepares fund balance projections and/or year-end budget closing and journal entries, monitoring and reporting on the status of revenues and balances, and/or bringing ending balances forward to the next fiscal year.
  - Maintain records for accounts receivables and grants deferred revenue.
  - Receive all payments for the school and make deposits as required.
  - Monitor copier and facility lease agreements and general maintenance contracts.
  - Manage purchase service agreements and payments for services.
  - Prepare monthly bank reconciliation.
  - Prepare request for funds on grants awarded to the school.
  - Assist the management in preparing financial reports for submission with grant proposals and reporting requirements.
  - Process purchase orders.
  - Processing invoices and prepare checks to be signed.
  - Enter credit card receipts as they are received from schools and monthly statement reconciliation.
  - Make copies of paid invoices for tracking.
  
- **Back Office Support**
  - Employee Benefits:
    - Set up and maintain health, dental, and vision insurance – answer questions and claims.
    - Maintain COBRA management of terminated employees.
    - Process all unemployment compensation forms as required.
    - Assist in compliance with Federal and State employment laws and regulations.
  - Monthly processing of payroll checks.
  - Print and distribute payroll checks.
  - Maintain all 401(k), 403(b), and 457(b) payments and accounts monthly.
  - Pay payroll taxes to IRS and State of Arkansas.
  - File all required payroll tax liability reports and issue W2's at year end.
  - Monitor charter contract for compliance with all financial reporting requirements
  
- **Board Treasurer**
  - Participate in the development of the annual and long-term budget.
  - Authorize adjustments to payroll
  - Review monthly financial reports for accuracy and participate in monthly meeting with the Finance Committee.
  - Ensure that quarterly financial reports with analyses of actual spending versus budgeted amounts are submitted to the Board.
  - Work with the Principal and contracted back office support to ensure that an annual audit is completed.
  - Review all lease purchase contracts for equipment, leased facilities, and all other general contracts.

○ **Principal**

- Oversight of the school's financial management, operational accounting, payroll, accounts receivable, financial reporting, and cash management, in adherence to the goals, mission and intent of the charter application and charter contract.
- Collaborate with Board Treasurer and Business Manager to prepare Budget and long-term financial projections.
- Approve purchase orders
- Approve check requisitions and reimbursement requests
- Authorize payment of invoices
- Sign checks
- Manage expenses against budget
- Review monthly payroll runs
- Review monthly financial reports
- Serve as second signature to the Board Treasurer for checks and contracts over \$2,500.

**Remaining concerns:**

- It appears that the Board Treasurer, alone, can make adjustment to payroll and not the Board as a whole.
- It appears that the Board Treasurer and Principal can make purchases over \$2,500 without Board approval.

## **C13: BUSINESS AND BUDGETING PLAN**

The Business and Budgeting Plan section should describe how the charter school will organize its business office and manage its fiscal responsibilities.

***Evaluation Criteria:***

- An appropriate plan for managing procurement activities;
- A description of the personnel who will perform business duties, including the requisite qualifications of any proposed personnel;
- A realistic timeline and process by which the governance structure will review and adopt an annual budget;
- A balanced two-year budget estimate that accurately reflects the revenue currently available to the school and expenditures for program implementation and does not rely on one-time grants or other funds that are not presently guaranteed;
- A budget that includes costs for all personnel, programs, and expenses described in other sections of the application;
- An understanding of the minimum number of students required for financial viability and a contingency plan to provide the education program outlined in the program if fewer students than necessary for viability enroll and/or attend;
- Plans to pay for unexpected but necessary expenses; and
- An explanation of the calculations used to project the amounts of federal funding included in the budget

**Fully Responsive**

## Concerns and Additional Questions

- Complete the sentence at the end of the paragraph that is third from the bottom on Page 38 of 52 of the application document, which begins “The budget”.

**Applicant Response: \* This was a sentence that was deleted and this should have been deleted as well.**

## C14: FINANCIAL AND PROGRAMMATIC AUDIT PLAN

The Financial and Programmatic Audit Plan section should provide the procedure and timeline by which an annual audit will be conducted. This section should also include an outline for the information that will need to be reported to Arkansas Department of Education and the community.

