September 15, 2017

Ms. Donna Davis
Rules Administrator
Bureau of Legislative Research
One Capitol Mall, Fifth Floor
Little Rock, AR 72201

Re: Proposed Rules (for Subcommittee Review): ADE Rules Governing Professional Learning Communities

Dear Ms. Davis:

Attached are two copies of the following:

- The above-noted proposed ADE rules;
- Summary of proposed rules;
- Financial Impact Statement; and
- Summary of public comments and response of the ADE.

The Department respectfully requests that these proposed rules be placed on the ALC Administrative Rules & Regulations Subcommittee agenda.

The Arkansas State Board of Education approved these rules for public comment release on June 8, 2017. Because a substantive change was made after the first public comment release, on July 21, 2017, the ADE obtained Governor’s Office approval on of the change, and the proposed rules were released for a second public comment period. No public comments were received during either public comment period. On September 14, 2017, the Arkansas State Board of Education approved the final version of these rules.

If you have any questions or require further information, please do not hesitate to call me at (501) 682-4234.

Respectfully submitted,

Lori Freno
General Counsel
Arkansas Department of Education
ARKANSAS DEPARTMENT OF EDUCATION RULES
GOVERNING PROFESSIONAL LEARNING COMMUNITIES

Effective

1.00 AUTHORITY

1.01 These rules shall be known as the Arkansas Department of Education (ADE) Rules Governing Professional Learning Communities.

1.02 The State Board of Education enacted these rules pursuant to its authority as set forth in Act 427 of 2017.

2.00 DEFINITION

2.01 “Professional Learning Community” means an ongoing process in which educators work collaboratively in recurring cycles of collective inquiry and action research to achieve better results for the students they serve. Professional learning communities operate under the assumption that the key to improved learning for students is continuous job-embedded learning for educators.

3.00 FUNDING AND PURPOSE

3.01 Additional funding provided for professional development above the amount set forth in Ark. Code Ann. § 6-20-2305 (b)(5)(A) shall be used by the ADE for the development and administration of professional learning communities for the benefit of public school districts.

3.02 The ADE may partner with or choose a person, firm, corporation, or education service cooperative to provide the knowledge, skills, experience, and expertise for the development of a research-based process for the implementation of professional learning communities.

4.00 ELIGIBILITY AND SELECTION PROCESS

4.01 Any public school within Arkansas is eligible to apply for this funding.

4.02 Schools will be selected through an application process established by the ADE. Criteria for selecting schools for this project will include readiness, appropriateness, commitment, and other relevant factors.

4.03 Schools selected for the Project will receive intensive onsite professional development services to support the full implementation of Professional Learning Communities.

4.04 Continued participation in the project is contingent upon meeting the expectations established in the application process.
FINANCIAL IMPACT STATEMENT
PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT  Arkansas Department of Education
DIVISION  Central Administration
PERSON COMPLETING THIS STATEMENT  Daryl A. Taylor
TELEPHONE  501.683.0960  FAX  501.682.4249  EMAIL:  daryl.taylor@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE  ADE Rules Governing Professional Learning Communities

1. Does this proposed, amended, or repealed rule have a financial impact?  Yes □  No X

2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?  Yes X  No □

3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered?  Yes X  No □

If an agency is proposing a more costly rule, please state the following:

(a) How the additional benefits of the more costly rule justify its additional cost;
N/A

(b) The reason for adoption of the more costly rule;
N/A

(c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;
N/A

(d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.
N/A

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following: N/A

(a) What is the cost to implement the federal rule or regulation?

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<th>Current Fiscal Year</th>
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<td>General Revenue</td>
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<td>Special Revenue</td>
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Revised January 2017
(b) What is the additional cost of the state rule?

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<td><strong>Total</strong></td>
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5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

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6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

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7. With respect to the agency’s answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars ($100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

- Yes [ ]
- No [x]

If YES, the agency is required by Ark. Code Ann. § 25-15-2014(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following: N/A

(1) a statement of the rule’s basis and purpose;

(2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;

(3) a description of the factual evidence that:
   (a) justifies the agency’s need for the proposed rule; and
   (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule’s costs;

(4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;

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(5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;

(6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and

(7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:

(a) the rule is achieving the statutory objectives;
(b) the benefits of the rule continue to justify its costs; and
(c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.
SUMMARY OF RULES: ARKANSAS DEPARTMENT OF EDUCATION RULES
GOVERNING PROFESSIONAL LEARNING COMMUNITIES

The proposed rules govern the development and administration of Professional Learning Communities within selected pilot program schools. The schools will serve as a working laboratory for the professional learning community process, with the goal that research and best practices then will be shared with other schools throughout the state.