

**2012-2013 Application Cycle**

# Evaluation and Applicant Responses

**Miner Academy  
Bauxite School District**

# Arkansas Department of Education

## Charter School Application Evaluation Instrument

*The following instrument will be used to evaluate applications submitted to the Arkansas Department of Education (“ADE”) for the establishment of new district conversion or limited public charter schools. This instrument is only intended to provide clarity, transparency and consistency in the charter school application review process.*

The ADE will use the following instrument only to evaluate the quality of a district conversion or limited charter school application against the criteria stated herein. For each of the application requirements, the criteria define the characteristics and elements of a response that meet the standard for charter approval. The following definitions will guide the rating of each information requirement:

- |                                      |  |
|--------------------------------------|--|
| <b>Meets the Standard:</b>           | The response reflects a thorough understanding of key issues and demonstrates capacity to open and operate a quality charter school. It addresses the topic with specific and accurate information that shows thorough preparation and presents a clear, realistic picture of how the school expects to operate. |
| <b>Partially Meets the Standard:</b> | The response addresses most of the criteria, but response lacks meaningful detail and requires important additional information.   |
| <b>Does Not Meet the Standard:</b>   | The response lacks meaningful detail, demonstrates lack of preparation, or otherwise raises substantial concerns about the applicant’s understanding of the issue in concept and/or ability to meet the requirement in practice.   |

**Arkansas Department of Education  
District Conversion or Limited Public Charter School  
Application Evaluation**

**EVALUATION RUBRIC AND RESPONSES**

Name of Proposed School: **MINER ACADEMY**

Sponsoring School District: **BAUXITE**

**Part 1: 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 response that meets the standard will guarantee that:

- A Letter of Intent was filed with ADE on time and included all necessary information.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
		<b>X</b>

<b>Strengths</b>
<b>Concerns and Additional Questions</b>

**Part 2: REQUIRED INFORMATION**

***STANDARDS 1 OF APPLICATION: PUBLIC HEARING RESULTS***

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

**Evaluation Criteria:**

A response that meets the standard will present:

- A thorough description and evidence of public support exhibited at the hearing;
- Documentation of required notices published to garner public attention to the hearing;
- A thorough description of the results of the public hearing; and
- Copies of any documents or presentations distributed at the public meeting.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
		<b>X</b>

<b>Strengths</b>
<b>Concerns and Additional Questions</b>

## ***STANDARD 2 OF APPLICATION: 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 response that meets the standard will present:

- A mission statement that is, manageable and measurable.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
		<b>X</b>

Strengths
Concerns and Additional Questions

## ***STANDARD 3 OF APPLICATION: EDUCATIONAL NEED***

The Educational Need section should indicate how the school intends to offer a viable educational option for students in Arkansas. Along with the mission statement, this section outlines the basic rationale for the new school.

### **Evaluation Criteria:**

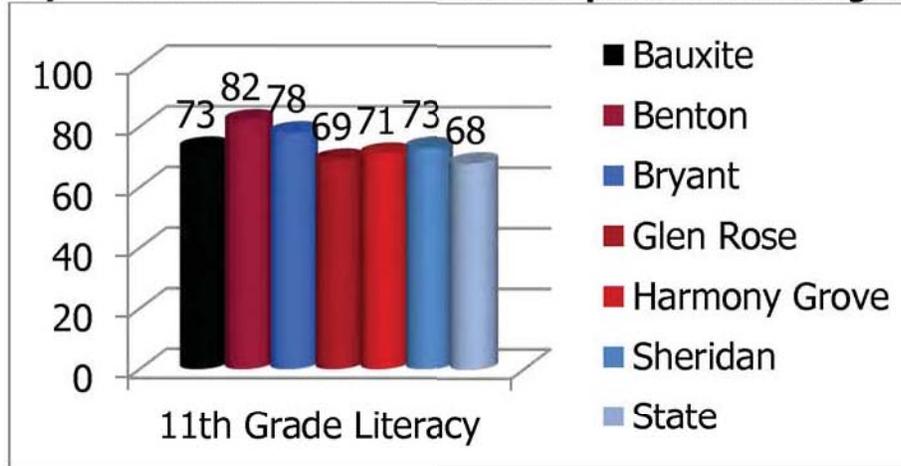
A response that meets the standard will present:

- A description of educational need that presents a clear option for students;
- A clear description of a plan for school improvement that addresses how the conversion or limited public charter school will improve student learning and meet state education goals; and
- Valid and reliable data that substantiates the educational needs.

