

ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
GRADING AND COURSE CREDIT

PUBLIC COMMENTS AND AGENCY RESPONSE
(FIRST PUBLIC COMMENT PERIOD)

Name: Lucas Harder, Arkansas School Boards Association

Comment: While the table of contents includes the chapter number followed by a hyphen followed by the subchapter number (1-1.01, 2-1.01, 3-1.01, etc.), the actual section numbers in the Rules are missing the chapter number and the hyphen, which would make it much easier to cite to a specific section in the Rules.

Agency Response: The changes were made.

Comment: 1-2.00: As there is not currently an explanation or definition of “Standards-based grading” for 2-2.03 and 2-2.04, I would recommend including a definition here.

Agency Response: The change was made. A definition was added at 1-2.19 as follows: “Standards-based grading” means demonstration of competencies before or during a course.

Comment: 6-2.01: The references to 2.01.1 and 2.01.2 here are missing chapter indicators.

Agency Response: The changes were made.

Comment: 6-2.03: The section references “Section 2.03.1 or 2.03.2”, but does not indicate which chapter those sections are under for specific citation.

Agency Response: The changes were made.

Comment: 6-3.01: “Outlined in 2.01, 2.02, 2.03, and 2.04 of these Rules” makes no reference to the specific chapter of the rules for those sections.

Agency Response: The changes were made.

Comment: 6-4.01: I would recommend including “a” between “for” and “one-time.”

Agency Response: The change was made.

Name: Jennifer Lee, Smackover-Norphlet School District

Comment: Arkansas has instituted the Arkansas Course Transfer System for college courses. Any course with an ACTS code is transferable to any other public post-secondary education institution in the state.

I would like to recommend that 2.00 SCHOOL DISTRICT WEIGHTED CREDIT POLICIES FOR COLLEGE COURSES in the Draft Rules Governing Grading and Course Credit be changed to minimally allow any core (English, Math, Science, Social Studies) college course with an ACTS number offered as concurrent credit to high school students automatically be granted weighted credit without the school district having to submit an application to the Division of Elementary and Secondary Education.

This would include (but not limited to) common sense courses such as:

- Biology
- Composition I and II
- World Literature I and II
- Western Civilization I and II
- US History I and II
- College Math
- College Algebra

Why is this important?

- Our high school students have the opportunity to obtain a Certificate of General Studies from SouthARK Community College. Some of our students opt not to participate in the courses because of the potential effect on their GPA because the course is not weighted.
- Many schools across the state currently have partnerships with their local community college or four-year university.

Guiding question - Why should all school districts have to submit a request to the Division of Elementary and Secondary Education when the state has already determined that there should be transferability in these courses among all state public colleges and universities? This is an opportunity to reduce paperwork for school districts and DESE while doing something that encourages high school students to take actual college coursework while enrolled in high school.

Agency Response: Comment considered. No change was made. DESE requires all schools to apply for weighted credit and is unwilling to grant a blanket approval without review of the particular course to ensure that it meets the requirement that the course meet or exceed curriculum frameworks approved by the State Board or comparable AP course. This review ensures students are not receiving weighted credit without standardization of accountability.

Name: Aaron Randolph, Cabot School District

Comment: With regards to weighted credit, the draft rules currently read:

2.01 A local school district board of directors may adopt a policy to allow high school students in the public school district to take college courses for weighted credit equal to the numeric grade awarded in Advanced Placement courses, courses offered under the International Baccalaureate program, and approved weighted classes.

2.02 If a local school board adopts such a policy, the district must apply to the Division of Elementary and Secondary Education for approval of concurrent enrollment college courses to be designated as a weighted course, under Chapter 5 of these rules.

2.03 An application shall be reviewed for approval to assign a numeric grade value, which may include weighted credit, based on the following:

2.03.1 A letter from the superintendent of the public school district or principal of the public school describing how the course exceeds expectations for coursework required under the Standards for Accreditation of Arkansas Public Schools and School Districts;

2.03.2 The grade level or levels of public school students who will be enrolled in the course; and

2.03.3 Clear evidence that the concurrent credit course is substantially the same as an Advanced Placement Course.

I would request that the Office for the Gifted and Talented and Advanced Placement at the Division of Elementary and Secondary Education be formally included in this process. This inclusion should be reflected in the rules and regulations under this subsection. As it currently stands, there is no particular body at DESE who would review this application for weighted credit.

Agency Response: Comment considered. A change was made to add the definition of the DESE Weighted Credit and AP Training Approval Committee at Section 1-2.21. This committee is not reviewing AP courses, but rather comparing submissions for weighted credit to the content of comparable AP courses. The Office of Gifted and Talented is included in this process, but is not the only office included.

Comment: In addition to this concern, I'd also like to make a request of Chapter 6 of these rules. Specifically, Section 2 of the Advanced Placement and The International Baccalaureate Diploma Incentive Program.

