



AGENDA

STATE BOARD OF EDUCATION

July 10, 2014

Arkansas Department of Education

ADE Auditorium

10:00 AM

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Consent Agenda

C-1 Minutes - June 12, 2014

Presenter: Deborah Coffman

C-2 Minutes - June 13, 2014

Presenter: Deborah Coffman

C-3 Newly Employed, Promotions and Separations

The applicant data from this information is used to compile the Applicant Flow Chart forms for the Affirmative Action Report, which demonstrates the composition of applicants through the selecting, hiring, promoting and terminating process.

Presenter: Ivy Pfeffer and Clemetta Hood

C-4 Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. §6-17-309

Arkansas Code Annotated §6-17-309 requires local school districts to secure a waiver when classrooms are staffed with unlicensed teachers for longer than 30 days. There were no requests received for Additional Licensure Plan waivers but there were requests for long-term substitutes from 2 school districts requesting a total of 8 waivers for long-term substitutes. These requests have been reviewed, have either been approved or denied by Department Staff, and are consistent with program guidelines.

Presenter: Ivy Pfeffer

C-5 Consideration of the Recommendation of the Professional Licensure Standards Board for Case #13-076 – Sam Logan Prescott

Violation of Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom. The Professional Licensure Standards Board Ethics Subcommittee recommends the State Board place Mr. Prescott's license on probation for two (2) years and assess a fine of \$75. Mr.

Prescott was notified by letter, dated May 6, 2014, of the recommendation of the Ethics Subcommittee and accepted the recommendation on May 20, 2014.

Presenter: Wayne Ruthven

C-6 Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-059 – Deborah Faye Craig

Violation of Standard 2: An educator maintains competence regarding skills, knowledge, and dispositions relating to his/her organizational position, subject matter, and/or pedagogical practice. Violation of Standard 3: An educator honestly fulfills reporting obligations associated with professional practices. The Professional Licensure Standards Board Ethics Subcommittee recommends the State Board place Ms. Craig's license on probation for three (3) years, assess a fine of \$75, and require Ms. Craig to complete training in paperwork and procedures for Special Education provided by the LEA Special Education Coordinator or other ADE approved provider; with documentation provided by the educator that the training was completed by October 1, 2014, and with documentation provided by the LEA Special Education Coordinator on June 15, 2015, June 15, 2016 and June 15, 2017, that the educator is in compliance with Special Education paperwork and meeting requirements in each of those school years, by the dates as set above. Ms. Craig was notified by letter, dated April 11, 2014, of the recommendation of the Ethics Subcommittee. Ms. Craig has not responded within the thirty-day time period as required by law.

Presenter: Wayne Ruthven

C-7 Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-093 – Maegan Alyssa Brewer

Violation of Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom. Violation of Standard 3: An educator honestly fulfills reporting obligations associated with professional practices. The Professional Licensure Standards Board Ethics Subcommittee recommends the State Board issue a written reprimand to Ms. Brewer, assess a fine of \$50, and require child maltreatment training on ArkansasIDEAS within 60 days of the State Board's Final Order. Ms. Brewer was notified by letter, dated May 9, 2014, of the recommendation of the Ethics Subcommittee. Ms. Brewer has not responded within the thirty-day time period as required by law.

Presenter: Wayne Ruthven

C-8 Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-004C – John Lance Young

Violation of Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom. The Professional Licensure Standards Board Ethics Subcommittee recommends the State Board issue a written reprimand to Mr. Young and assess a fine of \$50. Mr. Young was notified by letter, dated May 8, 2014, of the recommendation of the Ethics Subcommittee and accepted the recommendation on May 12, 2014.

Presenter: Wayne Ruthven

Action Agenda

A-1 Horatio School District - Two Consecutive Years with an Accredited-Probationary Status

Horatio School District – Two Consecutive Years with an Accredited – Probationary Status Horatio School District has been identified as being in probationary status for two consecutive school years: 2012-13 Horatio High School - ALP Waiver Violation 2013-14 Horatio District Office - Not having an Approved Gifted and Talented Program (K-12). The school district was notified in writing and received an invitation to appear before the State Board. Attached are correspondence, reports and other information related to the district's accreditation.

Presenter: Johnie Walters

A-2 Lee County School District - Two Consecutive Years with an Accredited-Probationary Status

Lee County School District – Two Consecutive Years with an Accredited – Probationary Status. Lee County High School has been identified as being in probationary status for two consecutive school years: 2012-13 Lee County High School - Not Teaching the Required 38 Units and Teacher Licensure Violation 2013-14 Lee County High School – Teacher Licensure Violations. The school district was notified in writing and received an invitation to appear before the State Board. Attached are correspondence, reports and other information related to the district's accreditation.

Presenter: Johnie Walters

A-3 Consideration of Appeal from Denial of School Choice Application - McGowan

Pursuant to Ark. Code Ann. § 6-18-1907 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013, Ms. Courtney McGowan filed an appeal of the decision of the Palestine-Wheatley School District to deny the school choice application of B. McGowan.

Presenter: Jeremy Lasiter

A-4 Consideration of Appeal from Denial of School Choice Application - Allen

Pursuant to Ark. Code Ann. § 6-18-1907 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013, Ms. Candyce Allen filed an appeal of the decision of the Heber Springs School District to deny the school choice applications of K. Allen and C. Allen.

Presenter: Jeremy Lasiter

A-5 Consideration of Appeal from Denial of School Choice Application - Winters

Pursuant to Ark. Code Ann. § 6-18-1907 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013, Ms. Kaci Winters filed an appeal of the decision of the Parkers Chapel School District to deny the school choice application of J. Winters.

Presenter: Jeremy Lasiter

A-6 Marvel-Elaine School District's Appeal of Marvel-Elaine High School's Academic Distress Designation

In accordance with sections 3.02.2.1 and 10.04.3 of the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program Rules, the academic distress classification is assigned to any public school in which 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the

most recent three-year period. Marvell-Elaine High School's percent proficient or advanced for the three-year period from 2011 through 2013 was 48.974%.

Presenter: M. Annette Barnes

A-7 Watson Chapel School District's Appeal of Watson Chapel High School's Academic Distress Designation

In accordance with sections 3.02.2.1 and 10.04.3 of the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program Rules, the academic distress classification is assigned to any public school in which 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three-year period. Watson Chapel High School's percent proficient or advanced for the three-year period from 2011 through 2013 was 47.109%.

Presenter: M. Annette Barnes

A-8 Beebe School District's Appeal of Badger Academy's Academic Distress Designation

In accordance with sections 3.02.2.1 and 10.04.3 of the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program Rules, the academic distress classification is assigned to any public school in which 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three-year period. Badger Academy's percent proficient or advanced for the three-year period from 2011 through 2013 was 24.242%.

Presenter: M. Annette Barnes

A-9 Cabot School District's Appeal of Cabot Learning Academy's Academic Distress Designation

In accordance with sections 3.02.2.1 and 10.04.3 of the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program Rules, the academic distress classification is assigned to any public school in which 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three-year period. Cabot Learning Academy's percent proficient or advanced for the three-year period from 2011 through 2013 was 25.000%.

Presenter: M. Annette Barnes

A-10 Hot Springs School District's Appeal of Summit School's Academic Distress Designation

In accordance with sections 3.02.2.1 and 10.04.3 of the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program Rules, the academic distress classification is assigned to any public school in which 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three-year period. Summit School's percent proficient or advanced for the three-year period from 2011 through 2013 was 27.143%.

Presenter: M. Annette Barnes

A-11 Little Rock School District's Appeal of Accelerated Learning Program's Academic Distress Designation

In accordance with sections 3.02.2.1 and 10.04.3 of the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program Rules, the academic distress classification is assigned to any public school in which 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three-year period. Accelerated Learning Program's percent proficient or advanced for the three-year period from 2011 through 2013 was 9.524%.

Presenter: M. Annette Barnes

A-12 Little Rock School District's Appeal of W.D. Hamilton Learning Academy's Academic Distress Designation

In accordance with sections 3.02.2.1 and 10.04.3 of the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program Rules, the academic distress classification is assigned to any public school in which 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three-year period. W. D. Hamilton Learning Academy's percent proficient or advanced for three-year period from 2011 through 2013 was 2.312%.

Presenter: M. Annette Barnes

A-13 Fort Smith School District's Appeal of Belle Pointe Alternative Center's Academic Distress Designation

In accordance with sections 3.02.2.1 and 10.04.3 of the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program Rules, the academic distress classification is assigned to any public school in which 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three-year period. Belle Point Alternative Center's percent proficient or advanced for the three-year period from 2011 through 2013 was 25.316%.

Presenter: M. Annette Barnes

A-14 State Board of Education Classification of Schools in Academic Distress

In accordance with section 10.04.6 of the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program Rules, a school district or public school identified by the Department as being in academic distress shall be classified as a school district or public school in academic distress upon final determination by the State Board.

Presenter: M. Annette Barnes

A-15 Consideration of Request to Decrease the School Board Membership of the Mulberry/Pleasant View Bi-County School Board

On June 13, 2014, the Mulberry/Pleasant View Bi-County School Board petitioned the State Board of Education to reduce the size of its board of directors from seven (7) members to five (5) members pursuant to Ark. Code Ann. § 6-13-634. Upon a showing that the decrease in the number of board members will be for the benefit of the Mulberry/Pleasant View Bi-County School District, the State Board of Education may enter an order approving this request.

Presenter: Jeremy Lasiter

A-16 Consider Request for Waiver of National Board for Professional Teaching Standards (NBPTS) Repayment of State Funds for Amanda Green-Young

Recommendation that the repayment waiver for fees expended by the State for Amanda Green-Young be considered and granted due to health and/or extenuating circumstances as outlined. The State Board of Education has the authority to waive repayment of State monies in cases of death, disability, or extenuating circumstances. The law governing the National Board support program is attached. Please refer to Arkansas Code 6-17-413, Section 1(b)(1), (b)(2), and (b)(4) and Section 3.01 of the National Board rules. Amanda Green-Young asks that her repayment obligation of \$2,743.00 be waived due to her inability to complete the requirements of her 2011 National Board for Professional Teaching Standards (NBPTS) candidacy due to medical conditions verified by a physician that forced Mrs. Green-Young to discontinue candidacy. Mrs. Green-Young has provided a physician's letter confirming her condition as well as a letter of explanation. ADE recommends that she be considered for the extenuating circumstances waiver.

Presenter: Michael Rowland and Misty Harp

A-17 Hearing on Revocation of Teaching License – Heather Eshenbaugh

Heather Eshenbaugh requested a renewal of her teaching license, which expired in 2009. Ms. Eshenbaugh was investigated by the Department of Education Licensure Unit in 2011 for fraud relating to her teaching license. Under Ark. Code Ann. § 6-17-410(d), the State Board of Education may revoke, suspend, or place a license on probation for obtaining a license fraudulently and for providing false or misleading information to the Department of Education or the State Board of Education. The Department recommends the revocation of Ms. Eshenbaugh's license. Ms. Eshenbaugh was notified and advised of her right to a hearing before the State Board, which she has requested.

Presenter: Cheryl Reinhart

A-18 Consider Recommendation of New Praxis Ages 3-4 Endorsement Licensure Test

To address a new Arkansas educator licensure endorsement in ages 3-4, Educational Testing Service (ETS) provided the attached information from a state test review for the Praxis™ Education of Young Children (5024). The ADE recommends adopting the Praxis™ Education of Young Children (5024) test with a cut score of 160, effective September 1, 2014.

Presenter: Michael Rowland

A-19 Consider Recommendation of New Praxis Early Childhood Special Education Integrated Licensure (B-K) Tests

To address a new Arkansas educator licensure area in Early Childhood Special Education Integrated (Birth-Kindergarten), Educational Testing Service (ETS) provided the attached information from state test reviews for the Praxis™ Interdisciplinary Early Childhood Education (5023) and the Praxis™ Education of Young Children (5024). The ADE recommends adopting the Praxis™ Interdisciplinary Early Childhood Education (5023) test with a cut score of 160 and the Praxis™ Education of Young Children (5024) test with a cut score of 160, both effective September 1, 2014.

Presenter: Michael Rowland

A-20 Consider Recommendation of New Praxis Gifted and Talented Test

Educational Testing Service (ETS) has updated its Praxis™ Gifted Education (0357) test, which the Arkansas State Board of Education adopted as the state's Gifted and Talented content test, beginning September 1, 2007. The new test is Praxis™ Gifted Education (5358). To support the decision-making process of education agencies establishing a passing score (cut score) for the Praxis™ Gifted Education (5358) test, research staff from ETS designed and conducted a multistate standard-setting study during November 2013 in Princeton, New Jersey. The ADE recommends adopting the Praxis™ Gifted Education (5358), replacing the Praxis™ Gifted Education (0357), with a cut score of 155, effective September 1, 2014.

Presenter: Michael Rowland

A-21 Consider Recommendation of New Praxis Middle School Science Test

Educational Testing Service (ETS) has updated its Praxis™ Middle School Science (0439) test. The Arkansas State Board of Education adopted the 0439 as the state's Middle School Science content test beginning 2013. The 0439 (paper delivered) has been updated and is now the Praxis™ Middle School Science (5440) computer delivered. The ADE recommends adopting the Praxis™ Middle School Science (5440) replacing the Praxis™ Middle School Science (0439), with a cut score of 150, effective September 1, 2014.

Presenter: Michael Rowland

A-22 Consider Recommendation of New Praxis Physics Licensure (7-12) Test

Educational Testing Service (ETS) provided the attached information from an Arkansas only test review for the Praxis™ Physics: Content Knowledge (5265) test. The ADE recommends adopting the Praxis™ Physics: Content Knowledge (5265) test with a cut score of 135, effective September 1, 2014.

Presenter: Michael Rowland

A-23 Consider Recommendation of New Praxis Speech Pathologist Test

Educational Testing Service (ETS) has updated its Praxis™ Speech-Language Pathology (0330/5330) test. The Arkansas State Board of Education adopted the 0330/5330 as the state's Speech Pathologist content test beginning 1999. The new test is the Praxis™ Speech-Language Pathology (5331). The ADE recommends adopting the Praxis™ Speech-Language Pathology (5331), replacing the Praxis™ Speech-Language Pathology (0330/5330), with a cut score of 162, effective September 1, 2014.

Presenter: Michael Rowland

A-24 Consideration for Final Approval: Arkansas Department of Education Rules Governing Consolidation and Annexation of School Districts

Act 1073 of 2013 made minor revisions to Arkansas laws related to the consolidation and annexation of school districts. On May 8, 2014, the State Board of Education approved for public comment proposed revisions to the current rules. Arkansas Department of Education staff held a public hearing concerning the proposed revisions on June 3, 2014. The public comment period expired on June 17, 2014. The Arkansas Department of Education received no public comments on the proposed revisions. Arkansas Department of Education staff respectfully requests the State Board of Education grant final approval to the proposed rules pending legislative subcommittee review.

Presenter: Jeremy Lasiter

A-25 Consideration for Final Rule: Proposed Rules Governing Professional Development

On May 8, 2014, the State Board approved the Arkansas Department of Education Rules Governing Professional Development – Emergency Rule to implement changes made to the Arkansas Code regarding professional development under Act 2 of the First Extraordinary Session of 2013. In promulgating the permanent rule, Department staff received public comments on the rules and after careful consideration of the public comments made revisions to the rules. The Department staff respectfully requests the State Board adopt the rules as the final rules.

Presenter: Cheryl Reinhart

A-26 Consideration for Final Approval: 2014 Open Enrollment Public Charter School New Application

The 2014 Open Enrollment Application includes additional prompts suggested by the Charter Authorizing Panel and updates the submission deadline for the 2014 application cycle. The State Board of Education released this application for public comment on May 8, 2014. A public comment hearing was held on June 3, 2014. No oral or written comments were received. Department staff respectfully requests the State Board give final approval to this application.

Presenter: Kendra Clay

A-27 Consideration for Emergency Adoption: Emergency Rules for Policies Governing Programs for Educator Licensure Offered by Institutions of Higher Education in Arkansas

The Department recommends the promulgation of the new rules to replace outdated policies for Department approval of teacher education programs. The State Board approved an earlier version of the rules as Final Rules on April 10, 2014. Department staff received legislative comments on the final rules and after careful consideration of the comments is proposing revisions to the rules. These rules need to be in effect for the 2014-2015 academic year. Therefore, the Department staff respectfully requests the State Board adopt the rules as emergency rules.

Presenter: Cheryl Reinhart and Ivy Pfeffer

A-28 Consideration for Public Comment – Proposed Arkansas Department of Education Rules Governing Educator Licensure

The Department recommends changes to the Arkansas Department of Education Rules Governing Educator Licensure to amend various provisions and to merge into these rules other licensure-related rules, including the Rules Governing Nontraditional Licensure, Rules Governing the Lifetime Teaching License, Rules Governing the School Superintendent Mentoring Program, and some provisions of the Rules Governing Background Checks and Licensure Revocation. The Department staff respectfully requests the State Board authorize the release of the proposed rules for public comment.

Presenter: Cheryl Reinhart and Ivy Pfeffer

A-29 Consideration for Public Comment – Proposed Arkansas Department of Education Rules Governing Background Checks for Classified Employees

The Department recommends changes to the Arkansas Department of Education Rules Governing Background Checks and Licensure Revocation to amend the rules by removing provisions relating to

licensed personnel and merging those provisions into the Proposed Arkansas Department of Education Rules Governing Educator Licensure. The remaining provisions will relate only to classified employees and the name of the rule is changed to reflect that. The Department staff respectfully requests the State Board authorize the release of the proposed rules for public comment.

Presenter: Cheryl Reinhart

A-30 Consideration for Public Comment – Repeal of Department of Education Rules Governing Nontraditional Licensure

The Department recommends the repeal of the Rules Governing Nontraditional Licensure as the provisions of the rules are proposed for incorporation into the Rules Governing Educator Licensure. The Department staff respectfully requests the State Board authorize the release of the proposed repeal of these rules for public comment.

Presenter: Cheryl Reinhart

A-31 Consideration for Public Comment – Repeal of Department of Education Rules Governing the Lifetime Teaching License

The Department recommends the repeal of the Rules Governing the Lifetime Teaching License as the provisions of the rules are proposed for incorporation into the Rules Governing Educator Licensure. The Department staff respectfully requests the State Board authorize the release of the proposed repeal of these rules for public comment.

Presenter: Cheryl Reinhart

A-32 Consideration for Public Comment – Repeal of Department of Education Rules Governing the School Superintendent Mentoring Program

The Department recommends the repeal of the Rules Governing the School Superintendent Mentoring Program as the provisions of the rules are proposed for incorporation into the Rules Governing Educator Licensure. The Department staff respectfully requests the State Board authorize the release of the proposed repeal of these rules for public comment.

Presenter: Cheryl Reinhart

A-33 Consideration for Public Comment: Arkansas Department of Education Policies Governing Programs for Educator Licensure Offered by Institutions of Higher Education in Arkansas

Following the State Board's adoption of the Emergency Rules for Policies Governing Programs for Educator Licensure Offered by Institutions of Higher Education in Arkansas, the Department staff respectfully requests the State Board authorize the release of the rules for public comment on the permanent promulgation of the emergency rules.

Presenter: Cheryl Reinhart and Ivy Pfeffer

A-34 Consideration for Public Comment: ADE Rules Governing the Calculation of Miscellaneous Funds

Act 322 of 2013 significantly revised the method of calculation for miscellaneous funds and bond debt assistance. Previously, miscellaneous funds were calculated as an average of the amounts collected by a district over the past five years. Under this change, miscellaneous funds are now calculated based on the

aggregate amount collected in the preceding year. These rules are a result of legislative action. Accordingly, Department Staff requests the State Board of Education approve these rules for Public Comment.

Presenter: *Valerie Bailey and Cindy Hollowell*

A-35 Consideration for Public Comment: ADE Rules Governing the College and Career Readiness Program

Section 14 of Act 1073 of 2013 made a very slight revision of the definition of "college readiness assessment" as it applies to the ADE's College and Career Readiness Program. This change is a result of legislative action and mirrors the change in law exactly. Accordingly, Department Staff respectfully requests the State Board of Education's approval for public comment.

Presenter: *Valerie Bailey and Thomas Coy*

A-36 Consideration for Public Comment: Proposed Revision of the Arkansas Department of Education Rules Governing Special Education and Related Services, Section 18.00 Residential Placement

Consideration for Public Comment: Proposed Revision of the Arkansas Department of Education Rules Governing Special Education and Related Services, Section 18.00 Residential Placement. The Department recommends revision of these rules to reflect changes in licensure by the Arkansas Department of Human Services (DHS), Office of Long Term Care, more appropriately define residential placement in-state, and clarify assignment of responsibility for education. Department Staff respectfully requests the State Board approve the proposed rules for public comment.

Presenter: *Courtney Salas-Ford*

A-37 Consideration of Next Steps for Student Assessments

The Department will update the State Board on the PARCC assessment and next steps.

Presenter: *Dr. Debbie Jones and Melody Morgan*

Minutes
State Board of Education Meeting
Thursday, June 12, 2014

The State Board of Education met Thursday, June 12, 2014, in the Auditorium of the Department of Education Building. Chair Brenda Gullett called the meeting to order at 10:15 a.m.

Present: Brenda Gullett, Chair; Sam Ledbetter, Vice-Chairman; Alice Mahony; Dr. Jay Barth; Vicki Saviers; Toyce Newton; Diane Zook; Mireya Reith; Joe Black; Alexia Weimer, Teacher of the Year; and Dr. Tom Kimbrell, Commissioner.

Absent: none

Consent Agenda

Correction of May minutes: Ms. Mahony requested the May 8, 2014, State Board minutes reflect the following revision to A-6, Hearing for Open-Enrollment Public Charter School amendment request for Quest Middle School of West Little Rock, Little Rock, Arkansas: Ms. Mahony said, "They were to have furnished the Board with a report from the city verifying the site could be used as a school and a traffic study that was based on the enrollment, in addition to the one that was done on March 19. In addition, there is verbiage saying no more students over "x" number at that school but on the website, *Arkansas Learns*, they list 2015-2016 as adding 9th grade to the site."

Ms. Cheryl Reinhart requested the Board pull C-12, Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-038 – Jason Ryan Hathcock, from the agenda.

Ms. Mahony moved, seconded by Ms. Reith to approve the consent agenda. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes - May 8, 2014
- Minutes - May 9, 2014
- Act 648 of 1993 Community Service Learning – Delta YES! Inc., Brinkley, Arkansas
- Arkansas Division of Volunteerism requests approval from the Arkansas State Board of Education for a new site as described in ACT 648 of 1993 Community Service Learning

- Review of Loan and Bond Applications
- Newly Employed, Promotions and Separations
- Final Report Fiscal Year 2013-14 Summary of Activities for the Standards Assurance Unit (SAU)
- Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. §6-17-309
- Consideration of the Recommendation of the Department of Education for a Waiver – Jennifer Clem, Pre-service Teacher
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #13-170 - Stephen Carlyle Thomas
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-001 – David Michael Walker
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-029 – Bradley Ralph Harris
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-043 – Deanna Lynn Longstreth
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #13-167 – Ashley Ann Walker
- Consideration of the Voluntary Surrender of License by William Bryan Smith in Professional Licensure Standards Board Case #14-139

Action Agenda

A-1 Consideration to approve the funding for the 2013-2014 Enhancement Grants

Ms. Mary Kaye McKinney said the DHS Division of Child Care and Early Childhood Education requested approval to fund enhancement grants for 2013-2014.

Dr. Barth made a motion, seconded by Ms. Newton, to approve funding for the 2013-2014 Enhancement Grants. The motion carried unanimously.

A-2 Consideration of Arkansas Better Chance 2014-2015 Grants

Ms. Mary Kaye McKinney said the Division of Child Care and Early Childhood Education requested approval of the Arkansas Better Chance grants for the 2014-2015 year.

Mr. Black made a motion, seconded by Ms. Saviers, to approve the Arkansas Better Chance 2014-2015 Grants. The motion carried unanimously.

A-4 Consider Removal of Dollarway School District from State Control,

effective October 1, 2014

Assistant Commissioner of Public School Accountability John Hoy said on June 11, 2012, the State Board of Education found that the Dollarway School District violated the Standards for Accreditation of Arkansas Public Schools and School Districts (Standards for Accreditation) for two consecutive school years (2010-2011 and 2011-2012). Pursuant to Ark. Code Ann. § 6-15-207, the State Board of Education assumed authority over the Dollarway School District. The State Board reconstituted the leadership of the Dollarway School District by removing the superintendent and school board, and by making the Commissioner of Education responsible for the governance of the school district. The Dollarway School District has been free of any violations of the Standards for Accreditation for two consecutive school years (2012-2013 and 2013-2014). For that reason, the Arkansas Department of Education recommended that the State Board of Education remove the Dollarway School District from state authority, effective October 1, 2014 (after a school board is elected and receives training).

Dollarway School District Superintendent Bobby Acklin said Mr. Frank Anthony, the previous superintendent, had worked on some of the challenges prior to Mr. Acklin's assignment to the position. The district continues to struggle with finding and keeping qualified staff. Mr. Acklin said the staff is determined to keep the district open, the attendance is steady, literacy scores in high school increased this year and the finances of the district are stable. He said that district staff audited all student transcripts. Mr. Acklin said it would be a positive action for the community to regain control of the district.

Ms. Newton made a motion, seconded by Ms. Reith, to remove the Dollarway School District from state control, effective October 1, 2014. The motion carried unanimously.