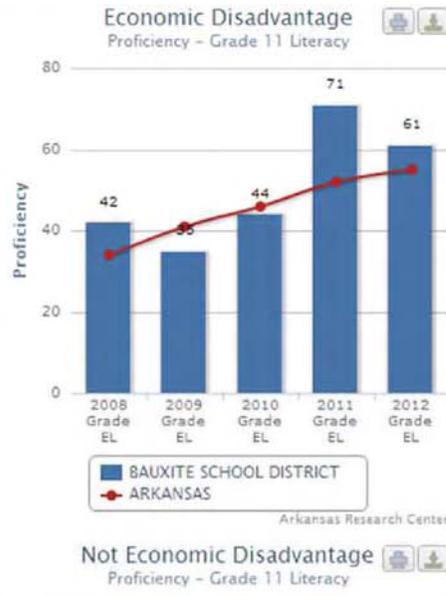
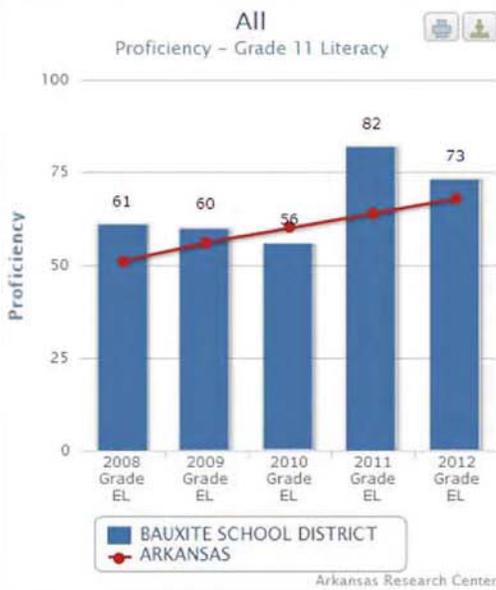
Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
	<b>X</b>	

Strengths
Concerns and Additional Questions
<b>Clarify the components of the plan for school improvement and student learning.</b> <b>Miner Academy will provide an alternative learning environment that will offer students the chance to learn at an individual pace through technology, but still have that personal contact with licensed and highly qualified educators. By providing this alternative to the Bauxite students, we will be able to improve student achievement and lower our drop-out rate. Students who are receiving their education at Miner Academy will be the recipients of a focused curriculum delivered through in class and online instruction, in a personalized environment with many levels of support built-in from the paraprofessionals to the lead teacher/director, everyone will have as their primary goal to see that all of the Miner Academy students grow and graduate.</b>
<b>Provide valid and reliable data that substantiates the educational needs.</b> <b>The educational need for Miner Academy is evident by the EOC Literacy Scores as well as 9th Grade Iowa Results. The following charts demonstrate this assertion:</b>

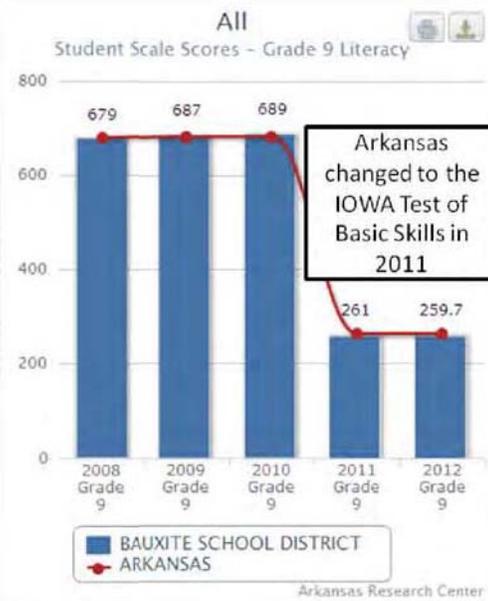
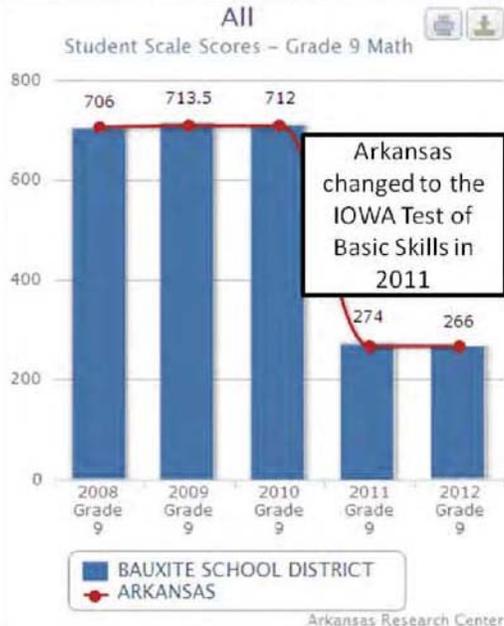
# 11<sup>th</sup> Grade Literacy - % Proficient or Advanced Comparison with Neighboring Districts