Section 2.00 currently reads, in regards to Teacher Training:

2.01 A teacher of an AP course must meet Arkansas Teacher Licensure requirements and meet the requirements of either Section 2.01.1 or 2.01.2:

2.01.1 Attend at least one (1) of the following trainings no less than one (1) time every five (5) years:

2.01.1.1 College Board Advanced Placement Summer Institute;

2.01.1.2 College Board-endorsed training; or

2.01.1.3 Other similarly rigorous training approved by a committee comprised of Division program directors and advisors with AP and content expertise.

I would request that 2.01.1.3 be amended as follows:

2.01.1.3 Other similarly rigorous training approved by a committee comprised of The Office for the Gifted and Talented and Advanced Placement or their designees, Division program directors and advisors with AP and content expertise.

Agency Response: Comment considered. A definition was added at Section 1-2.21 for the Weighted Credit and AP Training Approval Committee.

Name: Dustin Seaton, Northwest Arkansas Education Service Cooperative

Comment: Ch. 1, 2.03 – Definitions – Advanced Placement “exam” (rather than “test”) is the appropriate terminology.

Agency Response: The change was made.

Comment: Ch. 1, 2.03 – Definitions – the official name of The College Board should always have the “The” capitalized.

Agency Response: The change was made.

Comment: Ch. 1, 2.03 – The more appropriate phrasing should read “...a College Board Advanced Placement exam that incorporates all topics specified by The College Board and the Educational Testing Service on (omit “its standard” and add “the”) syllabus for a given subject area and is approved “through” (rather than “by”) The College Board (add “audit process”) and Educational Testing Service.”

Agency Response: A change was made. See the language provided by The College Board in the comments at the end of this document. The section now reads as follows: “‘Advanced Placement Exam’ means a standardized exam designed to measure how well a student has mastered the content and skills of a specific AP course. An Advanced Placement Exam is administered by Educational Testing Service on behalf of The College Board.”

Comment: Ch. 1, 2.05 – capitalize “The” before College Board

Agency Response: The change was made.

Comment: Ch. 1, 2.06 – replace “test” with “exam” and capitalize “The” before College Board

Agency Response: The change was made.

Comment: Ch. 1, 2.10.2 – where is Chapter 5, Section 8.01. in the rules? I couldn’t find that section.

Agency Response: A change was made to indicate Chapter 5, Section 5-4.00.

Comment: Ch. 1, 2.15 – omit “level” after “high school” and before “course”

Agency Response: The change was made.

Comment: Ch. 1, 2.19 – how is the Division determining if weighted credit meets or exceeds the standards?

Agency Response: No change was made. DESE compares the district submission with state-approved frameworks and College Board course and exam descriptions. If the submission meets or exceeds comparable standards, approval for weighted credit may be awarded.

Comment: Ch. 3, 1.04 – “The CDM process is designed to allow students to demonstrate competency of a required graduation credit...”. How many and will it contain certified teachers in the areas of the credit sought?

Agency Response: No change was made. No limit is set by law or rule on the number of credits. The district will have a committee that evaluates student demonstration of mastery through two phases: a written exam and a demonstration of learning. Whether a certified teacher is involved will depend on whether the student is receiving classroom instruction as part of the process and other factors, including but not limited to whether the district has received a waiver of teacher licensure.

Comment: Ch. 4, 1.03 – “The Division in collaboration with the Division of Career and Technical Education may approve a career and technical course...”. Who determines and are they certified in the field of credit sought?

Agency Response: A definition was added at 1-2.21 for the Weighted Credit and AP Training Approval Committee. This committee will review and provide approval in collaboration with the Division of Career and Technical Education.

Comment: Ch. 4, 2.01 – Are local school district board of directors getting any training on weighted credit policies or how will this be equitably distributed to ensure continuity and fairness? Oftentimes school board directors are not curriculum specialists.

Agency Response: No change was made. The requirements for training for school board members are set by law and are contained in the DESE Rules Governing Required Training for School Board Members. Changes to the required training would require a legislative change. DESE provides support to districts in this area and districts are encouraged to contact DESE for resources. School districts are encouraged to provide their boards with beneficial training and information.

Comment: Ch. 4, 2.03 – Who is reviewing the application for approval?

Agency Response: Please see the added definition at Section 1-2.21 for the Weighed Credit and AP Training Approval Committee.

Comment: Ch. 4, 2.03.3 – “Clear evidence that the concurrent credit course is substantially the same as an Advanced Placement Course.” What evidence will be used? A national exam? Evidence of college faculty or some standard beyond one person? This language is vague and leaves open too much ambiguity.

Agency Response: DESE’s Weighted Credit and AP Training Approval Committee reviews and compares the district submission to comparable AP courses. Evidence submitted by a district includes a course outline and sample assessment. Visit the DESE course approvals page for more information at: <http://dese.ade.arkansas.gov/divisions/learning-services/curriculum-support/course-approvals>

Comment: Ch. 5, 1.01 – add “college” between “private” and “institution” otherwise any “private institution” could be considered here.

Agency Response: A change was made to clarify a private institution of higher education.

Comment: Ch. 5, 1.01.1 – same as above

Agency Response: See above response.

