

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

On June 12, 2014, during a regular meeting of the Arkansas State Board of Education (State Board), a hearing was conducted pursuant to the legal authority and jurisdiction vested in the State Board by Ark. Code Ann. § 6-15-201 et seq. and the Arkansas Department of Education Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts (Standards for Accreditation). Before the State Board was the appeal of the Malvern School District challenging the Arkansas Department of Education's determination that the Malvern High School failed to meet the Standards for Accreditation.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. On May 1, 2014, pursuant to Ark. Code Ann. § 6-15-203, the Arkansas Department of Education notified the Malvern School District that the Malvern High School had been determined by the Arkansas Department of Education as having failed to meet the Standards for Accreditation for the 2013-2014 school year.
2. The reason for the determination, according to the Arkansas Department of Education, was that the Malvern High School violated Standards for Accreditation Section 9.03.4.11.8.
3. The Standards for Accreditation permit, under certain circumstances, a public school district to petition the Arkansas Department of Education to count an Advanced Placement (AP) course in the place of a course that is part of the 38 required units of instruction in the subject areas of mathematics, English, science and social studies. One condition for such approval requires a public school district to notify the Arkansas Department of Education in writing after registration in the spring prior to the beginning of the school year, and immediately after the school year begins, if no students enrolled in a required course and if the public school district will seek to meet the requirements of the Standards for Accreditation through an AP course.

(Standards for Accreditation Section 9.03.4.11.8). The Arkansas Department of Education determined that the Malvern School District failed to meet the notice requirement.

4. On May 5, 2014, pursuant to Ark. Code Ann. § 6-15-203, the Malvern School District filed an appeal of the Arkansas Department of Education's determination.

5. According to the Malvern School District, the school district failed to send the Arkansas Department of Education the notice required by Standards for Accreditation Section 9.03.4.11.8. The district contended that it met the Standards for Accreditation by teaching AP Calculus.

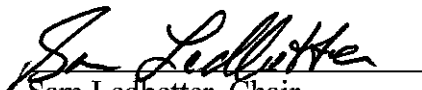
6. All public schools and school districts shall meet the Standards for Accreditation. Ark. Code Ann. § 6-15-202(b). Any school or school district which fails to meet current standards for accreditation shall be classified as probationary. Ark. Code Ann. § 6-15-206(a).

7. The State Board finds that the Malvern High School did not violate the Standards for Accreditation.

ORDER

8. The appeal of the Malvern School District is hereby granted.

Signed this 24th day of July, 2014


Sam Ledbetter, Chair
Arkansas State Board of Education