



## DIVISION OF ELEMENTARY & SECONDARY EDUCATION

**Johnny Key**  
Secretary of Education

In accordance with Executive Orders 20-06 and 20-16 issued by Governor Asa Hutchinson on March 17, 2020, and April 13, 2020, respectively, the following statutes and rules are hereby suspended for the duration of the emergency. **\*\*Updated April 15, 2020\*\***

Code Section Suspended		Effect of Suspending Provision	Related Standard for Accreditation and Rule Suspended	
<a href="#">6-10-126(b)</a> Delay or early release of school	<p><b>(b)</b>  <b>(1)</b> For no more than five (5) school days total per year, a superintendent may, due to emergency circumstances under subsection (a) of this section, either:  <b>(A)</b> Delay the start of the school day until as late as 10:00 a.m.; or  <b>(B)</b> Release students from school no earlier than 1:00 p.m.  <b>(2)</b> A school day that is delayed or released early under subdivision (b)(1) of this section shall count as a credited school day, with no requirement for additional days to be added to the school calendar.</p>		N/A	
<a href="#">6-10-127(b)(1)</a> AMI (10-day limit only)	<p><b>(b)</b>  <b>(1)</b> The Commissioner of Education may grant <u>up to the equivalent of ten (10)</u> student attendance days for public school districts that have an alternative instruction plan approved by the commissioner for the use of alternative</p>		N/A	

	<p>methods of instruction, including without limitation virtual learning, on days when the public school district is closed due to exceptional or emergency circumstances such as:</p> <p><b>(A)</b> A contagious disease outbreak, inclement weather, or other acts of God; or</p> <p><b>(B)</b> A utility outage.</p>			
<p><a href="#">6-13-619(a)(1)(A) and (c)(1)(A)</a> School board meetings</p>	<p><b>(a)</b> <b>(1)</b> The board of directors of a public school district shall meet:</p> <p><b>(A)</b> Monthly during the school term;</p> <p><b>(c)</b> <b>(1)</b> <b>(A)</b> Except as provided under subsection (d) of this section, a board member shall be physically present at a meeting to be counted for purposes of a quorum or to vote.</p>		N/A	
<p><a href="#">6-16-102(a) and (c)</a> School day</p>	<p><b>(a)</b> <b>(1)</b> As used in this section, “school day” shall mean a day in which classes are in session and students receive at least six (6) hours of instructional time.</p> <p><b>(2)</b> Any day in which less than six (6) hours of instructional time are provided to students shall be counted as one-half (1/2) of a school day if at least three (3) hours of instructional time are provided to students.</p> <p><b>(3)</b> Any day in which less than three (3) hours of instructional time are provided to students shall not be counted as any part of a school day.</p> <p><b>(4)</b> A school district may include as part of the school day the travel time between public schools or other educational</p>		<p><a href="#">Standard for Accreditation 1-A.5.2</a></p>	<p>Except where otherwise allowed by law, each public school shall provide a planned instructional day that averages no less than six (6) hours per day or thirty (30) hours per week. Any day in which fewer than six (6) hours of instructional time is provided to students shall be counted as one-half (1/2) of a school day if at least three (3) hours of instructional time is provided to students. Any day in which fewer than three (3) hours of instructional time is provided to students shall not be counted as part of a school day.</p>

