

RIVER VALLEY VIRTUAL ACADEMY

**CHARTER INTERNAL
REVIEW COMMITTEE
REVIEW AND APPLICANT
RESPONSES**

Arkansas Department of Education

District Conversion Charter School 2016 Application

SCORING RUBRIC

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 was filed with Arkansas Department of Education on time and included 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 mission statement (with content to be evaluated for Prompt #2 of Part C); and
- The key programmatic features of the proposed charter school

Fully Responsive

PART C NARRATIVE DESCRIPTION OF THE PROPOSED CHARTER

C1: PUBLIC HEARING RESULTS

All districts must conduct a public hearing before applying for a district conversion or limited 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 notice published to garner public attention to the hearing; and
- Documentation of required notices about the hearing being sent to the community, certified school personnel, and parents of all students enrolled at the public school for which the school district initiated the application

Fully Responsive

C2: MISSION STATEMENT

The Mission Statement should be meaningful and indicate what the school intends to do, for whom, and to what degree.

Evaluation Criteria:

- A mission statement that is clear and succinct

Fully Responsive

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.

Evaluation Criteria:

- Valid, reliable, and verifiable data substantiate an educational need for the charter; and
- Innovations that would distinguish the charter from other schools

Fully Responsive

Concerns and Additional Questions: Explain the plan for providing transportation for trips and to weekly face-to-face attendance.

Applicant Response:

Parents will be responsible for providing transportation to the ARVVA campus for the field experiences and VBSD buses will be used to transport the students on the field experience to and from

the ARVVA campus.

Weekly face-to-face sessions are optional. Parents will provide transportation to the ARVVA campus for these sessions.

Remaining Concerns:

- It remains unclear how and when the applicant will provide transportation to students who reside in the district and attend ARVVA.
- It remains unclear how students who do not have transportation will be allowed to opt into the weekly face-to-face sessions, if needed.

C4: ACADEMIC ACHIEVEMENT GOALS

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

Evaluation Criteria:

- Specific goals in reading and mathematics 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

- Explain how 75% of students scoring “Ready” or “Close” on the state benchmark assessments is an appropriate performance level that demonstrates achievement, given that “Close” is not considered proficient.
- Confirm that the performance level that demonstrates achievement for the K-2 assessment outcomes will be proficient as opposed to “Ready” or “Close”.
- Explain why a baseline goal was not set for students taking college entry exams in 2021-22, given that the application states that the charter plans to meet the needs of students by preparing them to “succeed in both college and the professional world”.
- Explain how assessments will be administered to meet testing protocol.
- Explain the protocol for ensuring student participation in quarterly field experiences given that some students may not be able to travel to the location of the field experience.
- Explain how often the Individualized Learning Plan (ILP) team will meet to make adjustments to each student’s ILP and if the composition of the team will remain consistent over time.
- Given that all science standards will be fully implemented by the 2018-19 school year, provide a goal tied to science.

Applicant Response:

In light of the Department’s review VBSD would like to request changes to our goals. We propose the goals provided in the chart below.

Goal	Assessment Instrument for Measuring Performance	Performance Level that Demonstrates Achievement	When Attainment of the Goal Will Be Assessed
ARVVA Students will attain proficiency in reading	State Mandated Assessments	ARVVA students will meet or exceed the State average number of students scoring proficient in reading	Goal will be assessed annually to denote progress and attainment will be 2021-2022 at the end of the year with full implementation of the K-12 program
ARVVA Students will attain proficiency in English	State Mandated Assessments	ARVVA students will meet or exceed the State average number of students scoring proficient in English	Goal will be assessed annually to denote progress and attainment will be 2021-2022 at the end of the year with full implementation of the K-12 program
ARVVA Students will attain proficiency in mathematics	State Mandated Assessments	ARVVA students will meet or exceed the State average number of students scoring proficient in mathematics	Goal will be assessed annually to denote progress and attainment will be 2021-2022 at the end of the year with full implementation of the K-12 program
ARVVA Students will attain proficiency in writing	State Mandated Assessments	ARVVA students will meet or exceed the State average number of students scoring proficient in writing	Goal will be assessed annually to denote progress and attainment will be 2021-2022 at the end of the year with full implementation of the K-12 program
ARVVA Students will attain proficiency in science	State Mandated Assessments	ARVVA students will meet or exceed the State average number of students scoring proficient in science	Goal will be assessed annually to denote progress and attainment will be 2021-2022 at the end of the year with full implementation of the K-12 program

ARVVA Students will develop an ILP to support academic and career goals	ARVVA ILP Records	99% of ARVVA students will develop an ILP to support their academic and career goals	2019-2020 school year (year three) Each year progress toward the goal will be monitored to ensure attainment of the goal
ARVVA Students will participate in enrichment activities including field experiences, community service projects or integrated units of study each nine weeks	ARVVA Enrichment Activity Records	95% of ARVVA students will participate in enrichment activities including field experiences, community service projects or integrated units of study each nine weeks	2019-2020 school year (year three) Each year progress toward the goal will be monitored to ensure attainment of the goal
ARVVA Students will take college entrance exams by the end of their senior year	ACT and/or SAT Exam	The number of ARVVA students who take the ACT will be at or above the State average number of students taking the ACT	Goal will be assessed annually to denote progress and attainment will be 2021-2022 at the end of the year with full implementation of the K-12 program

All assessments will be administered at the ARVVA campus and all state testing protocols will be followed. All assessments will be given by qualified teachers who have received the state testing training. ACT testing will be administered on the VBHS campus during ACT scheduled testing dates. Individual Learning Plans will be monitored weekly by teachers. The ILP team will meet to review progress toward goals each nine weeks. The team will consist of the student, a parent or guardian and a teacher. The team will be consistent for the year.