A-5 Drew Central School District Appeal

Standards Assurance Monitoring Unit Leader Johnnie Walters said the Drew Central School District appealed the assigned status of accredited – probationary to Drew Central High School. Mr. Walters said the district was in violation of Rule 9.03.4.4, requiring the district to teach two (2) units of the same Foreign Language to meet the requirements of the 38 courses mandated to be taught in Arkansas public schools, for example: 440000 Spanish I (1 unit) and 440020 Spanish II (1 unit) or 441000 French I (1 unit) and 441010 French II (1 unit).

Drew Central School District Superintendent Billy Williams said the high school did have an error in scheduling. He said the district made a correction and the Spanish II course was double blocked during second semester for a full credit.

Mr. Ledbetter made a motion, seconded by Ms. Saviers, to deny the Drew Central School District appeal. The motion carried unanimously.

A-6 Cross County School District Appeal

Standards Assurance Monitoring Unit Leader Johnnie Walters said Cross County School District appealed the assigned status of accredited – probationary to Cross County New Tech High School. Mr. Walters said the district was in violation of Rule 9.03.4.7 requiring the district/high school to teach four (4) units of Social Studies to meet the requirements of the 38 courses mandated to be taught in Arkansas public schools: 470000 American History; 1 unit 471000 World History; 1 unit 472000 Civics; ½ unit 474300 Economics; ½ unit (if not taught as a CTE course) Social Studies elective(s); 1 unit or 1 ½ units if Economics is a CTE course.

Cross County School District Superintendent Carolyn Wilson said the issue was a coding error. She said that after Mr. Walters left the district, district employees went back through the information and found the error. The accountability report they ran showed a green light, so they did not have a reason to think they were not okay. She said the correct courses were being taught.

Dr. Barth made a motion, seconded by Ms. Zook, to approve the Cross County School District appeal. Ms. Newton voted no. The final vote was 7-1. The motion carried.

A-7 Wynne School District Appeal

Standards Assurance Monitoring Unit Leader Johnnie Walters said Wynne School District appealed the assigned status of accredited – probationary to Wynne High School. Mr. Walters said the district was in violation of Rule 9.03.4.11.8 regarding the notification of the Arkansas Department of Education of intent to use an Advanced Placement (AP) course to meet the requirements of the 38 courses mandated to be taught in Arkansas public schools. The district has also appealed a violation of Rule 9.03.4.3 requiring the district/high school to teach six (6) units of Mathematics to meet the requirements of the 38 courses mandated to be taught in Arkansas public schools: 430000 Algebra I; 1 unit 431000 Geometry; 1 unit 432000 Algebra II; 1 unit 433000 Pre-Calculus; 1 unit Math Electives; 2 units.

Wynne School District Superintendent Carl Easley said students scheduled for transition math were moved into Algebra III. During second semester, some of the students were scheduled into Topics for Math.

Mr. Ledbetter made a motion, seconded by Dr. Barth, to deny the Wynne School District appeal. The motion carried unanimously.

The Board entered into executive session at 12:17 p.m. to discuss A-26, Consideration of Tony Wood as Commissioner of Education.
The Board exited executive session at 1:31 p.m. and took action on A-26.
A-26 Consideration of Tony Wood as Commissioner of Education

Ms. Zook made a motion, seconded by Ms. Saviers, to approve Tony Wood as Commissioner of Education. The motion carried unanimously.

A-8 Arkadelphia School District Appeal

Standards Assurance Monitoring Unit Leader Johnie Walters said Arkadelphia School District has appealed the assigned status of accredited – probationary to Arkadelphia High School. He said the district was in violation of Rule 9.03.4.11.8 regarding the notification of the Arkansas Department of Education of intent to use an Advanced Placement (AP) course to meet the requirements of the 38 courses mandated to be taught in Arkansas public schools.

Arkadelphia School District Superintendent Dr. Donnie Whitten said the high school was part of the AAIMS initiative and implemented three STEM projects. All 23 students enrolled in AP Physics; no one enrolled in Physics. The district failed to send a letter to the ADE.

Dr. Barth made a motion, seconded by Mr. Ledbetter, to approve the Arkadelphia School District Appeal. Ms. Mahony voted no. The final vote was 7-1. The motion carried.

A-9 Lavaca School District Appeal

Standards Assurance Monitoring Unit Leader Johnie Walters said Lavaca School District has appealed the assigned status of accredited – probationary to Lavaca High School. He said the district was in violation of Rule 9.03.4.11.8 regarding the notification of the Arkansas Department of Education of intent to use an Advanced Placement (AP) course to meet the requirements of the 38 courses mandated to be taught in Arkansas public schools.

Lavaca School District Superintendent Steve Rose said the district offered AP Calculus course. The district failed to send a letter to the ADE.

Ms. Newton made a motion to deny the Lavaca School District appeal. The motion died for lack of a second.

Mr. Ledbetter made a motion, seconded by Ms. Saviers, to approve the Lavaca School District appeal. Ms. Mahony, Dr. Barth and Ms. Newton voted no. The final vote was 5-3. The motion carried.

A-10 Malvern School District Appeal

Standards Assurance Monitoring Unit Leader Johnnie Walters said Malvern School District appealed the assigned status of accredited – probationary to Malvern High School. He said the district was in violation of Rule 9.03.4.11.8 regarding the notification of the Arkansas Department of Education of intent to use an Advanced Placement (AP) course to meet the requirements of the 38 courses mandated to be taught in Arkansas public schools.

Malvern School District Assistant Superintendent Janet Blair and Director of Concurrent Credit and AP Program Senior Guidance Counselor Jonathan Williams said students were double blocked in Algebra so the students could take a higher math class as seniors. No student took the Bridge to Algebra course.

Ms. Mahony made a motion to deny the Malvern School District appeal. The motion died for lack of a second.

Dr. Barth made a motion, seconded by Ms. Saviers, to approve the Malvern School District appeal. Ms. Newton and Ms. Mahony voted no. The final vote was 6-2. The motion carried.

A-3 Final Accreditation Report Fiscal Year 2013-2014 - Summary of Accreditation for Arkansas Public Schools and School Districts

Standards Assurance Monitoring Unit Leader Johnnie Walters said the report was submitted for compliance with A.C.A. § 6-15-102 (g) (1) and (2). Mr. Walters amended the report to include the above granted appeals.

Dr. Barth made a motion, seconded by Ms. Reith, to approve the final Accreditation Report Fiscal Year 2013-2014 - Summary of Accreditation for Arkansas Public Schools and School Districts with the appeals approved above. The motion carried unanimously.

A-11 Fort Smith School District Appeal

This item was pulled from the agenda.

A-12 SIA Tech Little Rock Appeal

This item was pulled from the agenda.

A-13 Request Approval of Nominated Members for the Professional Licensure Standards Board to Replace Members Whose Terms are Expiring June 30, 2014.

Assistant Commissioner Dr. Karen Walters said pursuant to § 6-17-422 members of the PLSB serve rotating terms. She said three (3) members of the Professional Licensure Standards Board would complete their three-year terms on June 30, 2014. She presented three nominations. Dr. Brad Baine, Dean of the College of Education of Williams Baptist University, was nominated for re-appointment by the Arkansas Association of Colleges for Teacher Education (ArACTE) to represent Private Institutions of Higher Education. Dr. Randy Willison, Superintendent of Batesville School District, was nominated for re-appointment by the Arkansas Association of Educational Administrators (AAEA) to represent public school superintendents. Ms. Lillian Hemphill, Social Studies teacher at Watson Chapel Jr. High School in the Watson Chapel School District, was nominated by the Arkansas Education Association (AEA) to represent Public School Classroom Teachers – Grades 4-8. Dr. Walters said the terms of these members would begin on July 1, 2014 and end on June 30, 2017.

Ms. Gullett recommended the Board receive training about the process of the PLSB board during the July work session or when the new board member joins the board.

Ms. Saviers made a motion, seconded by Ms. Reith, to approve the nominated members for the Professional Licensure Standards Board to replace members whose terms are expiring June 30, 2014. The motion carried unanimously.

A-14 Presentation of Working Draft of a Plan for the Development and Implementation of Arkansas's K–12 Science Standards

Curriculum and Instruction Director Dr. Tracy Tucker said she was pleased to present the first draft of a plan to guide and support the development and implementation of K–12 Science Standards. She said this plan is a collaborative effort between curriculum, assessment, professional development, communications, and external partners. The ADE website will house all information related to this on-going work under the Curriculum and Instruction page. The ADE state lead for this work is Ms. Michele Snyder, Program Advisor in the Curriculum and Instruction Unit.

Ms. Mahony and Dr. Barth will be attending a meeting focusing on K-12 Science. Dr. Barth said the ADE will be receiving a grant from NASBE for K-12 Science.

Ms. Saviers made a motion, seconded by Ms. Reith, to approve the working draft

of a plan for the development and implementation of Arkansas's K–12 Science Standards. The motion carried unanimously.

A-15 Consideration for Final Approval: Proposed Revisions to the Arkansas Department of Education Rules Identifying and Governing the Arkansas Fiscal Assessment and Accountability Program

Department General Counsel Jeremy Lasiter said Act 600 of 2013 resulted in several revisions to Arkansas laws related to fiscal distress. He said based upon those legislative revisions, on April 10, 2014, the State Board of Education approved for public comment proposed revisions to the Arkansas Department of Education Rules Identifying and Governing the Arkansas Fiscal Assessment and Accountability Program. The Arkansas Department of Education staff held a public hearing concerning the proposed revisions on April 29, 2014. The public comment period expired on May 12, 2014. The Arkansas Department of Education received public comments on the proposed revisions. Mr. Lasiter said the Arkansas Department of Education staff made no revisions to the proposed rules based upon the public comments received.

Dr. Barth made a motion, seconded by Ms. Newton, to approve the proposed revisions to the Arkansas Department of Education Rules Identifying and Governing the Arkansas Fiscal Assessment and Accountability Program. The motion carried unanimously.

A-17 Consideration for Final Approval: Proposed Rules Governing How to Meet the Needs of Children with Dyslexia

Department Deputy General Counsel Lori Freno-Engman said the proposed rules incorporated the requirements of Act 1294 of 2013 (codified at Ark. Code Ann. §§ 6-40-101 through 109) that school districts screen certain students for dyslexia, providing intervention, evaluation, services, and accommodations as warranted. She said the proposed rules also incorporate the requirement that the ADE develop a Dyslexia Resource Guide. The Board released the proposed rules for public comment on March 20, 2014; the public comment period ended April 22, 2014. She said comments were reviewed but no changes were made to the proposed rules. Section 6.03 was changed, however, to correct a typographical error and thus make the wording of that section consistent with the Act.

Ms. Zook said the dyslexia law has issues that hopefully will be addressed at the next legislative session, but the ADE team has worked diligently to meet the expectations of the law and rules. She recognized the work of Jane Dearworth and Kevin Beaumont.

Dr. Witonski said that an ADE employee has been hired to fill the dyslexia position. She said the resource guide is in first draft with a final draft expected by Fall 2014.

Ms. Courtney Salas-Ford, attorney for SPED, said a diagnosis for dyslexia alone is not enough to qualify under IDEA.

Mr. Ledbetter made a motion, seconded by Mr. Black, to approve the proposed Rules Governing How to Meet the Needs of Children with Dyslexia. Ms. Zook voted no. The final vote was 7-1. The motion carried.

A-18 Consideration for Final Approval: ADE Rules Governing Instructional Materials

Department attorney Kendra Clay said revisions to these rules were made to reflect the changes in Act 511 of 2013. She said the rules were released for public comment on February 13, 2014 and April 10, 2014. Public comments were received during both public comment periods and additional revisions to the rules were made.

Dr. Barth made a motion, seconded by Ms. Zook, to approve the ADE Rules Governing Instructional Materials. The motion carried unanimously.

A-16 Consideration for Final Approval: Repeal of Arkansas Department of Education Rules Governing Public School End of Course Assessments and Remediation

Department General Counsel Jeremy Lasiter said Acts 600, 1073, 1081 and 1429 of 2013 resulted in several revisions to Arkansas laws related to the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP), Academic Distress Program, and End of Course Assessments and Remediation. He said the Arkansas Department of Education staff recommended the combination of the ACTAAP and End of Course rules, and the repeal of the existing End of Course rules. On April 10, 2014, the State Board of Education approved for public comment the proposed repeal of the End of Course rules. Arkansas Department of Education staff held a public hearing concerning the proposed repeal on April 29, 2014. The public comment period expired on May 15, 2014. The Arkansas Department of Education received no public comments on the proposed repeal.

Ms. Zook made a motion, seconded by Mr. Ledbetter, to repeal the Arkansas Department of Education Rules Governing Public School End of Course Assessments and Remediation. The motion carried unanimously.

A-19 Consideration for Final Approval: ADE Rules Governing ACTAAP and the Academic Distress Program

Department General Counsel Jeremy Lasiter said Acts 600, 1073, 1081 and 1429 of 2013 resulted in several revisions to Arkansas laws related to the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program. He said based upon those legislative revisions, on April 10, 2014, the State Board of Education approved for public comment proposed revisions to the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program and the Academic Distress Program. Arkansas Department of Education staff held a public hearing concerning the proposed revisions on April 29, 2014. The public comment period expired on May 12, 2014. The Arkansas Department of Education received public comments on the proposed revisions and made a minor revision to Section 5.01.2 to make the provision consistent with Arkansas law.

Ms. Mahony made a motion, seconded by Ms. Zook, to approve the ADE Rules Governing ACTAAP and the Academic Distress Program. The motion carried unanimously.

A-20 Consideration for Final Approval: ADE Rules Governing Public Charter Schools

Department attorney Kendra Clay said the proposed revisions established a procedure for parties that request State Board review of Charter Authorizing decisions. She said the revisions also change the timeline for submission of amendment requests by current charter holders. The State Board released these rules for public comment on April 10, 2014. A public hearing was held on April 29, 2014. Ms. Clay said written comments were received, and changes to the rules were made.

Ms. Saviers made a motion, seconded by Ms. Newton, to approve the ADE Rules Governing Public Charter Schools. The motion carried unanimously.

A-21 Consideration for Public Comment: Repeal of ADE Rules Governing the Issuance of Subpoenas by the Arkansas State Board of Education

Item was pulled from the agenda.

A-22 Consideration for Public Comment: ADE Rules Governing State Board of Education Operating Guidelines

Item was pulled from the agenda.

The Board considered A-23 and A-24 together.

A-23 Consideration for Emergency Approval: District Conversion Charter School New Application

Department attorney Kendra Clay said the 2014 District Conversion Application includes additional prompts suggested by the Charter Authorizing Panel and updates the submission deadline for the 2014 application cycle.

A-24 Consideration for Public Comment: District Conversion Charter School New Application

Department staff attorney Kendra Clay said the 2014 District Conversion Application includes additional prompts suggested by the Charter Authorizing Panel and updates the submission deadline for the 2014 application cycle.

Dr. Barth made a motion, seconded by Mr. Black, for emergency approval of the District Conversion Charter School New Application and to approve for public comment the District Conversion Charter School New Application. The motion carried unanimously.

A-25 Hearing on Revocation of Teaching License – Heather Eshenbaugh

This item was pulled from the agenda.

A-27 Election of Officers: State Board of Education for 2014-2015

Ms. Mahony presented the recommended slate of officers as Chairman, Sam Ledbetter; and Vice-Chairman, Toyce Newton.

The motion carried unanimously.

Adjournment

The meeting adjourned at 3:12 p.m.

Minutes recorded by Deborah Coffman

**Minutes
State Board of Education Meeting
Friday, June 13, 2014**

The State Board of Education met Friday, June 13, 2014, in the Auditorium of the Department of Education Building. Chair Brenda Gullett called the meeting to order at 9:00 a.m.

Present: Brenda Gullett, Chair; Sam Ledbetter, Vice-Chairman; Alice Mahony; Dr. Jay Barth; Vicki Saviers; Diane Zook; Mireya Reith; Joe Black; Alexia Weimer, Teacher of the Year; and Dr. Tom Kimbrell, Commissioner.

Absent: Toyce Newton

Reports

Chair's Report

Ms. Saviers gave a report on Strong-Huttig. The special committee recommended no action.

Ms. Mahony said 256 girls attended the GLAM conference.

Commissioner's Report

Commissioner Kimbrell thanked the Board for the reception and the kind words.

Dr. Kimbrell introduced Ivy Pfeffer. Ms. Pfeffer will replace Dr. Walters as the Assistant Commissioner of HR, Teacher Effectiveness and Licensure.

Dr. Kimbrell introduced Wayne Ruthven. Mr. Ruthven replaced Michael Smith as PLSB Chief Education Investigator.

Dr. Kimbrell explained that New Mexico volunteered to procure the PARCC assessment. The procurement process is currently being litigated. New Mexico expects to resolve the issue. Dr. Kimbrell contacted PARCC and gave them a deadline of July 9. Ms. Morgan said Arkansas is making sure that we have proper procurement procedures in place. Ms. Zook said she has all confidence in the work that Ms. Morgan is doing on behalf of Arkansas.

Recognition of the Parkview High School Mock Trial Team

Department General Counsel Jeremy Lasiter recognized the many contributions of Ms. Patricia Treadway, teacher at Parkview. Mr. Lasiter recognized the Parkview High School Mock Trial Team as the 2014 Arkansas High School Mock Trial Team champions. The team competed in the national championship.

Ms. Hannah Burdette said the mock trial experience teaches high school students a real-world understanding of the legal system. She said the experience is an example of how Common Core looks in application.

Update on Common Core State Standards, PARCC, Schools of Innovation and School Improvement

Dr. Witonski said the English Language Learners task force would meet next week.

Dr. Witonski said the Common Core State Standards Video Contest Winner was Chicot Primary Elementary School in Little Rock.

Dr. Witonski said the classes that implemented LDC and MDC are showing gains in student achievement.

Dr. Morgan said the PARCC field-testing has concluded. Teams are now examining data to frame necessary changes. She said the NCSC pilot also went very well. A fall pilot will be available for the NCSC assessment.

Digital Learning Study

Dr. Ed Franklin gave an overview of the Arkansas Digital Learning Study. The full report is available on the ADE website:

http://www.arkansased.org/public/userfiles/Legislative_Services/Quality%20Digital%20Learning%20Study/Facts/COMPLETE_Arkansas_Digital_Learning_Study_051914.pdf

He said this is a report that begins the work of securing greater broadband access for student learners.

Dr. Barth said he worked on the digital learning study as a committee member and he supported the recommendations.

Ms. Harriman said the state is overpaying for broadband. Cody Decker said that 1% of an iPhone access is equal to the amount that is currently serving 204 students in public schools.

Ms. Gullett requested talking points for Board Members.

Ms. Mahony made a motion, seconded by Dr. Barth, to adopt the Arkansas Digital Learning Report. Seven members voted yes. Ms. Zook abstained. The motion carried.

2013 Arkansas Teacher of the Year Report

Ms. Weimer thanked the Board for the opportunity to serve as the teacher's voice on the State Board of Education. She said the ATOY experience has been a great learning opportunity. Ms. Weimer introduced Jonathan Crossley, the 2014 Arkansas Teacher of the Year.

Ms. Weimer presented the 2013 Teacher of the Year report, "Why Professional Development Should Mirror the Kindergarten Classroom" and read a letter of request. She encouraged leaders to embrace the professional growth plan and Bloomboard.

Adjournment

The meeting adjourned at 11:46 a.m.

Minutes recorded by Deborah Coffman

NEWLY EMPLOYED FOR THE PERIOD OF May 25, 2014 – June 13, 2014

Traci Boyd – Fiscal Support Manager, Grade C123, Central Administration, Finance, effective 06/02/14.

Tiah Frazier – Public School Program Advisor, Grade C122, Division of Learning Services, School Improvement, effective 06/09/14.

*Rufus Hardin – Help Desk Specialist, Grade C116, Division of Research and Technology, Technical Support, effective 05/27/14.

*Miguel Hernandez, Jr. – Public School Program Advisor, Grade C122, Division of Learning Services, Curriculum and Instruction, effective 06/09/14.

Wayne Ruthven – Education Chief Investigator, Grade C125, Division of Human Resources/Licensure, Professional Licensure Standards Board (PLSB), effective 06/09/14.

PROMOTIONS/DEMOTION/LATERAL TRANSFERS FOR THE PERIOD OF May 25, 2014 – June 13, 2014

Billy Ashcraft from an Administrative Specialist II , Grade C109, Division of Human Resources/Licensure, Educator Licensure, to an Administrative Specialist III, Grade C112, Division of Human Resources/Licensure, Educator Licensure effective 05/26/14. Promotion

*Regina Blevens from an Assistant Personnel Manager , Grade C118, Division of Human Resources/Licensure, Employee Induction, to an Grants Coordinator, Grade C119, Division of Human Resources/Licensure, Employee Induction, effective 05/26/14. Promotion

Mary Perry from an Public School Program Coordinator, Grade C123, Division of Learning Services, to an ADE Assistant to Director, Grade C129, Division of Learning Services, effective 06/09/14. Promotion

SEPARATIONS FOR THE PERIOD OF May 25, 2014 – June 13, 2014

Kevin Mullen – ADE Area Project Manager, Grade C123, Division of Public School Academic Facilities and Transportation (DPSAFT), effective 05/30/14. 3 Years, 11 months, 16 days. 01

*Minority

AASIS Codes:
01 – Voluntary

Long Term Substitutes
July 2014
State Board Agenda

LEA	District	# Waivers Requested	Substitute Name	Subject	Teacher of Record	Granted/ Denied	Semester Granted	
6601	Fort Smith School District	5	Barnes, Candis	Special Education	Chism, Nichole	Granted	2nd	
			Cross, Caroline	Special Education	Ratcliff, Cheryl	Granted	2nd	
			Culbertson, Karen	English Language Learners	Macy, Rebecca	Granted	2nd	
			Jedlicka, Shaden	5th Grade	Daily-Thayer, Angela	Granted	2nd	
			Porter, Sandy	Special Education	Elliott, Brenda	Granted	2nd	
1905	Wynne School District	3	Gatlin, Donna	Library Media	Boekamnn, Kaley	Granted	2nd	
			Shipp, Cindy	3rd Grade	Denevan, Emily	Granted	2nd	
			Woods, Erica	3rd Grade	Huddleston, Elizabeth	Granted	2nd	
# Districts Requesting Long-Term Substitutes this Month		2	# Long-Term Substitutes Requested this Month		8	# Long-Term Substitute Requests Granted		8
						# Long-Term Substitute Requests		0
						Total # Long-Term Substitute		8



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

PROBATIONARY LETTER – YEAR TWO OF PROBATION

State Board
of Education

June 13, 2014

Brenda Gullett
*Fayetteville
Chair*

Mr. John Ward, Superintendent
Horatio School District
205 Isbell Street
Horatio, AR 71842

Sam Ledbetter
*Little Rock
Vice Chair*

Dr. Jay Barth
Little Rock

Joe Black
Newport

**Re: Second Year of Probationary Status
(VIA CERTIFIED AND REGULAR MAIL)**

Alice Mahony
El Dorado

Toyce Newton
Crossett

Mr. Ward:

Mireya Reith
Fayetteville

On **June 12, 2014**, the Arkansas State Board of Education (State Board) classified the following schools/school district as probationary for failing to meet all standards for accreditation for two consecutive years:

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Horatio School District:

Horatio District Office – 2013-14

Horatio High School – 2012-13

The purpose of this letter is to provide you with notice, pursuant to Ark. Code Ann. §§ 6-15-206-207, that the State Board is required to take action. Ark. Code Ann. § 6-15-207(b) provides that the State Board shall take at least one of the following actions listed in Ark. Code Ann. § 6-15-207(c) to address any school or school district which has failed to meet all standards for accreditation for two (2) consecutive school years, including the year the probationary status is declared:

- (1) Require a school district to reorganize or reassign the administrative, instructional, or support staff of a public school;
- (2) Require a school or school district to institute and fully implement a curriculum that is based on state academic content and achievement standards, including providing appropriate professional development at the cost of the school district;
- (3) Remove a particular school from the jurisdiction of a school district and establish alternative public governance and supervision of the school or schools;

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Little Rock, AR
72201-1019
(501) 682-4475
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Employer*

- (4) Require a school district to close down or dissolve a particular school or schools within a school district;
- (5) Annex a school district or districts or parts thereof with another receiving school district or districts pursuant to the authority of Ark. Code Ann. § 6-13-1401 et seq.
- (6) Consolidate a school district or districts or parts thereof with another school district or districts or parts thereof to form a resulting district pursuant to the authority of Ark. Code Ann. § 6-13-1401 et seq.
- (7) Reconstitute the leadership of a school district by removing permanently or suspending on a temporary basis the superintendent of the school district or any particular board members of a school district. The State Board shall have the authority to appoint an administrator or to call for the election of new school board members to administer the affairs and provide governance of the school district, or both; and
- (8) Take any other appropriate action allowed by law which is determined by the State Board to assist and address a school or school district failure to meet the standards for accreditation.

The State Board will take this matter into consideration during its scheduled meeting on **Thursday, July 10, 2014 in the Auditorium of the Arkansas Department of Education-Arch Ford Education Building, Four State Capitol Mall, Little Rock, Arkansas, at 10:00 a.m.** You will have an opportunity to address the State Board at that time. The State Board hearing will be 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.

You and any other representatives of the **Horatio School District** who can address questions from the State Board concerning this matter should plan to be in attendance during the meeting. Should you wish to submit any comments in writing, you may do so by submitting those documents to my office by **noon on Monday, June 23, 2014.**

Please also be advised that pursuant to Ark. Code Ann. § 6-15-208, your school district must publish the probationary status determination and findings of the State Board to the public and the parents or caregiver of each student enrolled in the school or school district determined to have failed to meet the standards for accreditation. The public notice must be in an understandable and uniform format. The public notice must also be published or disseminated, immediately after the State Board's determination, on your school district's website and published at least one (1) time a week for two (2) consecutive weeks in a local newspaper of general circulation in your school district.