	<p>programs of those students attending classes or programs authorized by law.</p> <p><b>(5)</b></p> <p><b>(A)</b> At least forty (40) minutes of instructional time per school day shall be used for recess during the school day for students attending public elementary schools.</p> <p><b>(B)</b> Recess shall:</p> <p><b>(i)</b> Consist of supervised, unstructured social time during which public school students may communicate with each other;</p> <p><b>(ii)</b> Occur outdoors when weather and other relevant conditions permit; and</p> <p><b>(iii)</b> Include without limitation opportunities for free play and vigorous physical activity, regardless of whether recess occurs indoors or outdoors.</p> <p><b>(C)</b> The remaining instructional hours required under this section shall be distributed across academic content areas as determined by a public school district's board of directors.</p> <p><b>(D)</b> A public school principal may use discretion to adjust recess time required under this section due to special circumstances or programs that interrupt a regular school day.</p> <p><b>(E)</b></p> <p><b>(i)</b> A public elementary school may seek a waiver from the requirements under this subdivision (a)(5) if the public elementary school:</p> <p><b>(a)</b> Submits to the Division of Elementary and Secondary Education for approval an alternative plan for recess that:</p> <p><b>(1)</b> Exceeds the required minimum amount of minutes combined for physical activity under § 6-16-132 and recess under this section; and</p> <p><b>(2)</b> Provides for both structured and unstructured social time; or</p>			
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	<p><b>(b)</b> Is approved by the division to operate as a virtual school.</p> <p><b>(ii)</b> Beginning with the 2019-2020 school year, the division shall provide to the House Committee on Education and the Senate Committee on Education each year for three (3) years a report that details the following:</p> <p><b>(a)</b> Which public elementary schools have been granted a waiver under subdivision (a)(5)(E)(i) of this section; and</p> <p><b>(b)</b> How many waivers have been granted by the division under subdivision (a)(5)(E)(i) of this section.</p> <p><b>(c)</b> A school district is deemed to have fulfilled the requirements of subsection (a) of this section if the planned instructional time in each school day does not average less than six (6) hours each day or thirty (30) hours each week.</p>			
<p><a href="#">6-16-132(b)(1)</a> Physical education</p>	<p><b>(b)</b> <b>(1)</b> <b>(A)</b> The physical education curriculum and physical activity requirements for every public school student who is able to participate are:</p> <p><b>(i)</b> Except as provided in subdivision (b)(1)(A)(ii) of this section, for students in kindergarten through grade six (K-6):</p> <p><b>(a)</b> At least forty (40) minutes, as determined by the superintendent of the school district, of physical education training and instruction each calendar week of the school year; and</p> <p><b>(b)</b> Ninety (90) minutes of physical activity each calendar week of the school year, which may include without limitation daily recess, physical education instruction in addition to the</p>		<p><a href="#">ADE Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools, Section 7.01</a></p>	See Rule

	<p>requirement of subdivision (b)(1)(A)(i)(a) of this section, or intramural sports;</p> <p><b>(ii)</b> For students in grades five through eight (5-8) who attend a public school organized to teach grades five through eight (5-8), or any combination thereof, at least forty (40) minutes, as determined by the superintendent of the school district, of physical education training and instruction each calendar week of the school year or an equivalent amount of time in each school year with no additional requirement for physical activity; and</p> <p><b>(iii)</b> For students in grades nine through twelve (9-12), one-half (½) unit of physical education as required for high school graduation with no additional requirement for physical activity.</p> <p><b>(B)</b> Nothing in subdivision (b)(1)(A) of this section prohibits:</p> <p><b>(i)</b> A public school student's elective enrollment or voluntary participation in physical activity or physical education as a part of public school curriculum or extra-curricular activities; or</p> <p><b>(ii)</b> A school district's decision to require physical education instruction or physical activity in excess of the amounts identified in subdivision (b)(1)(A) of this section.</p>		<p><a href="#">ADE Rules Governing Physical Education Course Credit for Organized Physical Activity Courses, Section 3.02</a></p> <p><a href="#">Standard for Accreditation 1-B.3</a></p>	<p>3.02 The organized physical activity course shall take place during the regular school day to qualify for physical education credit, except for those organized physical activity courses outside the regular school day that are listed on the district's master schedule.</p> <p>Each public school district shall comply with the laws of the State of Arkansas and the rules of the Department regarding nutrition and physical activity standards.</p>
<p><a href="#">6-16-135(c)</a> Personal and family finance credit</p>	<p><b>(c)</b> Beginning with the entering ninth grade class of the 2017-2018 school year, each public high school student shall be required before graduation to earn a credit in a course taken in grade nine (9), grade ten (10), grade eleven (11), or grade twelve (12) that includes the personal and family finance standards under subsection (b) of this section.</p>		<p><a href="#">Standard for Accreditation 1-A.1.3.11</a></p>	<p>Beginning with the freshman class of 2017-2018, all students must earn credit in a course that has personal and family finance standards.</p>

