

SPRINGDALE SCHOOL OF INNOVATION

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

Springdale School of Innovation

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

Concerns and Additional Questions

- Explain what is meant by “gifted and talented instruction for all students” or revise to say “enrichment for all students.”

Applicant Response:

The applicant would like to amend the original application submission to read, enrichment for all students.

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

- Further explain how obtaining a charter will help meet the educational need at the campus as outlined on page 8.
- Confirm that the IEPs will be implemented as written, including in digital or blended classes.

Applicant Response:

The district conversion charter school is needed in Springdale to meet the needs of specific populations of students we cannot adequately serve. For example, students who are new to the United States may have limited experience or proficient skills in the English language. To that end, we seek to assist students in personalizing the learning process to meet their

individual needs. This indicates that we will educate students in a different way and on an altered timeline than the traditional school experience. The waivers will allow connections to be made with this population who may be hesitant to connect with educators. The flexibility of the virtual component and extensive access to content, combined with waivers in licensure will allow students to have experiences they might not otherwise have.

Furthermore, the ability to expand the School of Innovation to become a district conversion charter school will allow teachers, career experts, industry expertise, and community members who pass appropriate background checks to fully engage in the learning experience with students. This allows for an easily accessible, state approved curriculum for all students.

The Springdale School of Innovation seeks to personalize education for all students. By creating specific academic pathways focused on a student's college or career choice the applicant can provide a more meaningful education experience where students can engage in their interests and goals. The applicant will provide a variety of educational programs, learning experiences, instructional approaches, and academic-support strategies that are intended to address the distinct learning needs, interests, aspirations, or cultural backgrounds of individual students. The Bill and Melinda Gates foundation research study found that, “Systems and approaches that accelerate and deepen student learning by tailoring instruction to each student’s individual needs, skills, and interests... will prepare them for success in the college and career of their choice.”

Regarding Individualized Educational Program (IEP) implementation in the digital or blended classroom, each student receiving special services will have an initial IEP meeting. The committee will determine how to best meet the needs of the student in his or her least restrictive environment. Student IEPs can be written to include the support that meets their needs. If the student participates in a digital or blended class, support systems might include weekly phone calls to monitor progress, a point of contact person, weekly one-on-one time with an instructor, or reduced assignments etc. A certified special education teacher will advise continual monitoring of each student and follow up IEP meetings will take place if additional support is needed.

Remaining Issues: It remains unclear that students with IEP’s will receive their direct instruction from instructors with special education certification.

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

- **Confirm that alternative assessments will be provided to students when included in IEPs.**

Applicant Response:

The applicant will provide alternative assessments and meet any modification for students as outlined by their Individualized Education Program (IEP) or 504 Plan.

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

- **Confirm the understanding of the need to conduct a lottery once any grade within the school becomes oversubscribed.**
- **Confirm that the process for approval to embed courses, as outlined by the ADE Curriculum and Instruction Unit, will be followed.**

Applicant Response:

The applicant does not elect to conduct a lottery for attendance or acceptance within the School of Innovation. Instead, all applications will be cataloged and added to the master attendance list with a time date stamp as they are received. The applicant will monitor this process as prescribed by the Arkansas Department of Education (ADE) Charter School Office. Enrollment is not limited to any student and is open for any child to attend.

To allow students to access and completely self-pace their learning experience, there are no grade bands offered in the School of Innovation. If the school was to become oversubscribed by the total population cap, applicants would be accepted based on a first come first served basis of their submitted application, thus establishing a waiting list. As

student positions open, the next student on the waiting list would be called and offered the opportunity to enroll in the School of Innovation.

Additionally, the applicant acknowledges the central theme of the School of Innovation is the personalization of learning. To optimally achieve this goal, students need to be allowed to self-pace their experience. The applicant has concern over the number of courses that would require ADE course code approval and is not seeking course approval but to be permitted to embed courses. To assure that all standards are met, courses must be collated and experienced through a learning continuum by students. All courses offered will meet all outlined curriculum and instruction standards as outlined by the Arkansas Department of Education. Curriculum rubrics and mapping guides would be created that contain all courses standards and their content alignment. Furthermore, courses would be structured and standards outlined under experiential learning.

The applicant understands the traditional course code approval process offered through the Arkansas Department of Education. The applicant proposes the ability to embed courses for content delivery through the conversion charter approval process with the understanding that Springdale School District provides assurances for the utmost quality in curriculum and learning for the optimal student experience. The district has extremely high standards and signs the ADE Statement of Assurance attesting to meeting those standards. The applicant seeks autonomy in mapping and coordinating appropriate courses in an effort to transition students to experiential learning problems/solutions for optimal student achievement.

Remaining Issues:

- The applicant proposes first come, first served if oversubscribed. Since federal law defines a charter as having a lottery if oversubscribed, a charter without a lottery is not eligible for federal charter funds.
- The applicant is requesting autonomy to embed courses for optimal student achievement in lieu of the Arkansas Department of Education course code approval process.

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

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; and
- A description of the grade levels and maximum enrollment, by year, if the charter plans to grow over time.

Fully Responsive

Concerns and Additional Questions

- **Provide a more detailed explanation of the dual language program option.**
- **Explain the training that the teachers instructing in the dual language program will receive.**
- **Explain how students will be selected for the dual language program and how diversity and equity will be ensured.**
- **Provide a more detailed explanation of the elementary educational program.**
- **Explain if this will be a virtual school for all in attendance or just grades K-7.**
- **Explain if district staff or a contracted provider will provide digital instruction.**
- **If the district plans to contract for digital instruction, name the providers under consideration.**
- **Explain the type of at home support that will be provided for the students and their guardians or learning coaches.**
- **Explain how students who have not previously been enrolled in the district will be appropriately placed in the virtual program.**
- **Explain the source of funding for the student technology and connectivity.**

Applicant Response:

1. **Provide a more detailed explanation of the dual language program option.**

The goal of offering dual language instruction is to immerse students in other languages in addition to the English language. In response to a growing National trend and requests from local business and industry, dual language offerings must be provided to students. There are few dual-language programs in Arkansas to support the large and growing second language learner population in Springdale. The applicant seeks to establish a dual-language program responsive to meet these demands.

