

## OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL APPLICATION STATEMENT OF ASSURANCES

The signature of the President of the 501 (c) (3) Board of Directors of the public charter school certifies that the following statements are addressed through policies adopted by the public charter school and, if approved, the governing body, administration, and staff of the open-enrollment charter shall abide by them:

1. The information submitted in this application is true to the best of my knowledge and belief and this application has been sent to the superintendent of all the districts from which we intend to draw students.
2. The proposed open-enrollment public charter school shall be open to all students, on a space available basis, and shall not discriminate in its admission policy on the basis of gender, national origin, race, ethnicity, religion, disability, or academic or athletic eligibility, except as follows: the open-enrollment public charter school may adopt admissions policies that are consistent with federal law, regulations, or guidelines applicable to charter schools. The charter may provide for the exclusion of a student who has been expelled from another public school district.
3. In accordance with federal and state laws the proposed open-enrollment public charter school hiring and retention policies of administrators, teachers, and other employees shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, or special need.
4. The proposed open-enrollment public charter school shall operate in accordance with federal laws and rules governing public schools; applicable provisions of the Arkansas Constitution; and state statutes or regulations governing public school not waived by the approved charter.
5. An open-enrollment public charter school shall not use the moneys that it receives from the state for any sectarian program or activity or as collateral for debt. However, open-enrollment public charter schools may enter into lease-purchase agreements for school buildings built by private entities with facilities bonds exempt from federal taxes under 26 USCS 142(a) as allowed by Arkansas Code Annotated § 6-20-402. No indebtedness of an open-enrollment public charter school shall ever become a debt of the state of Arkansas.
6. The proposed open-enrollment public charter school shall not impose taxes or charge students tuition or fees that would not be allowable charges in the public school districts.
7. The proposed open-enrollment public charter school shall not be religious in its operations or programmatic offerings.

8. The proposed open-enrollment public charter school shall ensure that any of its employees who qualify for membership in the Arkansas Teacher Retirement System or the State and Public School Employee Insurance Program shall be covered under those systems to the same extent a qualified employee of a school district is covered.
9. The employees and volunteers of the open-enrollment public charter school are held immune from liability to the same extent as other public school district employees and volunteers under applicable state laws.
10. The open-enrollment public charter school shall be reviewed for its potential impact on the efforts of the public school districts within the proximity of the open-enrollment public charter school to comply with court orders and statutory obligations to create and maintain a unitary system of desegregated public schools.
11. The proposed open-enrollment public charter school shall comply with all health and safety laws, rules and regulations of the federal, state, county, region, or community that may apply to the facilities and school property.
12. The proposed open-enrollment public charter school shall not use any funds it receives from the state for any sectarian program or activity or as collateral for debt.
13. The charter applicant should know that certain provisions of state law shall not be waived. The proposed open-enrollment public charter school is subject to any prohibition, restriction, or requirement imposed by Title 6 of the Arkansas Code Annotated and any rule and regulation approved by the State Board of Education under this title relating to:
  - (a) Monitoring compliance with Arkansas Code Annotated § 6-23-101 et seq. as determined by the Commissioner of the Department of Education;
  - (b) Conducting criminal background checks for employees;
  - (c) High school graduation requirements as established by the State Board of Education;
  - (d) Special education programs as provided by this title;
  - (e) Public school accountability under this title; and
  - (f) Health and safety codes as established by the State Board of Education and local governmental entities.
14. The facilities of the proposed public charter school shall comply with all requirements for accessibility for individuals with disabilities in accordance with the ADA and IDEA and all other state and federal laws.
15. Should the open-enrollment public charter school voluntarily or involuntarily close, the applicant should know that any fees associated with the closing of the school

including but not limited to removal of furniture, equipment, general expenses, etc, are the sole responsibility of the sponsoring entity. No indebtedness of any kind incurred or created by the open-enrollment public charter school shall constitute an indebtedness of the state or its political subdivisions, and no indebtedness of the open-enrollment public charter school shall involve or be secured by the faith, credit, or taxing power of the state or its political subdivisions. Upon dissolution of the Open Enrollment Public Charter School or upon nonrenewal or revocation of the charter, all net assets of the Open Enrollment Public Charter School, including any interest in real property, purchased with public funds shall be deemed the property of the state, unless otherwise specified in the charter of the Open Enrollment Public Charter School. If the Open Enrollment Public Charter School used state funds to purchase or finance personal property, real property or fixtures for use by the Open Enrollment Public Charter School, the State Board of Education may require that the property be sold. The state has a perfected priority security interest in the net proceeds from the sale or liquidation of the property to the extent of the public funds used in the purchase.

Derek Menard, President  
Signature of President of the 501 (c) (3) Board  
of the Proposed Charter

Date: August 25, 2010

Derek Menard, President  
Print or type name