Comment: Ch. 5, 1.01.2 – Is this section requiring all three or is it and/or or either/or? It is confusing.

Agency Response: A change was made to indicate the course corresponding to the subscore. A subscore of 17 is required in the subject in which the student wishes to enroll. For example, a student with at least a subscore of 17 in math may enroll in a math course.

Comment: Ch. 5, 1.01.2 – add “college” between “private” and “institution” otherwise any “private institution” could be considered here.

Agency Response: A change as made to clarify a private institution of higher education.

Comment: Ch. 5, 1.02 – same as above

Agency Response: See above response.

Comment: Ch. 5, 1.02.1-3 – Who is this information submitted to and who will maintain it?

Agency Response: See above response.

Comment: Ch. 5, 1.04 – add “college” between “private” and “institution” otherwise any “private institution” could be considered here

Agency Response: See above response.

Comment: Ch. 5, 1.05 – same as above

Agency Response: See above response.

Comment: Ch. 5, 1.07 – same as above

Agency Response: See above response.

Comment: Ch. 5, 1.08 – same as above

Agency Response: See above response.

Comment: Ch. 5, 1.02.1.3—Who is this information submitted to and who will maintain it?

Agency Response: No change was made. The Arkansas Division of Higher Education (ADHE) requires these agreements to be submitted to ADHE.

Comment: Ch. 5, 3.05 – insert “in which the student resides” after “public school district”

Agency Response: Comment considered. No change was made.

Comment: Ch. 5, 4.02.2 – what is “substantially” used? Why not the same? How will this be determined?

Agency Response: No change was made. Pursuant to Ark. Code Ann. §6-18-223, this is determined by each institution in consultation with the Arkansas Higher Education Coordinating Board.

Comment: Ch. 6, 2.01.1.3 – In what manner and depth is the content expertise determined?

Agency Response: No change was made. Ark. Code Ann. §6-15-902 requires one of three options. The section indicated requires only “other similarly rigorous training approved by the Department.” The Division has provided more specific information in these rules that this “other training” will be approved by the Weighted Credit and AP Training Approval Committee. See the new definition added at Section 1-2.21.

Comment: Ch. 6, 2.01.2 – ATPs should really only be allowable for 2 years rather than 3 to ensure students are best served by qualified teacher

Agency Response: Comment considered. No change was made. Three years is required by Ark. Code Ann. §6-15-902(c)(2)(C)(i)(b).

Comment: Ch. 6, 2.03.2 – same as above

Agency Response: Please see previous response.

Comment: Ch. 6, 3.02 – omit last phrase “...if training is required as a part of the teacher’s job requirements.”

Agency Response: Comment considered. No change was made. It is at each district’s discretion to approve funding training not required as part of the teacher’s job requirements. Districts may, but are not required to, fund teacher training above and beyond required professional development and training.

Comment: Ch. 6, 4.01 – change “may” to “will” twice

Agency Response: Comment considered. No change was made. This language was taken from Ark. Code Ann. §6-16-804, which says “may.”

Comment: Ch. 6, 4.02 – change “Division of Elementary and Secondary Education” to “Office of Gifted and Talented Education at the Division of Elementary and Secondary Education”

Agency Response: Comment considered. No change was made. DESE administers the grants. The Office of Gifted and Talented is part of DESE.

Comment: Ch. 6, 5.01 – change “may” to “will”

Agency Response: Comment considered. No change was made. This language was taken from Ark. Code Ann. §6-16-804, which says “may.”

Comment: Ch. 6, 6.01 – change “may” to “will”

Agency Response: See previous response.

Comment: Ch. 6, 6.02 – replace “test” with “exam” and replace “in” with “for”

Agency Response: The change was made.

Comment: Ch. 6, 6.03 – replace “tests” with “exams”

Agency Response: The change was made.

Comment: Ch. 7, 7.01 – Are districts are required to offer a minimum of one course per year for all grade levels? This is very vague language.

Agency Response: Comment considered. No change was made. This language is the language of the statute, which may be found at Ark. Code Ann. §6-16-1204. The requirement clearly states, “for a total of four (4) courses.”

The chapter intended by the commenter is chapter 6. There is no chapter 7.

Comment: Ch. 7, 7.02 – spell out the acronym “AP” to “Advanced Placement” as well as “CTE” to “Career Technical Education”

Agency Response: Comment considered. No change was made. The shortened “AP” is included in the definition for Advanced Placement at 1-2.02. The shortened “CTE” is spelled out and the abbreviation included in the definitions at 1-2.19.

The chapter intended by the commenter is chapter 6. There is no chapter 7.

Comment: Additional questions: How will this effect virtual learning guidelines since not all districts use the Arkansas Virtual Learning for AP courses? This doesn’t show-up in this document. NW Arkansas has lots of questions about the instructors and their AP certification, course audits approved, etc. especially if they are using instructors from out-of-state

Agency Response: No change was made. It is the responsibility of the district to verify that all of these requirements are met for providers chosen by the district. These courses must meet the same requirements as any other AP course.