Local business, community, and state leaders have recognized that bi-lingual applicants are difficult to find and/or recruit to the local growing global economy. Employees with multiple-language capabilities are more attractive to potential employers and are more likely to receive employment offers and sustain work. In a recent New York Times Article, soon to be Secretary of Education, Dr. John King, stated, “Dual-language programs can be a vehicle to increase socioeconomic and racial diversity in schools.” The same article reported that research conducted on dual-language programs revealed that second language learners experience great benefits from learning in their native language alongside English. The data suggested that by the mid-elementary grades second language learner academic performance is on par or ahead of peers who are not participating in dual-language programs. In Springdale, this addresses a major need to support the rapidly expanding second language population.

Instruction would occur in English and the second language of Spanish or Mandarin Chinese. Students will learn in both languages to build on the knowledge of non-native speakers. The language progression will build from students early years with a continuum through their later years.

2. Explain the training that the teachers instructing in the dual language program will receive.

The applicant will provide training for instructors in the dual language program through a partnership approach. Teachers will be assigned to participate in professional learning communities and attend teacher learning academies. Teachers will have the ability to connect with the network of dual language instructors through Wisconsin Center for Educational Research (WIDA) to participate in cadres that support dual language learners and instructors. Potential applicants will also be screened to determine their prior professional development, second language training, and their understanding of how to impart language instruction to best support student learning. The applicant will utilize current resources in the district language department to provide job-embedded professional development on best practice in dual language instruction. The applicant will attest to providing all necessary training and support to ensure that dual language teachers are fully equipped to meet the demands of a dual language program. A needs assessment and instructor self evaluation will be conducted among the dual language teachers to determine areas of strength and areas of need and provide the necessary support reflected in the data.

3. Explain how students will be selected for the dual language program and how diversity and equity will be ensured.

Students applying for the dual language program will have the same admittance criteria as any student in the School of Innovation application process. Any student who wishes to apply may elect to sign up for the dual-language program. Applications will be time date stamped and participation will be granted on a first come first served basis. The applicant

will begin programs with no more than one class per language beginning at kindergarten as a starting point. Language instruction classes will become embedded and expanded as students and teachers become familiar with the language immersion learning process followed by the expansion of dual languages into all grade levels. Springdale School District will be responsive to meet the demands for programmatic features and will increase staff appropriately as funds are available.

4. Provide a more detailed explanation of the elementary educational program. Explain if this will be a virtual school for all in attendance or just grades K-7.

The applicant will provide a virtual education for all students grades K-12. The enrollment timeline includes:

2016-2017:

Grades 8-10 Blended or Digital Learning with Concurrent Course Offerings (800 Students)

2017-2018:

Grades 8-12 Blended or Digital Learning with Concurrent Course Offerings (1,400 Students)

2018-2019:

Grades 3-12 Digital Learning (1,600 Students)

2019-2020:

Grades K-12 Digital Learning (2,000 Students)

The full K-12 virtual program will be offered and online for all students by the 2019-2020 school year.

The K-7 elementary educational program will offer students the ability to experience learning continuums through embedded coursework. Students will experience online learning through a cohort approach to allow them to collaborate and connect with other online students. Teachers will design course content and curriculum maps to ensure proper support for learning outcomes. All educational offerings will meet the Arkansas Department of Education curriculum and standard requirements and will be reflective of the curriculum outlined on the Springdale district website:

<https://sites.google.com/a/sdale.org/sps/divisions/curriculum-and-instruction/curriculum>

5. Explain if district staff or a contracted provider will provide digital instruction.

Springdale School District staff will provide the digital instruction to ensure the expected high quality curriculum standards set forth by the Springdale School District. Instruction could be provided in partnership with vetted vendors or providers; however, the rigor to

meet the requirements would need approval from the district curriculum and instruction office to be utilized in a Springdale teacher's online classroom.

6. If the district plans to contract for digital instruction, name the providers under consideration.

The applicant will release a request for proposals (RFP) if specified partnerships are sought in the future with outlined requirements that must be met for consideration of a potential partnership. Springdale School District currently has partnerships with the United States Department of Education through the Race to the Top District (RTTD) grant, which affords numerous partnerships. One such emerging partnership is between School of Innovation and Summit Basecamp, which allows teachers to create and outline specific competency based experiences with outlined rubrics for teachers to modify and implement to enhance the learning experience. <http://summitbasecamp.org>

7. Explain the type of at home support that will be provided for the students and their guardians or learning coaches.

The applicant ensures all students participating in the virtual school program will have daily access to teachers or mentors virtually. This may be delivered through digital chat, live video conferencing, or an electronic platform. Additionally, daily assignment feedback will be provided through written, digital, verbal, or video feedback through the Learning Management System. Through the digital support system, parents can receive real-time feedback and point-in-time notification regarding assignment posting, submission, grading, and feedback from instructors.

8. Explain how students who have not previously been enrolled in the district will be appropriately placed in the virtual program.

Students will be enrolled in the School of Innovation using the same procedures as any student new to the district. Students will be assessed based on previous school records, assessment data, conversations with previous school educators, a transcript audit, and a comprehensive assessment to determine the most appropriate placement for the child. Ongoing interim assessments will be provided to monitor appropriate placement, progress, and possible Response to Intervention (RTI) remediation efforts.

9. Explain the source of funding for the student technology and connectivity.

Springdale School District is currently a 1:1 school district. Laptops are issued to all students upon enrollment. There are several locations in Springdale for students to access the Internet. Installation of wireless access points are being coordinated in densely populated areas to be powered by Springdale School District to expand the current coverage. Students who do not have Internet access may use a provided hotspot for wireless connectivity at home. These devices meet all State and Federal Regulations and are Child Internet Protection Act (CIPA) compliant. In addition, our district is working to ultimately provide citywide Wi-

Fi access for all students. Current efforts are supported through the Arkansas per pupil allocation allotment, National School Lunch (NSL) funds, and the Universal Service Administrative Company (USAC) under the direction of the Federal Communications Commission (FCC) through E-rate funding.