John Ward
June 13, 2014
Page three

Thank you for your attention to this matter. Please contact me at **501-682-4555** should you have any questions or require additional information.

Sincerely,


Johnie Walters
Standards Assurance Unit

cc: Tom W. Kimbrell, Ed.D, Commissioner of Education
Mr. Tony Wood, Deputy Commissioner of Education
Mr. John Hoy, Assistant Commissioner, Division of Public School Accountability
Jeremy C. Lasiter, General Counsel
State Board Office

Approved Memos - Annual Accreditation Report - 2013-2014



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Approved Memos: Annual Accreditation Report - 2013-2014



ARKANSAS
DEPARTMENT
OF EDUCATION

Version History

Title	Annual Accreditation Report - 2013-2014
Memo Number	COM-14-068
Memo Date	4/17/2014
Attention	Co-op Directors; Elementary Principals; Middle School Principals; High School Principals; Superintendents; Counselors
Memo Type	Regulatory
Response Required	No
Section	Public School Accountability
Regulatory Authority	Ark. Code Ann. § 6-15-203
Contact Person	Johnie Walters
Phone Number	501-682-4380
E-Mail	Johnie.Walters@arkansas.gov

Memo Text

The Arkansas Department of Education (ADE) reviews Annual Accreditation Reports to determine the accreditation status of each school in each district in Arkansas. The status report, mailed under separate cover, will be the school district's final and official accreditation status report for the 2013-2014 school year. Please note the review date indicated for Probationary violation(s). Evidence to correct Probationary violation(s) must be received by the Standards Assurance Unit on or before the review date, October 15, 2014. Read carefully items indicated in "Comments." Accreditation status resulting from the 2013-2014 On-campus Standards Review (OSR) will be noted in "Comments."

Included with the status report is a Corrected Exceptions Accreditation Status Report. This report lists changes to the Initial Accreditation Report. Please refer to Rules Governing Standards for Accreditation, Rule 24.01, for further information

concerning teachers who are currently under an Additional Licensure Plan (ALP). A Licensure Completion Deadline (LCD) will be listed on the report for these teachers. Other notes indicating necessary exception corrections may include incorrect course codes, incorrect grade levels, or invalid data; or may indicate the district has corrected an exception that may have existed when the report was initially submitted. Please continue to work with the respective school district's Standards Assurance Specialist for additional information about the district's report.

Right of Appeal

In the event that a school district believes the ADE has improperly determined that a school or school district has failed to meet Standards for Accreditation, the school district shall have a right to file a written appeal with the **Office of the Commissioner, ADE, Four State Capitol Mall, Room 304-A, Little Rock, AR 72201.**

Any such appeal shall be held in an open hearing and the decision of the State Board of Education (Board) shall be in open session. The appeal must be filed not later than May 15, 2014 following the May 01, 2014 written notification; the Board hearing must be held prior to June 30, 2014.

The Board may confirm the accreditation status of a school or school district recommended by the ADE or it may sustain the appeal of the district.

Pursuant to the Ark. Code Ann. § 6-15-203, an appeal from the ruling of the Board may be made by a school district to the Pulaski County Circuit Court provided such appeal is made pursuant to the Arkansas Administrative Procedures Act, Ark. Code Ann. § 25-15-201 et seq.

Version: 6.0

Created at 4/21/2014 10:57 AM by Deborah Coffman (ADE)

Last modified at 4/21/2014 2:49 PM by Deborah Coffman (ADE)

MEMO



ARKANSAS DEPARTMENT OF EDUCATION

DATE: April 30, 2014
TO: District Superintendent
FROM: Johnie Walters, Standards Assurance Unit Leader
SUBJECT: Notification of Failure to Meet Standards for Accreditation

An Initial Accreditation Status Report (Report) was sent in March by this office as well as a copy of Commissioner's Memo COM-14-055 (Memo) dated March 7, 2014. The Report included a list of initial probationary violations and/or citations for the 2013-2014 school year concerning one (1) or more of the schools in the district. The Memo indicated that the district was to review the initial violations and citations listed, confirm that all violations and citations were correct, or submit written corrections to the assigned Standards Assurance Specialist no later than April 2, 2014. If the district has been visited by Standards Assurance Unit (SAU) staff during this school year, you have also received notice after that visit of any violations and citations found during the On-campus Standards Review.

This letter is notification that the district has not been cleared of all initial violations and/or citations by the SAU. If you have already sent this office information concerning the violations, we will continue to review it and notify you of the district's final accreditation status later this month. Otherwise please take notice that the attached report is the final report on Standards for Accreditation Status for your schools or school district for the 2013-2014 school year. This report is required by Ark. Code Ann. § 6-15-203 to be issued by the Arkansas Department of Education (ADE) by May 1, 2014.

In the event that you believe that the ADE has improperly determined one (1) or more of your schools or your school district has failed to meet Standards for Accreditation, the school district has a right to file a written appeal to the State Board of Education (Board) with the ADE, Office of the Commissioner, Four State Capitol Mall, Room 304-A, Little Rock, AR 72201. The appeal must be filed not later than May 15, 2014; the Board hearing concerning your appeal must be held prior to June 15, 2014. Should you feel that any of the violations and/or citations listed in this Report are in error, submit corrected information to the SAU no later than May 15, 2014. The Board may confirm the accreditation status of a school as determined by the ADE or it may sustain the appeal of the district.

Thank you for your assistance in this process.



Horatio School District
2013/2014 School Year

Standards Annual Accreditation Report

Horatio School District

Accreditation Status: Probationary

District:
6703000 - Horatio School District
Superintendent John Ward
P O Box 435
Horatio, AR 71842
870-832-1941

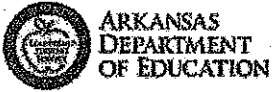
Schools:
6703012 - Horatio Elementary School - Accredited
6703013 - Horatio High School - Cited

ADE Standards Assurance Supervisor:
Tammy Long
Tammy.Long@arkansas.gov
Telephone: 501-682-4380
Fax: 501-682-4618

Exception Description	Standard	Rule	LEA	Description	Comments	Status
Job Not Certified	X	15.03.3	6703000	Job Not Certified: IZZO, CHARLOTTE 3050 Gifted/Talented Coordinator	ALP Licensure Completion Date: 09/01/2015	Probationary
Gifted/Talented	XIII	18.01	6703000	G/T Program is not approved.		Probationary

District Details Summary

Student Enrollment		District Information		
Grade Level	Student Count	Total Enrollment	Staff Development Hours	Total Book Volume
01	64	847	120	13385
02	61	FTE Information		
03	52			
04	57	Counselor	Principal	Assitant Principal
05	92	2.71	2.00	1.00
06	55	Library/Media Specialist		
07	49			
08	68			
09	71			
K	75			
10	74			
11	64			
12	65			



Horatio Elementary School
2013/14 School Year

Standards Annual Accreditation Report

Horatio Elementary School

Accreditation Status: Accredited

District:

6703000 - Horatio School District

Superintendent John Ward

P O Box 435

Horatio , AR 71842

870-832-1941

ADE Standards Assurance Supervisor:

Tammy Long

Tammy.Long@arkansas.gov

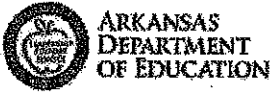
Telephone: 501-682-4380

Fax: 501-682-4818

No exceptions found.

School Details Summary

Student Enrollment		School Information		
Grade Level	Student Count	Total Enrollment	Staff Development Hours	Total Book Volume
01	64	456	60	8033
02	61			
03	52			
04	57			
05	92			
06	55			
K	75			
		FTE Information		
		Counselor	Principal	Assistant Principal
		1.00	1.00	0.00
		Library/Media Specialist		
				1.00



Horatio High School
2013/14 School Year

Standards Annual Accreditation Report

Horatio High School

Accreditation Status: Cited

District:

6703000 - Horatio School District

Superintendent John Ward

P O Box 435

Horatio, AR 71842

870-832-1941

ADE Standards Assurance Supervisor:

Tammy Long

Tammy.Long@arkansas.gov

Telephone: 501-682-4380

Fax: 501-682-4618

Exception Description	Standard	Rule	LEA	Description	Comments	Status
Job Not Certified	X	15.03.3	6703013	Job Not Certified: ROBERTS, LISA: 972100 Special Education Language Arts	ALP Licensure Completion Date: 09/01/2015	Cited
Job Not Certified	X	15.03.3	6703013	Job Not Certified: ROBERTS, LISA: 972300 Special Education Mathematics	ALP Licensure Completion Date: 09/01/2015	Cited
Provisional License	X	15.03.6	6703013	Provisional License: LITCHFORD, NICKI Animal Science I (.5 credit) (ANIMAL SCIENCE)		
Provisional License	X	15.03.6	6703013	Provisional License: LITCHFORD, NICKI Floriculture (.5 credit) (FLORICULTURE)		
Provisional License	X	15.03.6	6703013	Provisional License: LITCHFORD, NICKI Intro to Horticultural Science (.5 credit) (INTRO HOR/FLOR)		
Provisional License	X	15.03.6	6703013	Provisional License: LITCHFORD, NICKI Prep Period (TEACHER PREP)		
Provisional License	X	15.03.6	6703013	Provisional License: LITCHFORD, NICKI Survey of Agriculture Systems (AG SCI & TECH)		
Provisional License	X	15.03.6	6703013	Provisional License: LITCHFORD, NICKI Turf Grass Management (.5 credit) (TURF MGT)		
Provisional License	X	15.03.6	6703013	Provisional License: LITCHFORD, NICKI Veterinary Science (.5 Credit) (VET SCIENCE)		

School Details Summary

Student Enrollment		School Information		
Grade Level	Student Count	Total Enrollment	Staff Development Hours	Total Book Volume
07	49	391	60	5352
08	68			
09	71			
10	74			
11	64			
12	66			
		FTE Information		
		Counselor	Principal	Assistant Principal
		1.71	1.00	1.00
				Library/Media Specialist
				1.00



Horatio School District
2013/2014 School Year

Standards Annual Override Report

Horatio School District

Accreditation Status: Probationary

District:

6703000 - Horatio School District

Superintendent John Ward

P O Box 435

Horatio, AR 71842

870-832-1941

Schools:

6703012 - Horatio Elementary School - Accredited

6703013 - Horatio High School - Cited

ADE Standards Assurance Supervisor:

Tammy Long

Tammy.Long@arkansas.gov

Telephone: 501-682-4380

Fax: 501-682-4618

Rule	Standard	Exception Description	LEA	Description	Comments	Status	Override
9.03.4.10	IV	Advanced Placement Approval	6703013	No AP Approval for teacher RUSSELL, JARAH for course AP Chemistry (AP CHEMISTRY)			C
9.03.3	IV	Secondary Course Offerings	6703000	Additional Course(s) required: Concurrent Credit Oral Communication			C
9.03.3	IV	Secondary Course Offerings	6703000	Additional Course(s) required: ELA Drama (.5 credit)			C
9.03.3	IV	Secondary Course Offerings	6703000	Additional Course(s) required: Forensics I			C
9.03.3	IV	Secondary Course Offerings	6703000	Additional Course(s) required: Forensics II			C
9.03.3	IV	Secondary Course Offerings	6703000	Additional Course(s) required: Integrated Oral Communication NT			C
9.03.3	IV	Secondary Course Offerings	6703000	Additional Course(s) required: Oral Communication (1 credit)			C
9.03.3	IV	Secondary Course Offerings	6703000	Required Course(s) missing : Arkansas History			C
9.03.3	IV	Secondary Course Offerings	6703000	Required Course(s) missing : Computer Based Applications			C
15.03.3	X	Job Not Certified	6703012	Job Not Certified: DEVASIER, GWEN 366120 Reading Developmental Skills Grade 6 (READING GD6)	ALP Licensure Completion Date: 09/01/2016		C
15.03.3	X	Job Not Certified	6703012	Job Not Certified: AYERS, PATRICIA: 972100 Special Education Language Arts	ALP Licensure Completion Date: 09/01/2013		C
15.03.3	X	Job Not Certified	6703012	Job Not Certified: AYERS, PATRICIA: 972110 Special Education Reading	ALP Licensure Completion Date: 09/01/2013		C
15.03.3	X	Job Not Certified	6703012	Job Not Certified: AYERS, PATRICIA: 972200 Special Education Science	ALP Licensure Completion Date: 09/01/2013		C
15.03.3	X	Job Not Certified	6703012	Job Not Certified: AYERS, PATRICIA: 972300 Special Education Mathematics	ALP Licensure Completion Date: 09/01/2013		C
15.03.3	X	Job Not Certified	6703012	Job Not Certified: AYERS, PATRICIA: 972700 Special Education Social Studies	ALP Licensure Completion Date: 09/01/2013		C
15.03.3	X	Job Not Certified	6703013	Job Not Certified: MCALISTER, AMANDA 999800 Prep Period (TEACHER PREP)	ALP Licensure Completion Date: 09/01/2016		C
15.03.3	X	Job Not Certified	6703013	Job Not Certified: DUNN, DANIEL 999800 Prep Period (TEACHER PREP)	ALP Licensure Completion Date: 09/01/2016		C
15.03.3	X	Job Not Certified	6703013	Job Not Certified: KING, MARK 690040 Driver's Education (.5 credit) (DRIVERS EDUC)	ALP Licensure Completion Date: 09/01/2016		C
15.03.3	X	Job Not Certified	6703013	Job Not Certified: SWIFT, SHARON 399050 Keyboarding (7-8 grade) (KEYBOARDING)	ALP Licensure Completion Date: 09/01/2016		C
15.03.1	X	Personnel Not Certified	6703013	Personnel Not Certified: MCALISTER, AMANDA 410000 English 9 (ENGLISH 9)			C
15.03.1	X	Personnel Not Certified	6703013	Personnel Not Certified: MCALISTER, AMANDA 410000 English 9 (PRE AP ENG 9)			C

15.03.1	X	Personnel Not Certified	6703013	Personnel Not Certified: MCALISTER, AMANDA 411000 English 10 (ENGLISH 10)		C
15.03.1	X	Personnel Not Certified	6703013	Personnel Not Certified: MCALISTER, AMANDA 411000 English 10 (PRE AP ENG 10)		C
15.03.1	X	Personnel Not Certified	6703013	Personnel Not Certified: DUNN, DANIEL 358540 Instrumental Music 5-8 (combination) (***) (7TH BAND)		C
15.03.1	X	Personnel Not Certified	6703013	Personnel Not Certified: DUNN, DANIEL 358540 Instrumental Music 5-8 (combination) (***) (INST MUSIC 7&8)		C
15.03.1	X	Personnel Not Certified	6703013	Personnel Not Certified: DUNN, DANIEL 451000 Instrumental Music I (INSTR MUSIC)		C
15.03.1	X	Personnel Not Certified	6703013	Personnel Not Certified: DUNN, DANIEL 452000 Vocal Music I (VOCAL MUSIC)		C
10.02.5	V	Class Size: Grades 7-12	6703013	Class H S MATH with teacher FRACHISEUR, CINDY exceeds maximum class size of 8 with 10 students (Grade range: 7 to 12)		C
10.02.5	V	Class Size: Grades 7-12	6703013	Class H S ENGLISH with teacher ROBERTS, LISA exceeds maximum class size of 8 with 9 students (Grade range: 7 to 12)		C



Date Produced: 05/05/2014

Arkansas Department of Education:

The following is the delivery information for Certified Mail™ item number 7199 9991 7033 5882 8714. Our records indicate that this item was delivered on 04/30/2014 at 09:29 a.m. in HORATIO, AR 71842. The scanned image of the recipient information is provided below.

Signature of Recipient :

Missy Whitlow
Missy Whitlow

Address of Recipient :

PO Box 435

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 1374024 49281348350611 KG

* 42844			
91 7199 9991 7033 5882 8714			
Annual Accreditation Report		John	Ward
		Horatio	TL



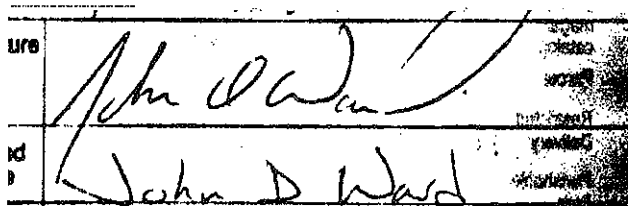
INITIAL ACC REPORT

Date Produced: 03/24/2014

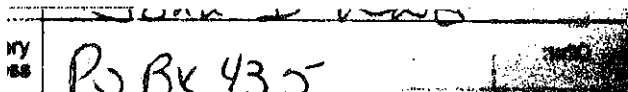
Arkansas Department of Education:

The following is the delivery information for Certified Mail™ item number 7199 9991 7033 5882 4914. Our records indicate that this item was delivered on 03/17/2014 at 09:23 a.m. in HORATIO, AR 71842. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



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Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 1374024 49281348350611 KG

71 7199 9991 7033 5882 4914

John Ward

HORATIO

Educator Licensure

Activity: 10/03/2012 | Adding an Area By Reciprocity - Teacher Certification | Pending

* - Current Issued License

This activity has not been issued.

Applicant Information

First Name: CHARLOTTE Middle Name: REE Last Name: IZZO Maiden Name: BOLLINGER

Application Date:

Ethics Violations Viewable Under Act 1323 of 2013: None

Educator Licensure

Status: Pending

Issue Date: License Effective Date: 1/1/2012 License Expiration Date: 12/31/2016

Status Effective Date: Status Expiration Date:

Non-Criminal Background Information (NCBC)

Background Checks

Check Status: Approved Last Check Date: 11/18/1999

Child Maltreatment Central Registry Check

Check Status: Approved Last Check Date: 1/11/2012

NOTICE TO EDUCATORS: A NEW BACKGROUND AND CMCR CHECK ARE REQUIRED WHEN YOU CHANGE EMPLOYMENT OR RENEW YOUR LICENSE

Licensure Areas

Area	Description	GL	GH	Status	Status Date	Issue License Type	Original Date	Effective Date	Expiration Date
Applying Type: Teacher Certification									
184	Elementary	1	6	Approved	2/8/2000	Standard		1/1/2012	12/31/2016

Applicant Payments

Activity Fees

Date	Receipt	Description	Approval	Debit	Credit	Balance	Date	Description	Debit	Credit	Balance
No Applicant Payment Transactions on Record							No Activity Fee Transactions on Record				

Local Education Agencies (LEAs):

LEA #	Name
6703000	HORATIO SCHOOL DISTRICT

ALP Waivers:

Start Year	ALP Code	Out of Area	Status
2012/2013	306	Gift & Talented 7 - 12	Granted
2012/2013	305	Gift & Talented PK - 8	Granted
1	Page size: 10	2 items in 1 pages	

Charlotte Izzo is not certified to ~~be~~ be G/T Coordinator.

Tammy Long (ADE)

From: Johnie Walters (ADE)
Sent: Wednesday, April 16, 2014 10:37 AM
To: Brandon R. Morrison (ADE); David Tumilson (ADE); Derryl Evans (ADE); John Calaway (ADE); Johnie Walters (ADE); Kay Gardner (ADE); Mari Nokes (ADE); Randall Lawrence (ADE); Roy Causbie (ADE); Shade Gilbert (ADE); Tammy Long (ADE); Timothy Barnes (ADE)
Cc: Kay Gardner (ADE)
Subject: FW: GT Program Monitoring

FYI

From: Mary Stein (ADE)
Sent: Tuesday, April 15, 2014 3:20 PM
To: Johnie Walters (ADE)
Subject: GT Program Monitoring

Dear Johnie,

The only school district without an approved GT Program for 2013-2014 is the Horatio School District with the ALP issue.

Mary Kathryn Stein, Program Coordinator
Office of Gifted and Talented and Advanced Placement
Arkansas Department of Education
Four Capitol Mall, Slot 28
Little Rock, Arkansas 72201
501-682-4224 – Office
501-682-4220 – Fax
mary.stein@arkansas.gov



*See attached letter
from Mary Kathryn Stein.*

Tammy Long (ADE)

From: Johnie Walters (ADE)
Sent: Monday, April 07, 2014 10:04 AM
To: Tammy Long (ADE)
Subject: FW: Gifted and Talented Program Approval

FYI

From: Mary Stein (ADE)
Sent: Monday, April 07, 2014 10:03 AM
To: sward@horatioschools.org
Cc: Johnie Walters (ADE); Dana Ray (dana.ray@swaec.org)
Subject: Gifted and Talented Program Approval

April 7, 2014

John Ward, Superintendent
Horatio School District
205 Isbell St.
Horatio, AR 71842

Dear Mr. Ward,

The Office of Gifted Education is not able to approve the Gifted and Talented Program in the Horatio School District based on the following area of concern:

▪ **Gifted and Talented Program Approval Standards, Personnel 6.01 and 6.02**

(see pages 14-16 of GT Standards)

6.01 Persons who teach identified gifted students in homogeneous groups **must** hold current Arkansas initial or standard teaching licensure, pass appropriate state approved assessments, and meet performance standards as set by the State Board of Education through the Arkansas Department of Education, Professional Licensure Department for add-on endorsement in gifted education.

6.02 Persons who coordinate a program for gifted and talented students kindergarten through grade twelve must hold current Arkansas teaching licensure, pass appropriate state approved assessments, and meet performance standards as set by the state Board of Education through the Arkansas Department of Education, Professional Licensure Department for add-on endorsement in gifted education.

We realize that you are aware of this concern and may be working to correct it for next school year, but for the 2013-2014 school year, the Horatio Gifted Program is out of compliance.

In the event that you are able to rectify this problem and provide full services to your secondary GT students, please contact our office immediately.

If you have any questions, please feel free to contact me at 682-4224.

Sincerely,

Mary Kathryn Stein, Program Coordinator
Arkansas Department of Education
Office of Gifted and Talented Programs
Four Capitol Mall, Mail Slot #28
Little Rock, AR 72201
E-mail: mary.stein@arkansas.gov
Office: 501-682-4224; Fax: 501-682-4220

cc: **Johnie Walters, Unit Leader**

RECEIVED
OCT 11 2013

DISTRICT LEA# 6703

**STANDARDS
ASSURANCE STATEMENT OF ASSURANCE**

Pursuant to Ark. Code Ann. § 6-15-202 (f & h), each Arkansas school district superintendent and each chief academic officer of an open-enrollment charter school shall by October 15th of each school year give written assurance of school district or charter school compliance with Arkansas law by providing her/his signature below as required on this form. This written assurance shall be received or postmarked and mailed to the Department of Education by October 15th of each school year.

I hereby certify by my signature that I have thoroughly reviewed the following information required for the statewide information Cycle 2 report and that the data contained in the attached report is true, accurate, and timely, for the 2013-2014 school year. By my signature below, I certify that information in the report accurately describes the status and condition of the

Horatio School District in Sevier County as of October 1, 2013, and is submitted in compliance with Ark. Code Ann. §§ 6-15-202 and 6-15-206 (c)(1) and is subject to the enforcement provisions of Ark. Code Ann. §§ 6-15-202, 6-15-207 and 6-17-410.

Furthermore, I hereby certify by my signature below on this form that

Horatio School District is in compliance for the 2013-2014 school year (July 1, 2013 – June 30, 2014) with each of the following statutory provisions and/or requirements for school districts identified as relevant to the Standards for Accreditation of Arkansas Public Schools and School Districts:

1. The high school(s) (grades 9-12) is teaching and has students enrolled in all 38 units required to be taught by the Rules Governing Standards for Accreditation.

If this requirement is met by means other than a class taught in the school by a teacher employed by the district or an approved distance learning class, please attach appropriate documentation as follows:

Contracts or letters of agreement, which shall include:

- A. *Names of all courses with corresponding six-digit course codes taught out of district (including career and technical education courses offered at area vocational centers) with name(s) of teacher(s) and Arkansas Teacher's License Number(s);*
 - B. *Statement that transportation will be provided to off-campus sites; and*
 - C. *Signatures of both superintendents/directors.*
2. Each school, grades 9-12, teaches at least one unit of Computer Applications with emphasis on current applications.
 3. The school district provides all students in grades K-8 with Tools for Learning which includes technical skills (research and information skills, use of computers and calculators) and data gathering (use of data banks, atlases, dictionaries, almanacs, networks, news sources, and interviews).
 4. The school district is in compliance with Ark. Code Ann. § 4-86-107 concerning misappropriation of social security numbers.