Name: Pete Joenks, Prairie Grove School District

Comment: 1. In my experience, a student has to have been enrolled in APSCN for a course (with proper coding) in order for that course to show on the student’s transcript. In Chapter 4 Proposed Rule 1.01 (page 359-9) states that a student can earn course credit for a high school course...without being enrolled or the minimum 120 clock hours. How would counselors get the course credit on a transcript for viewing by post-secondary schools? I assume proper course coding would need to be added and will that coding be specific enough to show reviewers of transcripts from colleges what course the student showed CDM in?

Agency Response: No change was made. Students are often coded in this manner and it is entered in APSCN using the course code. It is coded similarly for community service learning and transfer students. Please contact our APCS office if you require technical assistance.

Comment: 2. Will CDMs pass review by NCAA Clearinghouse?

Agency Response: No change made. This is a decision made by NCAA Clearinghouse. It is the responsibility of the district to seek approval.

Comment: 3. Is the language in Chapter 5 Proposed Rule 1.01 (page 359-11) stating that all students, that meet the requirement listed in Proposed Rule 1.01.1, be allowed to take courses for concurrent credit? This is confusing to me because in Proposed Rule 1.01.1 states that districts are "encouraged to consider the ACT benchmark readiness scores in addition to the minimum requirement for proper identification and placement of students in college coursework." In my opinion, these two statements cause confusion. In other words, do school districts get to set their own guidelines on enrollment into concurrent classes that include a 19 on the ACT, or equivalent

measure, AND other criteria? Or do school districts have to enroll students into concurrent classes based upon the 19 on the ACT or equivalent measure only.

Agency Response: No change was made. Please see the language in Section 5-1.01 which states, “in accordance with the rules and regulations adopted by the college or university.” The student shall be eligible, but the student must also meet the admissions guidelines of the institution of higher education. Schools are encouraged to consider multiple measures beyond meeting a minimum score for placement in a concurrent credit course. It is at the district’s discretion to set criteria for enrollment for concurrent credit courses with the institution of higher education.

Comment: 4. In Chapter 5 Proposed Rule 1.01.1 (page 359-11) states ...college course placement score greater than a score of 19 on the ACT or an equivalent measure. It would help if this rule has some clarification on what would be considered "an equivalent measure". Does this mean just PSAT or perhaps ACT Aspire?

Agency Response: No change was made. Districts should work with their concurrent institution of higher education to determine entry requirements and measurement tools.

Comment: 5. In Chapter 5 Proposed Rule 1.04 (page 359-12), I am confused about the last sentence. *A remedial/developmental education course cannot be used to meet the core subject area/unit requirements in English and mathematics.* Does this imply that students CAN take a remedial/developmental education course in science or social studies to meet the core subject area/unit requirements? Furthermore, I think it might be helpful to have a definition of what constitutes a remedial/developmental education course in the "definitions" portion of these proposed rules.

Agency Response: A change was made to remove “in English and mathematics.”

Name: Rebecca Miller-Rice, Bureau of Legislative Research

Comment: (1) Section 1-2.07 – I see a reference to “regulations.” I just wanted to make mention of Act 315 of 2019, § 3204(b)(3), which concerns the uniform use of the term “rule” and requires governmental entities to ensure the use of the term “rule” upon promulgation of any rule after the effective date of the Act, which was July 24, 2019. Is there a reason that the term has been retained in the rule for the time being?

Agency Response: The change was made.

Comment: (2) Section 2-2.04 – It appears that Ark. Code Ann. § 6-15-902(a) requires the use of the A-F grading scale for all public secondary schools. On what authority does the Division rely for permitting the use of standards-based grading in secondary schools?

Agency Response: Ark. Code Ann. §6-15-216 provides the authority for demonstrated subject matter competency, which is covered in Chapter 3 of these Rules.

Comment: (3) Chapter 3 – Is this chapter, concerning credit by demonstrated mastery, the result of Act 872 of 2017?

Agency Response: Yes. Act 872 of 2017 amended Ark. Code Ann. §6-15-216, which provides the authority for credit by demonstrated mastery.

Comment: (4) Section 4-1.02 – This section appears premised on Ark. Code Ann. § 6-15-902(c)(3)(B), as amended by Act 632 of 2019, § 1. Is there a reason the Division did not include the alternate basis for approving a course for weighted credit that “[e]xceeds the curriculum standards for a nonweighted credit class,” as provided in the statute?

Agency Response: The change was made.

Comment: (5) Section 4-2.02 – Should the term “must” be “shall” per the change in Ark. Code Ann. § 6-15-902(c)(5)(B)(i), as amended by Act 632 of 2019, § 1?

Agency Response: The change was made.

Comment: (6) Section 4-2.03.3 – While included in the current rules for Uniform Grading, it does not appear that this provision is included in Ark. Code Ann. § 6-15-902(c)(5)(B)(ii). What is the basis for its inclusion in the rule?

Agency Response: The basis for inclusion is found at Ark. Code Ann. §6-15-902(c)(3), which allows the Division to approve a course for weighted credit if it meets or exceeds the curriculum standards for a nonweighted credit class or meets or exceeds standards of a comparable Advanced Placement class.