### *Evaluation Criteria:*

- A sound plan for annually auditing school’s financial and programmatic operations;
- If the application names an accountant other than the Division of Legislative Audit to perform the first-year audit, the named accountant meets the requirements of Arkansas Department of Education Rules Governing Publicly Funded Educational Institution Audit Requirements and is not listed on any ineligibility list maintained by Arkansas Department of Education or the Division of Legislative Audit.

**Fully Responsive**

## C15: ARKANSAS PUBLIC SCHOOL COMPUTER NETWORK ASSURANCES

The Arkansas Public School Computer Network (APSCN) Assurances section should provide documentation of the applicant’s understanding of and participation in the required state finance and educational data reporting system.

### *Evaluation Criteria:*

- Assurance that the charter school will participate in APSCN and will comply with all state statutory requirements regarding the APSCN finance and educational data reporting system

**Fully Responsive**

## C16: FACILITIES

The Facilities section should identify and describe the facilities to be used by the school, any changes to be made to the facilities, and the owners of the facilities.

### *Evaluation Criteria:*

- An identified facility appropriate to meet the needs of the school over the term of its charter;
- A realistic plan for remodeling or adapting a facility, if necessary, to ensure that it is appropriate and adequate for the school's program, the school's targeted population, and the public;
- Evidence that the school understands the costs of securing and improving a facility and has access to the necessary resources to fund the facility plan; and
- A sound plan for continued operation, maintenance, and repair of the facility

For schools that will be using district-owned facilities, a response that meets the standard will present:

- Documentation that the school district and charter school officials are in agreement over the use of the facility and its equipment

For schools that will NOT be using district-owned facilities, a response that meets the standard will present:

- Documentation that the property owner and school are in agreement over the use of the facility and its equipment;
- A statement of the facilities' compliance with applicable codes; and
- A detailed outline of any relationships between the property owner and:
  - Members of the local board of the public school district where the charter school will be located;
  - The employees of the public school district where the charter school will be located;
  - The sponsor of the charter school; and
  - Employees, directors and/or administrators of the charter school

### **Fully Responsive**

### Concerns and Additional Questions

- Verify that the lease of the facility will be \$120 in year 1 and \$30,000 in year 2.

**Applicant Response: We need to make a correction in this language. The first year of the facility lease will be \$10 total for the year and \$30K in year 2. Because we have used the building for the past 10 years, our established relationship with the Pine Bluff Educational Endowment, Inc. has agreed to this payment plan. The draft payment plan is attached.**



## **C17: FOOD SERVICES**

This section should describe how the school will address food services for its student body.

### ***Evaluation Criteria:***

- A food service plan that will serve all eligible students; and
- A management plan that reflects a clear understanding of federal law and requirements if the charter school plans to participate in the National School Lunch program

**Fully Responsive**

### **Concerns and Additional Questions**

- Confirm that the procurement/bidding processes will be followed to secure a food service vendor that will comply with all Child Nutrition standards.

### **Applicant Response:**

Yes, we will use formal procurement procedures will be used as required by 2 CFR Part 200.318-326, formerly 7 CFR §3016.36 to secure a food vendor that will comply with all Child Nutrition standards.

## **C18: CONFLICTS OF INTEREST**

The Conflicts of Interest section should identify any potential conflicts of interest among the individuals involved with the proposed charter school and explain how conflicts will be addressed.

### ***Evaluation Criteria:***

- Full disclosure of any potential conflicts of interest and an explanation of the ways in which conflicts, if any, will be addressed

**Fully Responsive**

## **C19: SUSTAINABILITY OF THE PROGRAM**

The Sustainability section should describe the applicant's plan to ensure continued success of the charter school over time.

### ***Evaluation Criteria:***

- The plan to ensure the sustainability of the charter in the future

**Fully Responsive**

## **C20: DESEGREGATION ASSURANCES**

The Desegregation Assurances section should describe the applicant's understanding of applicable statutory and regulatory obligations to create and maintain a unitary system of desegregated public schools.