All students including students who cannot participate in field experiences will have the option to work on an integrated unit, a community service project or a field experience. The individual learning plan will address the students' plans for these enrichment activities. The district will collect data on the projects in each student's ILP with the documentation of the type of enrichment and the number of experiences per student in the ILP records.

ARVVA students will receive science instruction aligned to the new AR. State Science standards following the state grade implementation timeline. A goal was written for this content area.

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:

In general:

- Confirm that the charter, if approved, will work with the ADE to receive course approval for any unapproved and/or blended courses or replace those courses with approved courses.
- Confirm that Arkansas History will be taught as a social studies subject at each elementary grade level with greater emphasis at the 4th and 5th grade levels, and at least one full semester of Arkansas history will be taught to all students at the 7th, 8th, 9th, 10th, 11th, or 12th grade.
- Explain if and when pre-Advanced Placement (AP) courses will be offered.

Elementary:

- Explain how the requirement for 90 minutes of physical activity per week will be met.
- Explain how technology instruction will be provided.
- Confirm that Friday afternoon will be the only day onsite support will be provided.

Middle School:

- Explain how the requirement for 90 minutes of physical activity per week and 40 minutes of physical education per week will be met, for sixth grade.
- Explain how technology instruction will be provided, for sixth grade.
- Explain when keyboarding and technology instruction will be offered.
- Explain how the requirements for offering art and music will be addressed, for seventh grade
- Explain how the requirements for offering physical education will be addressed, for seventh grade.

High School:

- List the computer science courses that will be offered.
- Confirm that Advanced Placement (AP) courses will be taught by an AP certified instructor.

Applicant Response:

ARVVA if approved will work with the ADE to receive course approval for any unapproved and/or blended courses or replace those courses with approved courses.

Arkansas History will be taught as a social studies subject at each elementary grade level with greater emphasis at the 4th and 5th grade levels, and at least one full semester of Arkansas History will be taught to all students at 7th, 8th, 9th, 10th, 11th, or 12th within the secondary grade span prior to graduation.

AP courses will be offered in grades 9th through 12th grade. Currently there is no plan to offer Pre-AP courses. Students will be allowed to accelerate work and take advanced course work. Enrichment activities will provide opportunities for students to work at their level of achievement.

Elementary

We have asked for a Waiver for the required 90 minutes of physical activity. ARVVA will communicate to parents about community activities which are available for all students such as the Girls and Boys Clubs in order to promote appropriate physical activity.

Technology instruction will be provided by ARVVA teachers to students in grades K-5 on-line.

Computer based programs such as keyboarding will be used to assist with this instruction. Teachers will provide instruction aligned to the State Technology standards.

Face -to- face support will be provided on the ARVVA campus based on a schedule. A possible schedule might be for 4th grade on Monday afternoon, 5th grade on Tuesday afternoon, 6th grade on Wednesday afternoon, 7th grade on Thursday afternoon, and 8th grade on Friday afternoon. As grade levels are added to the program grade levels would be paired or grouped depending on the numbers of students who request the face-to-face support. An example might be for 3rd and 4th grade students to come for support on Monday afternoons.

Middle School

VBSD has requested a waiver for the required 90 minutes of physical activity for 6th grade.

ARVVA teachers will provide technology instruction for 6th grade students. Teachers will use the state technology standards for this instruction. This instruction will be provided on-line to students. This instruction will be provided for a semester.

7th or 8th grade students will take a keyboarding course for a semester. All students will take the course but get to choose which grade they would like to take the course. ARVVA teachers or online providers will teach the course.

VBSD has requested a waiver for art, music and physical education. ARVVA will use an on-line provider which has fine art, music and physical education courses students can take each year. VBSD will offer ARVVA students the opportunity to participate in band or choir on a VBSD middle school campus.

VBSD has requested a waiver for physical education. ARVVA students will be able to take a physical education course on-line in 7th and 8th grades. ARVVA students will also have the opportunity to participate in all VBSD athletic activities on a VBSD middle school campus.

High School

ARVVA will offer Essentials of Computer Programing, Computer Science and Mathematics, AP Computer Science A, and AP Computer Science Principles through an on-line provider such as Virtual Arkansas.

AP courses will be provided by and on-line provider with teachers who are AP certified.

Remaining Concerns:

- It remains unclear that the applicant realizes the implications for not providing art, music, and physical education courses each year.
- It remains unclear that the applicant understands that the athletic coach must be PE licensed in order for athletics to count for PE.