<p><a href="#">6-16-137(e)</a> Physical education</p>	<p><b>(e)</b> The organized physical activity course shall take place during the regular school day to qualify for physical education credit, except for those organized physical activity courses outside the regular school day that are listed on the school district's master schedule.</p>		<p>N/A</p>	
<p><a href="#">6-16-143(a)</a> CPR</p>	<p><b>(a)</b> Beginning with the 2014-2015 school year, a public school student in grades nine through twelve (9-12) shall be trained in quality psychomotor skill bases in cardiopulmonary resuscitation before the student graduates from high school.</p>		<p>N/A</p>	
<p><a href="#">6-16-149(a)</a> U.S. citizenship civics test</p>	<p><b>(a)</b> <b>(1)</b> Beginning in the 2018-2019 school year, in order to receive a high school diploma from a public school or a high school equivalency diploma from a state entity, a student shall: <b>(A)</b> Take a test that is identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services; and <b>(B)</b> Correctly answer at least sixty (60) of the one hundred (100) test questions.</p>		<p><a href="#">Standard of Accreditation 1-C.2.3</a></p>	<p>Beginning with 2018-2019, all students must pass the Arkansas civics exam with a score of at least 60% in order to graduate. This requirement shall not apply to those students exempt by law.</p>
<p><a href="#">6-16-1406(d)</a> Digital learning courses</p>	<p><b>(d)</b> Beginning with the entering ninth grade class of the 2014-2015 school year, each high school student shall be required to take at least one (1) digital learning course for credit to graduate.</p>		<p><a href="#">ADE Rules Governing Distance and Digital Learning, Sections 7.02 through 7.04.2, 7.07, 7.09, 10.05, 11.04</a></p>	<p>7.02 Any distance learning course must be approved by the Department of Education or by the Department of Career Education before the course is offered or taught by any public school district or open-enrollment public charter school unless:</p> <p>7.02.1 The distance learning course content is aligned with the appropriate content standards and curriculum frameworks developed and approved by</p>

				<p>the State Board of Education or Department of Career Education; or</p> <p>7.02.2 The course is not offered for credit.</p> <p>7.03 All distance learning courses shall have an appropriately licensed or approved primary instructor.</p> <p>7.04 Each receiving site shall have an adult facilitator to:</p> <p>7.04.1 Supervise any instructional activity where students meet as a group; and</p> <p>7.04.2 Administer all student achievement assessments used to determine a student's final grade.</p> <p>7.07 Distance learning courses shall be considered large group instruction courses for the purposes of the Standards for Accreditation of Arkansas Public Schools and School Districts.</p> <p>7.09 Attendance in distance learning courses shall be determined by the online attendance and time the student is working on the course as monitored by the school district or open-enrollment public charter school to ensure the student progresses toward credit attainment for the course.</p> <p>10.05 Public school districts and open-enrollment public charter schools that provide digital learning courses to students other than their own students</p>
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			<p>without the assistance of an external digital learning provider are required to seek approval as digital learning providers pursuant to these rules.</p> <p>11.04 Each high school student shall be required to take at least one (1) digital learning course for credit to graduate.</p> <p>4.04.4 Computer-based instruction and distance learning may be used only as a supplement to direct teacher instruction and must constitute less than forty-nine percent (49%) of total instructional time in any one (1) course. This restriction shall not apply to distance learning or computer-based instruction approved by the Department.</p>
<p><a href="#">6-17-211</a> Personal leave</p>	<p><b>(a)</b> As used in this section:  <b>(1)</b> “Personal leave” means absence for illness, annual leave, or other personal leave as defined by the personnel policies of a school district or an education service cooperative; and  <b>(2)</b> “School functions” means:  <b>(A)</b> Athletic or academic events related to a public school district; and  <b>(B)</b> Meetings and conferences related to education.  <b>(b)</b> Each school district and education service cooperative shall establish in its personnel policies guidelines requiring an administrator or an employee of a public school district to use personal leave or leave without pay when away from the school premises for reasons other than attendance at school functions that occur away from the school premises.</p>		N/A