Comment: (7) Section 5-1.01 – Term “regulations.”

Agency Response: The change was made.

Comment: (8) Section 5-1.02 – Term “regulations.”

Agency Response: The change was made.

Comment: (9) Section 5-2.01.3 – Should this be a separate section due to it not being required of the student as provided in Section 5-2.01?

Agency Response: The change was made. This section has been removed and is found at 5-4.06. Please see the next comment below.

Comment: (10) Sections 5-4.05 through 5-4.06 – Are these sections duplicative of Sections 5-2.01 through 5-2.01.3?

Agency Response: Yes. The duplicative language has been removed from 5-4.06 and is now found at 5-2.01. Section 5-4.06 will remain and Section 5-2.01.3 has been removed as duplicative of Section 5-4.06.

Comment: (11) Section 5-4.08 – Is this section somewhat duplicative of Section 5-2.02?

Agency Response: Yes. Section 5-4.08 has been removed as duplicative of 5-2.02.

Comment: (12) Section 6-2.03.2 – In the current AP/IB rules, the similar provision at Section 4.04 requires that a teacher of pre-AP who has not obtained the College-Board endorsed training will complete and “Additional Training Plan (ATP) for **Pre-Advanced Placement.**” The proposed rule in Section 6-2.03.2 provides for an ATP for “Advanced Placement.” Which is the correct ATP for a pre-AP teacher?

Agency Response: The change has been made to indicate Pre-Advanced Placement in section 6-2.03.2. The ATP is a single form that requires teachers to indicate which courses are selected. The selectin may include AP or Pre-AP or both.

Comment: (13) Section 6-2.05 – Should the initial references to AP teacher training be to “2.01.1 and 2.01.2” or simply “2.01” rather than “2.01 and 2.02,” as Section 6-2.02 pertains to how students in classes of teachers on an ATP earn weighted credit?

Agency Response: A change was made to remove 6-2.02 as redundant to 6-2.05 and the reference in 6-2.05 is now only to 6-2.01.

Comment: (14) Section 6-3.01 – Along the same lines, is Section 2.02 relevant to the training programs in which the noted teachers must participate?

Agency Response: See previous response.

Comment: (15) Section 6-3.02 – Is the grant referenced in this section administered by the host of the Advanced Placement Summer Institute or the Division, as the section also references it being contingent on appropriated funding?

Agency Response: The grant is given to the Advanced Placement Summer Institute host universities by DESE, along with guidelines to prioritize which teachers receive funding.

Comment: (16) Section 6-5.01 – Since the section addresses coverage of fees for AP exams and IB exams, should the course referenced in the last line also reference an IB course?

Agency Response: The change was made.

Comment: (17) What changes are being made to these rules in relation to Act 456 of 2019, which created the Arkansas Concurrent Challenge Scholarship?

Agency Response: Rule-making authority for the Arkansas Concurrent Challenge Scholarship was reserved for the Division of Higher Education (see Ark. Code Ann. §6-85-406), but these rules do require a student success plan to ensure students in concurrent courses are eligible for the scholarship. See Sections 5-2.02 and 5-4.07 of these Rules.

Name: Davis Hendrix, Arkansans for Gifted and Talented Education

The following comments have been summarized. Please find the full comments attached to this document.

Comment: Our concerns about these important guidelines remain focused in the language used to communicate the process by which weighted credit will be awarded and alternatives to College Board Advanced Placement Summer Institutes as professional development requirements for Advanced Placement teachers in Arkansas.

Agency Response: Comment considered. See the added definition at Section 1-2.21. Weighted credit will be awarded by the DESE Weighted Credit and AP Training Approval Committee. Ark. Code Ann. §6-15-902 requires one of three options. The section indicated requires only “other similarly rigorous training approved by the Department.” The Division has provided more specific information in these rules that this “other training” will be approved by the Weighted Credit and AP Training Approval Committee.

Comment: During the legislative session in which Act 632 was passed into law, we requested that the original law be amended to include the Office for the GT and AP as a member of both bodies that would be making decisions regarding the awarding of weighted credit as well as which trainings would qualify as professional development for Advanced Placement teachers in Arkansas.

Agency Response: See the previous response.

Comment: Since there is no description of how weighted credit will be awarded and who will be involved in that process, we respectfully submit that there should be a description similar to the one provided in the new AP and IB rules regarding who will be involved in making that decision.

Agency Response: See the previous response.

Comment: We once again request that the phrase “**in consultation with the Office for the Gifted and Talented and Advanced Placement**” be added to whatever description of the sub-committee within the DESE is added to clarify who will actually collaborate to make the decision. Without that specificity, a very important decision to award weighted credit to additional coursework can be made without any consultation with the Office for the Gifted and Talented and Advanced Placement in the future.

Agency Response: A change was made to add the Weighted Credit and AP Training Committee to the definitions at Section 1-2.21 and at 4-2.02 and 6-2.00.