Remaining Issues: It remains unclear what training and routine support will be provided for parents/guardians/learning coaches.

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

Concerns and Additional Questions

- Explain how the provisions mentioned will contribute to a more successful school.

Applicant Response:

Springdale School District conversion charter application is necessary to move the School of Innovation to the next level in student offerings. There are students in the Springdale School District whose needs are not being met. The application will provide the school with much needed waivers to expand course offerings, access industry expertise, instruct in multiple languages, offer enrichment opportunities to all students to ensure a personalized learning experiences.

Students need the ability to self-pace and apply real-world skills while being offered a collaborative environment with engagement from students, parents, teachers, career experts, industry experts, and community members. Creating an accessible, state-approved curriculum for all students in the K-12 learning progression is important as students enter the next phase of learning. If the traditional model were meeting the expectations of all students at 100 percent, the conversion application would not be necessary; however, until Springdale School District reaches the goal of All means All at 100 percent, we must strive to find alternative methods to reach students. By allowing students to demonstrate content mastery, the applicant can provide a meaningful education experience connected with career interests, goals, and internships. The applicant will provide a variety of educational programs, learning experiences, instructional approaches, and academic-support strategies intended to address the distinct learning needs, interests, aspirations, and cultural backgrounds of individual students.

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

- **Explain the ways in which developing and managing the budget and day-to-day operations will be conducted differently from other schools in the district.**

Applicant Response:

The Springdale School District will manage the budget at the School of Innovation in concert with the other 29 schools in the district. It is understood that items included in the application will require financial support. Funds and Sources of Funds (SOF) will be imparted in the same manner as the other schools. Arkansas Fiscal Auditing procedures and practices will be analyzed, reviewed, and modified each year based on feedback from the district leadership team, auditors, and state guidelines.

Day-to-day operations will differ from a traditional setting. Students and Instructors will work in an environment that is free of bells, transitions, and traditional classroom structures. Specialty programs and electives requiring specific lab spaces will be housed in appropriate areas of the campus allowing for student access and safety, while Science, Technology, Engineering and Mathematics (STEM) and Humanities coursework will be facilitated in an environment that allows for cross-curricular delivery, and interaction among students and disciplines. Instructors will work in partnership with students, instructional facilitators, teachers on special assignment, and curriculum partners to develop competencies reflective of student needs.

Instructors will be required to hold office hours to assist students and parents with learning needs. Employee report time will vary to ensure optimal student access. Mentors will be assigned to advise students and support them through personal goal setting, college and career advisement, and workforce readiness skills.

While multiple teachers may be instructors for a specific student, an assigned teacher will collaborate with the instructors to provide this mentoring support. Teachers and students may be attending school at alternate times than their district counterparts. Student scheduling is flexible based on the child's current pace. The School of Innovation will employ teachers who may virtually attend or be career experts, thus causing professional learning communities to take on a different context. The applicant will need to coordinate with the Arkansas Department of Education to elicit assistance with e-School components and current structures to ensure appropriate student course credit based on competency completion.

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
- 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

Partially Responsive

Concerns and Additional Questions

- Explain how one person will have the capacity to provide gifted and talented services to students at the charter while also serving as the district gifted and talented coordinator.

Applicant Response:

The district gifted and talented (GT) coordinator will assess current curriculum and embedded activities that meet the Springdale School District GT standards. Currently, an instructor at the School of Innovation is certified in gifted and talent instruction. Instructors with the School of Innovation will receive additional training and support to ensure they are appropriately equipped to embed enrichment activities into their lessons for all students. The district GT coordinator will manage the coordination efforts of these activities.

Remaining Issues: It remains unclear how two gifted and talented certified employees will have the capacity to provide consulting services that would adequately provide services to all gifted and talented students in the district. The services that will be provided by the instructor at the School of Innovation are not outlined in this response, and it is not clear that a gifted and talented certified position will remain at the charter.

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;
- A plan for dissemination of the annual report to appropriate stakeholders

Fully Responsive

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
- 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 the understanding of the need to conduct a lottery for all seats once any grade within the school becomes oversubscribed.**
- **Confirm that students residing outside of the Springdale School District will be legally entitled to attend the proposed charter via school choice, legal transfer, or other legally allowable options.**

Applicant Response:

The applicant does not elect to conduct a lottery for attendance or acceptance within the School of Innovation. Instead, all applications will be cataloged and added to a master admittance form that will be listed in order of the application's time date stamp reflective of the date the application was initially filed.

To allow students to completely self-pace their learning experience, there are no grade bands offered in the School of Innovation. If the school was to become oversubscribed by the total population cap, applicants would be accepted based on a first come first served basis of their submitted application, thus establishing a waiting list. As student positions open, the next student on the waiting list would be called and offered to enroll in the School of Innovation.

Any student inside or outside the Springdale School District will be entitled to attend the proposed charter via school choice, legal transfer, or other legally allowable option, based on available capacity, or charter enrollment cap.

Remaining Issues: The applicant proposes first come, first served if oversubscribed. Since federal law defines a charter as having a lottery if oversubscribed, a charter without a lottery is not eligible for federal charter funds.

C15: PRIOR CHARTER INVOLVEMENT

Evaluation Criteria:

- A complete Prior Charter Involvement Template for each individual connected with the proposed charter;
- 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

Partially Responsive

Concerns and Additional Questions

- **Confirm that special education teachers will be certified in special education.**
- **Provide the qualifications for the principal.**

Applicant Response:

The Springdale School of Innovation positions of special education teachers are currently certified employees; however, the conversion charter application includes the licensure waiver that would allow the district to employ the best possible applicant.

School Principal Qualifications:

Reports To: Superintendent/Deputy Superintendent/Assistant Superintendents Supervises: All personnel assigned to their building

Job Goal: To use leadership, supervisory, and administrative skills to promote the educational development of each student.

