

ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
INSTRUCTIONAL MATERIALS

PUBLIC COMMENTS AND AGENCY RESPONSE
(FIRST PUBLIC COMMENT PERIOD)

Name: Lucas Harder, Arkansas School Boards Association

Comment: 3.01: Act 910 changed this to “Commissioner of Elementary and Secondary Education”.

Agency Response: The change was made.

Comment: 7.03: I would recommend changing “published regulation” to “published rule”.

Agency Response: The change was made.

Comment: 7.03.1: “Commissioner of Education” can be shortened to “Commissioner” in accordance with 3.01.

Agency Response: The change was made.

Comment: 7.03.2: “Commissioner of Education” can be shortened to “Commissioner” in accordance with 3.01.

Agency Response: The change was made.

Comment: 7.04.3: All other rules now have the chair person of the board doing the swearing rather than the court reporter.

Agency Response: The change was made.

Comment: 7.04.7: For ease of reading, I would recommend changing 7.04.7.1 and 7.04.7.2 to read as follows:

“7.04.7.1: Adopt the Commissioner’s specific allegations and recommended assessment of damages;

7.04.7.2: Adopt the Commissioner’s specific allegations but modify the Commissioner’s recommended assessment of damages;”

Agency Response: Comment considered. No change was made. The hearing procedures are aligned to the language of the Rule as written.

Comment: 8.01: “Commissioner of Education” can be shortened to “Commissioner” under 3.01.

Agency Response: The change was made.

Comment: 8.02.2: “Ark. Code Ann.” Is repeated twice.

Agency Response: The change was made.

Comment: 8.03: “Commissioner of Education” can be shortened to “Commissioner” under 3.01.

Agency Response: The change was made.

Name: Rebecca Miller-Rice, Bureau of Legislative Research

Comment: I see in the summary the reasoning for striking Section 6.01. What was the basis for striking Section 4.03?

Agency Response: There is no section 4.03 in the most recent version of the rules, which was promulgated in 2018. Section 4.03 was struck in 2018 at the request of the State Board of Education in light of the fact that foundation funding is set by the General Assembly rather than the State Board of Education.