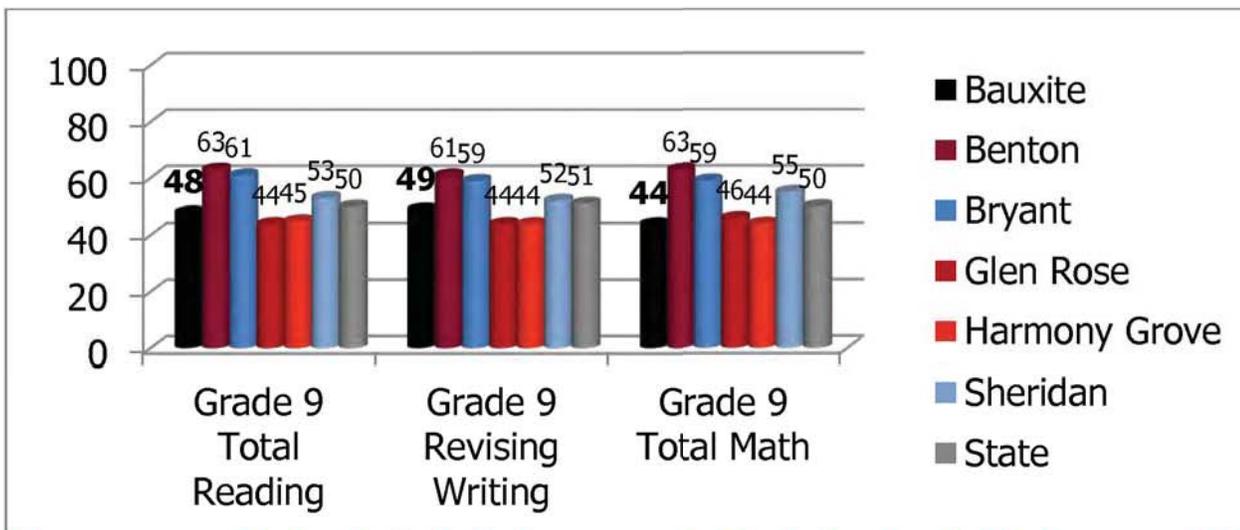
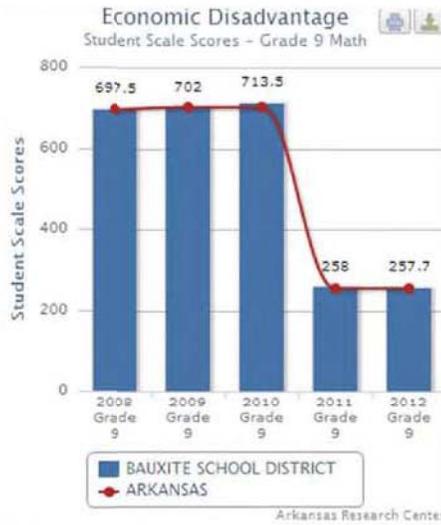


# 11<sup>th</sup> Grade Literacy - % Proficient or Advanced Over Time



# 9<sup>th</sup> Grade – Percentile Scores and Comparison with Neighboring Districts





The scores reported above indicate that our economically disadvantaged students are consistently scoring below their non-economically disadvantaged peers. These students also represent the subpopulation that is most likely to fail to complete high school on time or at all.

Our recent ESEA Accountability Report is a clear indicator of the need for an alternative learning environment to prevent students from failing to graduate high school.

Needs Improvement School Graduation Rate			
	# Expected Graduates	Percentage	2011 AMO
2011 Graduation Rate			
All Students	94	90.43	92.70
Targeted Achievement Gap Group	34	88.24	85.68
Two Year Graduation Rate			
All Students	207	91.30	92.70
Targeted Achievement Gap Group	66	86.36	85.68
ESEA Subgroups			
2011 Graduation Rate			
African Americans	n < 10	n < 10	n < 10
Hispanic	n < 10	n < 10	n < 10
White	90	91.11	92.29
Economically Disadvantaged	31	87.10	80.07
English Learners	n < 10	n < 10	n < 10
Students with Disabilities	n < 10	n < 10	n < 10

This is a clear indication of the educational need that exists within the Bauxite School District for an alternative school that offers the required curriculum but in a different way.



**We believe that the options of an extended school year, extended school hours, and flexible hours within the school day/week will work together to provide a solution for students that are struggling to keep up or catch up in order to graduate on time.**

## STANDARD 4 OF APPLICATION: 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 response that meets the standard will present:

- 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; A specific rationale for how the charter school will enhance or expand the educational options currently available to the school's target student population; and
- A clear organization of the school in terms of both lengths of school day and year that meets minimum state requirements.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
	<b>X</b>	