Principal Performance Responsibilities:

- 1. Establishes and maintains an effective learning climate in the school.**
- 2. Keeps the superintendent informed of the school's activities and problems.**
- 3. Prepares and administers the school budget and supervises school finances.**
- 4. Prepares and administers the preparation and maintenance of reports, records, lists, and all other paperwork required or appropriate to the school's administration.**
- 5. Works with various members of the central administrative staff and other school administrators as requested.**
- 6. Keeps his or her supervisor informed of events and activities of an unusual nature as well as routine matters related to the supervisor's accountability.**
- 7. Supervises all personnel assigned to the school.**
- 8. Assists in the supervision of the operation and maintenance of the buildings, grounds, and other school property assigned to him or her.**

9. Assumes responsibility for the implementation and observance of all board policies and regulations by the school's staff and students that is applicable to the School of Innovation Charter School.
10. Maintains active relationships with students and parents.
11. Leads in the development, determination of appropriateness, and monitoring of the instructional program.
12. Assists in the development, revisions, and evaluation of the curriculum.
13. Maintains high standards of student conduct and enforces discipline as necessary, according due process to the rights of students.
14. Assumes responsibility for the safety of students.
15. Assumes responsibility for his or her own professional growth and development through membership and participation in the affairs of professional organizations, through attendance at regional, state, and national meetings, through enrollment in advanced courses, and the like.
16. Participates in the selection and evaluation of all building personnel.
17. Conducts meetings of the staff as necessary for the proper functioning of the school.
18. Assists in the in-service orientation and training of teachers, with special responsibility for staff administrative procedures and instructions.
19. Assumes responsibility for the safety and administration of the school plant.
20. Supervises all school activities and programs.
21. Participates in principals' meetings, and such other meetings as are required or appropriate.
22. Establishes and maintains favorable relationships with local community groups and individuals to foster understanding and solicit support for overall school objectives and programs.
23. Assumes responsibility for maintaining excellence and growth in the area of student achievement.

Remaining Issues:

- It remains unclear that the applicant understands that students with IEP's must receive their direct instruction from instructors with special education certification and cannot be waived per IDEA.
- The qualifications for the principal were not provided.

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
- A sound plan for continued operation, maintenance, and repair of the facility

Fully Responsive

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
- 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

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 program
- A proposal that involves the parents of students, employees and the broader community in carrying out the terms of the charter

Fully Responsive

C21: 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
- 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

C22: 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

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
- 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.

OTHER:

- Provide the calendar for the charter school.
- Complete the following table with the grade levels and maximum enrollment to be served by year:

Applicant Response:
Proposed expansion plan:

School Year	Grade Levels	Maximum Enrollment
2016-2017	8-10	1,400
2017-2018	8-12	1,600
2018-2019	3-12	1,800
2019-2020	K-12	1,400
2020-2021	K-12	2,000

**LEGAL REVIEW OF
WAIVER REQUESTS
AND RESPONSES**

Red=Waivers not previously requested, need additional discussion, or have remaining issues
Green=Waivers previously granted, no remaining issues
Information provided by Applicant is in italics.

Springdale School of Innovation Waivers Requested in Original Application 2015 District Conversion Application

I. Oral Communications

Section 9.03.1 (“Language Arts”) of the ADE Rules Governing the Standards for Accreditation

The Springdale Public School District is required to teach Oral Communication as separate class to its ninth (9th) to twelfth (12th) grade students. The applicant is asking for a waiver of that requirement in order that curriculum meeting the requirements of the ADE Standard Rules, the Arkansas Frameworks and all applicable rubrics be embedded within English courses to be provided by the conversion charter school. The application ensures that students will receive instruction concerning the required material in the Oral Communications class meeting or exceeding all state curriculum requirements through embedding the curriculum within the students’ required coursework.

Legal Comments: Waivers are not necessary to embed courses. The applicant should seek course approval for its embedded course(s).

***Applicant Response:** The applicant acknowledges the central theme of the School of Innovation is the personalization of learning. The applicant has concern over the number of courses that would require ADE course code approval for students to self-pace their experience. The applicant seeks to have approval to embed courses through the charter approval process in lieu of Arkansas Department of Education (ADE) course code approval process. The applicant will attest to meeting and embedding all of the required standards into the curriculum and instruction process. In addition to signing the district Statement of Assurance to follow requirements as prescribed by ADE, the applicant seeks to embed oral communication requirements within English and Social Studies interdisciplinary units.*

To assure that all standards are met, courses must be collated and experienced through a learning continuum by students. All courses offered will meet curriculum and instruction standards as outlined by the Arkansas Department of Education. In addition, courses would be structured under experiential learning. The applicant understands the traditional course code approval process offered through the Arkansas Department of Education. The applicant would propose the ability to embed courses for content delivery through the conversion charter approval process with the understanding that Springdale School District provides assurances for the utmost quality in curriculum and learning for the optimal student experience. The district has extremely high standards and signs the ADE Statement of Assurance attesting to those standards. The applicant seeks autonomy in mapping and coordinating appropriate courses in an effort to transition students to experiential learning problems and solutions.

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

Green=Waivers previously granted, no remaining issues

Information provided by Applicant is in italics.

Remaining Issues: In light of recent requests, the Charter Authorizing Panel has not been granting waivers for embedding courses, instead requiring the applicant to seek course approval for its embedded courses.

2. Planned Instructional Day Requirements

Sections 10.01.4 (“Planned Instructional Day”) of the ADE Rules Governing the Standards for Accreditation

Due to the nature of the blended or digital learning experience as outlined in this application, the applicant is requesting a waiver of the Planned Instructional Day requirements. The programmatic offerings at the Springdale School of Innovation, while meeting all curriculum requirements, may be capable of being provided in less than thirty (30) hours per week. The Springdale School of Innovation currently under School of Innovation Status has been granted a waiver of seat time.

Legal Comments: Rationale should be provided as to why this waiver is necessary to achieve the Applicant’s goals. In order to effectuate this waiver, waiver of Ark. Code Ann. § 6-16-102 is also necessary.