<p><a href="#">6-17-428(f) and (k)</a> Ethical violations</p>	<p><b>(f)</b> <b>(1)</b> Within ten (10) business days of authorizing an ethics complaint investigation, the ethics subcommittee shall provide to the educator under investigation:</p> <p><b>(A)</b> Written notice of the investigation and the nature of the alleged ethical violation; and</p> <p><b>(B)</b> A copy of:</p> <p><b>(i)</b> The documents and evidence provided by the complainant concerning the facts alleged in the ethics complaint;</p> <p><b>(ii)</b> Provisions of this section or other state statutory law applicable to an ethical violation under this section; and</p> <p><b>(iii)</b> The applicable rules in effect at the time the ethics complaint is filed.</p> <p><b>(2)</b> Upon the completion of the investigation and before an initial consideration of the investigation, the ethics subcommittee shall provide to the educator:</p> <p><b>(A)</b> A copy of the documents and evidence concerning the investigation of the ethics complaint; and</p> <p><b>(B)</b> Written notice that the ethics subcommittee will consider taking an action against the educator.</p> <p><b>(k)</b> The ethics subcommittee shall complete its investigation of an ethics complaint and take action:</p> <p><b>(1)</b> Within one hundred fifty (150) days of authorizing the investigation of the ethics complaint; or</p> <p><b>(2)</b> If a hearing is conducted, within one hundred eighty (180) days of authorizing the investigation of the ethics complaint.</p>		<p><a href="#">ADE Rules Governing the Code of Ethics for Arkansas Educators, Sections 11.05.5 and 11.06</a></p>	<p>11.05.5 If the Ethics Subcommittee votes to authorize investigation of the allegation, the allegation becomes an authorized ethics complaint.</p> <p>11.05.5.1 Within ten (10) business days of authorization, the PLSB staff shall notify the named educator in writing concerning the initiation of the investigation and provide the educator with a copy of:</p> <p>11.05.5.1.1 The complaint and documents or evidence provided by the complainant, as provided in Section 9.00; and</p> <p>11.05.5.1.2 The provisions of Ark. Code Ann. § 6-17- 428 or other state statutory law applicable to an ethics violation and the applicable rules in effect at the time the ethics complaint is filed.</p> <p>11.05.5.2 The PLSB staff shall also provide to the complainant written notice of the authorization to investigate their alleged violation(s).</p> <p>11.06 Completion of the Investigation –</p> <p>11.06.1 The Ethics Subcommittee shall complete its investigation of an ethics complaint and take action within:</p> <p>11.06.1.1 One hundred fifty (150) calendar days of authorizing the investigation; or</p>
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				11.06.1.2 If a hearing is conducted, within one hundred eighty (180) calendar days of authorizing the investigation.
<a href="#">6-17-2805</a> Summative evaluations	<p><b>(a)</b> At least one (1) time every four (4) school years, a public school shall conduct a summative evaluation for each teacher who is not a novice teacher.</p> <p><b>(b)</b> The evaluation framework for a summative evaluation for a classroom teacher shall include without limitation:</p> <p><b>(1)</b> The following teacher evaluation domains:</p> <p><b>(A)</b> Planning and preparation;</p> <p><b>(B)</b> Classroom environment;</p> <p><b>(C)</b> Instruction; and</p> <p><b>(D)</b> Professional responsibilities; and</p> <p><b>(2)</b> An evaluation rubric using nationally accepted components that consists of at least four (4) performance ratings.</p> <p><b>(c)</b> A summative evaluation shall:</p> <p><b>(1)</b> Result in a written evaluation determination for the teacher's performance on all evaluation domains as a whole;</p> <p><b>(2)</b> Use the evaluation framework and evaluation rubric appropriate to the teacher's role;</p> <p><b>(3)</b></p> <p><b>(A)</b> Use multiple sources of evidence of the teacher's professional practice including direct observation, indirect observation, artifacts, and data.</p> <p><b>(B)</b> Subdivision (c)(3)(A) of this section does not require that every component of the domains be evidenced by artifacts when observation or data is used.</p> <p><b>(C)</b> A school or school district may adopt policies to:</p> <p><b>(i)</b> Incorporate peer observations and student feedback that contribute to the summative rating; and</p>		<a href="#">ADE Rules Governing Educator Support and Development, Sections 6.01 through 6.05.1, and 7.01 through 7.03</a>	See Rule

	<p><b>(ii)</b> Substitute for the whole or any part of the summative evaluation any part of a teacher's work completed for the certification or renewal of a certification from the National Board for Professional Teaching Standards;</p> <p><b>(4)</b> Include presentations of evidence chosen by the teacher, the evaluator, or both;</p> <p><b>(5)</b> Provide an opportunity for the evaluator and teacher to discuss the review of evidence used in the evaluation; and</p> <p><b>(6)</b> Provide feedback based on the evaluation rubric that the teacher can use to improve teaching skills and student learning.</p> <p><b>(d)</b> At the conclusion of a summative evaluation, a public school shall assign the teacher being evaluated an overall performance rating.</p>			
<p><a href="#">6-18-213(b) and (f)</a> Attendance records</p>	<p><b>(b)</b></p> <p><b>(1)</b> The official reporting period for attendance shall be quarterly with the actual number of days counted in each period to be no less than forty (40) nor more than fifty (50).</p> <p><b>(2)</b> A waiver of this subsection may be granted by the division upon petition by a school district.</p> <p><b>(f)</b></p> <p><b>(1)</b> Except for those circumstances otherwise allowed by rule, any student who is absent from daily attendance for more than ten (10) consecutive school days shall be dismissed or dropped from the attendance records of the school, school district, or open-enrollment public charter school.</p>			