Comment: In addition to this concern, AGATE also has expressed concerns within Section 2 of the Advanced Placement and The International Baccalaureate Diploma Incentive Program.

In section 2.00, Teacher Training:

2.01 A teacher of an AP course must meet Arkansas Teacher Licensure requirements and meet the requirements of either Section 2.01.1 or 2.01.2:

2.01.1 Attend at least one (1) of the following trainings no less than one (1) time every five (5) years:

2.01.1.1 College Board Advanced Placement Summer Institute;

2.01.1.2 College Board-endorsed training; or

2.01.1.3 Other similarly rigorous training approved by a committee comprised of Division program directors and advisors with AP and content expertise.

AGATE continues to maintain that the flexibility of the language in this section requires that the decisions about what trainings will substitute for the College Board Advanced Placement Summer Institute should include the Office for the GT and AP. Once again, our rationale is the same as when we requested that the phrase be added to the law. AGATE accepted the word of the DESE that this phrase would be added in the language of the rules and regulations, and unfortunately, this mark-up still does not include that phrase. We respectfully request that the final version of the rules and regulations include the following amendment:

2.01.1.3 Other similarly rigorous training approved by a committee comprised of The Office for the Gifted and Talented and Advanced Placement or their designees, Division program directors and advisors with AP and content expertise.

If this phrase is added, the phrase “advisors with AP and content expertise” can be dropped. This would allow the Office of GT and AP, who are being held responsible for monitoring and supporting AP programs to have explicit, direct involvement in decisions that will ultimately affect their success.

Agency Response: Please see the previous responses.

Name: Lana Sveda, The College Board

The following comments have been summarized. Please find the full comments attached to this document.

Comment: Chapter 1, Section 2.03: Remove the reference to ETS and provide clarity that an AP course is a college-level course taken in high school. College Board proposes the following language: “‘Advanced Placement Course’ means a college-level course taken in high school that prepares students for the associated Advanced Placement Exam and has been approved by The College Board as part of the course audit process.”

Agency Response: The change was made.

Comment: Chapter 1, Section 2.05: Remove ETS from the definition for “College Board.” The new definition would read as: “‘College Board’ means The College Board, a mission-driven not-for-profit organization.”

Agency Response: The change was made.

Comment: Chapter 1, Section 2.06: Update the “College Board Advanced Placement Test” definition. The new definition would read as: “‘Advanced Placement Exam’ means a standardized exam designed to measure how well a student has mastered the content and skills of a specific AP course. An Advanced Placement test is administered by Educational Testing Service on behalf of the College Board.”

Agency Response: The change was made. The word “test” in the comment was changed to “exam” for consistency.

Comment: Chapter 4, Section 1.02: Provide additional information on what constitutes “must meet or exceed the standards of a comparable Advanced Placement class” found in section 1.02 of General Provisions.

Agency Response: Comment considered. No change was made. The Weighted Credit and AP Training Approval Committee compares submissions for weighted credit to the content of comparable AP courses.

Comment: Chapter 4, Section 2.03: Add the language below for clarity, which was taken from the current Uniform Grading Scales rule language that is scheduled to be repealed upon passage of these proposed rules.

“Statement of learner outcomes, objectives and/or learning expectations based on revised curriculum frameworks where appropriate.

Description of instructional strategies demonstrating problem solving, critical thinking, and higher order learning processes. This description should include at least one exemplary lesson.”

Agency Response: A change was made to add these two sections (previously promulgated as part of the ADE Rules Governing Uniform Grading Scales) at Sections 4-2.03.4 and 4-2.03.5 of the Rules.

Comment: Chapter 5: Add “comparable score on the SAT” alongside Act to the eligibility language for concurrent credit found in the proposed rules.

Agency Response: The change was made to Sections 5-1.01.1 and 5-1.01.2.

Comment: Chapter 6, Section 7.00: Maintain a focus on Pre-AP courses, in particular the College Board’s Pre-AP course offerings, and the preparation these courses offer for more rigorous courses like AP by retaining a segment of the Pre-AP language that is scheduled to be repealed upon passage of these proposed rules:

“In order to prepare students for the rigor inherent in AP courses, districts and schools are encouraged to offer Pre-AP courses that align with the four (4) core courses of English, math, science, and social studies enrollment opportunity for students found in section 1.02 of this chapter.”

Agency Response: Comment considered. No change was made. The Division’s rules contain regulatory directives and guidance. Encouragements are not regulatory in nature and are excluded from the Rules to prevent the appearance of regulatory force.

Comment: Chapter 6, Section 7.01: Add “AP” to section 7.01 so that it matches the clear and specific language found in section 1.02 of the same chapter. The updated language would read as:

“Districts are required to offer a minimum of one AP course per year in each of the four (4) core courses of English, math, science, and social studies.”

Agency Response: The change was made.



AGATE once again appreciates the opportunity to provide feedback regarding the mark-up of the Rules and Regulations for Grading and Course Credit, from Act 632.