Applicant Response: *The applicant seeks to modify the original application to reflect the addition of Arkansas Code Annotated § 6-16-102. The applicant requests to allow students to access content course work online and blended instruction through a self-paced model. For example, students could participate in a culminating project, which under current rules and regulations is quality instruction that does not qualify as course content instruction to meet the required 30 hours per week. Virtual student participation could also vary widely based on the student’s ability to self-pace their learning at less than the required 30 hours per week.*

Remaining Issues: None

3. Class Size and Teaching Load

Sections 10.02 (“Class Size and Teaching Load”) of the ADE Rules Governing Standards for Accreditation and specifically subsection 10.02.5

To meet the needs of the digital, blended learner, the applicant wishes to request a waiver of the Class Size and Teaching Load requirements. The applicant believes the fully digital and blended learning environment provided for the students justifies a waiver under Section 10.02.5 of the Standards.

Legal Comments: Applicant should clarify what the maximum class size limits will be, which classes, if any, will be exempt from the larger class sizes, and provide more rationale on why this waiver is required and why larger class sizes are preferred.

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Applicant Response: The applicant will cap enrollment to individual face-to-face teacher courses at 180 students. The applicant will cap blended and online learning enrollment to individual teacher courses at 350. Courses are built on a competency-based integrated self-paced model where teachers facilitate the course. Teachers are assigned to learning pods to support individual student academic needs. This means there is not an assigned schedule per course period as in a traditional high school. Teachers at one time could facilitate more students in a given content area, due to the alternative structured delivery model. Online concurrent classes will follow the college curriculum as outlined by the Arkansas Department of Higher Education and structure where all instruction is inclusive in the course platform allowing the teacher to act as facilitator and mentor to support students.

Remaining Issues: None

4. Clock Hours for Credit

Section 14.03 (concerning required clock hours for units of credit) of the ADE Rules

Governing Standards for Accreditation

The Springdale School of Innovation currently has a waiver for clock time hours under Innovation Status granted in 2014. The applicant is requesting to continue the waiver under District Charter Conversion Status. The applicant is not, by this request, asking for a waiver of graduation requirements. The applicant is requesting only a waiver of the 120-clock hour requirement. In accordance with prior ADE comments on this type of waiver request, the applicant hereby affirms that it will adhere to full curriculum alignment with Arkansas Frameworks, and will submit any additional information desired.

Legal Comments: None

Remaining Issues: None

5. Licensure

Arkansas Code Ann. § 6-15-1004

Arkansas Code Ann. § 6-17-302

Arkansas Code Ann. § 6-17-309

Arkansas Code Ann. § 6-17-401

Arkansas Code Ann. § 6-17-902

Arkansas Code Ann. § 6-17-919

Standards for Accreditation 15.02 and 15.03

ADE Rules for Governing Educator Licensure

The applicant requests a waiver from the listed statutes and rules, to the extent that it may be necessary to hire professionals who possess outstanding credentials and work

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history in the various area of expertise in their field that align with coursework in the Springdale School of Innovation. This could mean the professional does not hold or possess a teaching license. Any individual hired as a result of the waiver will meet all other requirements, such as Highly Qualified status if applicable, and the successful completion of criminal background and Child Maltreatment Registry check. By partnering with business and industry leaders high quality content can be provided in specific fields of career readiness. This will promote a strong partnership with industry leaders and provide workforce awareness. Additionally, to better serve our English Language populations and 40 plus languages served in the district, it will assist in supporting our students who need additional support in English and dual language offerings.

Legal Comments: Applicant needs to confirm if this waiver will be used for non-core courses only, or if they intend to use it for all courses.

Applicant Response: The applicant seeks to employ and partner with the best-qualified teacher for any content area regardless of licensure. The qualified potential applicant would have to pass appropriate background checks in addition to meeting the Springdale School District Personnel Office hiring qualifications and standards. This could result in hiring a non-licensed teacher in a core or non-core content area. For example, a quality university professor in mathematics may not have an Arkansas Department of Education teaching license; however, they may be an excellent resource for our students as a quality mathematics instructor. The applicant requests the ability to hire the most qualified person for the position.

Remaining Issues: Applicant needs to confirm they are aware that Special Education certification cannot be waived by federal law.

6. Career and Technical Education

Section 9.03.3.9 (Career and Technical Education) of the ADE Rules for Governing the Standards of Accreditation

The Springdale School of Innovation is required to teach the Career and Technical Education curriculum requirements as separate classes to its seventh (7th) and eighth (8th) grade students. The applicant is asking for a waiver of that requirement so that the requirements of the ADE Standards, Rules, Arkansas Frameworks and all applicable rubrics may be taught within other courses or online options to be provided by the School of Innovation. Specifically, teaching the Careers class during seminar (advisory) time where it is better suited to student learning. If the application and waiver is approved the applicant will work with the Career and Technical Education Department to ensure approval from their department.

Legal Comments: Waivers are not necessary to embed courses. The applicant should seek course approval for its embedded course(s).

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Information provided by Applicant is in italics.

Applicant Response: The applicant acknowledges the central theme of the School of Innovation is the personalization of learning. The applicant has concern over the number of courses that would require ADE course code approval for students to self pace their experience. The applicant seeks to have approval to embed courses through the charter approval process in lieu of Arkansas Department of Education (ADE) course code approval process. The applicant will attest to meeting and embedding all of the required standards into the curriculum and instruction process. In addition to signing the district Statement of Assurance to follow requirements as prescribed by ADE, the applicant seeks to embed the Career and Technical Education Careers coursework curriculum requirements as part of the student advisory process as an extension of experiential learning of desired career interest.

To assure that all standards are met, courses must be collated and experienced through a learning continuum by students. All courses offered will meet curriculum and instruction standards as outlined by the Arkansas Department of Education. In addition, courses would be structured under experiential learning. The applicant understands the traditional course code approval process offered through the Arkansas Department of Education. The applicant would propose the ability to embed courses for content delivery through the conversion charter approval process with the understanding that Springdale School District provides assurances for the utmost quality in curriculum and learning for the optimal student experience. The district has extremely high standards and signs the ADE Statement of Assurance attesting to those standards. The applicant seeks autonomy in mapping and coordinating appropriate courses in an effort to transition students to experiential learning problems and solutions.

Remaining Issues: In light of recent requests, the Charter Authorizing Panel has not been granting waivers for embedding courses, instead requiring the applicant to seek course approval for its embedded courses.