	(2) Any student who fails to attend school by the tenth regular school day of the semester shall be retroactively dropped from the attendance records from the first day of the school semester.			
<a href="#">6-18-222(a)(1)(A)(i)</a> Unexcused absences	(a) (1) (A) (i) The board of directors of each school district in this state shall adopt a student attendance policy, as provided for in § 6-18-209, which shall include a certain number of unexcused absences that may be used as a basis for denial of course credit, promotion, or graduation.			
			<a href="#">Standard for Accreditation 1-A.2</a>	A unit of credit shall be awarded for a course which meets for a minimum of 120 clock hours unless the public school district awards units of credit based on subject matter competency in compliance with the public school district's approved plan under Ark. Code Ann. § 6-15-216.
N/A			<a href="#">Career and Technical Education, Policies and Procedures for Secondary Technical Centers: IV.G. Class Periods</a>	IV.G. Class periods shall conform to the minimum class hours established by the Standards for Accreditation of Public Schools and AdvanceEd. Travel time shall not be counted in the time on task determination. In order to restructure a program of study, the secondary technical center may work with the Department of Career Education to implement course designs and class lengths.

N/A			<a href="#">Program Policies and Procedures for Career and Technical Education Secondary Programs:</a> II.A. Program approval: (2) III.D. Class Periods III.G. Work Based Learning III.I. Course credit III.O. Reports	II.A. (2) Participate in end-of-course assessment or approved substitute;  III.D. Class periods shall conform to the minimum class hours established by the Standards for Accreditation of Public Schools.  III.G. Class periods shall conform to the minimum class hours established by the Standards for Accreditation of Public Schools.  III.I. It is recommended that three (3) units per year be given—one (1) unit for the related class and two (2) units for the 270 per semester/540 per year hours of on-the-job training required.  III.O. Information is necessary via various reports and shall be submitted by due date. Refer to program area operational guides for program-specific reports.
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**\*\*Added March 24, 2020\*\***

<b>Code Section Suspended</b>		<b>Effect of Suspending Provision</b>	<b>Related Standard for Accreditation and Rule Suspended</b>	
<a href="#">6-13-619(c)(3) and (d)(1), (3) and (4)</a> School board meetings (physical presence)	<p><b>(c)(3)</b> A quorum of the board of directors must be <u>physically</u> present for the board of directors to enter an executive session.</p> <p><b>(d)(1)</b> The board of directors may adopt a policy permitting a member of the board of</p>	Permits a quorum to be established through remote attendance. A quorum is still required.		

<p>provision only in (c)(3))</p>	<p>directors who is unable to be physically present at a meeting to attend the meeting remotely.</p> <p><b>(d)(3)</b> A member of the board of directors attending remotely shall not:</p> <p><b>(A)</b> Attend an executive session or closed hearing remotely; or</p> <p><b>(B)</b></p> <p><b>(i)</b> Vote on an issue that is the subject of an executive session or closed hearing.</p> <p><b>(ii)</b> A board member's inability to vote on an item discussed in executive session shall be treated the same as if the board member had left the room under subdivision (c)(1)(E) of this section.</p> <p><b>(4)</b></p> <p><b>(A)</b> Up to three (3) times per calendar year the board of directors may count a board member attending remotely for the purpose of establishing a quorum.</p> <p><b>(B)</b> A board member attending remotely that is used to establish a quorum under subdivision (d)(4)(A) of this section shall not be counted to determine if the board may enter executive session under subdivision (c)(3) of this section.</p>	<p>Permits members to attend an executive session remotely, and vote remotely.</p> <p>Board president must be able to verify identity of remote attendees. All members and public in attendance must be able to hear all members attending remotely, and public comment if allowed.</p> <p>Removes numerical limit on counting remote attendance to establish a quorum.</p>		
<p>N/A</p>		<p>Allows districts flexibility in the event some courses are unable to be offered through AMI.</p>	<p><a href="#">Standard for Accreditation 1-A.1.3.10</a></p> <p><a href="#">Standard for Accreditation 1-A.3</a></p>	<p>1-A.1.3.10 Courses offerings shall include advanced educational courses in accordance with the laws of the State of Arkansas and the rules of the Department.</p> <p>1-A.3 Each public school district shall ensure that all required courses are taught in accordance with the laws of the State of Arkansas and the rules of the Department. A list of the required</p>