Strengths
Concerns and Additional Questions
<p><b>Provide the data and/or rationale for utilizing the compacting approach for students other than those identified as gifted and talented.</b></p> <p><b>Compacting is an outstanding method of instruction for many students. It is a highly valuable tool to be used to allow for differentiation for students. Studies done on the rate of gifted students that drop out of high school are limited but Solorzano asserted that in 1983, "up to 18% of all high school dropouts are gifted students" (Solorzano, 1983). For the students that may not have been identified through the school practices, traditional classrooms may have presented very little challenge. This can lead to boredom and discipline problems. In addition, the U.S. Department of Education has reported, "the compacting process can be implemented in a wide variety of settings, with positive effects for both students and teachers" (U .S. Department of Education, 1998). Compacting is just one tool of many that will be used if needed for the students of Miner Academy but we believe it is critical as we work to serve all students.</b></p> <p><b>Explain how the daily schedule of each student will be tracked.</b></p> <p><b>After the clarification provided in the notes returned to us with the rubric, we will have a separate LEA# for Miner Academy. This will allow us to schedule students in Miner Academy for part of the day or all day in APSCN.</b></p> <p><b>Explain how highly qualified teachers will provide instruction in core subjects as required by federal law.</b></p> <p><b>As required by Federal law, all teachers providing instruction in core academic areas will be highly qualified. All of the teachers in the Bauxite School District are highly qualified. Teachers that work with students through K12 for general courses, electives, or credit recovery will be accountable for their work to a Bauxite teacher. That teacher will be accessible for assistance and feedback as appropriate.</b></p> <p><b>Explain how the extended school day and school year will be applied with flexible daily schedule.</b></p> <p><b>Explain what is meant by the statement that students may have flexible hours based on their physical and educational needs.</b></p> <p><b>We have students who are faced with the decision to drop out in order to get a job to provide money for their family. Other students have health concerns that may prohibit a full day of</b></p>

**school attendance and therefore they choose to drop out or participate in home school. Recently we had a young woman that was forced to quit school because she had given birth and her mother, who was helping her with child care, had to work and could not keep the baby a full day. If this young person had been given the option of attending school early and or late (to meet the work schedule of her child care provider) she may have been able to stay in school and graduate with her peers. This is just one example but it demonstrates how offering many components of the curriculum will be offered through digital curriculum resources will allow a flexible schedule for the student and help us achieve the goal of on-time graduation for all students. The extended school year is applicable in much the same way. Students that missed a semester, failed a course, or gotten behind in course work in some other way, will be able to attend Miner Academy and work to remain with their peer group and graduate on time (See Proposed Calendar and Proposed Daily Schedule in original application).**

**Provide the data that demonstrates the success of A+ Anywhere Learning System to prepare students for college and careers.**

**A+ Anywhere Learning System is one example of online curriculum that will be reviewed by the teacher leader, high school and middle school principals, and Director of Curriculum in order to select what best meets the needs of our students. A+ Learning, for example, offers assessments that present real problems for students to solve that require students to show an understanding of the material rather than memorizing facts (Formative Assessment in Action, 2008). This deeper understanding is critical to students being college and career ready and is complimentary to Common Core and Next Generation Assessments.**

## STANDARD 5 OF APPLICATION: ACADEMIC ACHIEVEMENT GOALS

The Academic Achievement Goals section should define the performance expectations for students and the school as whole.

### Evaluation Criteria:

A response that meets the standard will present:

- Specific goals in:
  - Reading;
  - Reading Comprehension;
  - Mathematics; and
  - Mathematic Reasoning;
- Goals that are clear, measurable and data-driven;
- Goals on improving student achievement; and
- Valid and reliable assessment tools for measuring each of the defined goals.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
	<b>X</b>	

Strengths
Concerns and Additional Questions
<p><b>Explain when a student will be considered a charter school student whose performance will be used to measure the achievement of the charter school goals.</b>  <b>Miner Academy will apply for an individual LEA#. Students who are enrolled in Miner Academy will be considered a charter school student and their performance will be used to measure the achievement of the charter school. I</b></p> <p><b>Explain if the phrase building AMO refers to the charter school or the existing middle and high schools.</b>  <b>After talking with Mary Perry, it is my understanding that Miner Academy students will be working under the district AMO's until we have data that is Miner Academy specific.</b></p> <p><b>Explain how it will be determined if 80 of the students meet the AMOs.</b>  <b>Student information will be reported through APSCN just as it is on all of our campuses. Miner Academy will be working with the district AMO's until there is data that is specific to Miner Academy.</b></p> <p><b>Explain the different uses for the data obtained from the NWEA and TLI.</b>  <b>TLI assessments will be used to track students' progress compared to a predetermined set of standards to be taught within a specific time frame. This helps us determine if students are on track to be proficient on current Benchmark and EOC exams. The NWEA Measures of Academic Progress assessments will help us assess students' growth over time in order to truly measure the value added by Miner Academy. NWEA will serve as a formative assessment of individual student achievement and will provide specific data that will be utilized to make informed decisions about planning, teaching, and learning through the use of the NWEA's Measures of Academic Progress (MAP) assessment in reading, language usage, and mathematics. Administered three times during the school year, MAP assessments are computer-based adaptive assessments that give students, teachers, and parents information concerning an individual student's skill level in each content area, and more importantly, measuring their growth from one test to the next. This data is used to identify student strengths and weaknesses. This assessment helps determine the individual needs of all students as they progress through the year.</b></p>

**Explain how the survey results of affective characteristics will be used to improve student academic performance.**

**The results of affective characteristics as it relates to attitudes about school and learning will be used to improve Miner Academy and the services it provides. Our goal is to see improvement in the level of positive attitude toward school and learning in order to ensure that all students graduate. The survey that we plan to use is the Youth Risk Behavior Survey through Arkansas Coordinated School Health. This survey is customizable to allow us to ask only the questions that we find applicable to our students. We will then be able to compare the results from students at Miner Academy to other students across Arkansas and the nation.**

**Explain how the district will determine which building to enroll students in for the purpose of APSCN and accountability.**

**For the purpose of APSCN reporting, the students will be assigned to the building that corresponds to their schedule. It is possible that some students will be assigned to two different campuses for an amount of the day not to exceed 100 .**

## *STANDARD 6: CURRICULUM DEVELOPMENT & ALIGNMENT*

The Curriculum Development and Alignment section should define the process by which the design team developed (or chose) the curricular program of the school, and illustrate alignment with Arkansas Curriculum Frameworks and Common Core Standards.