7. Library Media Specialist

Arkansas Code Ann. § 6-25-103

Arkansas Code Ann. § 6-25-104

Section 16.02.3 of the ADE Rules for Governing the Standards of Accreditation (concerning library media specialist)

The Springdale School of Innovation will offer students access to an e-Library through 24 hour access to utilize the media center to create a learning environment that supports the blended or digital learner. Learners work at their own pace. In light of this structure, it will not be necessary to hire a library media specialist.

Legal Comments: None

Remaining Issues: None

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8. Gifted and Talented

Arkansas Code Ann. § 6-20-2208(c)(6)

Arkansas Code Ann. § 6-42-109

**Section 18.0 of the ADE Rules for Governing the Standards of Accreditation
ADE Rules Governing Gifted and Talented Program Approval Standards
(concerning Gifted and Talented Students)**

The applicant requests a waiver of the statutes and rules, necessary to permit students who meet the requirements for placement in the Gifted and Talented (GT) programs to students in grades Kindergarten (K) through twelfth (12th) into appropriate pre-advanced placement and advanced placement courses or concurrent-credit courses through partner community colleges and universities, and classroom instructions. All roles and responsibilities of this position will be addressed by the counseling staff and advisor/seminar teacher to ensure the needs of all GT students are met through course content design.

Legal Comments: None

Remaining Issues: None

9. Basic Language of Instruction

Arkansas Code Ann. § 6-16-104

The Springdale School of Innovation seeks to obtain a waiver from the English only requirement for the basic language of instruction. The sole purpose of this waiver is to allow for the creation of a kindergarten through twelfth grade dual-language offerings within the district. The intent is to provide high quality dual language instruction in English and Spanish or English and Mandarin Chinese.

Legal Comments: Applicant should provide further rationale regarding the use of this waiver and explain how it will ensure the dual language will apply and benefit both ELL and English-proficient students.

Applicant Response: Dual language options will allow students to access language throughout their learning continuum. Dual language immersion is an enrichment model that challenges all students to become fluent in two languages. English learners have an opportunity to make faster-than-average progress on grade-level instruction that is not watered down. Native English speakers who are already on grade level can exceed the achievement of their monolingual educated peers.

Through the cognitive stimulus of schooling in two languages, which leads to enhanced creativity and analytical thinking, native English speakers who are lagging behind academically receive the accelerated instruction necessary to close the achievement gap. All student groups in dual-language classes benefit from meaningful, challenging, and accelerated—not remedial—instruction (Baker, 2001).

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In addition to English, students will have the option to be immersed in a chosen language including Spanish or Mandarin Chinese. Research supports the ability for students to make and build broader connections from a known or understood language. Instruction in a native language, while concurrently experiencing the introduction of a new language, provides students with the ability for contextual reference and application of the learning. District and regional business partners have requested and shown support for multiple language proficiency, and this offering will allow students the opportunity to excel in their post graduation efforts.

Springdale School District's population is diverse and unique, through the years of multicultural experiences with students; it is evident that language acquisition can occur at a rapid rate. The same should be expected of a language immersion program as compared to a period or course of foreign language. A benefit of early dual language immersion allows for a comprehensive language acquisition experience for all students.

Remaining Issues: None

10. Beginning and End of School Year

Arkansas Code Ann. § 6-10-106

The Springdale School of Innovation seeks to obtain a waiver from the uniform dates for beginning and ending school dates. Given the nature of a self-paced curriculum and given the design of providing blended or digital instruction, the school year will no longer follow a traditional calendar. This waiver would allow the school calendar to follow a non-traditional path for the school year to begin and end at any time during the calendar year. Employment arrangements with teachers will reflect varied beginning and ending calendar times during the calendar year.

Legal Comments: None

Remaining Issues: None

11. Professional Development

Arkansas Code Ann. § 6-17-704

Arkansas Code Ann. § 6-17-705

Arkansas Code Ann. § 6-17-709

The Springdale School of Innovation is seeking a waiver of the requirements for developing a set of coordinated planned learning activities for teachers, administrators, and non-licensed school employees. It also seeks a waiver from granting up to 12 hours of professional development credit for time spent in classrooms prior to the start of the school year. Furthermore, a waiver is being requested from developing a professional development schedule. Due to the nature of online or blended teaching, it is possible to

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have teaching staff not assigned to a building or to follow a traditional school calendar (see waiver for Uniform Dates for Beginning and End of School Year). Under the waiver for Educational Licensure it could be possible that employees working in other career fields providing interim instruction, would need access to this waiver. Requiring those individuals to be held to the same professional development criteria as full time district employees, especially for those who are teaching remotely would prove burdensome. The Springdale School District will require the School of Innovation to submit a plan to provide necessary professional development to employees as it relates to their required job function.

Legal Comments: This waiver is not necessary for non-licensed educators as they do not have to follow the professional development requirements, but the waiver would apply for teachers and administrators.

Applicant Response: The applicant agrees that non-licensed employees are not required to follow the Arkansas Department of Education professional development requirements; however, the applicant seeks the waiver for all employees including licensed teachers and administrators. Professional development and training will be provided as necessary in multiple formats such as in person or in a virtual format. Much of the professional learning and teaching process will be ongoing and job embedded. Ongoing professional development will occur during the student instructional process as teachers collaborate, share, and further build their Professional Learning Communities (PLC) with students engaged in the process. The Springdale School District will require the School of Innovation to submit a plan to provide necessary professional development to all employees as it relates to their required job function. Aspects of state professional development addressing student health or safety must be included in the submitted plan to the district office for approval.

Remaining Issues: None

12. Non-Instructional Duties

Arkansas Code Ann. § 6-17-117

The Springdale School of Innovation seeks a waiver from non-instructional duties for teachers. In a blended learning environment students may not follow a traditional schedule during the day. Duty schedules need to be established to meet the needs of the student. Flexibility to have teachers provided non-instructional supervision during their assigned hours is essential to supporting the digital learner. Digital learning and staff who may work remotely, the need for a scheduled planning period will not be needed.

Legal Comments: None

Remaining Issues: None

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13. Teacher Contracts

Arkansas Code Ann. § 6-17-807

The Springdale School of Innovation seeks a waiver from the statutory formula for funding teachers for additional days 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 the Springdale School District shall develop an alternative payment matrix to meet the needs of the blended, digital, or partial teaching staff. This payment matrix shall be approved by the school board in a public meeting.