	<p>offered under the International Baccalaureate Diploma Programme if:</p> <p><b>(A)</b> The student takes the entire advanced placement course or the entire course offered in the International Baccalaureate Diploma Programme in a particular subject;</p> <p><b>(B)</b> The student completes the applicable test offered by the College Board for advanced placement courses at the end of the advanced placement course, or the applicable test offered by the International Baccalaureate at the time prescribed by the organization; and</p>	<p>course” and AP exam, to receive weighted credit.</p>	<p><a href="#">4.02, and 4.03(A) and (B)</a></p>	<p>following numeric values when such courses are used to compute student grade point average.</p> <p>A 90 – 100 = 4 points  B 80 – 89 = 3 points  C 70 – 79 = 2 points  D 60 – 69 = 1 point  F 0 - 59 = 0 points</p> <p>4.02 The following scale is to be the Uniform Grading Scale and numeric values for Advanced Placement courses, courses offered under the International Baccalaureate Diploma Program, and approved honors courses.</p> <p>A 90 – 100 = 5 points  B 80 – 89 = 4 points  C 70 – 79 = 3 points  D 60 – 69 = 2 points  F 0 - 59 = 0 points</p> <p>4.03 Weighted credit shall be allowed for Advanced Placement courses and courses offered under the International Baccalaureate Diploma Program if:</p> <p>(A) The student takes the entire Advanced Placement course or the entire course offered in the International Baccalaureate Diploma Program in a particular subject;</p> <p>(B) The student completes the applicable test offered by the College Board for Advanced Placement courses at the end of the Advanced Placement course, or the applicable test offered by the International Baccalaureate Organization at the time prescribed by the International Baccalaureate Organization;</p>
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<p><a href="#">6-15-903(a)(1)</a> Report Cards ("grade in each class" provision only)</p>	<p>(a) (1) Every public school district shall provide a report card for each student <u>reflecting the student's grade in each class in which the student is enrolled.</u></p>	<p>Allows districts flexibility in reporting progress/completion to parents/guardians by not requiring a "grade" for each class. Districts are still required to issue a report card for each student at the end of each grading period, at least four (4) times each school year.</p>		
<p><a href="#">6-15-2907(e)</a> Assessment</p>	<p>(e) All students enrolled in a public school district shall participate in the statewide student assessment system.</p>		<p><a href="#">DESE Rules Governing the Arkansas Educational Support and Accountability Act (AESAA), Sections 5.03, 5.05, 5.06, 5.07, 5.08, 5.09, 5.10, and 5.12</a></p>	<p>5.03 All public school districts shall comply with the requirements of the assessment system including field testing and any other requirements needed to establish fully developed assessments.</p> <p>5.05 All students enrolled in a public school district shall participate in the statewide student assessment system.</p> <p>5.06 All public school districts shall administer a developmentally appropriate assessment approved by the State Board to all students in kindergarten, first grade, and second grade (K-2) in reading and mathematics.</p> <p>5.07 All students in grades three through twelve (3-12) in which statewide assessments are administered, shall take the assessment(s) required for the student's respective grade on the date or within the testing window established by the Division.</p> <p>5.08 All public school districts shall administer state required assessments to students in accordance with procedures established by the Division and specified</p>