### ***Evaluation Criteria:***

- Assurance that the charter school will comply with all applicable federal and state statutory and regulatory requirements regarding the creation and maintenance of desegregated public schools; and
- An outline of the potential impact of the proposed charter school on those desegregation efforts already in place in affected public school districts

See legal comments.

## **C21: WAIVERS**

The Waivers section should discuss all waivers requested from local or state law.

### ***Evaluation Criteria:***

- Each law, rule, and standard by title, number, and description for which a waiver is requested;
- A rationale for each waiver requested; and
- An explanation of the way that each waiver would assist in implementing the educational program of the charter and/or fulfilling the charter's mission

See legal comments.

Southeast Arkansas Preparatory High School

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**Southeast Arkansas Preparatory High School  
2017 Open Enrollment Amendment**

**1. School Year Dates**

**Ark. Code Ann. § 6-10-106**

**Start and End Dates for School Year of the Standards for Accreditation**

**ADE Rules Governing Start and End Dates for School Year**

*We would like to provide an extended year and extended day as a means of providing instructional time, which will significantly help our students who are 2-3 grades behind in Reading and Mathematics. This will also accommodate our project-based learning instructional model and provide more time to design and develop projects. We are also seeking this exemption so we can start our school year prior to August 14.*

**Legal Comments:** There is no section in the Standards for Accreditation for the start and end dates of the school year and there are no ADE Rules Governing Start and End Dates for School Year. Applicant should provide clarification on the request and provide accurate rules and specific sections for which it is requesting a waiver.

**Applicant Response:** *It was an error to request waivers for Standards for Accreditation and ADE Rules.*

**Remaining Legal Issues:** None

**2. Superintendent**

**Ark. Code Ann. § 6-13-109**

**Ark. Code Ann. § 6-17-427**

**Section 15.01 of the Standards for Accreditation**

**ADE Rules Governing the Superintendent Mentoring Program**

*SAPHS seeks exemption from these portions of the Education Code and the ADE Rules. SAPHS plans to employ a principal who will serve as the Superintendent with a student population of 220.*

**Legal Comments:** None

**3. Teacher and Administrator Licensure**

**Ark. Code Ann. § 6-15-1004**

**Ark. Code Ann. § 6-17-302**

**Ark. Code Ann. § 6-17-309**

**Ark. Code Ann. § 6-17-401**

**Ark. Code Ann. § 6-17-902**

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**Ark. Code Ann. § 6-17-919**

**Sections 15.02 and 15.03 of the Standards for Accreditation**

**Minimum Salaries for Certified and Classified Staff of the Standards for Accreditation**

**ADE Rules Governing Minimum Salaries for Certified and Classified Staff**

*SAP HS seeks exemption from this portion of the Education Code because the SAP HS Board will adopt personnel policies and procedures in accordance with applicable laws and best practices in order to address unique needs of the school's operational model. This request is common to other waivers requested concerning the Teacher Fair Dismissal Act and the Public Employee Fair Hearing Act.*

**Legal Comments:** In order to effectuate a waiver of teacher licensure, a waiver from the ADE Rules Governing Educator Licensure is necessary. Applicant should provide additional rationale on why a waiver of licensure is necessary as the rationale provided only addresses personnel policies which Applicant did not request any waiver. Additionally, there is not a section of the Standards for Accreditation titled Minimum Salaries for Certified and Classified Staff and there is not a set of rules titled ADE Rules Governing Minimum Salaries for Certified and Classified Staff. Again, Applicant has only provided rationale addressing personnel policies and not minimum salary requirements, so ADE Legal is uncertain which laws Applicant seeks a waiver. Applicant should provide clarification on the request and provide accurate rules and specific sections for which it is requesting a waiver.