C6: PROGRAMS AND METHODS TO SUPPORT CORE CLASSES

The Programs and Methods to Support Core Classes section should describe the curriculum for core classes.

Evaluation Criteria:

- A clear description of curriculum, including programs and instructional methods to be used in core classes; and

- An explanation of how the district will pay for all costs associate with the curriculum

Fully Responsive

Concerns and Additional Questions: Provide the parameters and requirements that will be used to select a vendor that will provide the virtual education programming.

Applicant Response: VBSD will only consider contracting with on-line providers who are on the State Approved Provider List. On-line providers will supply VBSD with proper documentation for each class/course in order to ensure the courses are meeting all required standards. If providers are providing the instructors the contract with the provider will state the credentials of instructors in order to meet all requirements of our program and licensure.

C7: 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;
- A description of the grade levels and maximum enrollment, by year, if the charter plans to grow over time; and
- A clear explanation of how the key program features will be afforded

Fully Responsive

Concerns and Additional Questions

- A) Provide the minimum number of students who must attend the charter in order for the school to be financially viable. Describe the method used to calculate this number. Tell who made the calculations and describe the financial expertise of the individuals who assisted in this assessment. B) Describe the contingency plan if fewer students than necessary for financial viability enroll before the first day of school. Provide a detailed explanation of the ways in which the charter leaders will provide the education program outlined in the application to fewer students than determined necessary for financial viability or a date that the charter leaders will notify the parents and staff at the Arkansas Department of Education that the school will not open as anticipated. C) Explain how charter leaders will provide the education program outlined in the application if enough students for financial viability enroll and are admitted but fail to arrive when school begins.

Applicant Response:

In order for ARVVA to be financially viable, there will need to be at least 25 students enrolled. The Arkansas foundation funding for 25 students will cover the cost of curriculum, personnel and field

experiences. If in the event only 25 students enroll, the ARVVA coordinator will also serve in the capacity of teacher.

The minimum required number was based on calculations performed by Dr. Harold Jeffcoat, Superintendent of the Van Buren School District. It assumes a salary and benefits of \$70,000 for the teacher/coordinator, \$86,000 for curriculum and \$300 per student for field experiences. Based on these figures, the total cost would be \$163,500. Total foundation aid based on 25 students at \$6,646 would be \$166,150.

With over 67% of respondents interested in learning more about virtual learning, we believe we will far exceed the minimum requirement for enrollment. However, in the event we have fewer than 25 students enroll, we will evaluate the cost benefit of the program. With the understanding that it takes time to build a new program, the district is committed to making an investment in ARVVA even if less than 25 students enroll. If no students enroll, we will notify ADE that the school will not open as anticipated. We will work through the same process if students enroll but fail to attend.

C8: CHARTER MODEL

Evaluation Criteria:

- Specific reasons why it is critical for the district to have a charter school rather than implementing the plan outlined in the application on an existing traditional campus

Fully Responsive

C9: AUTONOMY

Evaluation Criteria:

- A clear description of all the ways in which the charter school will have more autonomy than traditional schools in the district, specifically pertaining to personnel, budget, day-to-day operations, and the school calendar

Fully Responsive

Concerns and Additional Questions

- Provide the required credentials for teachers from nontraditional backgrounds.
- Explain if the teachers will be compensated through the school or through the vendors.

Applicant Response:

When employing teachers from non-traditional backgrounds, VBSD will only select applicants from ADE approved non-traditional pathways to licensure such as MAT, APPEL, etc.

ARVVA teachers who provide some courses and monitor student progress will be compensated through VBSD. ARVVA will contract with on-line providers to provide instructors for some courses and in this situation the provider will compensate the teachers.

C10: SCHOOL IMPROVEMENT PLAN

Evaluation Criteria:

- Meaningful and realistic ways to involve licensed employees and parents in developing and implementing the school improvement plan, identifying performance criteria, and evaluating the effectiveness of the improvement plan; and
- A plan that addresses how the charter school will improve student learning and meet the state education goals

Fully Responsive

C11: 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 Common Core State Standards

Fully Responsive

C12: 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 special education students 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:

- Explain how VBSD counselors are expected to meet the demands of serving more students for

- college and career guidance.
- Explain how the social and emotional needs of all charter students will be provided in the absence of a traditional guidance program.
 - Provide the written agreement with the public library, if one exists.
 - Confirm that appropriate accommodations on state assessments will be provided for students with disabilities.
 - Clarify that the VBSD will provide transportation for online students from their homes to the school for their field experiences.
 - Confirm that an ELL coordinator will be available to provide services to students at ARVVA.
 - Explain the discrepancy between offering GT services and requesting a waiver from GT.
 - Clarify how will students be identified as GT and who will be responsible for that process.
 - Verify that a licensed GT teacher will address the social and emotional needs of these students.

Applicant Response:

VBSD employs 14 counselors who could possibly service 6300 students. VBSD currently has 5823 students therefore the ARVVA students could be served. During ILP conferences with parents and students families will be offered the opportunity to access counseling services which are normally provided to VBSD students.