5. The school district is in compliance with Ark. Code Ann. § 6-5-403(d)(2)(B) concerning provision of higher education information by high school counselors.
6. The school district is in compliance with Ark. Code Ann. § 6-10-106 concerning uniform dates for beginning and end of school year.
7. The school district is in compliance with Ark. Code Ann. § 6-10-110 concerning fire marshal program.
8. The school district is in compliance with Ark. Code Ann. § 6-10-111 (d) through (f) concerning the Equity Assistance Center.
9. The school district is in compliance with Ark. Code Ann. § 6-10-113 concerning eye protection.
10. The school district is in compliance with Ark. Code Ann. § 6-10-114 concerning discrimination and punishment.
11. The school district is in compliance with Ark. Code Ann. § 6-11-129 concerning data to be accessible on Department of Education's website.
12. The school district is in compliance with Ark. Code Ann. § 6-13-109 concerning employment of a school superintendent.
13. The school district is in compliance with Ark. Code Ann. § 6-13-620 concerning powers and duties of the local school board of directors.
14. The school district is in compliance with Ark. Code Ann. § 6-13-629 concerning training and instruction of the local school board of directors.
15. The school district is in compliance with Ark. Code Ann. § 6-13-801 et seq. concerning educational compacts.
16. The school district is in compliance with Ark. Code Ann. § 6-15-101 concerning academic standards and expected outcomes.
17. The school district is in compliance with Ark. Code Ann. § 6-15-201 et seq. concerning accreditation.
18. The school district is in compliance with Ark. Code Ann. § 6-15-401 et seq. concerning the Arkansas Comprehensive, Testing, Assessment, and Accountability Program.
19. The school district is in compliance with Ark. Code Ann. § 6-15-502 concerning home schools.
20. The school district is in compliance with Ark. Code Ann. § 6-15-902 concerning grading scale.
21. The school district is in compliance with Ark. Code Ann. § 6-15-1004 concerning qualified teachers.
22. The school district is in compliance with Ark. Code Ann. § 6-15-1005 concerning safe, equitable, and accountable schools.
23. The school district is in compliance with Ark. Code Ann. § 6-15-1101(b) concerning diplomas and transcripts.

24. The school district is in compliance with Ark. Code Ann. § 6-15-1402 concerning the school performance report.
25. The school district is in compliance with Ark. Code Ann. § 6-15-1505 concerning district implementation of a comprehensive plan for consistency and rigor in course work.
26. The school district is in compliance with Ark. Code Ann. § 6-15-1603 concerning closing the achievement gap.
27. The school district is in compliance with Ark. Code Ann. § 6-15-1701 et seq. concerning a parental involvement plan.
28. The school district is in compliance with Ark. Code Ann. § 6-15-2006 concerning remedial instruction and progress toward achieving state expectations for proficiency.
29. The school district is in compliance with Ark. Code Ann. § 6-15-2101(a)(3) concerning school rating system, publication, and posting of annual school performance reports.
30. The school district is in compliance with Ark. Code Ann. § 6-16-102 concerning school day.
31. The school district is in compliance with Ark. Code Ann. § 6-16-103 concerning course of study generally.
32. The school district is in compliance with Ark. Code Ann. § 6-16-124 concerning Arkansas history.
33. The school district is in compliance with Ark. Code Ann. § 6-16-126 concerning food handling safety.
34. The school district is in compliance with Ark. Code Ann. § 6-16-130 concerning visual art and music.
35. The school district is in compliance with Ark. Code Ann. § 6-16-132 concerning physical education.
36. The school district is in compliance with Ark. Code Ann. § 6-16-137 concerning organized physical activity courses used for physical education credit.
37. The school district is in compliance with Ark. Code Ann. § 6-16-501(b) concerning organ donor awareness education and instructional materials.
38. The school district is in compliance with Ark. Code Ann. § 6-16-1002 concerning health education.
39. The school district is in compliance with Ark. Code Ann. § 6-16-1003 concerning oral health standards.
40. The school district is in compliance with Ark. Code Ann. § 6-16-1201 et seq. concerning advanced placement and concurrent enrollment and rigorous and substantially equal curriculum.
41. The school district is in compliance with Ark. Code Ann. § 6-17-102 concerning emergency first aid personnel.

42. The school district is in compliance with Ark. Code Ann. § 6-17-201 et seq. concerning personnel policies.
43. The school district is in compliance with Ark. Code Ann. § 6-17-309 concerning certification.
44. The school district is in compliance with Ark. Code Ann. § 6-17-401 et seq. concerning teacher's license requirement.
45. The school district is in compliance with Ark. Code Ann. § 6-17-2301 et seq. concerning establishment of personnel policies.
46. The school district is in compliance with Ark. Code Ann. § 6-17-2402 concerning teacher compensation.
47. The school district is in compliance with Ark. Code Ann. § 6-18-101 concerning qualifications for valedictorian and salutatorian.
48. The school district is in compliance with Ark. Code Ann. § 6-18-201 et seq. concerning compulsory attendance.
49. The school district is in compliance with Ark. Code Ann. § 6-18-202 concerning age and residence for attending public schools.
50. The school district is in compliance with Ark. Code Ann. § 6-18-1901 et seq. concerning public school choice.
51. The school district is in compliance with Ark. Code Ann. § 6-18-207 concerning minimum age for enrollment in public school.
52. The school district is in compliance with Ark. Code Ann. § 6-18-208 concerning the use of students' Social Security numbers.
53. The school district is in compliance with Ark. Code Ann. § 6-18-209 and 6-18-220 concerning excessive student absences.
54. The school district is in compliance with Ark. Code Ann. § 6-18-211 concerning attendance for students in grades nine through twelve.
55. The school district is in compliance with Ark. Code Ann. § 6-18-213 concerning attendance records and reports generally.
56. The school district is in compliance with Ark. Code Ann. § 6-18-222 concerning provision of attendance policy.
57. The school district is in compliance with Ark. Code Ann. § 6-18-223 concerning credit for college courses.
58. The school district is in compliance with Ark. Code Ann. § 6-18-227 concerning opportunity school choice.
59. The school district is in compliance with Ark. Code Ann. § 6-18-501 et seq. concerning guidelines for development of school district student discipline policies and written student discipline policies.

60. The school district is in compliance with Ark. Code Ann. § 6-18-508 concerning alternative learning environments.
61. The school district is in compliance with Ark. Code Ann. § 6-18-509 concerning assessment and intervention in alternative learning environments.
62. The school district is in compliance with Ark. Code Ann. § 6-18-701 et seq. concerning physical examinations.
63. The school district is in compliance with Ark. Code Ann. § 6-18-1005 concerning a student services program.
64. The school district is in compliance with Ark. Code Ann. § 6-19-101 et seq. concerning transportation.
65. The school district is in compliance with Ark. Code Ann. § 6-20-2202 concerning the budget and expenditure report.
66. The school district is in compliance with Ark. Code Ann. § 6-20-2204 concerning required training for preparing the budget or recording expenditures.
67. The school district is in compliance with Ark. Code Ann. § 6-21-106 concerning fire hazards inspection prior to closing for breaks.
68. The school district is in compliance with Ark. Code Ann. § 6-21-112 concerning school facilities.
69. The school district is in compliance with Ark. Code Ann. § 6-21-403 concerning textbooks.
70. The school district is in compliance with Ark. Code Ann. § 6-25-101 et seq. concerning public school library media and technology.
71. The school district is in compliance with Ark. Code Ann. § 6-41-101 et seq. concerning services to children with disabilities in nonpublic schools.
72. The school district is in compliance with Ark. Code Ann. § 6-41-201 et seq. concerning children with disabilities.
73. The school district is in compliance with Ark. Code Ann. § 6-42-101 et seq. concerning gifted and talented.
74. The school district is in compliance with Ark. Code Ann. § 6-80-107 concerning electronic transmission of transcripts.
75. The school district is in compliance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) concerning the privacy of student education records.
76. The school district is in compliance with Section 4141 of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act (NCLB) of 2001, Subpart 3, (PL 107-110 § 4141) concerning gun-free schools.
77. The school district is in compliance with Section 9524 of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act (NCLB) of 2001, (PL 107-110 § 9524) concerning prayer in public schools.

DISTRICT LEA# 6703

Superintendents are reminded that all schools and school districts must abide by all laws enacted by the Arkansas General Assembly and the Standards for Accreditation of Arkansas Public Schools and School Districts adopted by the Arkansas State Board of Education.

President of Board's Signature: Poseyanna Smith Date: 10-07-2013

Superintendent's Signature: John D. Ward Date: 10-8-13

Superintendent's Name (printed): John D. Ward

District Contact Person (Name/title): John D. Ward

Phone # 870-832-1940 E-mail Address: sward@horatioschools.org

Mail to: Johnnie Walters, Standards Assurance Unit **must be postmarked on or before**
Arkansas Department of Education **October 15, 2013**
Four Capitol Mall – Room 202-B
Little Rock, AR 72201-1071

Pursuant to Ark. Code Ann. § 6-15-202(g), in addition to any written statement of assurance required pursuant to Ark. Code Ann. § 6-15-202(f), the Department of Education may conduct an on-site review of a school district to confirm that a school district has complied with any statutory requirements listed in this written statement of assurance or any other matter related to the Standards for Accreditation of Arkansas Public Schools and School Districts.

Any superintendent who fails to file a written statement of assurance as required by the Commissioner of the Department of Education pursuant to Ark. Code Ann. § 6-15-202(f), by the date established by the Department of Education or knowingly submits false information or if the Department of Education determines the information in the statement is inaccurate or incomplete, the Department of Education, pursuant to Ark. Code Ann. § 6-15-202(i), may:

- (1) *Conduct a random on-site visit;*
- (2) *Request additional information from the school district;*
- (3) *Take licensure action on the license of the superintendent under the procedure of § 6-17-410; or*
- (4) *Recommend to the State Board of Education that an accredited-cited status or an accredited-probationary status be assigned the school or school district as described in the Arkansas Department of Education Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts.*

RECEIVED
OCT 16 2012

DISTRICT LEA# 67-03

MBN
STANDARDS
ASSURANCE

STATEMENT OF ASSURANCE

Pursuant to Ark. Code Ann. § 6-15-202 (f & h), each Arkansas school district superintendent and each chief academic officer of an open-enrollment charter school shall by October 15th of each school year give written assurance of school district or charter school compliance with Arkansas law by providing her/his signature below as required on this form. This written assurance shall be received or postmarked and mailed to the Department of Education by October 15th of each school year.

I hereby certify by my signature that I have thoroughly reviewed the following information required for the statewide information Cycle 2 report and that the data contained in the attached report is true, accurate, and timely, for the 2012-2013 school year. By my signature below, I certify that information in the report accurately describes the status and condition of the

Horatio School District in Sevier County as of October 1, 2012, and is submitted in compliance with Ark. Code Ann. §§ 6-15-202 and 6-15-206 (c)(1) and is subject to the enforcement provisions of Ark. Code Ann. §§ 6-15-202, 6-15-207 and 6-17-410.

Furthermore, I hereby certify by my signature below on this form that Horatio School District is in compliance for the 2012-2013 school year (July 1, 2012 – June 30, 2013) with each of the following statutory provisions and/or requirements for school districts identified as relevant to the Standards for Accreditation of Arkansas Public Schools and School Districts:

1. The high school(s) (grades 9-12) is teaching and has students enrolled in all 38 units required to be taught by the Rules Governing Standards for Accreditation.

If this requirement is met by means other than a class taught in the school by a teacher employed by the district or an approved distance learning class, please attach appropriate documentation as follows:

Contracts or letters of agreement, which shall include:

- A. Names of all courses with corresponding six-digit course codes taught out of district (including career and technical education courses offered at area vocational centers) with name(s) of teacher(s) and Arkansas Teacher's License Number(s);
 - B. Statement that transportation will be provided to off-campus sites; and
 - C. Signatures of both superintendents/directors.
2. Each school, grades 9-12, teaches at least one unit of Computer Applications with emphasis on current applications.
 3. The school district provides all students in grades K-8 with Tools for Learning which includes technical skills (research and information skills, use of computers and calculators) and data gathering (use of data banks, atlases, dictionaries, almanacs, networks, news sources, and interviews).
 4. The school district is in compliance with Ark. Code Ann. § 4-86-107 concerning misappropriation of social security numbers.

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STANDARDS
ASSURANCE

5. The school district is in compliance with Ark. Code Ann. § 6-5-403(d)(2)(B) concerning provision of higher education information by high school counselors.
6. The school district is in compliance with Ark. Code Ann. § 6-10-106 concerning uniform dates for beginning and end of school year.
7. The school district is in compliance with Ark. Code Ann. § 6-10-110 concerning fire marshal program.
8. The school district is in compliance with Ark. Code Ann. § 6-10-111 (d) through (f) concerning the Equity Assistance Center.
9. The school district is in compliance with Ark. Code Ann. § 6-10-113 concerning eye protection.
10. The school district is in compliance with Ark. Code Ann. § 6-10-114 concerning discrimination and punishment.
11. The school district is in compliance with Ark. Code Ann. § 6-11-129 concerning data to be accessible on Department of Education's website.
12. The school district is in compliance with Ark. Code Ann. § 6-13-109 concerning employment of a school superintendent.
13. The school district is in compliance with Ark. Code Ann. § 6-13-620 concerning powers and duties of the local school board of directors.
14. The school district is in compliance with Ark. Code Ann. § 6-13-629 concerning training and instruction of the local school board of directors.
15. The school district is in compliance with Ark. Code Ann. § 6-13-801 et seq. concerning educational compacts.
16. The school district is in compliance with Ark. Code Ann. § 6-15-101 concerning academic standards and expected outcomes.
17. The school district is in compliance with Ark. Code Ann. § 6-15-201 et seq. concerning accreditation.
18. The school district is in compliance with Ark. Code Ann. § 6-15-401 et seq. concerning the Arkansas Comprehensive, Testing, Assessment, and Accountability Program.
19. The school district is in compliance with Ark. Code Ann. § 6-15-502 concerning home schools.
20. The school district is in compliance with Ark. Code Ann. § 6-15-902 concerning grading scale.
21. The school district is in compliance with Ark. Code Ann. § 6-15-1004 concerning qualified teachers.
22. The school district is in compliance with Ark. Code Ann. § 6-15-1005 concerning safe, equitable, and accountable schools.
23. The school district is in compliance with Ark. Code Ann. § 6-15-1101(b) concerning diplomas and transcripts.

24. The school district is in compliance with Ark. Code Ann. § 6-15-1402 concerning the school performance report.
25. The school district is in compliance with Ark. Code Ann. § 6-15-1505 concerning district implementation of a comprehensive plan for consistency and rigor in course work.
26. The school district is in compliance with Ark. Code Ann. § 6-15-1603 concerning closing the achievement gap.
27. The school district is in compliance with Ark. Code Ann. § 6-15-1701 et seq. concerning a parental involvement plan.
28. The school district is in compliance with Ark. Code Ann. § 6-15-2006 concerning remedial instruction and progress toward achieving state expectations for proficiency.
29. The school district is in compliance with Ark. Code Ann. § 6-15-2101(a)(3) concerning school rating system, publication, and posting of annual school performance reports.
30. The school district is in compliance with Ark. Code Ann. § 6-16-102 concerning school day.
31. The school district is in compliance with Ark. Code Ann. § 6-16-103 concerning course of study generally.
32. The school district is in compliance with Ark. Code Ann. § 6-16-124 concerning Arkansas history.
33. The school district is in compliance with Ark. Code Ann. § 6-16-126 concerning food handling safety.
34. The school district is in compliance with Ark. Code Ann. § 6-16-130 concerning visual art and music.
35. The school district is in compliance with Ark. Code Ann. § 6-16-132 concerning physical education.
36. The school district is in compliance with Ark. Code Ann. § 6-16-137 concerning organized physical activity courses used for physical education credit.
37. The school district is in compliance with Ark. Code Ann. § 6-16-501(b) concerning organ donor awareness education and instructional materials.
38. The school district is in compliance with Ark. Code Ann. § 6-16-1002 concerning health education.
39. The school district is in compliance with Ark. Code Ann. § 6-16-1003 concerning oral health standards.
40. The school district is in compliance with Ark. Code Ann. § 6-16-1201 et seq. concerning advanced placement and concurrent enrollment and rigorous and substantially equal curriculum.
41. The school district is in compliance with Ark. Code Ann. § 6-17-102 concerning emergency first aid personnel.

42. The school district is in compliance with Ark. Code Ann. § 6-17-201 et seq. concerning personnel policies.
43. The school district is in compliance with Ark. Code Ann. § 6-17-309 concerning certification.
44. The school district is in compliance with Ark. Code Ann. § 6-17-401 et seq. concerning teacher's license requirement.
45. The school district is in compliance with Ark. Code Ann. § 6-17-2301 et seq. concerning establishment of personnel policies.
46. The school district is in compliance with Ark. Code Ann. § 6-17-2402 concerning teacher compensation.
47. The school district is in compliance with Ark. Code Ann. § 6-18-101 concerning qualifications for valedictorian and salutatorian.
48. The school district is in compliance with Ark. Code Ann. § 6-18-201 et seq. concerning compulsory attendance.
49. The school district is in compliance with Ark. Code Ann. § 6-18-202 concerning age and residence for attending public schools.
50. The school district is in compliance with Ark. Code Ann. § 6-18-206 concerning public school choice.
51. The school district is in compliance with Ark. Code Ann. § 6-18-207 concerning minimum age for enrollment in public school.
52. The school district is in compliance with Ark. Code Ann. § 6-18-208 concerning the use of students' Social Security numbers.
53. The school district is in compliance with Ark. Code Ann § 6-18-209 and 6-18-220 concerning excessive student absences.
54. The school district is in compliance with Ark. Code Ann. § 6-18-211 concerning attendance for students in grades nine through twelve.
55. The school district is in compliance with Ark. Code Ann. § 6-18-213 concerning attendance records and reports generally.
56. The school district is in compliance with Ark. Code Ann. § 6-18-222 concerning provision of attendance policy.
57. The school district is in compliance with Ark. Code Ann. § 6-18-223 concerning credit for college courses.
58. The school district is in compliance with Ark. Code Ann § 6-18-227 concerning opportunity school choice.
59. The school district is in compliance with Ark. Code Ann. § 6-18-501 et seq. concerning guidelines for development of school district student discipline policies and written student discipline policies.

60. The school district is in compliance with Ark. Code Ann. § 6-18-508 concerning alternative learning environments.
61. The school district is in compliance with Ark. Code Ann. § 6-18-509 concerning assessment and intervention in alternative learning environments.
62. The school district is in compliance with Ark. Code Ann. § 6-18-701 et seq. concerning physical examinations.
63. The school district is in compliance with Ark. Code Ann. § 6-18-1005 concerning a student services program.
64. The school district is in compliance with Ark. Code Ann. § 6-19-101 et seq. concerning transportation.
65. The school district is in compliance with Ark. Code Ann. § 6-20-2202 concerning the budget and expenditure report.
66. The school district is in compliance with Ark. Code Ann. § 6-20-2204 concerning required training for preparing the budget or recording expenditures.
67. The school district is in compliance with Ark. Code Ann. § 6-21-106 concerning fire hazards inspection prior to closing for breaks.
68. The school district is in compliance with Ark. Code Ann. § 6-21-112 concerning school facilities.
69. The school district is in compliance with Ark. Code Ann. § 6-21-403 concerning textbooks.
70. The school district is in compliance with Ark. Code Ann. § 6-25-101 et seq. concerning public school library media and technology.
71. The school district is in compliance with Ark. Code Ann. § 6-41-101 et seq. concerning services to children with disabilities in nonpublic schools.
72. The school district is in compliance with Ark. Code Ann. § 6-41-201 et seq. concerning children with disabilities.
73. The school district is in compliance with Ark. Code Ann. § 6-42-101 et seq. concerning gifted and talented.
74. The school district is in compliance with Ark. Code Ann. § 6-80-107 concerning electronic transmission of transcripts.
75. The school district is in compliance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) concerning the privacy of student education records.
76. The school district is in compliance with Section 4141 of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act (NCLB) of 2001, Subpart 3, (PL 107-110 § 4141) concerning gun-free schools.
77. The school district is in compliance with Section 9524 of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act (NCLB) of 2001, (PL 107-110 § 9524) concerning prayer in public schools.

Superintendents are reminded that all schools and school districts must abide by all laws enacted by the Arkansas General Assembly and the Standards for Accreditation of Arkansas Public Schools and School Districts adopted by the Arkansas State Board of Education.

President of Board's Signature: [Signature] Date: 10-8-12

Superintendent's Signature: [Signature] Date: 10/8/12

Superintendent's Name (printed): John D. Ward

District Contact Person (Name/title): John D. Ward, Supt.

Phone # 870-832-6603 E-mail Address: sward@horatioschools.org

Mail to: Johnnie Walters, Standards Assurance Unit
Arkansas Department of Education
Four Capitol Mall – Room 202-B
Little Rock, AR 72201-1071

must be postmarked on or before
October 15, 2012

Pursuant to Ark. Code Ann. § 6-15-202(g), in addition to any written statement of assurance required pursuant to Ark. Code Ann. § 6-15-202(f), the Department of Education may conduct an on-site review of a school district to confirm that a school district has complied with any statutory requirements listed in this written statement of assurance or any other matter related to the Standards for Accreditation of Arkansas Public Schools and School Districts.

Any superintendent who fails to file a written statement of assurance as required by the Commissioner of the Department of Education pursuant to Ark. Code Ann. § 6-15-202(f), by the date established by the Department of Education or knowingly submits false information or if the Department of Education determines the information in the statement is inaccurate or incomplete, the Department of Education, pursuant to Ark. Code Ann. § 6-15-202(i), may:

- (1) Conduct a random on-site visit;
- (2) Request additional information from the school district;
- (3) Take licensure action on the license of the superintendent under the procedure of § 6-17-410; or
- (4) Recommend to the State Board of Education that an accredited-cited status or an accredited-probationary status be assigned the school or school district as described in the Arkansas Department of Education Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts.

OFFICE OF THE SUPERINTENDENT
HORATIO PUBLIC SCHOOLS

P.O. Box 435
Horatio, Arkansas 71842
870.832.2343 • Fax 870.832.4465

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JUN 23 2014

STANDARDS
ASSURANCE

June 19, 2014

Mr. Tony Wood, Commissioner
Arkansas Department of Education
Four Capitol Mall
Little Rock, Arkansas 72201

Re: Re: Second Year of Probationary Status

Mr. Wood:

This letter precedes our attendance of the July 10th state board meeting in order to inform you of the circumstances that led to our second year of probation.

Our first year was due to the high school band director failing to meet all certification requirements of his ALP. He did not pass the Praxis II for his content area. He did not meet the criteria of the ALP and the required timeline, which placed us in Year 1 probation status. During this past school year, 2013-2014, he did pass the test and has met certification requirements.

Our reason for Year 2 status is not for the same reason as Year 1. Our district G/T Coordinator is also under an ALP and failed to take any course work outlined in her plan during the 2013 calendar year. Furthermore, the former superintendent was under the assumption that the high school principal would submit a waiver request to licensure on behalf of the district and extend the timeline of her ALP completion. That process was not carried out, however, and the former superintendent accepts full responsibility for this oversight.

Rural schools continuously have trouble finding and hiring teachers in certain areas and ALP's have become numerous and can be difficult to monitor. This oversight has created an unfortunate situation but has made our school district's administration more aware and we will strive to alleviate our probationary status.

Thank you for your attention. We will fully cooperate with ADE and the state board to meet all appropriate standards.

Sincerely,

A handwritten signature in cursive script that reads "Lee Smith". The signature is written in dark ink and is positioned above the printed name.

Lee Smith, Superintendent
Horatio Public Schools

HORATIO PUBLIC SCHOOLS

P.O. Box 435
Horatio, Arkansas 71842
870.832.2343 • Fax 870.832.4465

John D. Ward
SUPERINTENDENT 870-832-2343
James Dobbins
HIGH SCHOOL PRINCIPAL 870-832-1900
Rodger Click
HORATIO ELEM. PRINCIPAL 870-832-2891

Jonathan Vaught
PRESIDENT
Pollyanna Smith
VICE-PRESIDENT
Jeffrey Irvan
SECRETARY
Kristi Rhodes
Joe Jones
Jennifer Worthey
Elizabeth Walker

June 19, 2014

Mr. Tony Wood, Commissioner
Arkansas Department of Education
Four Capitol Mall
Little Rock, Arkansas 72201

Commissioner Tony Wood and Arkansas State Board of Education:

My name is John Ward, former superintendent of Horatio School District. Please accept this letter as my explanation for the actions leading to a Second Year Probationary Status.

For school year 2012-13, I hired an instrumental music teacher who had not yet passed the necessary praxis exam to be enrolled in an Alternative Licensure Program. The teacher finally passed all necessary tests, but not until the school district had received a probationary status.

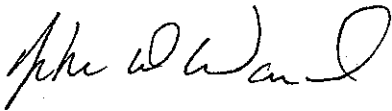
For the school year 2013-14, I did not request a year two waiver for a G/T teacher on an Additional Licensure Plan. I did not realize this until the initial accreditation report. Upon following up with the teacher to verify the required six hours of college credit had been or was in progress of completion, I discovered that no attempt had been made to meet this requirement of the ALP. The teacher cited personal financial reasons for not meeting this requirement. As a result, the district received a year two probationary status.

For the past seventeen years I have been employed by the Horatio School District and have been superintendent for the past seven. I have been dedicated to improving the educational opportunities for our students during this time. Horatio is my hometown so please understand that I would not intentionally jeopardize the integrity of Horatio School District. I understood the risks of the year one

probation, but felt that the teacher was worth the risk. He is a phenomenal teacher who has done wonders for our music program. The lack of attention to detail to request a year two waiver was a complete oversight on my part, and I am sincerely regretful and apologetic.

My actions are in no part a reflection of the current leadership of the superintendent or the Horatio Board of Education. While I understand the severity of Second Year Probationary Status, I ask that you are merciful in your actions toward Horatio School District.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Ward". The signature is fluid and stylized, with a large initial "J" and a long, sweeping tail.