**Applicant Response:** *There was an error on our part in requesting a waiver of the Standards for Accreditation for Minimum Salaries for Certified and Classified Staff as well as the ADE Rules regarding the same.*

*We are requesting a waiver of ADE Rules Governing Educator Licensure. We are requesting this waiver because of some unique components of our program that will allow us to partner with relevant organizations to supplement our instruction. We will be a STEM school and we would like the ability to partner with organizations in the STEM careers to provide instructors from their industry to teach courses at times. We don't want the need for a formal license to obstruct our chance to partner with real industry persons that could improve the relevance and retention of information.*

*Furthermore, we are aware of the shortage of teachers in the Pine Bluff area and we would like to request this waiver so that we are not subject to a limited pool of teachers. However, please note that it our intent to use the AQT rules as a guideline for hiring all teachers.*

**Remaining Legal Issues:** None

**4. Planning Period**

**Ark. Code Ann. § 6-17-114**

**Planning Period of the Standards for Accreditation**

**ADE Rules Governing Planning Period**

Southeast Arkansas Preparatory High School

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*SAPHS seeks exemption from this Education code because our unique schedule requires flexibility to adapt teacher schedules to match our instructional support framework (planning time). Teachers will have increased planning time and support in our model.*

**Legal Comments:** There is not a section of the Standards for Accreditation titled Planning Period and there is not a set of rules titled ADE Rules Governing Period. Applicant should provide clarification on the request and provide accurate rules and specific sections for which it is requesting a waiver. Applicant should provide additional rationale on why this waiver is necessary and how it will be implemented.

**Applicant Response:** *We would like to rescind this waiver request. We will have more than 200 minutes a week and 40 minutes a day for planning time for our teachers.*

**Remaining Legal Issues:** None as the waiver request has been rescinded.

**5. Duty-Free Lunch / Non-instructional Duties**

**Ark. Code Ann. § 6-17-111**

**Ark. Code Ann. § 6-17-117**

**Duty-Free Lunch of the Standards for Accreditation**

**ADE Rules Governing Duty-Free Lunch**

*SAPHS requests a waiver from this statute to provide us with flexibility in making assignments for dutyfree lunches. We will continue to provide 150 minutes of duty-free lunch per week, however we are requesting greater flexibility in planning the lunch time on a daily basis.*

**Legal Comments:** Applicant has not provided any rationale on how a waiver from the duty-free lunch will be implemented since it states teachers will be getting the 150 minutes per week required time. Applicant has not provided any rationale on why a waiver of non-instructional duties is necessary or how it will be used. Additionally, there is not a section of the Standards for Accreditation titled duty-free lunch and there are no rules titled ADE Rules Governing Duty-Free Lunch. Applicant should provide clarification on the request and provide accurate rules and specific sections for which it is requesting a waiver.

**Applicant Response:** *We would like to rescind this waiver request.*

**Remaining Legal Issues:** None as the waiver request has been rescinded.

**6. School Nurse**

**Ark. Code Ann. § 6-18-1001 et seq.**

**Section 16.03.1 of the Standards for Accreditation**

**ADE Rules Governing School Nurse**

Southeast Arkansas Preparatory High School

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*SAPHS seeks exemption from these portions of the Education Code and the ADE rules to allow us to have the flexibility to provide quality health services without hiring a full-time nurse. We will provide a part-time nurse to our students instead.*

**Legal Comments:** A waiver from Ark. Code Ann. § 6-18-1001 et seq. is not necessary, and there are no rules titled ADE Rules Governing School Nurse. However, a waiver of Ark. Code Ann. § 6-18-706, Section 16.03 of the Standard’s for Accreditation, and Section 3.01.6 of the ADE Rules Governing Public School Student Services is necessary.