Legal Comments: None

Remaining Issues: None

14. Mandatory Attendance

Ark. Code Ann. § 6-18-211(a)(b)(1)

Ark. Code Ann. § 6-18-211(2)(a)(i)(ia)

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

The Springdale School of Innovation seeks a waiver from requiring students in grades Kindergarten through twelve (K-12) from being required to attend a full school day and from scheduling no more than one extracurricular class during the school day. As part of the curricular design where students are allowed to self-pace and work under a seat time waiver it is possible students will not need the required 350 minutes a week to complete and accelerate their coursework. Also, as part of the curricular design students will be participating in career interest internships with business partners in the area. These hands-on experiences are invaluable to our students and will occur during the school day. With the establishment of K-12 digital learning students may not be in contact with the physical address of a school building allowing them to work from anywhere at any time.

Legal Comments: None

Remaining Issues: None

15. Attendance Records and Reports

Ark. Code Ann. § 6-18-213(2)

The Springdale School of Innovation requests a waiver under subsection two (2) requiring a teacher to “visually note the physical presence or absence of each student on a daily basis.” With a blended or digital learning environment students may not be physically located in a building. For example, a student who is participating digitally or a student working at an internship may complete coursework at home after the internship

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is completed. Student attendance for digital learners will be maintained within the Learning Management System, recording the day, time, and duration of their participation in each individual course.

Legal Comments: None

Remaining Issues: None

16. Immunization Requirements

Ark. Code Ann. § 6-18-702

The Springdale School of Innovation seeks to obtain a waiver from Immunization Requirements under Ark. Code Ann. § 6-18-702 solely for the purposes of students enrolled full time in the online setting. If a student does not attend the physical building they would not be required to provide proof of immunizations to the school. This would not exempt parents from meeting state requirements for immunization but exempt the school from the responsibility of enforcement under Ark. Code Ann. § 6-18-702(b)(1).

Legal Comments: None

Remaining Issues: None

17. Eye and Vision Screening

Ark. Code Ann. § 6-18-1501

The Springdale School of Innovation seeks to obtain a waiver from eye and vision screening requirements under Ark. Code Ann. § 6-18-1501 solely for the purposes of students enrolled full time in the online setting. If a student does not attend or come into contact with student or the physical building they would not be required to provide proof of eye and vision screening.

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: The applicant assures that eye, vision, or any recommended health screening recommended by a referral committee or through the process of assessment for students with special needs will be provided as required by Individual with Disabilities Education Act (IDEA).

Remaining Issues: None

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18. Physical Education

Arkansas Code Ann. § 6-16-132

Section 9.03.4.9 (Physical Education) of the ADE Rules for Governing the Standards of Accreditation

Section 7.0 of the ADE Rules Governing Nutrition and Physical Activity Standards for Body Mass Index for Age Assessment Protocols in Arkansas Public Schools

The applicant is required to teach Physical Education to students in grades K-12 in accordance with the referenced statute and ADE Rules. The Springdale School of Innovation is asking for a waiver of that requirement for any student who is enrolled in online coursework or any student who participates on a sports team who is enrolled at the School of Innovation.

Legal Comments: None

Remaining Issues: None for the above waiver request.

The applicant is required to teach Physical Education to students in grades K-12 in accordance with the referenced statute and ADE Rules. The Springdale School of Innovation is asking for a waiver of that requirement for any student who is enrolled in online coursework or any student who participates on a sports team who is enrolled at the School of Innovation.

The applicant is asking for a waiver of that requirement in order that the curriculum of that requirement of the ADE Standards and Rules, Arkansas Frameworks and all applicable rubrics may be embedded within another course to be provided by the School of Innovation. The applicant ensures that students will receive instruction of the required material in the Physical Education class meeting or exceeding all state requirements, specifically by embedding the course content from its Physical Education class within its Health or Marching Band Class.

Legal Comments: Waivers are not necessary to embed courses. The applicant should seek course approval for its embedded course(s).

Applicant Response: The applicant acknowledges the central theme of the School of Innovation is the personalization of learning. The applicant has concern over the number of courses that would require ADE course code approval for students to self pace their experience. The applicant seeks to have approval to embed courses through the charter approval process in lieu of Arkansas Department of Education (ADE) course code approval process. The applicant will attest to meeting and embedding all of the required standards into the curriculum and instruction process. In addition to signing the district Statement of Assurance to follow requirements as prescribed by ADE, the applicant seeks to embed physical education across health and marching band experiences.

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To assure that all standards are met, courses must be collated and experienced through a learning continuum by students. All courses offered will meet curriculum and instruction standards as outlined by the Arkansas Department of Education. In addition, courses would be structured under experiential learning. The applicant understands the traditional course code approval process offered through the Arkansas Department of Education. The applicant would propose the ability to embed courses for content delivery through the conversion charter approval process with the understanding that Springdale School District provides assurances for the utmost quality in curriculum and learning for the optimal student experience. The district has extremely high standards and signs the ADE Statement of Assurance attesting to those standards. The applicant seeks autonomy in mapping and coordinating appropriate courses in an effort to transition students to experiential learning problems and solutions.

Remaining Issues: In light of recent requests, the Charter Authorizing Panel has not been granting waivers for embedding courses, instead requiring the applicant to seek course approval for its embedded courses.

19. Fine Arts

Section 9.03.3.6 (Fine Arts) of the ADE Rules for Governing the Standards of

Accreditation

The Springdale School of Innovation is required to provide Fine Arts coursework in order to meet the requirements of this standard. The applicant is seeking a waiver of that requirement for students who participate in a career institute may be able to choose and complete the coursework in their areas of interest as opposed to Fine Arts Courses. All courses that are provided to such students in substitution of Fine Arts shall meet or exceed all state curriculum requirements.

Legal Comments: None

Remaining Issues: None

20. Teacher Fair Dismissal Act / Public School Employee Fair Hearing Act

Ark. Code Ann. § 6-17-1501 et seq.