### **Evaluation Criteria:**

A response that meets the standard of a curricular development and alignment program will present:

- Evidence that the curriculum aligns with, or a sound and rationale plan and timeline for aligning the curriculum with, the Arkansas Department of Education’s content standards, benchmarks and performance standards.
- Evidence that the Applicant is prepared to implement the requirements and timeframe of the Common Core Standards.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
		<b>X</b>

Strengths
Concerns and Additional Questions
<b>Clarify whether the applicant intends to provide the required 38 units. we are providing the 38 through a partnership with Bauxite High School, Saline County Career Center and K12 online curriculum or like program.</b>

## STANDARD 7 OF APPLICATION: 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 lottery selection process.

### Evaluation Criteria:

A response that meets the standard will present:

- 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 student selection should there be more student applications than can be accommodated under the terms of the charter.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
	<b>X</b>	

Strengths

Concerns and Additional Questions

#### From public hearing notes:

**kids that are too far ahead, we can't focus on them because we have to focus on a different area of students**

**(open-enrollment)**

**(Text on Page 3 acknowledges that gifted students get behind and Page 4 states, Miner Academy is available to ALL students to serve as an alternative to the traditional setting. )**

**In discussing waivers – we can reapply or drop some at our 3 year evaluation get locked in for 3 years with charter**

**This will be a school within a school – will have to have new LEA number to track students if want to be considered for CSP grant.**

**Flexible schedule – moving students back and forth between traditional middle or high school and Miner Academy – all or some may not be charter school students.**

**These notes were taken by a participant in our public meeting and reflect their own thoughts and jottings. I used them to more completely document the meeting. We have had three meetings with the teachers and staff in our district since this public meeting. Another public meeting will be held in the Spring if we are granted the conversion charter.**

**Text on Page 7 says that all are eligible, but if more apply than can be accommodated, preference will be given to those who are in danger of not graduating followed by a lottery.**

**This process has been refined to state that all students may attend Miner Academy and there will be no discrimination. If numbers of students seeking enrollment or being referred to Miner Academy exceed the capacity of the school cap of 500, a lottery system will be utilized for student selection.**

**Explain how the proposed application and enrollment procedures will work when disciplinary placements will be made to the charter school as stated in 10 G on Page 10.**

**All students will be accepted into the Miner Academy up to the cap of 500. When students are referred to Miner Academy for a disciplinary alternative learning environment, the lead teacher/director will work with the faculty and parents to ensure a smooth transition of curriculum and other services, such as special education or counseling. The disciplinary piece of Miner Academy will still function under the goal of ensuring that all students graduate on time with the skills necessary to be college and career ready. Their privileges will not be the same as the other students in Miner Academy but our educational goals for them will be just as demanding.**

**LEGAL COMMENTS:**

**Standard 7 (Enrollment)**

**The Applicant states it will give priority for enrollment to students in jeopardy of failing to graduate. This is not permissible under federal law, as every child must have an equal opportunity to enroll in the school. Though the Applicant recites that it will not deny enrollment on the basis of race, ethnicity, national origin, gender, or disability, the Applicant should note that the signed Statement of Assurance also bars the school from discriminating on the basis of religion, or academic or athletic eligibility.**

***STANDARD 8 OF APPLICATION: STAFFING PLAN***

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

**Evaluation Criteria:**

A response that meets the standard will present:

- A job description for the school director and other key personnel, including but not limited to an operations director, board members, teachers, etc.;
- An outline of the professional qualifications required for administrators, teachers, counselors, etc.; 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.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
		<b>X</b>

Strengths

Concerns and Additional Questions

**Discuss the salaries for the extended day and school year positions.**

**The extended day of Miner Academy will be staffed by staggering the working times for teachers and staff so that overtime is not required but students are supervised and being taught by certified staff at all times. The staff that works during the extended school year will earn their daily rate of pay for the regular school year, multiplied by the number of extra days they work in June and/or August.**

**Explain what license will be required for the mental health paraprofessional.**

**The mental health services provided for Miner Academy (that are in addition to the certified guidance counselors employed by Bauxite School District) will be the employees of Ascent Mental Health Services. Ascent currently serves students in our school district. They have agreed to provide a mental health paraprofessional that meets their standards for licensure and certification, to be housed in Miner Academy. This paraprofessional will be an employee of Ascent, working with Bauxite. Ascent has also provided a letter of support that is included at the end of this response.**

**See separate letter from Ascent.**

## STANDARD 9 OF APPLICATION: STUDENT SERVICES

The Student Services section should describe how the school will address student services.