John Ward

Subject: Student Detail Schedule

From: Charlotte Izzo <izzoone@aol.com>

To: mliggin@horatioschools.org

Date: Friday, 06/20/2014 11:15 AM



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Student Detail Schedule

Charlotte R. Izzo
2014 Summer
Jun 20, 2014 10:44 am

Total Credit Hours: 3.000

INTRODUCTION TO STATISTICS AND RESEARCH -
ELFN 6773 - 20A

Associated Term: 2014 Summer

CRN: 31254

Status: **Web Registered** on Jun 04, 2014

Assigned Instructor: Steve M. Bounds

Grade Mode: Standard Letter

Credits: 3.000

Level: Graduate

Campus: Large Scale Distance Education

Scheduled Meeting Times

Type	Time Days	Where	Date Range	Schedule Type	Instructors
Class TBA		Web Online Course	Jul 07, 2014 - Aug 07, 2014	Lecture	Steve M Bounds (P)

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Release: 8.3.0.3

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Subject: course #2

From: Charlotte Izzo <izzoone@aol.com>

To: mliggin@horatioschools.org

Date: Friday, 06/20/2014 11:45 AM

Adv Place For Talented

2014 Summer 4

Subject: Gifted/Talented Education (GATE) 7361 Section 990 (CRN: 30302)

Policies, procedures, and program and curriculum design for accelerative options. Includes principles of optimal match, curriculum articulation, vertical teaming and comparisons of national and international accelerative program models and assessments.

Section 990 is an ONLINE COURSE. A computer and Internet are required. Please log onto Blackboard the first day of classes for additional information

17 seats available (capacity: 20)

Credit Hours: 3

Meeting times and locations

Online class

July 7th to August 8th, 2014 (4 weeks)

Instructors

Not yet assigned

Department

Educational Leadership

College

College of Education

OFFICE OF THE SUPERINTENDENT
HORATIO PUBLIC SCHOOLS

P.O. Box 435
Horatio, Arkansas 71842
870.832.2343 • Fax 870.832.4465

June 19, 2014

RECEIVED
COMMISSIONER'S OFFICE

JUN 24 2014

DEPARTMENT OF EDUCATION

Mr. Tony Wood, Commissioner
Arkansas Department of Education
Four Capitol Mall
Little Rock, Arkansas 72201

Re: Re: Second Year of Probationary Status

Mr. Wood:

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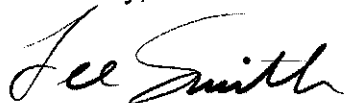
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Thank you for your attention. We will fully cooperate with ADE and the state board to meet all appropriate standards.

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Lee Smith, Superintendent
Horatio Public Schools

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June 19, 2014

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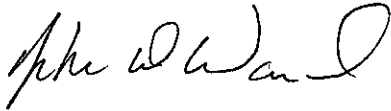
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Subject: Student Detail Schedule

From: Charlotte Izzo <izzoone@aol.com>

To: mliggin@horatioschools.org

Date: Friday, 06/20/2014 11:15 AM



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Student Detail Schedule

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Release: 8.3.0.3

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Meeting times and locations

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College of Education



ARKANSAS DEPARTMENT OF EDUCATION

PROBATIONARY LETTER – YEAR TWO OF PROBATION

Dr. Tom W. Kimbrell
Commissioner

June 13, 2014

State Board
of Education

Brenda Gullett
*Fayetteville
Chair*

Sam Ledbetter
*Little Rock
Vice Chair*

Dr. Jay Barth
Little Rock

Joe Black
Newport

Alice Mahony
El Dorado

Toyce Newton
Crossett

Mireya Reith
Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Dr. Willie Murdock, Superintendent
Lee County School District
188 West Chestnut Street
Marianna, AR 72360

**Re: Second Year of Probationary Status
(VIA CERTIFIED AND REGULAR MAIL)**

Dr. Murdock:

On **June 12, 2014**, the Arkansas State Board of Education (State Board) classified the following schools/school district as probationary for failing to meet all standards for accreditation for two consecutive years:

Lee County School District:

**Lee County High School – 2013-14
Lee County High School – 2012-13**

The purpose of this letter is to provide you with notice, pursuant to Ark. Code Ann. §§ 6-15-206-207, that the State Board is required to take action. Ark. Code Ann. § 6-15-207(b) provides that the State Board shall take at least one of the following actions listed in Ark. Code Ann. § 6-15-207(c) to address any school or school district which has failed to meet all standards for accreditation for two (2) consecutive school years, including the year the probationary status is declared:

- (1) Require a school district to reorganize or reassign the administrative, instructional, or support staff of a public school;
- (2) Require a school or school district to institute and fully implement a curriculum that is based on state academic content and achievement standards, including providing appropriate professional development at the cost of the school district;
- (3) Remove a particular school from the jurisdiction of a school district and establish alternative public governance and supervision of the school or schools;

Four Capitol Mall
Little Rock, AR
72201-1019
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Willie Murdock
June 13, 2014
Page two

- (4) Require a school district to close down or dissolve a particular school or schools within a school district;
- (5) Annex a school district or districts or parts thereof with another receiving school district or districts pursuant to the authority of Ark. Code Ann. § 6-13-1401 et seq.
- (6) Consolidate a school district or districts or parts thereof with another school district or districts or parts thereof to form a resulting district pursuant to the authority of Ark. Code Ann. § 6-13-1401 et seq.
- (7) Reconstitute the leadership of a school district by removing permanently or suspending on a temporary basis the superintendent of the school district or any particular board members of a school district. The State Board shall have the authority to appoint an administrator or to call for the election of new school board members to administer the affairs and provide governance of the school district, or both; and
- (8) Take any other appropriate action allowed by law which is determined by the State Board to assist and address a school or school district failure to meet the standards for accreditation.

The State Board will take this matter into consideration during its scheduled meeting on **Thursday, July 10, 2014 in the Auditorium of the Arkansas Department of Education-Arch Ford Education Building, Four State Capitol Mall, Little Rock, Arkansas, at 10:00 a.m.** You will have an opportunity to address the State Board at that time. The State Board hearing will be 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.

You and any other representatives of the **Lee County School District** who can address questions from the State Board concerning this matter should plan to be in attendance during the meeting. Should you wish to submit any comments in writing, you may do so by submitting those documents to my office by **noon on Monday, June 23, 2014.**

Please also be advised that pursuant to Ark. Code Ann. § 6-15-208, your school district must publish the probationary status determination and findings of the State Board to the public and the parents or caregiver of each student enrolled in the school or school district determined to have failed to meet the standards for accreditation. The public notice must be in an understandable and uniform format. The public notice must also be published or disseminated, immediately after the State Board's determination, on your school district's website and

Willie Murdock
June 13, 2014
Page three

published at least one (1) time a week for two (2) consecutive weeks in a local newspaper of general circulation in your school district.

Thank you for your attention to this matter. Please contact me at **501-682-4555** should you have any questions or require additional information.

Sincerely,


Johnie Walters
Standards Assurance Unit

cc: Tom W. Kimbrell, Ed.D, Commissioner of Education
Mr. Tony Wood, Deputy Commissioner of Education
Mr. John Hoy, Assistant Commissioner, Division of Public School Accountability
Jeremy C. Lasiter, General Counsel
State Board Office

Approved Memos - Annual Accreditation Report - 2013-2014



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Approved Memos: Annual Accreditation Report - 2013-2014



ARKANSAS
DEPARTMENT
OF EDUCATION

Version History

Title	Annual Accreditation Report - 2013-2014
Memo Number	COM-14-068
Memo Date	4/17/2014
Attention	Co-op Directors; Elementary Principals; Middle School Principals; High School Principals; Superintendents; Counselors
Memo Type	Regulatory
Response Required	No
Section	Public School Accountability
Regulatory Authority	Ark. Code Ann. § 6-15-203
Contact Person	Johnie Walters
Phone Number	501-682-4380
E-Mail	Johnie.Walters@arkansas.gov

Memo Text

The Arkansas Department of Education (ADE) reviews Annual Accreditation Reports to determine the accreditation status of each school in each district in Arkansas. The status report, mailed under separate cover, will be the school district's final and official accreditation status report for the 2013-2014 school year. Please note the review date indicated for Probationary violation(s). Evidence to correct Probationary violation(s) must be received by the Standards Assurance Unit on or before the review date, October 15, 2014. Read carefully items indicated in "Comments." Accreditation status resulting from the 2013-2014 On-campus Standards Review (OSR) will be noted in "Comments."

Included with the status report is a Corrected Exceptions Accreditation Status Report. This report lists changes to the Initial Accreditation Report. Please refer to Rules Governing Standards for Accreditation, Rule 24.01, for further information

concerning teachers who are currently under an Additional Licensure Plan (ALP). A Licensure Completion Deadline (LCD) will be listed on the report for these teachers. Other notes indicating necessary exception corrections may include incorrect course codes, incorrect grade levels, or invalid data; or may indicate the district has corrected an exception that may have existed when the report was initially submitted. Please continue to work with the respective school district's Standards Assurance Specialist for additional information about the district's report.

Right of Appeal

In the event that a school district believes the ADE has improperly determined that a school or school district has failed to meet Standards for Accreditation, the school district shall have a right to file a written appeal with the **Office of the Commissioner, ADE, Four State Capitol Mall, Room 304-A, Little Rock, AR 72201.**

Any such appeal shall be held in an open hearing and the decision of the State Board of Education (Board) shall be in open session. The appeal must be filed not later than May 15, 2014 following the May 01, 2014 written notification; the Board hearing must be held prior to June 30, 2014.

The Board may confirm the accreditation status of a school or school district recommended by the ADE or it may sustain the appeal of the district.

Pursuant to the Ark. Code Ann. § 6-15-203, an appeal from the ruling of the Board may be made by a school district to the Pulaski County Circuit Court provided such appeal is made pursuant to the Arkansas Administrative Procedures Act, Ark. Code Ann. § 25-15-201 et seq.

Version: 6.0

Created at 4/21/2014 10:57 AM by Deborah Coffman (ADE)

Last modified at 4/21/2014 2:49 PM by Deborah Coffman (ADE)

MEMO



ARKANSAS DEPARTMENT OF EDUCATION

DATE: April 30, 2014
TO: District Superintendent
FROM: Johnie Walters, Standards Assurance Unit Leader
SUBJECT: Notification of Failure to Meet Standards for Accreditation

An Initial Accreditation Status Report (Report) was sent in March by this office as well as a copy of Commissioner's Memo COM-14-055 (Memo) dated March 7, 2014. The Report included a list of initial probationary violations and/or citations for the 2013-2014 school year concerning one (1) or more of the schools in the district. The Memo indicated that the district was to review the initial violations and citations listed, confirm that all violations and citations were correct, or submit written corrections to the assigned Standards Assurance Specialist no later than April 2, 2014. If the district has been visited by Standards Assurance Unit (SAU) staff during this school year, you have also received notice after that visit of any violations and citations found during the On-campus Standards Review.

This letter is notification that the district has not been cleared of all initial violations and/or citations by the SAU. If you have already sent this office information concerning the violations, we will continue to review it and notify you of the district's final accreditation status later this month. Otherwise please take notice that the attached report is the final report on Standards for Accreditation Status for your schools or school district for the 2013-2014 school year. This report is required by Ark. Code Ann. § 6-15-203 to be issued by the Arkansas Department of Education (ADE) by May 1, 2014.

In the event that you believe that the ADE has improperly determined one (1) or more of your schools or your school district has failed to meet Standards for Accreditation, the school district has a right to file a written appeal to the State Board of Education (Board) with the ADE, Office of the Commissioner, Four State Capitol Mall, Room 304-A, Little Rock, AR 72201. The appeal must be filed not later than May 15, 2014; the Board hearing concerning your appeal must be held prior to June 15, 2014. Should you feel that any of the violations and/or citations listed in this Report are in error, submit corrected information to the SAU no later than May 15, 2014. The Board may confirm the accreditation status of a school as determined by the ADE or it may sustain the appeal of the district.

Thank you for your assistance in this process.



ARKANSAS
DEPARTMENT
OF EDUCATION

Lee County School District
2013/2014 School Year

Standards Annual Accreditation Report

Lee County School District

Accreditation Status: Cited

District:

3904000 - Lee County School District

Superintendent Willie Murdock

188 W. Chestnut St.

Marianna, AR 72360

870-295-7100

Schools:

3904005 - Whitten Elementary School - Accredited

3904010 - Anna Strong Intermediate School - Cited

3904011 - Lee High School - Probationary

ADE Standards Assurance Supervisor:

Brandon Morrison

Brandon.Morrison@arkansas.gov

Telephone: 501-682-4380

Fax: 501-682-4618

Exception Description	Standard	Rule	LEA	Description	Comments	Status
Cycle 2 Late Submission	V	7.03.2	3904000	Cycle 2 Late Submission		Cited

District Details Summary

Student Enrollment		District Information		
Grade Level	Student Count	Total Enrollment	Staff Development Hours	Total Book Volume
01	72	881	180	31884
02	64			
03	58			
04	55			
05	62			
06	67			
07	68			
08	79			
09	81			
K	82			
10	61			
11	65			
12	67			
		FTE Information		
		Counselor	Principal	Assitant Principal
		3.00	3.00	1.00
				2.00



ARKANSAS
DEPARTMENT
OF EDUCATION

Whitten Elementary School
2013/14 School Year

Standards Annual Accreditation Report

Whitten Elementary School

Accreditation Status: Accredited

District:

3904000 - Lee County School District

Superintendent Willie Murdock

188 W. Chestnut St.

Marianna, AR 72360

870-295-7100

ADE Standards Assurance Supervisor:

Brandon Morrison

Brandon.Morrison@arkansas.gov

Telephone: 501-682-4380

Fax: 501-682-4618

<u>Exception Description</u>	<u>Standard</u>	<u>Rule</u>	<u>LEA</u>	<u>Description</u>	<u>Comments</u>	<u>Status</u>
Job Not Certified	X	15.03.3	3904005	Job Not Certified: SOUTHERLAND, KARA: 972100 Special Education Language Arts	ALP Licensure Completion Date: 09/01/2016	
Job Not Certified	X	15.03.3	3904005	Job Not Certified: SOUTHERLAND, KARA: 972110 Special Education Reading	ALP Licensure Completion Date: 09/01/2016	
Job Not Certified	X	15.03.3	3904005	Job Not Certified: SOUTHERLAND, KARA: 972300 Special Education Mathematics	ALP Licensure Completion Date: 09/01/2016	

School Details Summary

Student Enrollment		School Information		
<u>Grade Level</u>	<u>Student Count</u>	<u>Total Enrollment</u>	<u>Staff Development Hours</u>	<u>Total Book Volume</u>
01	72	218	60	11000
02	64			
K	82			
FTE Information				
<u>Counselor</u>	<u>Principal</u>	<u>Assistant Principal</u>	<u>Library/Media Specialist</u>	
1.00	1.00	0.00	0.50	



ARKANSAS
DEPARTMENT
OF EDUCATION

Anna Strong Intermediate School
2013/14 School Year

Standards Annual Accreditation Report

Anna Strong Intermediate School

Accreditation Status: Cited

District:

3904000 - Lee County School District

Superintendent Willie Murdock

188 W. Chestnut St.

Marianna, AR 72360

870-295-7100

ADE Standards Assurance Supervisor:

Brandon Morrison

Brandon.Morrison@arkansas.gov

Telephone: 501-682-4380

Fax: 501-682-4618

Exception Description	Standard	Rule	LEA	Description	Comments	Status
Job Not Certified	X	15.03.3	3904010	Job Not Certified: BAKER, MELINDA: 971500 Special Education Itinerant Services	ALP Licensure Completion Date: 09/01/2011	Cited
Job Not Certified	X	15.03.3	3904010	Job Not Certified: BAKER, MELINDA: 971500 Special Education Itinerant Services	ALP Licensure Completion Date: 09/01/2015	Cited

School Details Summary

Student Enrollment		School Information		
Grade Level	Student Count	Total Enrollment	Staff Development Hours	Total Book Volume
03	58	242	60	9864
04	55			
05	62			
06	67			
FTE Information				
Counselor	Principal	Assistant Principal	Library/Media Specialist	
1.00	1.00	0.00	0.50	



ARKANSAS
DEPARTMENT
OF EDUCATION

Lee High School
2013/14 School Year

Standards Annual Accreditation Report

Lee High School

Accreditation Status: Probationary

District:

3904000 - Lee County School District

Superintendent Willie Murdock

188 W. Chestnut St.

Marianna, AR 72360

870-295-7100

ADE Standards Assurance Supervisor:

Brandon Morrison

Brandon.Morrison@arkansas.gov

Telephone: 501-682-4380

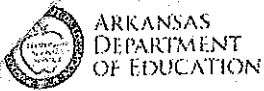
Fax: 501-682-4618

Exception Description	Standard	Rule	LEA	Description	Comments	Status
Job Not Certified	X	15.03.3	3904011	Job Not Certified: GIBSON, JUDITH 358140 Strategic Reading 6-8 (combination) (STR READING)		Probationary
Job Not Certified	X	15.03.3	3904011	Job Not Certified: GIBSON, JUDITH 358140 Strategic Reading 6-8 (combination) (STRA READ 7)		Probationary
Job Not Certified	X	15.03.3	3904011	Job Not Certified: TINZIE, TRACIA: 972100 Special Education Language Arts	ALP Licensure Completion Date: 09/01/2014	Cited
Job Not Certified	X	15.03.3	3904011	Job Not Certified: TINZIE, TRACIA: 972200 Special Education Science	ALP Licensure Completion Date: 09/01/2014	Cited
Job Not Certified	X	15.03.3	3904011	Job Not Certified: TINZIE, TRACIA: 972300 Special Education Mathematics	ALP Licensure Completion Date: 09/01/2014	Cited
Job Not Certified	X	15.03.3	3904011	Job Not Certified: TINZIE, TRACIA: 972700 Special Education Social Studies	ALP Licensure Completion Date: 09/01/2014	Cited
Job Not Certified	X	15.03.3	3904011	Job Not Certified: TINZIE, TRACIA 973900 9th Grade Math Portfolio (PORT-9TH MATH)	ALP Licensure Completion Date: 09/01/2016	
Provisional License	X	15.03.6	3904011	Provisional License: RACHEL, KENNETH Carpentry (CARPENTRY)		
Provisional License	X	15.03.6	3904011	Provisional License: RACHEL, KENNETH Construction Fundamentals (CONSTRUCTION)		
Provisional License	X	15.03.6	3904011	Provisional License: RACHEL, KENNETH Electrical (ELECTRICAL)		
Provisional License	X	15.03.6	3904011	Provisional License: RACHEL, KENNETH Plumbing (PLUMBING)		

School Details Summary

Student Enrollment		School Information		
Grade Level	Student Count	Total Enrollment	Staff Development Hours	Total Book Volume
07	68	421	60	11000
08	79			
09	81			
10	61			
11	65			
12	67			
FTE Information				
Counselor	Principal	Assistant Principal	Library/Media Specialist	
1.00	1.00	1.00	1.00	

Lee County School District
2013/2014 School Year



Standards Annual Override Report

Lee County School District

Accreditation Status: Cited

District:

3904000 - Lee County School District
Superintendent Willie Murdock
188 W. Chestnut St.
Marianna, AR 72360
870-295-7100

Schools:

3904005 - Whitten Elementary School - Accredited
3904010 - Anna Strong Intermediate School - Cited
3904011 - Lee High School - Probationary

ADE Standards Assurance Supervisor:

Brandon Morrison
Brandon.Morrison@arkansas.gov
Telephone: 501-682-4380
Fax: 501-682-4618

Rule	Standard	Exception Description	LEA	Description	Comments	Status	Override
9.03.4.10	IV	Advanced Placement Approval	3904011	No AP Approval for teacher MARKOVICH, JACLYN for course AP English Literature and Composition (AP ENG, LITER)			C
9.03.4.10	IV	Advanced Placement Approval	3904011	No AP Approval for teacher ZHOU, KATHY for course AP Calculus AB (AP CALCULUS AB)			C
9.03.3	IV	Secondary Course Offerings	3904000	Required Course(s) missing : Computer Based Applications			C
9.03.3	IV	Grade Level	3904011	Grade Level: SANDERS, JOYCE 10th Grade Science Portfolio (10TH PORT SCIEN)			G
15.03.3	X	Job Not Certified	3904005	Job Not Certified: MCGOY, KATIE 211510 Grade 1 Visual Arts (VISUAL ART 1)	ALP Licensure Completion Date: 09/01/2016		C
15.03.1	X	Personnel Not Certified	3904005	Personnel Not Certified: RIDGE, DIERDRE 211110 Grade 1 Language Arts (LANG ART 1)			C
15.03.1	X	Personnel Not Certified	3904005	Personnel Not Certified: RIDGE, DIERDRE 211110 Grade 1 Language Arts (SPELLING 1ST)			C
15.03.1	X	Personnel Not Certified	3904005	Personnel Not Certified: RIDGE, DIERDRE 211120 Grade 1 Reading (READING 1)			C
15.03.1	X	Personnel Not Certified	3904005	Personnel Not Certified: RIDGE, DIERDRE 211210 Grade 1 Science (SCIENCE 1)			C
15.03.1	X	Personnel Not Certified	3904005	Personnel Not Certified: RIDGE, DIERDRE 211310 Grade 1 Mathematics (MATH 1)			C
15.03.1	X	Personnel Not Certified	3904005	Personnel Not Certified: RIDGE, DIERDRE 211710 Grade 1 Social Studies (SOCIAL 1)			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: RICHARDSON, MICAH 244110 Grade 4 Language Arts (4 LANGUAGE ARTS)			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: RICHARDSON, MICAH 244210 Grade 4 Science (4TH SCIENCE)			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: RICHARDSON, MICAH 244310 Grade 4 Mathematics (4TH MATH)			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: RICHARDSON, MICAH 244710 Grade 4 Social Studies (4 SOC STUDIES)			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: PERRY, VIVIAN 233110 Grade 3 Language Arts (3 LANGUAGE ARTS)			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: PERRY, VIVIAN 233210 Grade 3 Science (3RD SCIENCE)			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: PERRY, VIVIAN 233310 Grade 3 Mathematics (3RD MATH)			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: PERRY, VIVIAN 233710 Grade 3 Social Studies (3RD SOCIAL STUD)			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: PERRY, VIVIAN 999800 Prep Period (PREP PERIOD)			C
10.02.5	V	Class Size: Grades 7-12	3904011	Class RES SOCSST with teacher SANDERS, JOYCE exceeds maximum class size of 8 with 9 students (Grade range: 7 to 12)			C
10.02.5	V	Class Size: Grades 7-12	3904011	Class RESMATH with teacher TINZIE, TRACIA exceeds maximum class size of 8 with 10 students (Grade range: 7 to 12)			C

	V	Class Size: Grades 7-12	3904011	Class RESOURCE SCIENC with teacher TINZIE, TRACIA exceeds maximum class size of 8 with 9 students (Grade range: 7 to 12)		C
0.02.2	V	Class Size: Kindergarten	3904005	Class MUSIC K with teacher JONES, ARIEL exceeds maximum class size of 20 with 21 students (Grade range: K)		C
10.02.2	V	Class Size: Kindergarten	3904005	Class LANG ART K with teacher BRADY, DONNA exceeds maximum class size of 20 with 21 students (Grade range: K)		C
10.02.2	V	Class Size: Kindergarten	3904005	Class MATH K with teacher BRADY, DONNA exceeds maximum class size of 20 with 21 students (Grade range: K)		C
10.02.2	V	Class Size: Kindergarten	3904005	Class READING K with teacher BRADY, DONNA exceeds maximum class size of 20 with 21 students (Grade range: K)		C
10.02.2	V	Class Size: Kindergarten	3904005	Class SCIENCE K with teacher BRADY, DONNA exceeds maximum class size of 20 with 21 students (Grade range: K)		C
10.02.2	V	Class Size: Kindergarten	3904005	Class SOCIAL K with teacher BRADY, DONNA exceeds maximum class size of 20 with 21 students (Grade range: K)		C
10.02.2	V	Class Size: Kindergarten	3904005	Class VISUAL ART K with teacher MCCOY, KATIE exceeds maximum class size of 20 with 21 students (Grade range: K)		C



Date Produced: 05/05/2014

Arkansas Department of Education:

The following is the delivery information for Certified Mail™ item number 7199 9991 7033 5882 8585. Our records indicate that this item was delivered on 04/30/2014 at 10:04 a.m. in MARIANNA, AR 72360. The scanned image of the recipient information is provided below.

Signature of Recipient :

Billy Jean Jones
Billy Jean Jones

Address of Recipient :

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

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* 4/29/14

91 7199 9991 7033 5882 8585

Annual Accreditation
Report

Willie

Murdock

Lee County

BM

ARKANSAS
DEPARTMENT
OF EDUCATIONLee County School District
2012/2013 School Year

Standards Annual Accreditation Report

Lee County School District

Accreditation Status:

District:

3904000 - Lee County School District

Superintendent Willie Murdock

188 W. Chestnut St.

Marianna, AR 72360

870-295-7100

Schools:

3904005 - Whitten Elementary School - Cited3904010 - Anna Strong Intermediate School - Accredited3904011 - Lee High School - Probationary

ADE Standards Assurance Supervisor:

Brandon Morrison

Brandon.Morrison@arkansas.gov

Telephone: 501-682-4390

Fax: 501-682-4618

No exceptions found.