VBSD also employs a Career Development Advisor for Van Buren High School students. The VBSD will provide flexibility for a counselor and/or Career Advisor to service students at ARVVA.

No written agreement with the Public Library is needed.

All students with disabilities will follow their IEP for accommodations on state assessments. All assessments will be given on the ARVVA campus.

VBSD will provide transportation for ARVVA students from the ARVVA campus to the field experiences and back to the ARVVA campus. Parents will provide transportation to and from the ARVVA Campus.

ELL services will be provided to any ELL identified student. These services will be provided on the ARVVA campus by an ELL certified teacher. Some services may also be provided virtually such as work review and feedback to students and parents.

The VBSD has requested a waiver for GT services. If a referral for GT services is made by the parent, ARVVA teacher or the student, a GT specialist will provide testing at the ARVVA campus. If the student is identified, parents can choose to access GT services at any of the VBSD schools. These services are provided by a GT specialist and include opportunities to address the emotional and social needs of GT students.

Remaining concerns: The applicant needs to verify that the charter will employ a licensed special education teacher and will abide by all IDEA laws and rules, including the student to teacher ratio of 1 to 25 in a virtual setting.

C13: 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, **separate from the district's annual report to the public**, that outlines the school's progress; and
- A plan for dissemination of the annual report to appropriate stakeholders

Fully Responsive

Concerns and Additional Questions

- Confirm that the annual report will be printed in the newspaper.
- Confirm that the report will be shared with the local school board at a regularly scheduled public board meeting.

Applicant Response: The annual report will be printed in the local newspaper. The report will be shared with the local school board at a regularly scheduled public board meeting separate from the meeting the district's annual report to the public is shared.

C14: 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 provide assurances for a 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; and
- A process for, and a guarantee of, a random, anonymous lottery process should there be more student applications than can be accommodated under the terms of the charter

Fully Responsive

Concerns and Additional Questions: Confirm that the letters of commitment are not required for enrollment.

Applicant Response: The letters of commitment which will be discussed and presented to parents will not be required for enrollment.

C15: PRIOR CHARTER INVOLVEMENT

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

C16: STAFFING PLAN

The Staffing Plan section should describe the job duties of the school administrator(s) 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 administrators and other key personnel, including but not limited to counselors and teachers;
- An outline of the professional qualifications required for administrators, teachers, counselors, and others; and
- 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

Fully Responsive

Concerns and Additional Questions: With an enrollment cap of 325, explain how a staff of four people will be able to develop and administer weekly face-to-face field experiences with the students.

Applicant Response:

At maximum enrollment of 325 students, based on 5 teachers, the numbers of students assigned to each teacher are below

K-1 teacher- 30 Students

2-4 teacher- 45 Students

5-7 teacher- 45 Students

8-10 teacher- 90 Students

11-12 teacher- 115 Students

The difference in student to teacher ratio between age groups is based on the type of instruction provided to students. ARVVA teachers in lower grade levels will be considered the "teacher of record" and will provide instruction related to the core content. In secondary, due to the complexity of the content, an on-line provider will provide the content and the "teacher of record". In this situation the ARVVA teacher will serve more of a facilitator role.

A schedule will be created to allow teachers to meet with grade-level groups once per week for face-to-face instruction.

C17: 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

C18: FACILITIES

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

Fully Responsive

Concerns and Additional Questions: Explain how three classrooms will accommodate up to 325 students in several grade levels.

Applicant Response: The Freshman Academy, where ARVAA will be located, accommodates up to 800 students. Currently the Freshman Academy has approximately 450 students enrolled. The potential space needed for ARVAA enrollment growth is available.

C19: 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: Explain how student nutrition will be met on the days students come to campus. .

Applicant Response: Students will be provided a sack lunch prepared by VBSD food services for all field experiences which extend into the normal lunch schedules. Sack lunches will meet all laws/requirements associated with the child nutrition program.

C20: PARENTAL INVOLVEMENT

The Parental Involvement section should describe how parents or guardians of enrolled students, the school employees, and other members of the community will make a positive impact on the school and its educational program.

Evaluation Criteria:

- 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

Concerns and Additional Questions: Provide any written agreements with community leaders to support field experiences and community service activities.

Applicant Response: The City of Van Buren and the Van Buren Chamber of Commerce has expressed a willingness to partner with ARVVA to provide students with meaningful field experiences.

C21: 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

Concerns and Additional Questions: Provide a plan to ensure the perpetuity of the charter in the future.

Applicant Response: ARVVA is designed to meet the needs of our community. The plan is to advertise and facilitate this alternative learning environment to meet the educational needs of a population of students/families who would like to be educated in a home or alternate location the family may have chosen. ARVVA will work closely with the community in order to meet the needs of the students. Once students are successful in this alternative educational program the enrollment will increase which will ensure the sustainability of this innovative educational program.

C22: 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

Fully Responsive

Partially Responsive

Not Responsive

Concerns and Additional Questions

See legal comments.

C23: 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 request; 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

Fully Responsive

Partially Responsive

Not Responsive

Concerns and Additional Questions

See legal comments.