### Evaluation Criteria:

A response that meets the standard will present:

- 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;
- A transportation plan that will serve all eligible students;
- A food service plan that will serve all eligible 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;
- An alternative education plan for eligible students, including those determined to be at-risk, or those that are bilingual or have limited English proficiency; and
- Plans for a gifted and talented program for eligible students.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
	<b>X</b>	

Strengths

Concerns and Additional Questions

**Verify that applicant will comply with all state and federal special education regulations.**

**Miner Academy will comply with all Arkansas and Federal special education regulations.**

**Discuss the instructional program to be offered to meet the needs of bilingual students and students who are English language learners.**

**Currently, less than 2% of the students in the Bauxite School District are considered English Language Learners. All students who are part of this population and have an ELL Educational Plan will receive all accommodations required. In addition, English Language instruction can be provided as needed through the virtual classes that can be offered at Miner Academy.**

**Provide and discuss the data to show that project-based learning meets the needs of gifted learners.**

**Project-based learning has been proven to be an effective instructional tool. We currently offer students this opportunity in our EAST classroom and many teachers use project-based learning activities in their classrooms on a regular basis. In regard to meeting the specific needs of gifted learners, project based learning can provide, "student independence, student empowerment, and the teachers [with an opportunity to] tailor projects to the deep and varied needs of gifted students" (Stanley, 2012). Intrinsic motivation is another important aspect of project based learning and it is also closely linked to completing high school. Hmelo-Silver states, "The final goal of PBL is to help students become intrinsically motivated. Intrinsic motivation occurs when learners work on a task motivated by their own interests, challenges, or sense of satisfaction. Similarly, gifted high school students tend to be highly motivated and have the cognitive skills that allow them to be confident in tackling some complex task" (Hmelo-Silver, 2004). Helping our gifted students, whether they are identified as gifted or not, is critical to making sure all of our students graduate.**

**Provide details regarding preparing students for taking AP courses.**

**Software packages, such as K 12, offer curriculum that not only prepares students for taking AP courses, but they actually offer AP courses that our current high school is unable to provide due to a limited number of students that would be willing to participate and the staffing issues that would be involved. Students may choose to attend Miner Academy in order to benefit from the pieces of this alternative learning environment that would allow them an even richer curriculum.**

**STANDARD 10 OF APPLICATION: 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:**

A response that meets the standard will present:

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

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
		<b>X</b>
Strengths		
Concerns and Additional Questions		
<b>Confirm that financial data, including grants and/or private donations, will be reported in the Arkansas Public School Computer Network.</b>  <b>All financial data, including grants and/or private donations that relate to Miner Academy will be reported in the Arkansas Public School Computer Network just as is done for all school buildings within the district.</b>		

## STANDARD 11 OF APPLICATION: FACILITIES

The Facilities section should provide an understanding of the school's anticipated facilities needs and how the school plans to meet those needs.

### Evaluation Criteria:

A response that meets the standard will present:

- An informed understanding of the facility needs of the school over the term of its charter.
- A realistic plan for securing a facility that is appropriate and adequate for the school's program and targeted population.
- 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.

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

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

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

- Documentation that the property owner and school are in agreement over the use of the facility and its equipment;
- A statement of the facilities' compliance with applicable codes; and
- A detailed outline of any relationships between the property owner and:
  - members of the local board of the public school district where the charter school will be located; and
  - the employees of the public school district where the charter school will be located.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
		<b>X</b>

Strengths
Concerns and Additional Questions
<p><b>Describe the facilities, other than the District Administrative and Financial Office that are being considered for Miner Academy.</b></p> <p><b>There are two large classrooms in the bottom of the high school science building that are being considered for a remodel for Miner Academy. They might require more work than the District Office. That is still being investigated. As Miner Academy grows, there is space next to the District Office that can be repurposed to handle an expansion. Our school board has approved the use of space in the district for Miner Academy as verified by the document signed by the Board President in the original application. The Board will vote on the exact space to use for Miner Academy in their regular January meeting.</b></p> <p><b>Please confirm if there are alcohol sales within 1000 feet and whether these facilities are appropriately zoned for the school's usage.</b></p> <p><b>There are no alcohol sales within 1000 feet of the school district and the spaces that are being considered for use for Miner Academy. All spaces under consideration are appropriately zoned for our usage as they are currently part of the district.</b></p>

## STANDARD 12 OF APPLICATION: WAIVERS

The Waivers section should describe any waiver from local or state law which the charter is seeking.

### Evaluation Criteria:

A response that meets the standard will present:

- A rationale for each and every waiver request; and
- A justification of how the waiver requests relate to the school's educational program.