District Details Summary

Student Enrollment		District Information		
Grade Level	Student Count	Total Enrollment	Staff Development Hours	Total Book Volume
K	85	920	180	31884
1	72	FTE Information		
2	58	Counselor	Principal	Assitant Principal
3	69			Library/Media Specialist
4	66	3.00	3.00	1.00
5	67			2.00
6	87			
7	81			
8	77			
9	66			
10	72			
11	74			
12	68			



ARKANSAS
DEPARTMENT
OF EDUCATION

Whitten Elementary School
2012/13 School Year

Standards Annual Accreditation Report

Whitten Elementary School

Accreditation Status: Cited

District:

3904000 - Lee County School District

Superintendent Willie Murdock

188 W. Chestnut St.

Marianna, AR 72360

870-295-7100

ADE Standards Assurance Supervisor:

Brandon Morrison

Brandon.Morrison@arkansas.gov

Telephone: 501-682-4380

Fax: 501-682-4618

Exception Description	Standard	Rule	LEA	Description	Comments	Status
Job Not Certified	X	15.03.3	3904005	Job Not Certified: TINZIE, TRACIA 971530 Special Education Resource Services (Special Education Resource Ser)	ALP Licensure Completion Date: 09/01/2014	Cited

School Details Summary

Student Enrollment		School Information		
Grade Level	Student Count	Total Enrollment	Staff Development Hours	Total Book Volume
1	72	215	80	11000
2	58			
K	85			
		FTE Information		
		Counselor	Principal	Assistant Principal
		1.00	1.00	0.00
				Library/Media Specialist
				0.50



ARKANSAS
DEPARTMENT
OF EDUCATION

Anna Strong Intermediate School
2012/13 School Year

Standards Annual Accreditation Report

Anna Strong Intermediate School

Accreditation Status: Accredited

District:

3904000 - Lee County School District

Superintendent Willie Murdock

188 W. Chestnut St.

Marianna, AR 72360

870-295-7100

ADE Standards Assurance Supervisor:

Brandon Morrison

Brandon.Morrison@arkansas.gov

Telephone: 501-682-4380

Fax: 501-682-4618

<u>Exception Description</u>	<u>Standard</u>	<u>Rule</u>	<u>LEA</u>	<u>Description</u>	<u>Comments</u>	<u>Status</u>
Job Not Certified	X	15.03.3	3904010	Job Not Certified: BAKER, MELINDA 971500 Special Education Itinerant Services (SP ED HISTORY)	ALP Licensure Completion Date: 09/01/2015	
Job Not Certified	X	15.03.3	3904010	Job Not Certified: BAKER, MELINDA 971500 Special Education Itinerant Services (SP ED LANGUAGE)	ALP Licensure Completion Date: 09/01/2015	
Job Not Certified	X	15.03.3	3904010	Job Not Certified: BAKER, MELINDA 971500 Special Education Itinerant Services (SP ED MATH)	ALP Licensure Completion Date: 09/01/2015	
Job Not Certified	X	15.03.3	3904010	Job Not Certified: BAKER, MELINDA 971500 Special Education Itinerant Services (SP ED READING)	ALP Licensure Completion Date: 09/01/2015	
Job Not Certified	X	15.03.3	3904010	Job Not Certified: BAKER, MELINDA 971500 Special Education Itinerant Services (SP ED SCIENCE)	ALP Licensure Completion Date: 09/01/2015	

School Details Summary

Student Enrollment		School Information		
<u>Grade Level</u>	<u>Student Count</u>	<u>Total Enrollment</u>	<u>Staff Development Hours</u>	<u>Total Book Volume</u>
3	69	269	60	9864
4	66			
5	67			
6	67			
FTE Information				
<u>Counselor</u>	<u>Principal</u>	<u>Assistant Principal</u>	<u>Library/Media Specialist</u>	
1.00	1.00	0.00	0.50	



Standards Annual Accreditation Report

Lee High School

Accreditation Status: Probationary

District:

3904000 - Lee County School District

Superintendent Willie Murdock

188 W. Chestnut St.

Marianna, AR 72360

870-295-7100

ADE Standards Assurance Supervisor:

Brandon Morrison

Brandon.Morrison@arkansas.gov

Telephone: 501-682-4380

Fax: 501-682-4618

Exception Description	Standard	Rule	LEA	Description	Comments	Status
Secondary Course Offerings	IV	9.03.3	3904011	Lee County Sr. High School Review Date: 1/8/2013 Comments: OSR Item Number 169		Probationary
Job Not Certified	X	15.03.3	3904011	Job Not Certified: GIBSON, TERRY 423000 Physical Science (PH SC)		Probationary
Job Not Certified	X	15.03.3	3904011	Job Not Certified: GIBSON, TERRY 423000 Physical Science (PHYSICAL SCIENC)		Probationary

School Details Summary

Student Enrollment		School Information		
Grade Level	Student Count	Total Enrollment	Staff Development Hours	Total Book Volume
10	72	436	60	11000
11	74			
12	66			
7	81			
8	77			
9	66			
		FTE Information		
		Counselor	Principal	Assistant Principal
		1.00	1.00	1.00
				Library/Media Specialist
				1.00



Standards Annual Override Report

Lee County School District

Accreditation Status:

District:

3904000 - Lee County School District
Superintendent Willie Murdock
188 W. Chestnut St.
Marianna, AR 72360
870-295-7100

Schools:

3904005 - Whitten Elementary School - Cited
3904010 - Anna Strong Intermediate School - Accredited
3904011 - Lee High School - Probationary

ADE Standards Assurance Supervisor:

Brandon Morison
Brandon.Morison@arkansas.gov
Telephone: 501-682-4380
Fax: 501-682-4618

Rule	Standard	Exception Description	LEA	Description	Comments	Status	Override
9.03.4.10	IV	Advanced Placement Approval	3904011	No AP Approval for teacher JONES, ASHLEY for course Advanced Placement English Literature and Composition (AP ENG, LITER)			C
9.03.3	IV	Grade Level	3904011	Grade Level: WELD, LAURA Visual Art 5-8 (combination) (***) (VISUAL ARTS 7/8)			G
9.03.3	IV	Grade Level	3904011	Grade Level: WALTON, NATALYN General Music 5-8 (combination) (***) (GEN MUSIC 7/8)			G
15.03.3	X	High Qualified Teacher (HQT)	3904005	Highly Qualified Teacher Required for course Kindergarten Regular, but BRITTAIN, BETTY is not Highly Qualified Teacher			I
15.03.3	X	Job Not Certified	3904010	Job Not Certified: BRANCH, WILLIE 7070 Parent Facilitator			C
15.03.2	X	Expired License	3904000	Expired License: GINN, LORI Special Education Supervisor			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: COLEMAN, LAURA			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: PERRY, VIVIAN			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: PERRY, VIVIAN			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: BRANCH, WILLIE Mathematics Grade 5 (5TH MATH)			C
15.03.1	X	Personnel Not Certified	3904010	Personnel Not Certified: BRANCH, WILLIE Mathematics Grade 5 (PAP MATH)			C
15.03.1	X	Personnel Not Certified	3904011	Personnel Not Certified: JONES, JEANNE Computer Tech: Introduction (COMP TECH)			I
10.02.5	V	Class Size: Grades 7-12	3904011	Class 7-8 PE with teacher MITCHELL, LARRY exceeds maximum class size of 30 with 47 students (Grade range: 7 to 12)			C
10.02.5	V	Class Size: Grades 7-12	3904011	Class 7/8 HEALTH with teacher MITCHELL, LARRY exceeds maximum class size of 28 with 30 students (Grade range: 7 to 12)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class MUSIC K with teacher JONES, ARIEL exceeds maximum class size of 20 with 21 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class MUSIC K with teacher JONES, ARIEL exceeds maximum class size of 20 with 22 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class LANG ART K with teacher BRADY, DONNA exceeds maximum class size of 20 with 22 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class MATH K with teacher BRADY, DONNA exceeds maximum class size of 20 with 22 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class READING K with teacher BRADY, DONNA exceeds maximum class size of 20 with 22 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class SCIENCE K with teacher BRADY, DONNA exceeds maximum class size of 20 with 22 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class SOCIAL K with teacher BRADY, DONNA exceeds maximum class size of 20 with 22 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class LANG ART K with teacher SMITH, EVELYN C. exceeds maximum class size of 20 with 21 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class MATH K with teacher SMITH, EVELYN C. exceeds maximum class size of 20 with 21 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class READING K with teacher SMITH, EVELYN C. exceeds maximum class size of 20 with 21 students (Grade range: K)			C

10.02.2	V	Class Size: Kindergarten	3904005	Class SCIENCE K with teacher SMITH, EVELYN C. exceeds maximum class size of 20 with 21 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class SOCIAL K with teacher SMITH, EVELYN C. exceeds maximum class size of 20 with 21 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class VISUAL ART K with teacher BRADSHAW, MELANIE exceeds maximum class size of 20 with 21 students (Grade range: K)			C
10.02.2	V	Class Size: Kindergarten	3904005	Class VISUAL ART K with teacher BRADSHAW, MELANIE exceeds maximum class size of 20 with 22 students (Grade range: K)			C



UNITED STATES
POSTAL SERVICE

ANNUAL ACC REPORT

Date Produced: 05/06/2013

Arkansas Department of Education:

The following is the delivery information for Certified Mail™ item number 7199 9991 7032 4720 5091. Our records indicate that this item was delivered on 05/02/2013 at 10:48 a.m. in MARIANNA, AR 72360. The scanned image of the recipient information is provided below.

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Betty Jones
Betty Jones

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Sincerely,
United States Postal Service

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Customer Reference Number: 1374024 49281348350611 kg

Willie Murdock, Supt.

Lee County SD

BM

4/23/13

91 7199 9991 7032 4720 5091



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

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of Education**

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Fayetteville

Vicki Saviers
Little Rock

June 12, 2013

Ms. Willie Murdock, Superintendent
Lee County School District
188 W. Chestnut St.
Marianna, AR 72360

**Re: First Year of Probationary Status
(VIA CERTIFIED AND REGULAR MAIL)**

Dear Ms. Murdock:

On or before May 01, 2013, pursuant to Ark. Code Ann. § 6-15-203, the Arkansas Department of Education (ADE) notified you of the following schools/school district failing to meet standards for accreditation for the 2012-13 school year:

Lee County Senior High School

Violation: Rule 10.01.4 Lack of Required Time For Instruction

Pursuant to Ark. Code Ann. § 6-15-203, your school district had the right to appeal the ADE's determination to the Arkansas State Board of Education (State Board). The appeal was required to be filed by May 15, 2013. Your district did not appeal the ADE's determination.

On Monday, June 10, 2013, the State Board approved the Accreditation Status of Arkansas Public Schools and School Districts for the 2012-13 school year. In so doing, the State Board also confirmed the ADE's determination of the above-referenced standards violations. As a result, the following schools/school district is/are classified as probationary:

Lee County Senior High School

Pursuant to Ark. Code Ann. § 6-15-206, the above schools/school district must meet all standards for accreditation within no more than two (2) consecutive school years,

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

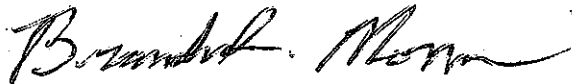
Willie Murdock
June 12, 2013
Page two

including the year the probationary status is declared, or be subject to the enforcement provisions of Ark. Code Ann. § 6-15-207, including but not limited to, possible consolidation, annexation, or reconstitution of a school district as provided under Ark. Code Ann. §§ 6-15-207 and 6-13-1401 et seq. Please note that the State Board may take any number of the actions listed in Ark. Code Ann. § 6-15-207(c) after a school or school district has received notice of being placed on probationary status.

Please also be advised that pursuant to Ark. Code Ann. § 6-15-208, your school district must publish the probationary status determination and findings of the State Board to the public and the parents or caregiver of each student enrolled in the school or school district determined to have failed to meet the standards for accreditation. The public notice must be in an understandable and uniform format. The public notice must also be published or disseminated, immediately after the State Board's determination, on your school district's website and published at least one (1) time a week for two (2) consecutive weeks in a local newspaper of general circulation in your school district.

Thank you for your attention to this matter. Please contact me at (501) 682-4380 should you have any questions or require additional information.

Sincerely,



Brandon Morrison, Standards Specialist
Standards Assurance Unit/ADE

cc: Tom W. Kimbrell, Ed.D, Commissioner of Education
John Hoy, Assistant Commissioner, Division of Academic Accountability
Jeremy C. Lasiter, General Counsel
State Board Office
Johnie Walters, Standards Assurance Unit

Educator Licensure

Activity: * 12/08/2011 - 0:00:00 | Renewal - Teacher Certification | Issued
 * - Current Issued License

This is the most recently issued license.

Applicant Information

First Name: JUDITH

Middle Name: ANN

Last Name: GIBSON

Maiden Name:

Application Date:

Ethics Violations Viewable Under Act 1323 of 2013: None

Educator Licensure

Status: Approved

Issue Date: 12/8/2011

License Effective Date: 1/1/2012

License Expiration Date: 12/31/2016

Status Effective Date:

Status Expiration Date:

Non-Criminal Background Information (NCBC)

Background Checks

Check Status: Approved Last Check Date: 6/6/2000

Child Maltreatment Central Registry Check

Check Status: Unavailable

NOTICE TO EDUCATORS: A NEW BACKGROUND AND CMCR CHECK ARE REQUIRED WHEN YOU CHANGE EMPLOYMENT OR RENEW YOUR LICENSE

Licensure Areas

Area	Description	GL	GH	Status	Status Date	Issue License Type	Original Date	Effective Date	Expiration Date
Applying Type: Teacher Certification									
166	Eng Lang Arts	7	12	Approved	5/10/2000	Standard		1/1/2012	12/31/2016
167	Social Studies	7	12	Approved	5/10/2000	Standard		1/1/2012	12/31/2016

Applicant Payments

Activity Fees

Date	Receipt	Description	Approval	Debit	Credit	Balance
No Applicant Payment Transactions on Record						

Date	Description	Debit	Credit	Balance
No Activity Fee Transactions on Record				

Local Education Agencies (LEAs):

LEA #	Name
3904000	LEE COUNTY SCHOOL DISTRICT

ALP Waivers:

Start Year	ALP Code	Out of Area	Status
No waivers were found for applicant.			
1	Page size: 10		0 items in 1 pages

State Report Master Schedule Verification Report

LEE HIGH SCHOOL

Period	Course	Course Section	Course Name	Credit	MP 1 Count	MP 2 Count	MP 3 Count	MP 4 Count	Period Length	Job Code	Vocational Center	HQT	Distance Learning	DL Provider	College Credit	Institution	SP ED	ALE
4/L	971547	1	PORT SCIENCE	1.00	1	1	1	1	50		6 - NOT APPLICABLE	NA	NA		N		Y	N
4/L	97210P	1	LITERACY PORT	1.00	1	1	1	1	50		3 - TEACHER/ DEGREE/NBC	NA	NA		N		Y	N
4/L	973900	6	9TH MATH-- PORT	1.00	1	1	1	1	0		2 - HOUSE	NA	NA		N		Y	N
5TH	971543	2	REC/LEISURE	1.00	2	2	2	2	48		6 - NOT APPLICABLE	NA	NA		N		Y	N
6TH	971543	1	REC/LEISURE	1.00	3	3	3	3	45		6 - NOT APPLICABLE	NA	NA		N		Y	N
7TH	999800	225	PLANNING PERIOD	0	0	0	0	0	45		6 - NOT APPLICABLE	NA	NA		N		N	N
8TH	971541	7	DOMESTIC	1.00	2	2	2	2	45		6 - NOT APPLICABLE	NA	NA		N		Y	N
8TH	971542	3	COMMUNITY	1.00	2	2	2	2	45		6 - NOT APPLICABLE	NA	NA		N		Y	N

Teacher: GIBSON, JUDITH

Teacher #: 1119

Period	Course	Course Section	Course Name	Credit	MP 1 Count	MP 2 Count	MP 3 Count	MP 4 Count	Period Length	Job Code	Vocational Center	HQT	Distance Learning	DL Provider	College Credit	Institution	SP ED	ALE
1ST	377110	3	ENG 07	0	17	17	17	17	50		3 - TEACHER/ DEGREE/NBC	NA	NA		N		N	N
2ND	358140	7	STRA READ 7	0	17	17	17	17	50		3 - TEACHER/ DEGREE/NBC	NA	NA		N		N	N
3RD	377110	4	ENG 07	0	11	11	11	11	50		3 - TEACHER/ DEGREE/NBC	NA	NA		N		N	N

* IF THE CALCULATE USED SEATS OPTION HAS NOT BEEN RUN, THEN INACCURATE SEAT COUNTS MAY BE REFLECTED IN THIS REPORT.
May 1, 2014

State Report Master Schedule Verification Report

LEE HIGH SCHOOL

Period	Course	Course Section	Course Name	Credit	MP 1 Count	MP 2 Count	MP 3 Count	MP 4 Count	Period Length	Job Code	Vocational Center	HQT	Distance Learning	DL Provider	College Credit	Institution	SP ED	ALE
4/L	37771A	1	PAP 7 SOCST	0	16	16	16	16	50			3 - TEACHER/ DEGREE/NBC	NA		N	N	N	
5TH	999800	212	PLANNING PERIOD	0	0	0	0	0	45	000000		6 - NOT APPLICABLE	NA		N	N	N	
6TH	37711A	2	PAP ENG 7	0	13	13	13	13	45			1 - PASSED CONTENT TEST	NA		N	N	N	
7TH	377110	5	ENG 07	0	18	18	18	18	45			1 - PASSED CONTENT TEST	NA		N	N	N	
8TH	358140	6	STR READING	0	17	17	17	17	45			3 - TEACHER/ DEGREE/NBC	NA		N	N	N	

Teacher: GIBSON, TERRY

Teacher #: 1050

Period	Course	Course Section	Course Name	Credit	MP 1 Count	MP 2 Count	MP 3 Count	MP 4 Count	Period Length	Job Code	Vocational Center	HQT	Distance Learning	DL Provider	College Credit	Institution	SP ED	ALE
2ND	377217	1	ALE SCIENCE 7	0	0	0	0	0	50				NA		N	N	Y	
2ND	999800	205	PLANNING PERIOD	0	0	0	0	0	50			6 - NOT APPLICABLE	NA		N	N	N	
3RD	37721A	1	PAP SCI 07	0	11	11	11	11	50			3 - TEACHER/ DEGREE/NBC	NA		N	N	N	
4/L	377210	6	SCI 07	0	12	12	12	12	50			3 - TEACHER/ DEGREE/NBC	NA		N	N	N	
5TH	377210	5	SCI 07	0	20	20	20	20	48			3 - TEACHER/ DEGREE/NBC	NA		N	N	N	
6TH	377210	3	SCI 07	0	15	15	15	15	45			3 - TEACHER/ DEGREE/NBC	NA		N	N	N	

* IF THE CALCULATE USED SEATS OPTION HAS NOT BEEN RUN, THEN INACCURATE SEAT COUNTS MAY BE REFLECTED IN THIS REPORT.

May 1, 2014

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OCT 23 2013

DISTRICT LEA# 3904

**STANDARDS
ASSURANCE**

STATEMENT OF ASSURANCE

Pursuant to Ark. Code Ann. § 6-15-202 (f & h), each Arkansas school district superintendent and each chief academic officer of an open-enrollment charter school shall by October 15th of each school year give written assurance of school district or charter school compliance with Arkansas law by providing her/his signature below as required on this form. This written assurance shall be received or postmarked and mailed to the Department of Education by October 15th of each school year.

I hereby certify by my signature that I have thoroughly reviewed the following information required for the statewide information Cycle 2 report and that the data contained in the attached report is true, accurate, and timely, for the 2013-2014 school year. By my signature below, I certify that information in the report accurately describes the status and condition of the

Lee County School District in Lee County as of October 1, 2013, and is submitted in compliance with Ark. Code Ann. §§ 6-15-202 and 6-15-206 (c)(1) and is subject to the enforcement provisions of Ark. Code Ann. §§ 6-15-202, 6-15-207 and 6-17-410.

Furthermore, I hereby certify by my signature below on this form that Lee County School District is in compliance for the 2013-2014 school year (July 1, 2013 – June 30, 2014) with each of the following statutory provisions and/or requirements for school districts identified as relevant to the Standards for Accreditation of Arkansas Public Schools and School Districts:

1. The high school(s) (grades 9-12) is teaching and has students enrolled in all 38 units required to be taught by the Rules Governing Standards for Accreditation.

If this requirement is met by means other than a class taught in the school by a teacher employed by the district or an approved distance learning class, please attach appropriate documentation as follows:

Contracts or letters of agreement, which shall include:

- A. Names of all courses with corresponding six-digit course codes taught out of district (including career and technical education courses offered at area vocational centers) with name(s) of teacher(s) and Arkansas Teacher's License Number(s);
 - B. Statement that transportation will be provided to off-campus sites; and
 - C. Signatures of both superintendents/directors.
2. Each school, grades 9-12, teaches at least one unit of Computer Applications with emphasis on current applications.
 3. The school district provides all students in grades K-8 with Tools for Learning which includes technical skills (research and information skills, use of computers and calculators) and data gathering (use of data banks, atlases, dictionaries, almanacs, networks, news sources, and interviews).
 4. The school district is in compliance with Ark. Code Ann. § 4-86-107 concerning misappropriation of social security numbers.

5. The school district is in compliance with Ark. Code Ann. § 6-5-403(d)(2)(B) concerning provision of higher education information by high school counselors.
6. The school district is in compliance with Ark. Code Ann. § 6-10-106 concerning uniform dates for beginning and end of school year.
7. The school district is in compliance with Ark. Code Ann. § 6-10-110 concerning fire marshal program.
8. The school district is in compliance with Ark. Code Ann. § 6-10-111 (d) through (f) concerning the Equity Assistance Center.
9. The school district is in compliance with Ark. Code Ann. § 6-10-113 concerning eye protection.
10. The school district is in compliance with Ark. Code Ann. § 6-10-114 concerning discrimination and punishment.
11. The school district is in compliance with Ark. Code Ann. § 6-11-129 concerning data to be accessible on Department of Education's website.
12. The school district is in compliance with Ark. Code Ann. § 6-13-109 concerning employment of a school superintendent.
13. The school district is in compliance with Ark. Code Ann. § 6-13-620 concerning powers and duties of the local school board of directors.
14. The school district is in compliance with Ark. Code Ann. § 6-13-629 concerning training and instruction of the local school board of directors.
15. The school district is in compliance with Ark. Code Ann. § 6-13-801 et seq. concerning educational compacts.
16. The school district is in compliance with Ark. Code Ann. § 6-15-101 concerning academic standards and expected outcomes.
17. The school district is in compliance with Ark. Code Ann. § 6-15-201 et seq. concerning accreditation.
18. The school district is in compliance with Ark. Code Ann. § 6-15-401 et seq. concerning the Arkansas Comprehensive, Testing, Assessment, and Accountability Program.
19. The school district is in compliance with Ark. Code Ann. § 6-15-502 concerning home schools.
20. The school district is in compliance with Ark. Code Ann. § 6-15-902 concerning grading scale.
21. The school district is in compliance with Ark. Code Ann. § 6-15-1004 concerning qualified teachers.
22. The school district is in compliance with Ark. Code Ann. § 6-15-1005 concerning safe, equitable, and accountable schools.
23. The school district is in compliance with Ark. Code Ann. § 6-15-1101(b) concerning diplomas and transcripts.

24. The school district is in compliance with Ark. Code Ann. § 6-15-1402 concerning the school performance report.
25. The school district is in compliance with Ark. Code Ann. § 6-15-1505 concerning district implementation of a comprehensive plan for consistency and rigor in course work.
26. The school district is in compliance with Ark. Code Ann. § 6-15-1603 concerning closing the achievement gap.
27. The school district is in compliance with Ark. Code Ann. § 6-15-1701 et seq. concerning a parental involvement plan.
28. The school district is in compliance with Ark. Code Ann. § 6-15-2006 concerning remedial instruction and progress toward achieving state expectations for proficiency.
29. The school district is in compliance with Ark. Code Ann. § 6-15-2101(a)(3) concerning school rating system, publication, and posting of annual school performance reports.
30. The school district is in compliance with Ark. Code Ann. § 6-16-102 concerning school day.
31. The school district is in compliance with Ark. Code Ann. § 6-16-103 concerning course of study generally.
32. The school district is in compliance with Ark. Code Ann. § 6-16-124 concerning Arkansas history.
33. The school district is in compliance with Ark. Code Ann. § 6-16-126 concerning food handling safety.
34. The school district is in compliance with Ark. Code Ann. § 6-16-130 concerning visual art and music.
35. The school district is in compliance with Ark. Code Ann. § 6-16-132 concerning physical education.
36. The school district is in compliance with Ark. Code Ann. § 6-16-137 concerning organized physical activity courses used for physical education credit.
37. The school district is in compliance with Ark. Code Ann. § 6-16-501(b) concerning organ donor awareness education and instructional materials.
38. The school district is in compliance with Ark. Code Ann. § 6-16-1002 concerning health education.
39. The school district is in compliance with Ark. Code Ann. § 6-16-1003 concerning oral health standards.
40. The school district is in compliance with Ark. Code Ann. § 6-16-1201 et seq. concerning advanced placement and concurrent enrollment and rigorous and substantially equal curriculum.
41. The school district is in compliance with Ark. Code Ann. § 6-17-102 concerning emergency first aid personnel.