LEGAL REVIEW OF WAIVER REQUESTS AND RESPONSES

Arkansas River Valley Virtual School

Red=Waivers not previously requested, need additional discussion, or have remaining issues

Green=Waivers previously granted, no remaining issues

Teal=Note from ADE Legal to Charter Authorizing Panel

Information provided by Applicant is in italics.

**Arkansas River Valley Virtual School
Waivers Requested in Original Application
2016 District Conversion Charter Application**

1. Instructional Day/School Year

Ark. Code Ann. § 6-10-106

Ark. Code Ann. § 6-16-102

Ark. Code Ann. § 6-18-211

Ark. Code Ann. § 6-18-213(a)(2)

Sections 10.01.4 and 14.03 of the ADE Rules Governing Standards for Accreditation

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

Given the nature and intent of a self-paced learning environment, and given the perpetual availability of our on-line curriculum, VBSD will need the flexibility to adjust our yearly calendar and daily schedule to accommodate the needs of our learning community and to ensure that we are providing the best educational experience possible for virtual students. As such, VBSD requests a waiver of the uniform calendar requirement, as well as the requirement that the planned instructional time in each school day shall not average less than six (6) hours per day or thirty (30) hours per week. We also seek to waive the requirement that a unit of credit must meet a minimum of 120 clock hours. Only by leveraging these waivers can VBSD create a personalized learning environment wherein students can truly learn at their own pace. While it is true that some students will be able to learn at an accelerated pace, in other circumstances students will be afforded the opportunity to spend more time addressing learning gaps.

Legal Comments: The Applicant should describe how it intends to count a “school day” for purposes of having the required 178 instructional days and/or the Applicant’s planned 180 instructional days.

Applicant Response: *The instructional content will define the school instructional day. The course content is paced based on an average six hour instructional day for five days in a given week. Students in grades K-6 will have grade level instruction, study and/or assignments for all the content areas such as literacy (Reading, English, Writing and Spelling), math, social studies and science each day. The daily instruction and assignments will require six hours of work. Students will also have art, music and PE requirements during the week. Students in grades 7-12 will have the core content classes (English/Literature, Math, Science, Social Studies and other required courses such as fine arts, keyboarding and technology etc.) each day along with elective courses. The instructional learning activities and assignments will require students K-12 to maintain a rigorous daily work schedule. The student’s work schedule and ability to*

Arkansas River Valley Virtual School

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complete all assignments will determine the actual work time. This allows the student and the student's family flexibility to schedule school work to fit into their individual life schedules.

The Van Buren School District school calendar will be the calendar for the ARVVA. ARVVA teachers will follow the start school year date, end of school year date, non-student contact days and school holidays according to the Van Buren School District school calendar.

Remaining Issues: If Applicant plans to follow the Van Buren School District school calendar, including school year dates, then a waiver of Ark. Code Ann. § 6-10-106 is not necessary.

2. Licensure / Personnel Policies

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

Ark. Code Ann. § 6-17-919

Ark. Code Ann. § 6-17-501 et seq. Teacher Fair Dismissal Act

Ark. Code Ann. § 6-17-501 et seq. Public School Employee Fair Hearing Act

Sections 15.01, 15.02, and 15.03 of the ADE Rules Governing Standards for Accreditation

ADE Rules Governing Parental Notification of an Assignment of a Non-Licensed Teacher to Teach More Than Thirty (30) Consecutive Days

ADE Rules Governing Personnel Policies

Teachers will be licensed in Arkansas except for those situations where a local teacher cannot be identified or for classes with a low number of students. In these classes, VBSD will contract with a curriculum provider who will employ teachers who are licensed in the states in which they reside. VBSD will seek certified teachers and leaders; however, VBSD requests the discretion to hire the best applicants available. VBSD will fully comply with all applicable HQT requirements and will ensure that all teachers and leaders successfully complete criminal background and Child Maltreatment Registry checks.

VBSD will also seek a waiver from the statutory formula for funding teachers for additional days

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worked. Due to the unique nature of digital or blended learning, teachers may no longer follow a traditional school day or calendar. As part of the waiver, VBSD will develop an alternate payment matrix to meet the needs of its digital or partial teaching staff. This payment matrix shall be approved by the school board in a public meeting.

Legal Comments: Ark. Code Ann. § 6-17-302 and Section 15.02 of the Standards of Accreditation apply to the requirements for principals only. Applicant should confirm whether it plans to utilize these waivers, and if so, how those waivers will help the Applicant meet its goals. If the Applicant doesn't plan to waive the requirements for principals, then Applicant should confirm it is rescinding those waivers. Section 15.01 only applies to the requirement for superintendents. Applicant should confirm whether this waiver is requested, and if so, provide additional rationale on how this waiver will help the Applicant to meet its goals. If Applicant does intend to waive the superintendent requirements, then additional waivers of Ark. Code Ann. § 6-13-109, § 6-17-427, and the ADE Rules Governing the Superintendent Mentoring Program are also needed. Applicant requests a wavier of Ark. Code Ann. § 6-17-501 et seq twice listed as Teacher Fair Dismissal and Public School Employee Fair Hearing. The correct code citations for those acts are Ark. Code Ann. § 6-17-1501 et seq. (Teacher Fair Dismissal Act) and Ark. Code Ann. § 6-17-1701 et seq. (Public School Employee Fair Hearing Act). Applicant should confirm whether they intended to ask for these code sections instead. Applicant should confirm whether it really needs a waiver of the entire set of rules governing personnel policies or just the sections regarding salary schedule. If only the sections regarding salary schedule are needed, Applicant should list those sections. If the entire rules are needed, Applicant should provide additional rationale on how a waiver will help the Applicant achieve its goals.