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
		<b>X</b>

### Legal Comments

#### 1. Requested Waivers:

- a.) Ark. Code Ann. 6-16-102 ( School day ) Standards 10.01.4 and 14.03 of the Standards for Accreditation (regarding required instructional time): The Applicant should clarify whether students who attend a half-day at the charter school will spend the remaining half of the day at another district school. If so, and the students are receiving a combined total of six or more hours of instruction each day, no waiver is necessary. If not, the Applicant will also need to consider the impact and possible waiver of Ark. Code Ann. 6-18-211 ( Mandatory attendance for students in grades nine through twelve ). Without satisfactory clarification of the rationale for this waiver, no waiver will be granted.

**Miner Academy seeks exemption from this code because the nature of our educational program requires flexibility in addressing the unique needs of its at-risk student population. We request that the school day be defined as a day in which classes are in session and students receive at least three hours of direct instructional time. Students may be enrolled in Miner Academy, Bauxite High School or Bauxite Middle School for additional hours. Students will also be allowed to work on instructional modules from their home or other location with internet access.**

- b.) Ark. Code Ann. 6-15-1004 ( Qualified teachers in every public school classroom ), 6-17-302 ( Public school principals -- Qualifications and responsibilities ), 6-17-309 ( Certification to teach grade or subject matter -- Exceptions -- Waiver ), 6-17-401 ( Teacher license requirement ), 6-17-902 ( Arkansas Teachers' Salary Law -- Definition ), and 6-17-919(a)(1) ( Warrants void without valid certificate and contract ); Standard 15.03 of the Standards for Accreditation ( Licensure and renewal ); ADE Rules Governing Waivers for Substitute Teachers; and ADE Rules Governing Parental Notification of an Assignment of a Non-Licensed Teacher: The Applicant should further clarify the need for these waivers, since the Applicant asserts in Standard 8 that its employees will be required to meet state licensure requirements.

**All teachers at Miner Academy will be highly qualified. Every attempt will be made to secure the appropriate licensure for each teacher but it may be that the best teacher for a position might not hold an Arkansas certificate. For this reason, a waiver is requested.**

- Even if Applicant is granted a waiver from the licensure requirements, the Applicant will still be required by federal law to hire only Highly Qualified teachers in core academic subject areas (English Language Arts, Reading, Mathematics, Science, Foreign Languages, Social Studies, Music, and Art). Any teacher who teaches a core academic subject area must meet the requirements of the ADE Rules Governing Highly Qualified Teachers, except for the licensure requirement.

**All teachers at Miner Academy will be highly qualified as required by law.**

- **The ADE Rules Governing the Arkansas Comprehensive Testing Assessment and Accountability Program, Sections 5.02.4 and 5.03.2, requires that standardized assessments be administered according to procedures established by the ADE. The ADE's procedures require that certified teachers administer the standardized assessments. Violations of such procedures are subject to sanctions by the State Board pursuant to Ark. Code Ann. 6-15-438.**

**Miner Academy will follow all ADE procedures related to certified teachers administering standardized tests.**

- **All teachers and school personnel must submit to the criminal background and central registry checks.**

**All teachers hired by the Bauxite School District for Miner Academy will submit to the criminal and central registry checks as is done for all teachers in the district.**

- **It is noted that the Applicant has not requested waiver of Ark. Code Ann. 6-17-302, requiring the school to have a properly licensed principal.**

**This waiver was omitted due to a lack of understanding that a separate LEA# would be required.**

**We do request a waiver for Ark. Code Ann. 6-17-302. The lead teacher/director of Miner Academy will work closely with the building principals in the two sending schools within the district. We do intend to retain a certified principal as the school grows. In the beginning, we wish to be able to hire the person that is the best fit for this position and will have the most to offer our students and teachers in regard to leadership and commitment.**

- c.) **Standards 9.03.3.3 and 9.03.4.2 of the Standards for Accreditation (regarding science courses and laboratory requirements): Standard 9.03.3.3 does not require laboratory experience, although the ADE curriculum frameworks for K-8 science do mention hands-on experiences for students. Standard 9.03.4.2 requires active student participation in laboratory experience for a minimum of 20 of instructional time in science courses. The State Board has never granted a waiver of this Standard, and even the fully-virtual Arkansas Virtual Academy provides hands-on experience to its students. The Applicant should further explain why waiver is necessary, particularly since the Applicant is not proposing to offer a virtual or off-campus educational option.**

**We will remove our request for this waiver. Students will participate in a laboratory experience for at least 20 of instructional time. There is a fully functional science lab that is available to be reserved by all science teachers at the middle school. Miner Academy will be given priority in scheduling this space. It is adjacent to the proposed location for Miner Academy.**

## **2. Waivers Not Requested**

- a.) **The Applicant should confirm its intention to not seek alternative learning environment (ALE) state categorical funding for this school, since the proposed budget does not identify any ALE funds expected to be received. If the budget is in error, and the Applicant does intend to seek ALE funding, the Applicant should carefully review Section 4.0 of the ADE Rules Governing the Distribution of Student Special Needs Funding to determine what additional waivers may be necessary. The Application in its present form may conflict with these rules in a number of ways, including without limitation the proposal to use a charter school classroom as an ISS room, the method of assigning students to the school, the staffing plan, and the plans to extensively utilize computer-based instruction.**