42. The school district is in compliance with Ark. Code Ann. § 6-17-201 et seq. concerning personnel policies.
43. The school district is in compliance with Ark. Code Ann. § 6-17-309 concerning certification.
44. The school district is in compliance with Ark. Code Ann. § 6-17-401 et seq. concerning teacher's license requirement.
45. The school district is in compliance with Ark. Code Ann. § 6-17-2301 et seq. concerning establishment of personnel policies.
46. The school district is in compliance with Ark. Code Ann. § 6-17-2402 concerning teacher compensation.
47. The school district is in compliance with Ark. Code Ann. § 6-18-101 concerning qualifications for valedictorian and salutatorian.
48. The school district is in compliance with Ark. Code Ann. § 6-18-201 et seq. concerning compulsory attendance.
49. The school district is in compliance with Ark. Code Ann. § 6-18-202 concerning age and residence for attending public schools.
50. The school district is in compliance with Ark. Code Ann. § 6-18-1901 et seq. concerning public school choice.
51. The school district is in compliance with Ark. Code Ann. § 6-18-207 concerning minimum age for enrollment in public school.
52. The school district is in compliance with Ark. Code Ann. § 6-18-208 concerning the use of students' Social Security numbers.
53. The school district is in compliance with Ark. Code Ann § 6-18-209 and 6-18-220 concerning excessive student absences.
54. The school district is in compliance with Ark. Code Ann. § 6-18-211 concerning attendance for students in grades nine through twelve.
55. The school district is in compliance with Ark. Code Ann. § 6-18-213 concerning attendance records and reports generally.
56. The school district is in compliance with Ark. Code Ann. § 6-18-222 concerning provision of attendance policy.
57. The school district is in compliance with Ark. Code Ann. § 6-18-223 concerning credit for college courses.
58. The school district is in compliance with Ark. Code Ann § 6-18-227 concerning opportunity school choice.
59. The school district is in compliance with Ark. Code Ann. § 6-18-501 et seq. concerning guidelines for development of school district student discipline policies and written student discipline policies.

60. The school district is in compliance with Ark. Code Ann. § 6-18-508 concerning alternative learning environments.
61. The school district is in compliance with Ark. Code Ann. § 6-18-509 concerning assessment and intervention in alternative learning environments.
62. The school district is in compliance with Ark. Code Ann. § 6-18-701 et seq. concerning physical examinations.
63. The school district is in compliance with Ark. Code Ann. § 6-18-1005 concerning a student services program.
64. The school district is in compliance with Ark. Code Ann. § 6-19-101 et seq. concerning transportation.
65. The school district is in compliance with Ark. Code Ann. § 6-20-2202 concerning the budget and expenditure report.
66. The school district is in compliance with Ark. Code Ann. § 6-20-2204 concerning required training for preparing the budget or recording expenditures.
67. The school district is in compliance with Ark. Code Ann. § 6-21-106 concerning fire hazards inspection prior to closing for breaks.
68. The school district is in compliance with Ark. Code Ann. § 6-21-112 concerning school facilities.
69. The school district is in compliance with Ark. Code Ann. § 6-21-403 concerning textbooks.
70. The school district is in compliance with Ark. Code Ann. § 6-25-101 et seq. concerning public school library media and technology.
71. The school district is in compliance with Ark. Code Ann. § 6-41-101 et seq. concerning services to children with disabilities in nonpublic schools.
72. The school district is in compliance with Ark. Code Ann. § 6-41-201 et seq. concerning children with disabilities.
73. The school district is in compliance with Ark. Code Ann. § 6-42-101 et seq. concerning gifted and talented.
74. The school district is in compliance with Ark. Code Ann. § 6-80-107 concerning electronic transmission of transcripts.
75. The school district is in compliance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) concerning the privacy of student education records.
76. The school district is in compliance with Section 4141 of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act (NCLB) of 2001, Subpart 3, (PL 107-110 § 4141) concerning gun-free schools.
77. The school district is in compliance with Section 9524 of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act (NCLB) of 2001, (PL 107-110 § 9524) concerning prayer in public schools.

Superintendents are reminded that all schools and school districts must abide by all laws enacted by the Arkansas General Assembly and the Standards for Accreditation of Arkansas Public Schools and School Districts adopted by the Arkansas State Board of Education.

President of Board's Signature: [Signature] Date: 10-21-13

Superintendent's Signature: [Signature] Date: 10-21-13

Superintendent's Name (printed): Willie Murdock

District Contact Person (Name/title): Jeanie Helms, District Compliance

Phone # 870-295-7304 E-mail Address: helmsj@lcsd.grsc.k12.ar.us

Mail to: Johnie Walters, Standards Assurance Unit
Arkansas Department of Education
Four Capitol Mall – Room 202-B
Little Rock, AR 72201-1071

must be postmarked on or before
October 15, 2013

Pursuant to Ark. Code Ann. § 6-15-202(g), in addition to any written statement of assurance required pursuant to Ark. Code Ann. § 6-15-202(f), the Department of Education may conduct an on-site review of a school district to confirm that a school district has complied with any statutory requirements listed in this written statement of assurance or any other matter related to the Standards for Accreditation of Arkansas Public Schools and School Districts.

Any superintendent who fails to file a written statement of assurance as required by the Commissioner of the Department of Education pursuant to Ark. Code Ann. § 6-15-202(f), by the date established by the Department of Education or knowingly submits false information or if the Department of Education determines the information in the statement is inaccurate or incomplete, the Department of Education, pursuant to Ark. Code Ann. § 6-15-202(i), may:

- (1) Conduct a random on-site visit;
- (2) Request additional information from the school district;
- (3) Take licensure action on the license of the superintendent under the procedure of § 6-17-410; or
- (4) Recommend to the State Board of Education that an accredited-cited status or an accredited-probationary status be assigned the school or school district as described in the Arkansas Department of Education Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts.

RECEIVED
OCT 15 2012

B M DISTRICT LEA# 3904

**STANDARDS
ASSURANCE**

STATEMENT OF ASSURANCE

Pursuant to Ark. Code Ann. § 6-15-202 (f & h), each Arkansas school district superintendent and each chief academic officer of an open-enrollment charter school shall by October 15th of each school year give written assurance of school district or charter school compliance with Arkansas law by providing her/his signature below as required on this form. This written assurance shall be received or postmarked and mailed to the Department of Education by October 15th of each school year.

I hereby certify by my signature that I have thoroughly reviewed the following information required for the statewide information Cycle 2 report and that the data contained in the attached report is true, accurate, and timely, for the 2012-2013 school year. By my signature below, I certify that information in the report accurately describes the status and condition of the

Lee County School District in Lee County as of October 1, 2012, and is submitted in compliance with Ark. Code Ann. §§ 6-15-202 and 6-15-206 (c)(1) and is subject to the enforcement provisions of Ark. Code Ann. §§ 6-15-202, 6-15-207 and 6-17-410.

Furthermore, I hereby certify by my signature below on this form that Lee County School District is in compliance for the 2012-2013 school year (July 1, 2012 – June 30, 2013) with each of the following statutory provisions and/or requirements for school districts identified as relevant to the Standards for Accreditation of Arkansas Public Schools and School Districts:

1. The high school(s) (grades 9-12) is teaching and has students enrolled in all 38 units required to be taught by the Rules Governing Standards for Accreditation.

If this requirement is met by means other than a class taught in the school by a teacher employed by the district or an approved distance learning class, please attach appropriate documentation as follows:

Contracts or letters of agreement, which shall include:

- A. Names of all courses with corresponding six-digit course codes taught out of district (including career and technical education courses offered at area vocational centers) with name(s) of teacher(s) and Arkansas Teacher's License Number(s);
 - B. Statement that transportation will be provided to off-campus sites; and
 - C. Signatures of both superintendents/directors.
2. Each school, grades 9-12, teaches at least one unit of Computer Applications with emphasis on current applications.
 3. The school district provides all students in grades K-8 with Tools for Learning which includes technical skills (research and information skills, use of computers and calculators) and data gathering (use of data banks, atlases, dictionaries, almanacs, networks, news sources, and interviews).
 4. The school district is in compliance with Ark. Code Ann. § 4-86-107 concerning misappropriation of social security numbers.

5. The school district is in compliance with Ark. Code Ann. § 6-5-403(d)(2)(B) concerning provision of higher education information by high school counselors.
6. The school district is in compliance with Ark. Code Ann. § 6-10-106 concerning uniform dates for beginning and end of school year.
7. The school district is in compliance with Ark. Code Ann. § 6-10-110 concerning fire marshal program.
8. The school district is in compliance with Ark. Code Ann. § 6-10-111 (d) through (f) concerning the Equity Assistance Center.
9. The school district is in compliance with Ark. Code Ann. § 6-10-113 concerning eye protection.
10. The school district is in compliance with Ark. Code Ann. § 6-10-114 concerning discrimination and punishment.
11. The school district is in compliance with Ark. Code Ann. § 6-11-129 concerning data to be accessible on Department of Education's website.
12. The school district is in compliance with Ark. Code Ann. § 6-13-109 concerning employment of a school superintendent.
13. The school district is in compliance with Ark. Code Ann. § 6-13-620 concerning powers and duties of the local school board of directors.
14. The school district is in compliance with Ark. Code Ann. § 6-13-629 concerning training and instruction of the local school board of directors.
15. The school district is in compliance with Ark. Code Ann. § 6-13-801 et seq. concerning educational compacts.
16. The school district is in compliance with Ark. Code Ann. § 6-15-101 concerning academic standards and expected outcomes.
17. The school district is in compliance with Ark. Code Ann. § 6-15-201 et seq. concerning accreditation.
18. The school district is in compliance with Ark. Code Ann. § 6-15-401 et seq. concerning the Arkansas Comprehensive, Testing, Assessment, and Accountability Program.
19. The school district is in compliance with Ark. Code Ann. § 6-15-502 concerning home schools.
20. The school district is in compliance with Ark. Code Ann. § 6-15-902 concerning grading scale.
21. The school district is in compliance with Ark. Code Ann. § 6-15-1004 concerning qualified teachers.
22. The school district is in compliance with Ark. Code Ann. § 6-15-1005 concerning safe, equitable, and accountable schools.
23. The school district is in compliance with Ark. Code Ann. § 6-15-1101(b) concerning diplomas and transcripts.

24. The school district is in compliance with Ark. Code Ann. § 6-15-1402 concerning the school performance report.
25. The school district is in compliance with Ark. Code Ann. § 6-15-1505 concerning district implementation of a comprehensive plan for consistency and rigor in course work.
26. The school district is in compliance with Ark. Code Ann. § 6-15-1603 concerning closing the achievement gap.
27. The school district is in compliance with Ark. Code Ann. § 6-15-1701 et seq. concerning a parental involvement plan.
28. The school district is in compliance with Ark. Code Ann. § 6-15-2006 concerning remedial instruction and progress toward achieving state expectations for proficiency.
29. The school district is in compliance with Ark. Code Ann. § 6-15-2101(a)(3) concerning school rating system, publication, and posting of annual school performance reports.
30. The school district is in compliance with Ark. Code Ann. § 6-16-102 concerning school day.
31. The school district is in compliance with Ark. Code Ann. § 6-16-103 concerning course of study generally.
32. The school district is in compliance with Ark. Code Ann. § 6-16-124 concerning Arkansas history.
33. The school district is in compliance with Ark. Code Ann. § 6-16-126 concerning food handling safety.
34. The school district is in compliance with Ark. Code Ann. § 6-16-130 concerning visual art and music.
35. The school district is in compliance with Ark. Code Ann. § 6-16-132 concerning physical education.
36. The school district is in compliance with Ark. Code Ann. § 6-16-137 concerning organized physical activity courses used for physical education credit.
37. The school district is in compliance with Ark. Code Ann. § 6-16-501(b) concerning organ donor awareness education and instructional materials.
38. The school district is in compliance with Ark. Code Ann. § 6-16-1002 concerning health education.
39. The school district is in compliance with Ark. Code Ann. § 6-16-1003 concerning oral health standards.
40. The school district is in compliance with Ark. Code Ann. § 6-16-1201 et seq. concerning advanced placement and concurrent enrollment and rigorous and substantially equal curriculum.
41. The school district is in compliance with Ark. Code Ann. § 6-17-102 concerning emergency first aid personnel.

42. The school district is in compliance with Ark. Code Ann. § 6-17-201 et seq. concerning personnel policies.
43. The school district is in compliance with Ark. Code Ann. § 6-17-309 concerning certification.
44. The school district is in compliance with Ark. Code Ann. § 6-17-401 et seq. concerning teacher's license requirement.
45. The school district is in compliance with Ark. Code Ann. § 6-17-2301 et seq. concerning establishment of personnel policies.
46. The school district is in compliance with Ark. Code Ann. § 6-17-2402 concerning teacher compensation.
47. The school district is in compliance with Ark. Code Ann. § 6-18-101 concerning qualifications for valedictorian and salutatorian.
48. The school district is in compliance with Ark. Code Ann. § 6-18-201 et seq. concerning compulsory attendance.
49. The school district is in compliance with Ark. Code Ann. § 6-18-202 concerning age and residence for attending public schools.
50. The school district is in compliance with Ark. Code Ann. § 6-18-206 concerning public school choice.
51. The school district is in compliance with Ark. Code Ann. § 6-18-207 concerning minimum age for enrollment in public school.
52. The school district is in compliance with Ark. Code Ann. § 6-18-208 concerning the use of students' Social Security numbers.
53. The school district is in compliance with Ark. Code Ann § 6-18-209 and 6-18-220 concerning excessive student absences.
54. The school district is in compliance with Ark. Code Ann. § 6-18-211 concerning attendance for students in grades nine through twelve.
55. The school district is in compliance with Ark. Code Ann. § 6-18-213 concerning attendance records and reports generally.
56. The school district is in compliance with Ark. Code Ann. § 6-18-222 concerning provision of attendance policy.
57. The school district is in compliance with Ark. Code Ann. § 6-18-223 concerning credit for college courses.
58. The school district is in compliance with Ark. Code Ann § 6-18-227 concerning opportunity school choice.
59. The school district is in compliance with Ark. Code Ann. § 6-18-501 et seq. concerning guidelines for development of school district student discipline policies and written student discipline policies.

60. The school district is in compliance with Ark. Code Ann. § 6-18-508 concerning alternative learning environments.
61. The school district is in compliance with Ark. Code Ann. § 6-18-509 concerning assessment and intervention in alternative learning environments.
62. The school district is in compliance with Ark. Code Ann. § 6-18-701 et seq. concerning physical examinations.
63. The school district is in compliance with Ark. Code Ann. § 6-18-1005 concerning a student services program.
64. The school district is in compliance with Ark. Code Ann. § 6-19-101 et seq. concerning transportation.
65. The school district is in compliance with Ark. Code Ann. § 6-20-2202 concerning the budget and expenditure report.
66. The school district is in compliance with Ark. Code Ann. § 6-20-2204 concerning required training for preparing the budget or recording expenditures.
67. The school district is in compliance with Ark. Code Ann. § 6-21-106 concerning fire hazards inspection prior to closing for breaks.
68. The school district is in compliance with Ark. Code Ann. § 6-21-112 concerning school facilities.
69. The school district is in compliance with Ark. Code Ann. § 6-21-403 concerning textbooks.
70. The school district is in compliance with Ark. Code Ann. § 6-25-101 et seq. concerning public school library media and technology.
71. The school district is in compliance with Ark. Code Ann. § 6-41-101 et seq. concerning services to children with disabilities in nonpublic schools.
72. The school district is in compliance with Ark. Code Ann. § 6-41-201 et seq. concerning children with disabilities.
73. The school district is in compliance with Ark. Code Ann. § 6-42-101 et seq. concerning gifted and talented.
74. The school district is in compliance with Ark. Code Ann. § 6-80-107 concerning electronic transmission of transcripts.
75. The school district is in compliance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) concerning the privacy of student education records.
76. The school district is in compliance with Section 4141 of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act (NCLB) of 2001, Subpart 3, (PL 107-110 § 4141) concerning gun-free schools.
77. The school district is in compliance with Section 9524 of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act (NCLB) of 2001, (PL 107-110 § 9524) concerning prayer in public schools.

Superintendents are reminded that all schools and school districts must abide by all laws enacted by the Arkansas General Assembly and the Standards for Accreditation of Arkansas Public Schools and School Districts adopted by the Arkansas State Board of Education.

President of Board's Signature: Joyette Smith Date: 10/16/12

Superintendent's Signature: Willie Murdock Date: 10/16/12

Superintendent's Name (printed): Willie Murdock

District Contact Person (Name/title): Jeanie Helms / SIS Coordinator

Phone # 870-295-7100 E-mail Address: helmsj@lcsd.grsc.k12.ar.us

Mail to: Johnie Walters, Standards Assurance Unit
Arkansas Department of Education
Four Capitol Mall – Room 202-B
Little Rock, AR 72201-1071

must be postmarked on or before
October 15, 2012

Pursuant to Ark. Code Ann. § 6-15-202(g), in addition to any written statement of assurance required pursuant to Ark. Code Ann. § 6-15-202(f), the Department of Education may conduct an on-site review of a school district to confirm that a school district has complied with any statutory requirements listed in this written statement of assurance or any other matter related to the Standards for Accreditation of Arkansas Public Schools and School Districts.

Any superintendent who fails to file a written statement of assurance as required by the Commissioner of the Department of Education pursuant to Ark. Code Ann. § 6-15-202(f), by the date established by the Department of Education or knowingly submits false information or if the Department of Education determines the information in the statement is inaccurate or incomplete, the Department of Education, pursuant to Ark. Code Ann. § 6-15-202(i), may:

- (1) *Conduct a random on-site visit;*
- (2) *Request additional information from the school district;*
- (3) *Take licensure action on the license of the superintendent under the procedure of § 6-17-410; or*
- (4) *Recommend to the State Board of Education that an accredited-cited status or an accredited-probationary status be assigned the school or school district as described in the Arkansas Department of Education Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts.*

HEARING PROCEDURES

Office of the Commissioner
 ATTN: Arkansas Public School Choice Act Appeals
 Four Capitol Mall
 Little Rock, AR 72201

- 8.01.7 Contemporaneously with the filing of its response with the Office of the Commissioner, the nonresident district must also mail a copy of the response to the student or student's parent.
- 8.01.8 If the State Board of Education overturns the determination of the nonresident district on appeal, the State Board of Education shall notify the parent, the nonresident district, and the resident district of the basis for the State Board of Education's decision.
- 8.02 The Department of Education shall collect data from school districts on the number of applications for student transfers under Section 8.00 of these rules and study the effects of school choice transfers under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules, including without limitation the net maximum number of transfers and exemptions, on both resident and nonresident districts for up to two (2) years to determine if a racially segregative impact has occurred to any school district.
- 8.03 Annually by October 1, the Department of Education shall report its findings from the study of the data under Section 8.02 of these rules to the Senate Committee on Education and the House Committee on Education.

9.00 EFFECTIVE DATE

The provisions of the Arkansas Public School Choice Act of 2013 and these rules shall remain in effect until July 1, 2015.

10.00 STATE BOARD HEARING PROCEDURES

The following procedures shall apply to hearings conducted by the State Board of Education pursuant to Ark. Code Ann. § 6-18-1907 and Section 8.00 of these rules:

- 10.01 A staff member of the Arkansas Department of Education shall introduce the agenda item.
- 10.02 All persons wishing to testify before the State Board of Education shall first be placed under oath by the Chairperson of the State Board.
- 10.03 Each party shall have the opportunity to present an opening statement of no longer than five (5) minutes, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their opening statements.

- 10.04 Each party shall be given twenty (20) minutes to present their cases, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their cases.
- 10.05 The State Board of Education, at its discretion, shall have the authority to require any person associated with the application to appear in person before the State Board as a witness during the hearing. The State Board of Education may accept testimony by affidavit, declaration or deposition.
- 10.06 Every witness may be subject to direct examination, cross examination and questioning by the State Board of Education.
- 10.07 For the purposes of the record, documents offered during the hearing by the nonresident district shall be clearly marked in sequential, numeric order (1,2,3).
- 10.08 For the purposes of the record, documents offered during the hearing by the appealing party shall be clearly marked in sequential, alphabetic letters (A,B,C).
- 10.09 The nonresident school district shall have the burden of proof in proving the basis for denial of the transfer.
- 10.10 The State Board of Education may sustain the rejection of the nonresident district or grant the appeal.
- 10.11 The State Board of Education may announce its decision immediately after hearing all arguments and evidence or may take the matter under advisement. The State Board shall provide a written decision to the Department of Education, the appealing party, the nonresident district and the resident district within fourteen (14) days of announcing its decision under this section.

NOTICE LETTER



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

May 29, 2014

**State Board
of Education**

Brenda Gullett
Fayetteville
Chair

Sam Ledbetter
Little Rock
Vice Chair

Dr. Jay Barth
Little Rock

Joe Black
Newport

Alice Mahony
El Dorado

Toyce Newton
Crossett

Mireya Reith
Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Ms. Courtney McGowan
P.O. Box 263
Hunter, AR 72074-0263

Mr. John Estes, Superintendent
Palestine-Wheatley School District
P.O. Box 790
Palestine, AR 72372

Dr. Arthur Tucker, Superintendent
Brinkley School District
200 Tiger Drive
Brinkley, AR 72021

**Re: Appeal Under the Public School Choice Act of 2013
McGowan v. Palestine-Wheatley School District
VIA CERTIFIED AND REGULAR MAIL**

Everyone:

On May 14, 2014, Ms. Courtney McGowan filed a petition appealing the decision of the Palestine-Wheatley School District to deny the following application made pursuant to the Public School Choice Act of 2013:

- B. McGowan

This letter is to notify you that the Arkansas State Board of Education is tentatively scheduled to hear the above-referenced appeal(s) on **Thursday, July 10, 2014**. The meeting will begin at **10:00 a.m. in the Auditorium of the Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas.**

Enclosed with this letter you will find a copy of Ark. Code Ann. § 6-18-1901 et seq. and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013. Any additional materials any party chooses to submit should be provided to my office **no later than 12:00 noon on June 20, 2014.**

The above-referenced appeal(s) will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by Ark. Code Ann. § 6-18-1901 et seq. and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013.

Thank you in advance for your cooperation in this matter. Please do not hesitate to contact me at (501) 682-4227 should you require additional information.

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

School Choice Appeal Hearing Notice
May 29, 2014
Page 2 of 2

Respectfully,

A handwritten signature in black ink, appearing to read "Jeremy C. Lasiter". The signature is fluid and cursive, with a large initial "J" and a stylized "L" at the end.

Jeremy C. Lasiter
General Counsel

Enclosures

cc: Tom W. Kimbrell, Ed.D., Commissioner of Education
Mr. John Hoy, Asst. Commissioner, Div. of Public School Accountability
Ms. Deborah Coffman, Chief of Staff and State Board Liaison
Mr. Bill Brazil, Attorney at Law

APPEAL

RECEIVED
COMMISSIONER'S OFFICE

MAY 16 2014

DEPARTMENT OF EDUCATION

May 14, 2014

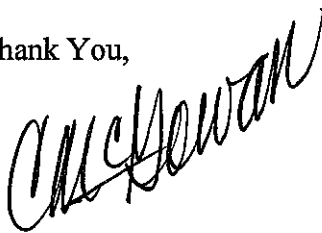
Office of the Commissioner
ATTN: Arkansas Public School Choice Act Appeals
Four Capitol Mall
Little Rock, AR 72201

To Whom It May Concern:

I am writing an appeal on behalf of my daughter B [REDACTED] McGowan. She currently attends Brinkley Public School. I recently filed school choice for her attend Palestine-Wheatley School for the 2014-2015 school year and was denied. In my denial letter I was informed that Brinkley was exempt from school choice. I believe that Palestine-Wheatley School would place my daughter B [REDACTED] in an environment that would help aid her excel academically and take her away from a negative environment.

I would greatly appreciate your consideration in this matter.

Thank You,



Courtney McGowan

RECEIVED
ATTORNEY'S OFFICE

MAY 16 2014

DEPARTMENT OF EDUCATION
GENERAL DIVISION

PALESTINE-WHEATLY SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT
P.O. BOX 790
PALESTINE, AR 72372
PHONE 870-581-2646 FAX 870-581-4420

RECEIVED
COMMISSIONER'S OFFICE

MAY 16 2014

DEPARTMENT OF EDUCATION

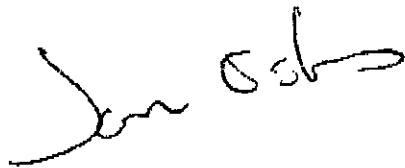
Dear Mrs. M^cGowan

I am sorry, but the application you submitted for B. [REDACTED] M^cGowan has been rejected for the following reason.

Brinkley School district has declared itself exempt from the provisions of the School Choice Law due to its being under a desegregation order.

As noted in your original application, you have TEN (10) days from receipt of this notice in which to submit a written appeal of this decision to the State Board of Education.

Respectfully,



Jon Estes
Superintendent
Palestine - Wheatley School District

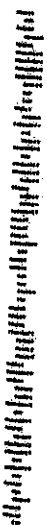
LITTLE ROCK AR 722

19 MAY 2014 PM 2 L



*Office of the Commissioner
Attn: AR Public School Choice Act Appeals
Four Capitol Mall
Little Rock, AR 72201*

72201101304



PALESTINE- WHEATLY SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT
P.O. BOX 790
PALESTINE, AR 72372
PHONE 870-581-2646 FAX 870-581-4420

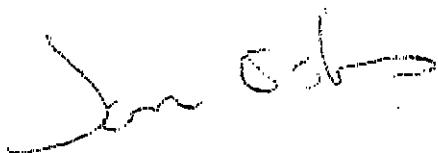
Dear Mrs. McQuinn

I am sorry, but the application you submitted for R. [REDACTED] McQuinn has been rejected for the following reason.

Brinkley School district has declared itself exempt from the provisions of the School Choice Law due to its being under a desegregation order.

As noted in your original application, you have TEN (10) days from receipt of this notice in which to submit a written appeal of this decision to the State Board of Education.