Applicant Response:

- *VBSD will seek a waiver for Ark. Code Ann § 6-17-302 and section 15.02 of the ADE Rules Governing Standards for Accreditation. Until ARVVA student growth requires a change in facilities ARVVA will be housed at the Van Buren Freshman Academy which has a full-time principal and assistant principal. Utilizing existing staff will help ARVVA meet and maintain its financial goals.*
- *VBSD is rescinding the waiver request for section 15.01 of the Standards for Accreditation.*
- *To clarify an error of incorrect code citation, VBSD is seeking a waiver of Ark. Code Ann. § 6-17-1501 et seq. and Ark. Code Ann. § 6-17-170 et seq.*
- *VBSD is seeking a waiver for sections 4.02.1, 4.02.2, 4.02.3, 4.02.4, 4.02.5, 4.02.6, 4.02.7, 4.02.8, 4.02.11, 6.00, 7.00 of ADE Rules Governing Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites.*
- *VBSD will seek additional waivers for Ark. Code Ann § 6-17-807 and § 6-17-2403*

Remaining Issues: Applicant should confirm it is seeking a waiver of Ark. Code Ann. § 6-17-1701 et seq. Applicant should confirm whether it is intending to seek a waiver at this time of § 6-17-302 and Section 15.02 of the Standards since it states it will be utilizing and existing

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principal.

3. CPR Instruction

Ark. Code Ann. § 6-16-143

Students will receive CPR instruction, but instruction will be conducted virtually and will not include a psychomotor component.

Legal Comments: None

Remaining Issues: None

4. Gifted and Talented

Ark. Code Ann. § 6-42-101 et seq.

Ark. Code Ann. § 6-20-2208(c) (6)

Sections 18.0, 18.1, and 18.2 of the Rules Governing Standards for Accreditation

ADE Rules Governing the Gifted and Talented Program Approval Standards

VBSD understands the importance of quality Gifted and Talented education. The district remains committed to providing these services to all students. ARVVA students will have the option to use these services; however, parent discretion will be allowed. This waiver supports the flexibility needed by the virtual academy to meet its academic goals.

Legal Comments: Only a waiver of Ark. Code Ann. § 6-42-109 is needed, not the entire section. Additionally, specific waivers of 18.1 and 18.2 are not needed as they are included in Section 18 of the rules.

Applicant Response:

VBSD would like to rescind the request to waive Ark. Code Ann. § 6-42-101 et seq.

VBSD would like to waive

Ark. Code Ann. § 6-42-109

Ark. Code Ann. § 6-20-2208 (c) (6)

Sections 18.0 of the ADE Rules Governing Standards for Accreditation

ADE Rules Governing the Gifted and Talented Program Approval Standards

ARVVA students will be allowed to accelerate course work and take advanced courses such as AP courses in order to meet their individual needs. In addition to the opportunities for accelerated course work the enrichment activities, field experiences, community service projects and/or integrated units will provide many opportunities for ARVVA teachers to personalize

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instruction to meet the needs of gifted ARVVA students. ARVVA students will also have the option to participate in GT services at any of our VBSD schools.

Remaining Issues: None

5. Class Size

Section 10.02 of the ADE Rules Governing Standards for Accreditation

In an online setting, teachers may successfully work with a larger number of students. The following alternative student teacher ratio is proposed: Teachers (K-12) not to exceed 40:1. This waiver supports flexibility in order to meet academic goals.

Legal Comments: None

Applicant Response: *VBSD would like to add a waiver request to this section of our application. We request a waiver for Section 10.02.5 of the ADE Rules Governing the Standards for Accreditation.*

We request this in order for us to have flexibility with teaching load. We propose a teaching load not to exceed 200.

Remaining Issues: Applicant should confirm it is aware that special education class sizes cannot be waived.

6. Food Service

Ark. Code Ann. § 6-18-705

Ark. Code Ann. § 6-20-701 et seq.

As a virtual academy, ARVVA will not serve meals.

Legal Comments: None

Remaining Issues: None

7. School Nurse and Media Service

Ark. Code Ann. § 6-18-706

Ark. Code Ann. § 6-25-103

Ark. Code Ann. § 6-25-104

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Sections 16.02 and 16.03 of the ADE Rules Governing Standards for Accreditation

Section 3.01.6 of the ADE Rules Governing Public School Student Services

As a virtual academy, ARVVA will not require a school nurse or media specialist. VBSD will not employ a library media specialist or utilize a media center. However, students of ARVVA will have access to VBSD nurses and media centers. VBSD will also work to make these tools available online or through partnerships with local libraries. This waiver supports the virtual academy goals through flexibility.