			<p><a href="#"><u>Standard for Accreditation 1-B.4, 1-C.1 and 1-C.1.1</u></a></p>	<p>in the applicable assessment administration manuals, materials and training.</p> <p>5.09 Each student in the specified grades shall participate in the assessments according to the procedures established by the Division. A student shall participate in the Arkansas Alternate Assessment Program only upon the formal determination of the student's IEP team, as documented in the student's IEP.</p> <p>5.10 English Learners, including those with less than one year in a U.S. school, shall participate in the statewide student assessment system.</p> <p>5.12 A public school that serves any student in grades ten through twelve (10-12) shall administer college and career readiness assessments, as determined by the State Board, to each student who chooses to take the assessment before he or she graduates from high school.</p> <p>1-B.4 Each public school district shall comply with any requirements of the Arkansas Educational Support and Accountability Act placed on the public school or public school district.</p> <p>1-C.1 Each public school district must comply with the laws of the State of Arkansas and the rules of the</p>
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				<p>Department regarding the statewide student assessment system.</p> <p>1-C.1.1 Each public school shall assess at least 95% of its students on the annual statewide student assessment.</p>
<b>**Added March 27, 2020**</b>				
<b>Code Section Suspended</b>		<b>Effect of Suspending Provision</b>	<b>Related Standard for Accreditation and Rule Suspended</b>	
		Schools may use teachers proficient in ASL, but who are not licensed by the ADH, to communicate with parents/guardians and students when necessary.	<a href="#">Arkansas Standards for Educational Interpreters and Transliterators, Minimum Standards</a>	<p>(I) Must hold a valid interpreter’s license issued by the Arkansas Department of Health (ADH);</p> <p>(II) Must have a high school diploma or equivalent; and</p> <p>(III) (a.) 3.0 on the Educational Interpreter Performance Assessment (EIPA), or (b.) Quality Assurance Screening Test (QAST) 3/3 (transliterating /interpreting).</p>
<b>**Added March 30, 2020**</b>				
			<a href="#">DESE Rules Governing Special Education and Related Services, Sec.</a>	The Arkansas Division of Elementary and Secondary Education, Special Education Unit, will provide local education agencies with a format for requesting high-cost occurrence reimbursement to be completed and submitted to the

			<a href="#">24.00 Special Education High-Cost Occurrences, 24.06.1</a> (submission deadline)	Special Education Unit <u>no later than April 1</u> of each school year.
<b>**Added April 15, 2020**</b>				
<a href="#">6-10-106</a> (c)(2) School year	(2) Provided, upon approval of the division, this date may be used as a make-up day in any school district which has unavoidably lost more than five (5) scheduled days of student attendance during the course of the school year due to contagious disease outbreaks, inclement weather, or other acts of God.	Allows districts to use Memorial Day as a make-up day in order to meet the 178-day requirement, without obtaining DESE approval.		
<a href="#">6-16-130</a> Visual art and music instruction	(a)(1) A public elementary school in the state shall provide instruction for at least forty (40) minutes, as determined by the superintendent of the school district, in visual art and at least forty (40) minutes, as determined by the superintendent of the school district, in music based on the state visual art and music frameworks each calendar week of the school year or an equivalent amount of time in each school year. (2)(A) Every student in grades one through six (1-6) shall participate in the visual art and music class required in this subsection. (B) Children with disabilities or other special needs shall be included in the visual art and music programs. (3) The instruction required by subdivision (a)(1) of this section shall be provided by a	Suspends requirement for specific visual art and music instruction.		

	<p>teacher licensed to teach art or music, as applicable.</p> <p>(4)(A) The Division of Elementary and Secondary Education shall provide a stipend of not less than one hundred dollars (\$100) per class to each school for the purchase of necessary supplies or equipment for the classes required by this subsection.</p> <p>(B) Subdivision (a)(4)(A) of this section shall be contingent on the appropriation and availability of funding for that purpose.</p> <p>(b) A student enrolled in grade seven (7) or grade eight (8) shall participate in:</p> <p>(1) Visual arts instruction, appreciation, and application; or</p> <p>(2) Performing arts instruction, appreciation, and application.</p>			
<a href="#">6-18-202(e)(1)</a> Enrollment	<p>(1) A school district shall not admit for ten (10) school days or more a student who is not a resident of the school district or is not otherwise entitled by law to attend the school district.</p>	<p>A school district may continue to keep enrolled, until May 31<sup>st</sup>, a student who moves out of the district and chooses to continue accessing AMI from that district, to allow continuity of education for the student.</p>		
<a href="#">6-20-2210</a> (b) Net legal balance	<p>(b) If at the close of the fiscal year a public school district has a net legal balance that exceeds twenty percent (20%) of the public school district's current year net legal balance revenues, the public school district shall within five (5) years reduce its net legal balance to no more than twenty percent (20%) of the public school district's current year net legal balance revenues.</p>	<p>Permits a school district to carryover more than 20% of net legal revenue.</p>		