Our concerns about these important guidelines remain focused in the language used to communicate the process by which weighted credit will be awarded and alternatives to College Board Advanced Placement Summer Institutes as professional development requirements for Advanced Placement teachers in Arkansas. Throughout the eighteen month process of monitoring the original rules and regs that were placed for public comment over a year ago and the subsequent submission of SB 478, which became Act 632, our request has not changed. During the legislative session in which Act 632 was passed into law, we requested that the original law be amended to include the Office for the GT and AP as a member of both bodies that would be making decisions regarding the awarding of weighted credit as well as which trainings would qualify as professional development for Advanced Placement teachers in Arkansas. We were told that this addition would be added during rules and regulations rather than including those changes in the law itself. We agreed to support the legislation, trusting that when rules and regulations were completed, our request would be honored. Unfortunately, even though we have been very clear in our expectations of what language could be used and where it could be inserted, the latest mark-up of the rules and regs for grading and course credit still does not include the language we were assured would be there. In fact, as it applies to the weighted credit rules and regulations, there is no description of what group within the DESE will review a district's application for weighted credit and how that decision will be made.

2.01 A local school district board of directors may adopt a policy to allow high school students in the public school district to take college courses for weighted credit equal to the numeric grade awarded in Advanced Placement courses, courses offered under the International Baccalaureate program, and approved weighted classes.

2.02 If a local school board adopts such a policy, the district must apply to the Division of Elementary and Secondary Education for approval of concurrent enrollment college courses to be designated as a weighted course, under Chapter 5 of these rules.

2.03 An application shall be reviewed for approval to assign a numeric grade value, which may include weighted credit, based on the following:

2.03.1 A letter from the superintendent of the public school district or principal of the public school describing how the course exceeds expectations for coursework required under the Standards for Accreditation of Arkansas Public Schools and School Districts;

2.03.2 The grade level or levels of public school students who will be enrolled in the course; and

2.03.3 Clear evidence that the concurrent credit course is substantially the same as an Advanced Placement Course.

Since there is no description of how weighted credit will be awarded and who will be involved in that process, we respectfully submit that there should be a description similar to the one provided in the new AP and IB rules regarding who will be involved in making that decision.

We once again request that the phrase **“in consultation with the Office for the Gifted and Talented and Advanced Placement”** be added to whatever description of the sub-committee within the DESE is added to clarify who will actually collaborate to make the decision. Without that specificity, a very important decision to award weighted credit to additional coursework can be made without any consultation with the Office for the Gifted and Talented and Advanced Placement in the future. As we have stated previously in our testimony before the Senate and House Education Committees, we trust the current administration at the DESE to include the Office for the GT and AP in this process, but if the process is not clearly specified in the rules and regulations, as we were promised, there is no guarantee that future administrators at the DESE will honor this administration’s promise. **This is why AGATE requested that the language be included in the law and was told that it would be added in rules and regulations.** So far, it has not, and the entire process of deciding how weighted credit will be awarded is ambiguous regarding who will make that decision and that the Office for the GT and AP will be consulted.

In addition to this concern, AGATE also has expressed concerns within Section 2 of the Advanced Placement and The International Baccalaureate Diploma Incentive Program.

In section 2.00, Teacher Training:

2.01 A teacher of an AP course must meet Arkansas Teacher Licensure requirements and meet the requirements of either Section 2.01.1 or 2.01.2:

2.01.1 Attend at least one (1) of the following trainings no less than one (1) time every five (5) years:

2.01.1.1 College Board Advanced Placement Summer Institute;

2.01.1.2 College Board-endorsed training; or

2.01.1.3 Other similarly rigorous training approved by a committee comprised of Division program directors and advisors with AP and content expertise.

AGATE continues to maintain that the flexibility of the language in this section requires that the decisions about what trainings will substitute for the College Board Advanced Placement Summer Institute should include the Office for the GT and AP. Once again, our rationale is the same as when we requested that the phrase be added to the law. AGATE accepted the word of the DESE that this phrase would be added in the language of the rules and regulations, and unfortunately, this mark-up still does not include that phrase. We respectfully request that the final version of the rules and regulations include the following amendment:

2.01.1.3 Other similarly rigorous training approved by a committee comprised of **The Office for the Gifted and Talented and Advanced Placement or their designees,** Division program directors and advisors with AP and content expertise.

If this phrase is added, the phrase “advisors with AP and content expertise” can be dropped. This would allow the Office of GT and AP, who are being held responsible for monitoring and

supporting AP programs to have explicit, direct involvement in decisions that will ultimately affect their success.

When we requested that the law be amended, we were told that it was not wise to put the name of the Office into the law because the name of the office could get changed with reorganization of the ADE. That has not been the case, as the law that created the original **“Office for the Education of Gifted and Talented”** has evolved into the current Office for the Gifted and Talented and Advanced Placement. Advanced Placement was added when the responsibility for administration of College Board Advanced Placement courses was added to the Office for the Gifted and Talented. We do not think that the specificity will do anything except insure that when decisions are made about what training can substitute for the College Board Advanced Placement Summer Institute, the Office for the Gifted and Talented and Advanced Placement, which is responsible for maintaining the integrity of that training, is consulted. Once again, we were assured by the current administration of SEDE that this language would be added.