Ark. Code Ann. § 6-17-1701 et seq.

The Springdale School of Innovation is seeking a waiver from the Teacher Fair Dismissal Act of 1983 to ensure high impact educational experiences are provided to students on a daily basis. Under this waiver the Springdale School of Innovation will assist in providing the highest quality instruction at all times. The waiver will provide both physically- located instructors and virtually-located instructors with an equitable lens for teaching and learning to ensure a highly effective educational experience.

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Legal Comments: None

Remaining Issues: None

**ADE LEGAL
DESEGREGATION
ANALYSIS**



MEMO

DATE: November 6, 2015

TO: Charter Authorizing Panel

FROM: ADE Legal Staff

SUBJECT: Desegregation Analysis, District Conversion Public Charter School Applications

I. Introduction

Five public school districts submitted applications for district conversion charter schools:

- Cave City School District, proposing a charter school to provide instruction in grades nine (9) through twelve (12) with an enrollment cap of 1,200 students;
- Fayetteville School District, proposing a charter school to provide instruction in grades kindergarten (K) through twelve (12) with an enrollment cap of 500 students;
- Gentry School District, proposing a charter school to provide instruction in grades nine (9) through twelve (12) with an enrollment cap of 500 students;
- Hot Springs School District, proposing a charter school to provide instruction in grades nine (9) through twelve (12) with an enrollment cap of 1,200 students;
- Springdale School District, proposing a charter school to provide instruction in grades kindergarten (K) through twelve (12) with an enrollment cap of 2,000 students.

II. Statutory Requirements

Ark. Code Ann. § 6-23-106(a) requires the applicants for a charter school, the board of directors of the school district in which a proposed charter school would be located, and the authorizer to “carefully review the potential impact of an application for a charter school on the efforts of a public school district or public school districts to comply with court orders and statutory obligations to create and maintain a unitary system of desegregated public schools.” Ark. Code Ann. § 6-23-106(b) requires the authorizer to “attempt to measure the likely impact of a proposed public charter school on the efforts of public school districts to achieve and maintain a unitary system.” Ark. Code Ann. § 6-23-106(c) states that the authorizer “shall not approve any public charter school under this chapter or any other act or any combination of acts that hampers, delays, or in any manner negatively affects the desegregation efforts of a public school district or public school districts in this state.” This analysis is provided to inform the decision-making of the authorizer with regard to the effect, if any, of the proposed charter schools upon the desegregation efforts of a public school district.

III. INFORMATION SUBMITTED BY THE APPLICANT AND THE AFFECTED SCHOOL DISTRICTS

Each applicant addressed Desegregation Assurances in its application. The Department is unaware of any desegregation-related opposition to these applications from any other school district. Each applicant's desegregation analysis is attached to this memo.

IV. ANALYSIS FROM THE DEPARTMENT

"Desegregation" is the process by which a school district eliminates, to the extent practicable, the lingering negative effects or "vestiges" of prior *de jure* (caused by official action) racial discrimination.

As stated above, Arkansas law does not allow the authorizer to approve any public charter school that "hampers, delays, or in any manner negatively affects the desegregation efforts" of a public school district. Ark. Code Ann. § 6-23-106(c). The Supreme Court noted in *Missouri v. Jenkins*, 515 U.S. 70, 115 (1995):

[I]n order to find unconstitutional segregation, we require that plaintiffs "prove all of the essential elements of *de jure* segregation -- that is, stated simply, a current condition of segregation resulting from *intentional state action directed specifically* to the [allegedly segregated] schools." *Keyes v. School Dist. No. 1*, 413 U.S. 189, 205-206 (1973) (emphasis added). "[T]he differentiating factor between *de jure* segregation and so-called *de facto* segregation . . . is purpose or *intent* to segregate." *Id.*, at 208 (emphasis in original).

V. CONCLUSION

The Department is unaware of any data demonstrating that any of the proposed charter schools are motivated by an impermissible intent to segregate schools. However, the authorizer should carefully examine the proposed charter school applications in an attempt to determine whether there are legitimate, non-racially motivated reasons for the charter schools' existence.

Additionally, only one conversion charter school applicant, the Hot Springs World Class High School, would operate in a school district that is subject to a desegregation order. As noted by the applicant, the conversion charter school will not impede the Hot Springs School District's obligations to participate in inter-district school choice as provided in the controlling desegregation order.

20. Describe how the parents or guardians of the enrolled students and other members of the community will be involved with the school to positively impact the charter school's educational programs.

Applicant Response:

Parents, guardians, and community partners are key to the success of the School of Innovation. At the core of the educational programs is the ability for students to interact and participate in real-world, career ready activities. Every Wednesday has been dedicated as Real World Wednesday where business and industry leaders come and interact with students in their given career field. These community leaders provide opportunities for students to interact, ask questions, and work alongside business leaders. Students spend time in the field with industry leaders. Business leaders are encouraged by this work as it provides a foundation for creating future employees within their company. These conversations influenced the course offerings at the School of Innovation and the design of the building. The new building is designed to meet the learning needs of students and industry partners.

Parents have been instrumental in this partnership and many have become guest presenters. Their enthusiasm and partnership helped to motivate the school district to seek the approval as a district conversion charter to allow licensure options to truly incorporate our industry leaders as part of the daily fabric of the student learning experience. The School of Innovation will use industry partners to provide instruction to students in their specific field. The pinnacle of this work will occur during a student's final year when they will participate in an internship or apprenticeship in their career field of interest. A final capstone project will be completed in conjunction with their business and industry partner and will showcase the sum of a student's learning while at the School of Innovation. Parents, business leaders, and community members will join staff as students present their final capstone in a public forum.

21. Describe the potential impact of the proposed public charter school on the efforts of affected public school district(s) to comply with court orders and statutory obligations to create and maintain a unitary system of desegregated public schools.

Applicant Response:

The Springdale School District will continue to operate in compliance with all applicable Arkansas laws and will continue to operate in such a manner as to maintain a desegregated school district, and will not impede on the school district's ability to maintain a desegregated school district. The Springdale School District is not under any court orders concerning the desegregation of its schools, nor are any of its surrounding schools.