

June 22, 2020

Secretary Key and members of the State Board of Education:

As the largest association of professional educators in Arkansas, it is our duty to raise the concerns of our members about the waivers being proposed by the Division of Elementary and Secondary Education. We understand that the COVID-19 public health emergency has called on each of us to respond in new ways to ensure the health and safety of our students, our communities and ourselves. Educators across Arkansas have risen to the challenge and will continue to do so.

We look forward to continuing to work in a collaborative manner to ensure that Arkansas's students and educators have their voices heard and their needs met.

It is in this spirit that we are bringing these concerns to you to ensure the best and safest possible teaching and learning conditions for the 2020/2021 school year.

If the Arkansas Department of Education is going to provide a set of waivers and/or a request model for Districts to utilize, we request more direction and clarity. This will, in part, help to reduce the number of objections to waiver requests.

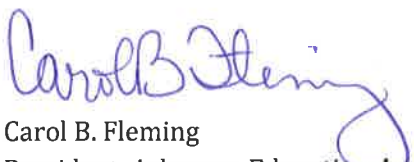
- Personnel Policies Committees are key bodies within a school district that provide critical collective voice for the educators to shape the policies governing district staff and teaching and learning conditions. Without these committees, the very people being asked to do the work impacted by these waivers have no voice. Including the voices of the employees tasked with carrying out new approaches will help establish buy-in on the front end. We would ask that the Personnel Policies Committees not be denied the opportunity for input into the development of new policies adopted for the purpose of implementing the Arkansas Ready for Learning Model. We request that all PPC members be e-mailed draft policy changes on a regular basis with the opportunity to respond via e-mail and to speak prior to school board and State Board of Education adoption.
- We request clarity and rationale on the conditions that must be in place for the proposed waivers to be triggered. What is the definition of "instruction primarily through technology-based approaches, or for staff providing instruction primarily through technology-based?" Do these technology-based approaches involve students learning remotely from their homes? Teachers teaching remotely from their homes? Does it include all off-site learning scenarios? If so, that should be specified. What does "primarily" mean?
- Will the Governor's COVID-19 Emergency Order/s need to be in place for these waivers to be viable or what is the timeframe that the waivers will be granted?
- What affirmative guarantees will be in place to ensure that none of these COVID-19 related waivers will be in effect beyond the circumstances which trigger the waivers?

- What type of compensation will be made available to educators who teach more students than allowed by class size and teaching load standards?
- The waiver model suggests that if a teacher “agrees” to teach a larger class size that a waiver can be granted? What measures will be put in place to ensure that teachers are not pressured into “agreeing?” How will the ADE ensure that this does not happen?
- What type of compensation will be made available to educators who do not receive a duty-free lunch?
- What type of compensation will be made available to educators who do not receive the required planning time?
- On the Division’s website, as part of the “Arkansas Ready for Learning” documents, it states: School district personnel will be given the resources and tools to help keep students, teachers, and support personnel safe. How will the state ensure that all school employees receive the “resources and tools” referred to in this document? What is the mechanism by which a school employee can hold the state accountable if these resources and tools are not received, or are insufficient?
- It is outside of the scope of job duties for educators to clean their classrooms in a manner consistent with the current Centers for Disease Control guidelines. What staffing support will educators have to ensure that their classrooms and school buildings are meeting the “CDC Interim Guidance for Administrators of US K-12 Schools and Child Care Programs” or any other public health guidance that school districts follow during the pandemic? What is the process to hold the state and districts accountable if these requirements are not met?
- In the waiver of the limit on extra duties, the provision of planning time and the provision of a duty free lunch is permitted if “necessary to implement ADH requirements or guidelines.” We anticipate many of the tasks required to implement ADH guidelines will be outside of the scope of the educators’ duties. How will ADE ensure that educators are not tasked with these duties?

We look forward to a smooth and successful school year and appreciate your prompt attention to the concerns of educators from across our state to ensure that it is the case.

Thank you for your attention to these urgent concerns.

I look forward to your response.



Carol B. Fleming  
President, Arkansas Education Association