In closing, AGATE’s concerns about this law and the changes that will affect decisions regarding professional development for Advanced Placement teachers in Arkansas, as well as those resulting in the awarding of weighted credit to coursework other than College Board Advanced Placement courses or International Baccalaureate courses, are founded in a concern for maintaining high standards in accountability for advanced coursework. We believe that through consultation with the Office for the Gifted and Talented and Advanced Placement, future administrators and division staff at DESE who are charged with determining both weighted credit and AP training options, will make more informed decisions resulting in defensible outcomes.

We appreciate the opportunity to provide comments and suggestions in this very important process and hope that you will feel free to contact us if we can be of service as you fine tune these rules and regulations.

Sincerely,

Christine Deitz, President, AGATE
Sandra Johnson, Chair, Legislative Committee, AGATE and AAGEA
Davis Hendricks, AGATE Legislative Advocate



Chapter 1: Regulatory Authority and Definitions

The College Board is a mission-driven not-for-profit organization that connects student to college success and opportunity. The College Board works with Educational Testing Services (ETS) to ensure programs like AP and the SAT are administered to students. The College Board recommends that DESE consider the following changes for *2.00 Definitions* found in *Chapter 1: Regulatory Authority and Definitions of Rules Governing Grading and Course Credit* to provide context for College Board and ETS roles in AP.

- Section 2.03: Remove the reference to ETS and provide clarity that an AP course is a college-level course taken in high school. College Board proposes the following language:

“Advanced Placement Course” means a college-level course taken in high school that prepares students for the associated Advanced Placement Exam and has been approved by the College Board as part of the course audit process.

- Section 2.05: Remove ETS from the definition for “College Board.” The new definition would read as:

“College Board” means the College Board, a mission-driven not-for-profit organization.

- Section 2.06: Update the “College Board Advanced Placement Test” definition. The new definition would read as:

“Advanced Placement Exam” means a standardized exam designed to measure how well a student has mastered the content and skills of a specific AP course. An Advanced Placement test is administered by Educational Testing Service on behalf of the College Board.

The College Board also offers the following information on Pre-AP courses developed by the organization. We look forward to working with DESE as Pre-AP is rolled out over the coming years across the country and in Arkansas.

- The College Board’s Pre-AP Program is designed to give all students the opportunity to learn the foundational knowledge and skills they need to be successful in AP and other college-level coursework.
- The Pre-AP program will be available to all schools in the 2020-2021 school year.

Chapter 4: Courses for Weighted Credit

The College Board recommends the following changes for *2.00 School District Weighted Credit Policies for College Courses* found in *Chapter 4: Course for Weighted Credit of Rules Governing Grading and Course Credit*.

- Section 1:02: Provide additional information on what constitutes “must meet or exceed the standards of a comparable Advanced Placement class” found in section 1.02 of *General Provisions*.

Section 2:03: Add the language below for clarity, which was taken from the current *Uniform Grading Scales* rule language that is scheduled to be repealed upon passage of these proposed rules.

Statement of learner outcomes, objectives, and/or learning expectations based on revised curriculum frameworks where appropriate.

Description of instructional strategies demonstrating problem solving, critical thinking, and higher order learning processes. This description should include at least one exemplary lesson.

Chapter 5: Concurrent Credit

The College Board **strongly recommends** the following change for *Chapter 5: Concurrent Credit of Rules Governing Grading and Course Credit*.

- Add “comparable score on the SAT” alongside ACT to the eligibility language for concurrent credit found in the proposed rules.

The College Board offers the following feedback on the enrollment guidelines for students enrolling in concurrent credit while in high school for remedial/developmental education courses to strengthen proposed rules for this section.

- The College Board encourages DESE to ensure that students, institutions, taxpayers, and the workforce are seeing positive outcomes for students who choose to enroll in remedial/developmental education courses at a publicly supported community college, technical college, or four-year college or university, or private institution.

Chapter 6: Advanced Placement and the International Baccalaureate Diploma Incentive Program

The College Board **strongly recommends** the following changes for *Chapter 6: Advanced Placement and International Baccalaureate Diploma Incentive Program* section 7.00 *District Requirements*.

- Section 7.00: Maintain a focus on Pre-AP courses, in particular the College Board’s Pre-AP course offerings, and the preparation these courses offer for more rigorous courses like AP by retaining a segment of the Pre-AP language that is scheduled to be repealed upon passage of these proposed rules:

In order to prepare students for the rigor inherent in AP courses, districts and schools are encouraged to offer Pre-AP courses that align with the four (4) core courses of English, math, science, and social studies enrollment opportunity for students found in section 1.02 of this chapter.

- Section 7:01: Add “AP” to section 7.01 so that it matches the clear and specific language found in section 1.02 of the same chapter. The updated language would read as:

Districts are required to offer a minimum of one AP course per year in each of the four (4) core courses of English, math, science, and social studies.