<p><a href="#">6-20-2305</a> (b)(4)(F)(i)-(ii) ESA carryover</p>	<p>(F)(i) By June 30, 2012, and by June 30 of each year thereafter, a school district shall spend a minimum of eighty-five percent (85%) of the school district's annual national school lunch state categorical funding allocation as provided under subdivision (b)(4)(C) of this section.</p> <p>(ii) A school district that on June 30, 2012, has a national school lunch state categorical funding balance in excess of fifteen percent (15%) of the school district's current year annual national school lunch state categorical funding allocation shall reduce its total national school lunch state categorical funding balance by at least ten percent (10%) each year so that by June 30, 2022, and by June 30 of each year thereafter, the school district has a balance of no more than fifteen percent (15%) of the school district's current year annual national school lunch state categorical funding allocation.</p>	<p>Permits a school district to carry forward more than 15% of ESA funds.</p>	<p><a href="#">ADE Rules Governing the Distribution of Student Special Needs Funding</a>, Sec. 6.13 and 6.13.1</p>	<p>6.13 By June 30 of each year, a school district shall expend a minimum of eighty-five percent (85%) of the school district's current-year national school lunch state categorical funding allocation in a manner permitted under these Rules.</p> <p>6.13.1 A school district that, on June 30, 2012, has a national school lunch state categorical funding balance in excess of fifteen percent (15%) of the school district's current year national school lunch state categorical funding allocation shall reduce its total national school lunch state categorical funding balance by at least ten percent (10%) each year so that by June 30, 2022, and by June 30 of each year thereafter, the school district has a balance of no more than fifteen percent (15%) of the school district's current year national school lunch state categorical funding allocation.</p>
<p><a href="#">6-20-2305</a> (e)(2) Fund balance</p>	<p>(e)(2) On June 30, 2012, and on June 30 of each school year thereafter, if the total aggregate balance of all state categorical fund sources exceeds twenty percent (20%) of the school district's total aggregate annual state categorical fund allocations for the current school year, the school district shall reduce the total balance by ten percent (10%) each year until the school district's June 30 balance of aggregate annual categorical fund sources is twenty percent (20%) or less of the total aggregate annual state categorical fund allocations for the current school year.</p>	<p>Permits a school district to carry forward more than 20% of state categorical funds, including ESA.</p>		

<p><a href="#">12-13-109</a></p>	<p>It shall be the duty of the Director of the Division of Arkansas State Police, his or her officers, and deputies to require teachers of public and private schools and all educational institutions to have one (1) fire drill each month and to keep all doors and exits unlocked during school hours.</p>	<p>Suspends requirement for monthly fire drills.</p>		
<p><a href="#">20-7-135</a> (c)(3)</p>	<p>(c)(3) Beginning with kindergarten and then in even-numbered grades, require schools to include as a part of a student health report to parents a body mass index percentile by age for each student;</p>	<p>Suspends requirement for BMI calculation and reporting for SY19-20.</p>	<p><a href="#">ADE Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools</a>, Sec. 5.02.3, 12.01, and 12.04</p>	<p>5.02.3 Beginning with kindergarten and then in even-numbered grades, require schools to include as a part of a student health report to parents a body mass index percentile by age for each student; 12.01 All children in Kindergarten (K), grade two (2), grade four (4), grade six (6), grade eight (8), and grade ten (10) shall have their height and weight assessed to calculate body mass index for age percentile. 12.01.1 This requirement applies to public schools. 12.01.2 The responsibility for enforcement of this section rests equally with each school district. 12.01.3 Nothing in these rules shall preclude voluntary screening of any educational grade or preclude the referral of any child, regardless of grade, whom the parent, teacher or school nurse feels should be screened or examined unless the school has received written refusal from the student's guardian. 12.01.4 Each school district shall follow the approved screening process as outlined in the Height and Weight Measurement Training Manual. 12.04 Beginning with kindergarten and then in even numbered grades, schools will be required to include, as a part of a student health report to parents, a body mass index percentile by age for</p>

				each student in a private and confidential manner.
		Allows a district the discretion to count new professional development, beginning May 1, 2020, for the 20-21 school year PD requirements while still operating under the current school year (2019-2020) contract days.	<a href="#">ADE Rules Governing Professional Development</a> , Sec. 4.02	4.02 The annual professional development requirement must be fulfilled between July 1 and June 30 unless the employing school district approves and documents the professional development year as between June 1 and May 31.