**Miner Academy does intend to seek alternative learning environment (ALE) state categorical funding for this school. The proposed budget was in error. A revised budget form is included at the end of the response items.**

**After being made aware that a separate LEA# would be required for Miner Academy, there is an additional waiver that we recognize as necessary:**

***Ark. Code Ann. 6-25-101 concerning School Library Media Services and Section 16.02 of the ADE Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts***

**A waiver is requested from these regulations to allow Miner Academy the flexibility to provide a rich collection of educational materials to students through the use of the media centers on both the Bauxite High School and Bauxite Middle School (sending schools) campuses. In addition to these hysical resources, the one-to-one computer to student ratio and software solutions made available to Miner Academy students will provide them with access to the most relevant and current information possible.**

Concerns and Additional Questions

**Clarify that the waiver of duty free lunch will only be utilized by teachers at Miner Academy.**

**The waiver of duty free lunch will only be utilized by teachers at Miner Academy.**

### ***STANDARD 13 OF APPLICATION: 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:**

A response that meets the standard will present:

- 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.

Legal Comments

Concerns and Additional Questions

## STANDARD 14 OF APPLICATION: PARENTAL INVOLVEMENT

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

### Evaluation Criteria:

A response that meets the standard will present:

- A plan to involve parents and guardians of students to be enrolled in the school, as well as the broader community, in the process of carrying out the terms of the charter, and
- A description of how parents of students will be involved in developing, implementing, and evaluating the school improvement plan and identifying performance criteria

Does Not Meet the Standard	Partially Meets the Standard	Meets the Standard
		<b>X</b>

### Strengths

### Concerns and Additional Questions

**Provide details of the plan to involve parents and guardians of students at the school, as well as the broader community, in the process of carrying out the terms of the charter.**

**Parents and/or guardians will be given the opportunity to participate on committees and advisory councils in order to ensure an ongoing dialogue with the community as a whole. It is the desire of Miner Academy to serve our students and therefore serve the entire community by providing educated and informed citizens. Parents and/or guardians will also be given the opportunity to volunteer in Miner Academy in roles that fit their skill sets. Examples could include career mentors, tutors, homework partners, and book club leaders.**

**Describe the ways in which parents of students will be involved in developing, implementing, and evaluating the school improvement plan and identifying performance criteria.**

**The school improvement planning process will include parents and/or guardians of Miner Academy students. This process, having proven successful at the other campuses within our district, allows parental input and involvement in data analysis, identifying areas of strength and weakness, and planning for improvement.**

**We have found that parents are the very best advocate for education when they are included in the conversations at all stages of the planning for improvement process.**

## **FINANCIAL/BUDGET COMMENTS:**

### **Partially Meets Standards**

**Strengths: Application contains a copy of the proposed certified and classified salary schedule.**

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

**The applicant does not include salary schedules for licensed or non-licensed employees with information describing how extended day and year salaries will be calculated for Miner Academy employees. Amounts provided for salaries budgeted cannot be verified. The applicant should clarify.**

**The applicant should clarify how calculation of Federal revenue for year 1 and year 2. Pgs. 13 16**

**G/T position listed as .25 FTE but applicant referenced using the district GT program. Please clarify. Pgs. 13 17**

**Health Services position listed as .25 (Page 13) but applicant referenced using the district nurse. Please clarify. Pgs. 13 17**

**The applicant should clarify fringe benefit rates for Administration, Regular classroom instruction, Gifted and Talent for both budgeted years. Budgeted rates are higher than other areas. Pgs. 13 16**

**Administrative position increases \$19,850 (38 ) in year 2. Applicant should clarify. Pg. 16**

**The applicant should clarify how \$50,000 is arrived at for supplies and materials under Alternative Learning.Pg. 13**

**The applicant should clarify amount budgeted for supplies year 2 for Gifted and Talented. Pg. 17**

**Media Services is listed as .25 FTE (page 13) but applicant references using media from the school district. Please clarify. Pgs. 14 18**

**The applicant lists .25 FTE for fiscal Services. Please clarify. Pg. 13**

**The applicant should clarify calculation for renovations in both years. Pgs. 15/19**

**The applicant does not include budgeted amounts for utilities, property or content insurance where Miner Academy will be housed. Pg. 15**

**The applicant does not budget for purchase of Computer based instruction software. Please clarify.**

**Applicant does not consistently provide budgeted amounts. In some areas the applicant states that the school district will provide services and FTEs are allocated. In other areas the school district will provide services and nothing is budgeted (food services, Maintenance Operation, etc.). Please clarify.**

**The applicant budgets revenue and expenditures the same for a net effect of zero for both years. Information provided cannot verify if program is viable. Please clarify.**

*ADDITIONAL COMMENTS:*

**LEGAL NOTES**

- a.) **The Applicant should note it will be required to obtain a new LEA for this charter school if it is approved.**