**Applicant Response:** *We would like to rescind the request for a waiver from Ark. Code Ann. § 6-18-1001 et seq. We also would like to acknowledge our error in requesting a waiver from the ADE Rules Governing School Nurse. However, we would like to request the waiver for Ark. Code Ann. § 6-18-706, Section 16.03 of the Standard’s for Accreditation, and Section 3.01.6 of the ADE Rules Governing Public School Student Services.*

**Remaining Legal Issues:** None

**7. Classified School Employee Personnel Policies**

**Ark. Code Ann. § 6-17-2301 et seq.  
Classified School Employee Personnel Policy Law of the Standards for Accreditation  
ADE Rules Governing Classified School Employee Personnel Policy Law**

*SAPHS seeks exemption from this portion of the Education Code. Instead, SAPHS requests the flexibility to allow it's Board to adopt personnel policies which will include, but not be limited to the following: salary schedule, fringe benefits, and other compensation issues; annual school calendar including work days and holidays; evaluation procedures; leave; grievance procedures; termination or suspensions; reduction in force; and assignments.*

**Legal Comments:** There is not a section of the Standards for Accreditation titled classified school employee personnel policy law and there are no rules titled ADE Rules Governing Classified School Employee Personnel Policy Law. Applicant should provide clarification on the request and provide accurate rules and specific sections for which it is requesting a waiver.

**Applicant Response:** *We would like to rescind this waiver request.*

**Remaining Legal Issues:** None as the waiver request has been rescinded.

**8. Board Member Presence**

**Ark. Code Ann. § 6-13-619(c) and (d)  
Board Member Presence of the Standards for Accreditation  
ADE Rules Governing Board Member Presence**

*SAPHS requests flexibility from this statute to allow board members to participate by telephone*

Southeast Arkansas Preparatory High School

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*or other electronic communication (i.e. Skype, Zoom, etc.).*

**Legal Comments:** Applicant should provide additional rationale on why this waiver is necessary as Ark. Code Ann. § 6-13-619(d) already allows a board of directors to adopt a policy permitting a member of the board to attend the meeting remotely. There is not a section of the Standards for Accreditation titled board member presence and there are no rules titled ADE Rules Governing Board Member Presence. Applicant should provide clarification on the request and provide accurate rules and specific sections for which it is requesting a waiver.

**Applicant Response:** *We would like to rescind this waiver request.*

**Remaining Legal Issues:** None as the waiver request has been rescinded.

**9. Student Discipline**

**Ark. Code Ann. § 6-18-501 et seq.  
Student Discipline Policies of the Standards for Accreditation  
ADE Rules Governing Student Discipline Policies**

*SAPHS seeks exemption from these portions of the Education Code to allow us the flexibility to adopt our school discipline policies. SAPHS seeks to use the most progressive forms of student behavior management practices such as restorative justice/mediation and peer mentoring as our foundational means of managing student behavior.*

**Legal Comments:** Applicant should provide additional rationale on why a waiver of the entire Ark. Code Ann. § 6-18-501 et seq. section is necessary and how it will be implemented, as this section also includes the suspension and expulsion laws and many other provisions. There is not a section of the Standards for Accreditation titled student discipline policies. The rules dealing with discipline are titled ADE Rules Governing Student Discipline and School Safety Policies. Applicant should provide clarification on the request and provide specific sections for which it is seeking a waiver.

**Applicant Response:** *We would like to rescind this waiver request.*

**Remaining Legal Issues:** None as the waiver request has been rescinded.

**10. Library Media**

**Ark. Code Ann. § 6-25-103  
Ark. Code Ann. § 6-25-104  
Section 16.02.3 of the Standards for Accreditation  
ADE Rules Governing Library Media and Technology**

*SAPHS is requesting a waiver from having our library media services program defined as well as having a traditional media specialist. The Media Center at SAPHS will be a "digital lab" on*

## Southeast Arkansas Preparatory High School

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*campus that made up of mobile computers, shared among teachers, for the optimum digital media experience. SAPHS's mobile Media Center will allow for greater flexibility to combine research, hands-on project based learning and assessment, science, technology, engineering, and mathematics in a digitally enhanced experience. The media center experience will be utilized to enhance project-based learning with real world connections in the classrooms.*

**Legal Comments:** There are no rules titled ADE Rules Governing Library Media and Technology. Applicant should provide clarification on the request and provide accurate rules for which it is requesting a waiver.

**Applicant Response:** *It was an error to request waivers for Standards for Accreditation and ADE Rules for this waiver.*

**Remaining Legal Issues:** None

**Desegregation Analysis:** Fully responsive