Legal Comments: Section 16.01 relates to guidance counseling services and is not needed to effectuate the waivers in this section.

Applicant Response: *VBSD would like to rescind the waiver request for ADE Rules Governing Standards for Accreditation 16.01 in this section of our application.*

Remaining Issues: None

8. Guidance Counseling

Ark. Code Ann. § 6-18-1001 et seq.

Sections 16.01.3 of the ADE Rules Governing Standards for Accreditation

Section 3.01.1 of the ADE Rules Governing Public School Student Services

Through the Individualized Learning Plan, ARVVA and VBSD staff will provide appropriate and individualized guidance for each student. The ILP Team will work with students in scheduling and post-graduation planning support. This waiver also supports the goal by providing the flexibility of the virtual academy to best meet the needs of all students.

Legal Comments: None

Remaining Issues: None

9. Flag/Pledge of Allegiance

Ark. Code Ann. § 6-10-115

Ark. Code Ann. § 6-16-105

Ark. Code Ann. § 6-16-106

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Ark. Code Ann. § 6-16-108

VBSD will display the U.S. and Arkansas flags, though not as prescribed by the ACA. A group period of silence or recitation of the Pledge of Allegiance in a virtual setting would be difficult.

Legal Comments: None

Remaining Issues: None

9. Eye & Vision Screening

Ark. Code Ann. § 6-18-1501 et seq.

ADE Rules Governing Eye and Vision Screening Report in Arkansas Public Schools

ARVVA students will not be physically present at the school campus routinely to receive eye and vision screening exams. However, students eye and vision screening will be made available to students when the school nurse is on campus at the Freshman Academy. Parents will be notified about these optional services. The waiver supports the flexibility needed by the virtual academy to meet the goals.

Legal Comments: The Applicant needs to be aware that special education referrals for eye and vision screenings cannot be waived, and compliance is required even for students that are enrolled full time in the online setting.

Applicant Response: *ARVVA students who are referred for special education services will be provided eye and vision screening. Screening will be provided on the ARVVA campus and given by a VBSD school nurse.*

Remaining Issues: None

10. SmartCore/38 Units

Sections 9.03.1.2, 9.03.4 of the Standards for Accreditation

VBSD will initially serve grades 4-8 and will not serve all secondary grades until years two and three of implementation. The initial high school classes will have access to a full course load that will allow students to graduate on time under Smart Core requirements. VBSD will offer all 38 required units, less any waived requirements to secondary students as the school admits them. VBSD wishes the flexibility to add the 38 required units as we add the appropriate grade levels to the school. This waiver supports academy goals, allowing students to progress at their desired pace.

Legal Comments: Applicant listed this waiver as a request from the instrumental and vocal

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music requirements, but the sections requested and rationale relate to the requirement for 38 units. Applicant should confirm whether they only were requesting a waiver as it relates to the secondary units offer or if it intended to request a waiver of instrumental and vocal music.

Applicant Response: *VBSD would like to keep the request for the waivers listed in this section. The title of this section is not complete. In addition to the description provided in the original application we would like to add that ARRVA will offer students the option to take courses such as instrumental and vocal music on campus based on the students individual learning plan and choice. We would like to give the students options to select the best type of learning environment in order to meet their academic and career goals.*

Remaining Issues: Applicant should confirm it only intends to use these waivers until it has completed its growth in years two and three to include grades 9-12.

11. Commodity Bidding

Ark. Code Ann. § 6-21-301 et seq.

VBSD will contract with an appropriate on-line curriculum provider for provision of its education program. The selection of the best available curriculum to meet student needs and district requirements may limit sources. A waiver for ACA § 6-21-305 is requested for curriculum provider purchase specifically, and enables VBSD to best serve students and meet the goals of the academy. All other purchases will be subject to ACA § 6-21-301 et seq.

Legal Comments: If Applicant intends to comply with all other provisions, then only a waiver of Ark. Code Ann. § 6-21-305 is needed, not the full section.

Applicant Response:

In addition to Ark. Code Ann. § 6-21-301

VBSD would like to request a waiver for Ark. Code Ann. § 6-21-302, Ark. Code Ann. § 6-21-303, Ark. Code Ann. § 6-21-304, and Ark. Code Ann. § 6-21-305

We ask for these waivers only to the extent needed to be able to select the best available curriculum for ARVVA students by any appropriate means (bids, RFP, sole source, etc.). This will give us the flexibility to provide students with a curriculum which supports students in achieving achievement and career goals.

Remaining Issues: Applicant has already requested a waiver of Ark. Code Ann. § 6-21-303(b) in #16 below.

NOTE FROM ADE LEGAL: None of these waivers have been granted to other schools with the exception of § 6-21-303(b) which Applicant also requested in #16 below.

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12. Report Cards

Ark. Code Ann. § 6-15-903(a)(2)

VBSD parents will have real time access to report cards via online platform.

Legal Comments: None

Remaining Issues: None

13. Curriculum

Sections 9.02.3.12 and 9.03.4.12 of the Standards for Accreditation

VBSD requests that all AP courses taught be included as part of the 38 units required by law for Standards for Accreditation. Additionally, the waiver is requested to enable qualified students below 9th grade to take foreign languages, algebra 1, and other similar courses. This waiver supports the academic goals of the virtual academy.

Legal Comments: Section 9.02.3.12 is not a valid section of the Standards for Accreditation. Applicant should provide correct section number it is requesting.

Applicant Response:

VBSD requests to rescind the request for a waiver of 9.02.3.12 and 9.03.4.12

VBSD would like to request waivers for

Ark. Code Ann. § 6-16-130 (a) and (b)

Ark. Code Ann. § 6-16-132 (b) (1) (A)

Standards and Accreditation 9.03.2.6, 9.03.36, Fine Arts

Standards and Accreditation 9.03.2.8, 9.03.3.5, 9.03.4.10 Physical Education

We seek these waivers in order to offer students choice and flexibility in the student's course of study. On-line fine arts and physical education courses require a great deal more time than the current state requirements. Students would not be able to fit in an hour of both music and art along with an hour of physical education three or four days each week as the courses are designed along with all the core curriculum requirements. Our goal is for students in grades K-8 to take a fine arts course either art or music each year to be determined by the student and their family. K-5 students will be alternating the art and music each year to ensure that students are receiving a balance in the fine arts. Students in grades 9-12 would be expected to meet all graduation requirements including fine arts requirements. In addition to all required credits students would have the opportunity to participate on campus in all instrumental and vocal music courses/programs VBSD offers.

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On-line physical education courses would be an option for parents. In addition to the on-line physical education course option ARVVA would encourage parents to provide appropriate grade level physical education and physical activities by providing parents with information on community physical education activities such as Girls and Boys Club programs, as well as, offer students the opportunity to participate in all VBSD athletic programs.

Remaining Issues: Applicant should confirm whether it intends to offer the courses for students, but not make them mandatory or if they plan on embedding the courses into other courses.

14. Credit for College Courses

Ark. Code Ann. § 6-18-223

We seek this waiver to enable qualified students below 9th grade to take and receive concurrent credit for college courses. This waiver supports the academic goals as well as the goal of the ILP to support college readiness.

Legal Comments: Ark. Code Ann. § 6-18-223(a)(1) appears to be the only section necessary to waive. Additionally, Sections 3.01 and 4.01 of the ADE Rules Governing Concurrent College and High School Credit are necessary to effectuate this waiver.

Applicant Response:

*VBSD would like to request a waiver for Ark. Code Ann. § 6-18-223 (a) (1)
ADE Rules Governing Concurrent College and High School Credit For Students Who Have Completed Eighth Grade, Section 3.01 and 4.01*

Remaining Issues: None

15. Teacher Planning

Ark. Code Ann. § 6-17-111

Ark. Code Ann. § 6-17-114

Ark. Code Ann. § 6-17-117

We seek this waiver based on the nature of the daily schedule at ARVVA. With students coming for individual appointments, teachers will not follow the same schedule each day. However, teachers will receive plenty of time for lunch and planning. The waiver supports the flexibility needed by the virtual academy to meet the academic goals.

Legal Comments: None

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Remaining Issues: None

16. Teacher Reimbursement

Ark. Code Ann. § 6-21-303

We seek this waiver based on the nature of a virtual school. Teachers will receive all needed supplies through the virtual curriculum provider; therefore, ARVVA teachers should not need to make additional outside expenditures for classroom supplies.

Legal Comments: It appears that only a waiver of § 6-21-303(b) is necessary.

Applicant Response:

VBSD requests a waiver for Ark. Code Ann § 6-21-303 (b)

We seek this waiver based on the nature of a virtual school and curriculum. Teachers will receive all needed supplies; therefore, ARVVA teachers should not need to make additional outside expenditures for classroom supplies.

Remaining Issues: None

17. Substitute Teachers

ADE Rules Governing Substitute Teachers

As a virtual academy, ARVVA will not need to utilize the services of substitute teachers. In the event that an ARVVA teacher is unable to work, for whatever reason, other members of the ARVVA staff, including the coordinator, will fulfill their duties. The waiver supports the flexibility needed by the virtual academy to meet the academic goals.

Legal Comments: The rules requested by the Applicant are not valid. Applicant should clarify its request.

Applicant Response: *VBSD would like to rescind this request*

Remaining Issues: None

18. Parental Notification of a Non-Licensed Teacher

ADE Rules Governing Parental Notification of a Non-Licensed Teacher

As noted in the waiver request regarding licensure, VBSD will make every effort possible to hire only licensed education professionals. However, due to the diversity of course offerings, it is

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foreseeable that an instance may occur where a qualified professional cannot be found. In this instance, VBSD would the virtual academy to meet the academic goals.

Legal Comments: Applicant already requested this waiver under its licensure section. It is not necessary to request separately.

Applicant Response: *VBSD would like to rescind this request in this section. We would like to maintain the request in the licensure section.*

Remaining Issues: None

Desegregation Analysis: Fully Responsive