Respectfully,



Jon Estes
Superintendent
Palestine - Wheatley School District

11/04/2013 10:45

8707344437

HENARDTIRE

PAGE 01/01

APPLICATION FOR TRANSFER TO A NON-RESIDENT DISTRICT **"ARKANSAS PUBLIC SCHOOL CHOICE ACT OF 2013"**

(Must be submitted to Non-Resident and Resident Districts)

APPLICANT INFORMATION		Date and Time Received by Resident District:	
Applicant Name B. McGowan		Date and Time Received by Non-Resident District:	
Date of Birth		Gender Male <input type="checkbox"/> Female <input checked="" type="checkbox"/>	
Does the applicant require special needs or programs? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		GRADE 7	
Is applicant currently under expulsion? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
ETHNIC ORIGIN (CHECK ONE) (For data reporting purposes only)			
2 or More Races <input type="checkbox"/>			
African American <input type="checkbox"/>	Asian <input type="checkbox"/>	Hispanic <input type="checkbox"/>	
Native American/ Native Alaskan <input type="checkbox"/>	Native Hawaiian/ Pacific Islander <input type="checkbox"/>	White <input checked="" type="checkbox"/>	
RESIDENT SCHOOL DISTRICT OF APPLICANT			
District Name Brinkley Public Schools		County Name Monroe	
Address 200 Tiger Dr Brinkley 72021			
Phone 870-734-5000			
NON-RESIDENT SCHOOL DISTRICT APPLICANT WISHES TO ATTEND			
District Name Palestine-Wheatley School		County Name St. Francis	
Address P.O. Box 790 Palestine 72372			
Phone 870-581-2646			
Does the applicant already have a sibling or step-sibling in attendance in this district? No			
PARENT OR GUARDIAN INFORMATION OF APPLICANT			
Name Brandon & Courtney McGowan		Home Phone 870-	
Address		Work Phone 870-	
Hunter, AR. 72074		734-1044	
Parent/Guardian Signature <i>Courtney McGowan</i>		Date 11-4-13	
<p>Pursuant to standards adopted by a non-resident school board a non-resident district may reserve the right to accept and reject applicants based on capacity of programs, class, grade level, or school building. A school district receiving transfers under the School Choice Act shall not discriminate on the basis of gender, national origin, race, ethnicity, religion or disability. However, a non-resident district's standards shall not include an applicant's previous academic achievement, athletic or other extra curricular ability, handicapping conditions, English proficiency level, or previous disciplinary proceedings, except that an expulsion from another district may be included pursuant to Act 1227 of 2013 (School Choice Act). Priority will be given to applicants with siblings or step-siblings attending the district. The non-resident district shall accept credits toward graduation that were awarded by another district and award a diploma to a non-resident applicant if the applicant meets the non-resident district's graduation requirements. This application must be filed in the non-resident district or postmarked no later than June 1 of the year in which the applicant would begin the fall semester at the non-resident district. Both the resident and non-resident districts receiving this application must retain it in its district records for at least one (1) year from the date it is received, for data verification and general recordkeeping purposes.</p>			
DISTRICT USE ONLY			
Application	Accepted <input type="checkbox"/>	Rejected <input checked="" type="checkbox"/>	
Date Notification Sent to Parent/Guardian of Applicant			
Date Notification Sent to Resident District			

11/04/2013

RESPONSE

SCHOOL CHOICE STATUTES

FOCUS™ Terms Search Within

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1 of 1

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Pages: 2

A.C.A. § 6-18-1901

Arkansas Code of 1987 Annotated Official Edition

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*** Legislation is current through the 2013 Regular Session and updates ***

*** received from the Arkansas Code Revision Commission through ***

*** November 15, 2013. ***

Title 6 Education

Subtitle 2. Elementary And Secondary Education Generally

Chapter 18 Students

Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1901 (2014)

6-18-1901. Title -- Legislative findings.

(a) This subchapter shall be known and may be cited as the "Public School Choice Act of 2013".

(b) The General Assembly finds that:

(1) The students in Arkansas's public schools and their parents will become more informed about and involved in the public educational system if students and their parents are provided greater freedom to determine the most effective school for meeting their individual educational needs. There is no right school for every student, and permitting students to choose from among different schools with differing assets will increase the likelihood that some at-risk students will stay in school and that other, more motivated students will find their full academic potential;

(2) Giving more options to parents and students with respect to where the students attend public school will increase the responsiveness and effectiveness of the state's schools because teachers, administrators, and school district board members will have added incentive to satisfy the educational needs of the students who reside in the district; and




(3) These benefits of enhanced quality and effectiveness in our public schools justify permitting a student to apply for admission to a school in any school district beyond the school district in which the student resides, provided that the transfer by the student does not conflict with an enforceable judicial decree or court order remedying the effects of past racial segregation in the school district.

HISTORY: Acts 2013, No. 1227, § 6.View

1 of 1

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Pages: 2

View Full  A.C.A. § 6-18-1902 [Return to Search Results](#)**A.C.A. § 6-18-1902** (Copy w/ Cite)

Pages: 2

A.C.A. § 6-18-1902

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*** Legislation is current through the 2013 Regular Session and updates ***
*** received from the Arkansas Code Revision Commission through ***
*** November 15, 2013. ***




Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1902 (2014)

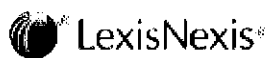
6-18-1902. Definitions.

As used in this subchapter:




- (1) "Nonresident district" means a school district other than a student's resident district;
- (2) "Parent" means a student's parent, guardian, or other person having custody or care of the student;
- (3) "Resident district" means the school district in which the student resides as determined under § 6-18-202; and
- (4) "Transfer student" means a public school student who transfers to a nonresident district through a public school choice option under this subchapter.

HISTORY: Acts 2013, No. 1227, § 6.View Full  A.C.A. § 6-18-1902 [Return to Search Results](#)**A.C.A. § 6-18-1902** (Copy w/ Cite)

Pages: 2



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A.C.A. § 6-18-1903

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1903 (2014)

6-18-1903. Public school choice program established.

(a) A public school choice program is established to enable a student to attend a school in a nonresident district, subject to the limitations under § 6-18-1906.

(b) Each school district shall participate in a public school choice program consistent with this subchapter.

(c) This subchapter does not require a school district to add teachers, staff, or classrooms or in any way to exceed the requirements and standards established by existing law.

(d) (1) The board of directors of a public school district shall adopt by resolution specific standards for acceptance and rejection of applications under this subchapter.

(2) The standards:

(A) May include without limitation the capacity of a program, class, grade level, or school building;

(B) Shall include a statement that priority will be given to an applicant who has a sibling or stepsibling who:

(i) Resides in the same household; and

(ii) Is already enrolled in the nonresident district by choice; and

(C) Shall not include an applicant's:

(i) Academic achievement;

(ii) Athletic or other extracurricular ability;

(iii) English proficiency level; or

(iv) Previous disciplinary proceedings, except that an expulsion from another district may be included under § 6-18-510.

(3) A school district receiving transfers under this act shall not discriminate on the basis of gender, national origin, race, ethnicity, religion, or disability.

(e) A nonresident district shall:

(1) Accept credits toward graduation that were awarded by another district; and

(2) Award a diploma to a nonresident student if the student meets the nonresident district's graduation requirements.

(f) The superintendent of a school district shall cause public announcements to be made over the broadcast media and either in the print media or on the Internet to inform parents of students in adjoining districts of the:



(1) Availability of the program;

(2) Application deadline; and

(3) Requirements and procedure for nonresident students to participate in the program.

HISTORY: Acts 2013, No. 1227, § 6.

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1904 (2014)

6-18-1904. General provisions.

(a) The transfer of a student under the Arkansas Public School Choice Act of 1989, § 6-18-206 [repealed], is not voided by this subchapter and shall be treated as a transfer under this subchapter.

(b) (1) A student may accept only one (1) school choice transfer per school year.

(2) (A) A student who accepts a public school choice transfer may return to his or her resident district during the school year.

(B) If a transferred student returns to his or her resident district, the student's transfer is voided, and the student shall reapply if the student seeks a future school choice transfer.

(c) (1) A transfer student attending a nonresident school under this subchapter may complete all remaining school years at the nonresident district.

(2) A present or future sibling of a student who continues enrollment in the nonresident district under this subsection may enroll in or continue enrollment in the nonresident district until the sibling of the transfer student completes his or her secondary education, if the district has the capacity to accept the sibling without adding teachers, staff, or classrooms or exceeding the regulations and standards established by law.


(d) (1) The transfer student or the transfer student's parent is responsible for the transportation of the transfer student to and from the school in the nonresident district where the transfer student is enrolled.



(2) The nonresident district may enter into a written agreement with the student, the student's parent, or the resident district to provide the transportation.

(3) The State Board of Education may resolve disputes concerning transportation arising under this subsection.

(e) For purposes of determining a school district's state aid, a transfer student is counted as a part of the average daily membership of the nonresident district where the transfer student is enrolled.

HISTORY: Acts 2013, No. 1227, § 6.

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1905 (2014)

6-18-1905. Application for a transfer.

(a) If a student seeks to attend a school in a nonresident district, the student's parent shall submit an application:

(1) To the nonresident district with a copy to the resident district;

(2) On a form approved by the Department of Education; and

(3) Postmarked no later than June 1 of the year in which the student seeks to begin the fall semester at the nonresident district.

(b) (1) By August 1 of the school year in which the student seeks to enroll in a nonresident district under this subchapter, the superintendent of the nonresident district shall notify the parent and the resident district in writing as to whether the student's application has been accepted or rejected.




(2) If the application is rejected, the superintendent of the nonresident district shall state in the notification letter the reason for rejection.

(3) If the application is accepted, the superintendent of the nonresident district shall state in the notification letter:



(A) A reasonable deadline by which the student shall enroll in the nonresident district and after which the acceptance notification is null; and

(B) Instructions for the renewal procedures established by the nonresident district.

HISTORY: Acts 2013, No. 1227, § 6.

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1906 (2014)

6-18-1906. Limitations.

(a) If the provisions of this subchapter conflict with a provision of an enforceable desegregation court order or a district's court-approved desegregation plan regarding the effects of past racial segregation in student assignment, the provisions of the order or plan shall govern.

(b) (1) A school district annually may declare an exemption under this section if the school district is subject to the desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation.

(2) (A) An exemption declared by a board of directors under this subsection is irrevocable for one (1) year from the date the school district notifies the Department of Education of the declaration of exemption.

(B) After each year of exemption, the board of directors may elect to participate in public school choice under this section if the school district's participation does not conflict with the school district's federal court-ordered desegregation program.

(3) A school district shall notify the department by April 1 if in the next school year the school district intends to:

(A) Declare an exemption under this section; or

(B) Resume participation after a period of exemption.

(c) (1) (A) There is established a numerical net maximum limit on school choice transfers each school year from a school district, less any school choice transfers into the school district, under this section of not more than three percent (3%) of the school district's three-quarter average daily membership for the immediately preceding school year.


(B) For the purpose of determining the percentage of school choice transfers under this subsection, siblings who are counted in the numerator as transfer students shall count as one



(1) student, and siblings who are counted in the denominator as part of the average daily membership shall count as one (1) student.

(2) Annually by June 1, the Department of Education shall report to each school district the net maximum number of school choice transfers for the current school year.

(3) If a student is unable to transfer due to the limits under this subsection, the resident district shall give the student priority for a transfer in the following year in the order that the resident district receives notices of applications under § 6-18-1905, as evidenced by a notation made by the district on the applications indicating date and time of receipt.

HISTORY: Acts 2013, No. 1227, § 6.

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1907 (2014)

6-18-1907. Rules -- Appeal -- Data collection and reporting.

(a) The State Board of Education may promulgate rules to implement this subchapter.

(b) (1) A student whose application for a transfer under § 6-18-1905 is rejected by the nonresident district may request a hearing before the state board to reconsider the transfer.

(2) (A) A request for a hearing before the state board shall be in writing and shall be postmarked no later than ten (10) days after the student or the student's parent receives a notice of rejection of the application under § 6-18-1905.



(B) As part of the review process, the parent may submit supporting documentation that the transfer would be in the best educational, social, or psychological interest of the student.

(3) If the state board overturns the determination of the nonresident district on appeal, the state board shall notify the parent, the nonresident district, and the resident district of the basis for the state board's decision.




(c) (1) The department shall collect data from school districts on the number of applications for student transfers under this section and study the effects of school choice transfers under this subchapter, including without limitation the net maximum number of transfers and exemptions, on both resident and nonresident districts for up to two (2) years to determine if a racially segregative impact has occurred to any school district.

(2) Annually by October 1, the department shall report its findings from the study of the data under this subsection to the Senate Committee on Education and the House Committee on Education.

HISTORY: Acts 2013, No. 1227, § 6.

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A.C.A. § 6-18-1908

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1908 (2014)

6-18-1908. Effective date.

The provisions of this subchapter shall remain in effect until July 1, 2015.

HISTORY: Acts 2013, No. 1227, § 6.View  A.C.A. § 6-18-1908 [Return to Search Results](#)**A.C.A. § 6-18-1908** (Copy w/ Cite)Pages: **2**



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SCHOOL CHOICE RULES

**ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
THE PUBLIC SCHOOL CHOICE ACT OF 2013
September 2013**

1.00 PURPOSE

- 1.01 These rules shall be known as the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013
- 1.02 The purpose of these rules is to set forth the process and procedures necessary to administer the Public School Choice Act of 2013.

2.00 AUTHORITY

- 2.01 The Arkansas State Board of Education promulgated these rules pursuant to the authority granted to it by Act 1227 of 2013 and Ark. Code Ann. §§ 6-11-105 and 25-15-201 et seq.

3.00 DEFINITIONS

As used in these rules:

- 3.01 “Nonresident District” means a school district other than a student’s resident district;
- 3.02 “Parent” means a student’s parent, guardian, or other person having custody or care of the student;
- 3.03 “Resident district” means the school district in which the student resides as determined under Ark. Code Ann. § 6-18-202;
- 3.04 “Sibling” means each of two (2) or more children having a parent in common by blood, adoption, marriage, or foster care; and
- 3.05 “Transfer student” means a public school student who transfers to a nonresident district through a public school choice option under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules.

4.00 ESTABLISHMENT OF PUBLIC SCHOOL CHOICE PROGRAM

- 4.01 A public school choice program is established to enable a student to attend a school in a nonresident district, subject to the limitations under Ark. Code Ann. § 6-18-1906 and Section 7.00 of these rules.
- 4.02 Each school district shall participate in a public school choice program consistent with Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules.

- 4.03 These rules do not require a school district to add teachers, staff, or classrooms, or in any way to exceed the requirements and standards established by existing law.
- 4.04 The board of directors of a public school district shall adopt by resolution specific standards for acceptance and rejection of applications under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules. The standards:
 - 4.04.1 May include without limitation the capacity of a program, class, grade level, or school building;
 - 4.04.2 Shall include a statement that priority will be given to an applicant who has a sibling or stepsibling who:
 - 4.04.2.1 Resides in the same household; and
 - 4.04.2.2 Is already enrolled in the nonresident district by choice.
 - 4.04.3 Shall not include an applicant's:
 - 4.04.3.1 Academic achievement;
 - 4.04.3.2 Athletic or other extracurricular ability;
 - 4.04.3.3 English proficiency level; or
 - 4.04.3.4 Previous disciplinary proceedings, except that an expulsion from another district may be included under Ark. Code Ann. § 6-18-510.
 - 4.04.4 A school district receiving transfers under the Public School Choice Act of 2013 and these rules shall not discriminate on the basis of gender, national origin, race, ethnicity, religion, or disability.
- 4.05 A nonresident district shall:
 - 4.05.1 Accept credits toward graduation that were awarded by another district; and
 - 4.05.2 Award a diploma to a nonresident student if the student meets the nonresident district's graduation requirements.
- 4.06 The superintendent of a school district shall cause public announcements to be made over the broadcast media and either in the print media or on the Internet to inform parents of students in adjoining districts of the:

- 4.06.1 Availability of the program;
- 4.06.2 Application deadline; and
- 4.06.3 Requirements and procedure for nonresident students to participate in the program.

5.00 GENERAL PROVISIONS

- 5.01 The transfer of a student under the Arkansas Public School Choice Act of 1989 (Ark. Code Ann. § 6-18-206 [repealed]), is not voided by Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules and shall be treated as a transfer under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules.
- 5.02 A student may accept only one (1) school choice transfer per school year.
 - 5.02.1 A student who accepts a public school choice transfer may return to his or her resident district during the school year.
 - 5.02.2 If a transferred student returns to his or her resident district, the student's transfer is voided, and the student shall reapply if the student seeks a future school choice transfer.
- 5.03 A transfer student attending a nonresident school under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules may complete all remaining school years at the nonresident district.
 - 5.03.1 A present or future sibling of a student who continues enrollment in the nonresident district under Section 5.03 of these rules may enroll in or continue enrollment in the nonresident district until the sibling of the transfer student completes his or her secondary education, if the district has the capacity to accept the sibling without adding teachers, staff, or classrooms or exceeding the regulations and standards established by law.
- 5.04 The transfer student or the transfer student's parent is responsible for the transportation of the transfer student to and from the school in the nonresident district where the transfer student is enrolled.
 - 5.04.1 The nonresident district may enter into a written agreement with the student, the student's parent, or the resident district to provide the transportation.
 - 5.04.2 The State Board of Education may resolve disputes concerning transportation arising under Section 5.04 of these rules.

- 5.05 For purposes of determining a school district's state aid, a transfer student is counted as part of the average daily membership of the nonresident district where the transfer student is enrolled.

6.00 APPLICATION FOR TRANSFER

- 6.01 If a student seeks to attend a school in a nonresident district, the student's parent shall submit an application:
- 6.01.1 To the nonresident district with a copy to the resident district;
 - 6.01.2 On the form that is attached to these rules as Attachment 1; and
 - 6.01.3 Postmarked no later than June 1 of the year in which the student seeks to begin the fall semester at the nonresident district.
- 6.02 By August 1 of the school year in which the student seeks to enroll in a nonresident district under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules, the superintendent of the nonresident district shall notify the parent and the resident district in writing as to whether the student's application has been accepted or rejected. The notification shall be sent via First-Class Mail to the address on the application.
- 6.02.1 If the application is rejected, the superintendent of the nonresident district shall state in the notification letter the reason for the rejection.
 - 6.02.2 If the application is accepted, the superintendent of the nonresident district shall state in the notification letter:
 - 6.02.2.1 A reasonable deadline by which the student shall enroll in the nonresident district and after which the acceptance notification is null; and
 - 6.02.2.2 Instructions for the renewal procedures established by the nonresident district.

7.00 LIMITATIONS

- 7.01 If the provisions of Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules conflict with a provision of an enforceable desegregation court order or a district's court-approved desegregation plan regarding the effects of past racial segregation in student assignment, the provisions of the order or plan shall govern.
- 7.02 A school district annually may declare an exemption under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules if the school district is subject to the

desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation.

7.02.1 An exemption declared by a board of directors under Section 7.02 of these rules is irrevocable for one (1) year from the date the school district notifies the Department of Education of the declaration of exemption.

7.02.2 After each year of exemption, the board of directors may elect to participate in public school choice under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules if the school district's participation does not conflict with the school district's federal court-ordered desegregation program.

7.02.3 A school district shall notify the Department of Education by April 1 if in the next school year the school district intends to:

7.02.3.1 Declare an exemption under Section 7.02 of these rules; or

7.02.3.2 Resume participation after a period of exemption.

7.02.3.3 A school district shall provide the notifications under Section 7.02.3.1 or 7.02.3.2 to:

Office of the Commissioner
ATTN: Arkansas Public School Choice Act
Four Capitol Mall
Little Rock, AR 72201

7.03 There is established a numerical net maximum limit on school choice transfers each school year from a school district, less any school choice transfers into the school district under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules of not more than three percent (3%) of the school district's three-quarter average daily membership for the immediately preceding school year.

7.03.1 For the purpose of determining the percentage of school choice transfers under Section 7.03 of these rules, siblings who are counted in the numerator as transfer students shall count as one (1) student, and siblings who are counted in the denominator as part of the average daily membership shall count as one (1) student.

7.03.2 Annually by June 1, the Department of Education shall report to each school district the net maximum number of school choice transfers for the current school year.

7.03.3 If a student is unable to transfer due to the limits under Section 7.03 of these rules, the resident district shall give the student priority for a transfer

in the following year in the order that the resident district receives notices of applications under Ark. Code Ann. § 6-18-1905 and Section 6.00 of these rules, as evidenced by a notation made by the district on the applications indicating date and time of receipt.

8.00 APPEAL, DATA COLLECTION AND REPORTING

8.01 A student whose application for a transfer under Ark. Code Ann. § 6-18-1905 and Section 6.00 of these rules is rejected by the nonresident district may request a hearing before the State Board of Education to reconsider the transfer.

8.01.1 A request for a hearing before the State Board of Education shall be in writing and shall be postmarked no later than ten (10) calendar days, excluding weekends and legal holidays, after the student or the student's parent receives a notice of rejection of the application under Ark. Code Ann. § 6-18-1905 and Section 6.00 of these rules and shall be mailed to:

Office of the Commissioner
ATTN: Arkansas Public School Choice Act Appeals
Four Capitol Mall
Little Rock, AR 72201

8.01.2 Contemporaneously with the filing of the written appeal with the Office of the Commissioner, the student or student's parent must also mail a copy of the written appeal to the superintendent of the nonresident school district.

8.01.3 In its written appeal, the student or student's parent shall state his or her basis for appealing the decision of the nonresident district.

8.01.4 The student or student's parent shall submit, along with its written appeal, a copy of the notice of rejection from the nonresident school district.

8.01.5 As part of the review process, the student or student's parent may submit supporting documentation that the transfer would be in the best educational, social, or psychological interest of the student.

8.01.6 The nonresident district may submit, in writing, any additional information, evidence, or arguments supporting its rejection of the student's application by mailing such response to the State Board of Education. Such response shall be postmarked no later than ten (10) days after the nonresident district receives the student or parent's appeal. The response of the nonresident district shall be mailed to:

Office of the Commissioner
 ATTN: Arkansas Public School Choice Act Appeals
 Four Capitol Mall
 Little Rock, AR 72201

8.01.7 Contemporaneously with the filing of its response with the Office of the Commissioner, the nonresident district must also mail a copy of the response to the student or student's parent.

8.01.8 If the State Board of Education overturns the determination of the nonresident district on appeal, the State Board of Education shall notify the parent, the nonresident district, and the resident district of the basis for the State Board of Education's decision.

8.02 The Department of Education shall collect data from school districts on the number of applications for student transfers under Section 8.00 of these rules and study the effects of school choice transfers under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules, including without limitation the net maximum number of transfers and exemptions, on both resident and nonresident districts for up to two (2) years to determine if a racially segregative impact has occurred to any school district.

8.03 Annually by October 1, the Department of Education shall report its findings from the study of the data under Section 8.02 of these rules to the Senate Committee on Education and the House Committee on Education.

9.00 EFFECTIVE DATE

The provisions of the Arkansas Public School Choice Act of 2013 and these rules shall remain in effect until July 1, 2015.

10.00 STATE BOARD HEARING PROCEDURES

The following procedures shall apply to hearings conducted by the State Board of Education pursuant to Ark. Code Ann. § 6-18-1907 and Section 8.00 of these rules:

10.01 A staff member of the Arkansas Department of Education shall introduce the agenda item.

10.02 All persons wishing to testify before the State Board of Education shall first be placed under oath by the Chairperson of the State Board.

10.03 Each party shall have the opportunity to present an opening statement of no longer than five (5) minutes, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their opening statements.

- 10.04 Each party shall be given twenty (20) minutes to present their cases, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their cases.
- 10.05 The State Board of Education, at its discretion, shall have the authority to require any person associated with the application to appear in person before the State Board as a witness during the hearing. The State Board of Education may accept testimony by affidavit, declaration or deposition.
- 10.06 Every witness may be subject to direct examination, cross examination and questioning by the State Board of Education.
- 10.07 For the purposes of the record, documents offered during the hearing by the nonresident district shall be clearly marked in sequential, numeric order (1,2,3).
- 10.08 For the purposes of the record, documents offered during the hearing by the appealing party shall be clearly marked in sequential, alphabetic letters (A,B,C).
- 10.09 The nonresident school district shall have the burden of proof in proving the basis for denial of the transfer.
- 10.10 The State Board of Education may sustain the rejection of the nonresident district or grant the appeal.
- 10.11 The State Board of Education may announce its decision immediately after hearing all arguments and evidence or may take the matter under advisement. The State Board shall provide a written decision to the Department of Education, the appealing party, the nonresident district and the resident district within fourteen (14) days of announcing its decision under this section.

ATTACHMENT 1

***APPLICATION FOR TRANSFER TO A NONRESIDENT DISTRICT
“ARKANSAS PUBLIC SCHOOL CHOICE ACT OF 2013”
(Must Be Submitted to Non-Resident and Resident Districts)***

APPLICANT INFORMATION

Student Name:

Student Date of Birth:

Gender

Male ☐Female ☐

Grade:

Does the applicant require special needs or programs? Yes ☐ No ☐Is applicant currently under expulsion? Yes ☐ No ☐**ETHNIC ORIGIN (CHECK ONE)**

(For data reporting purposes only)

2 or More Races ☐Asian ☐African-American ☐Hispanic ☐Native American/
Native Alaskan ☐Native Hawaiian/
Pacific Islander ☐White ☐**RESIDENT SCHOOL DISTRICT OF APPLICANT**

District Name:

County Name:

Address:

Phone:

NONRESIDENT SCHOOL DISTRICT APPLICANT WISHES TO ATTEND

District Name:

County Name:

Address:

Phone:

Does the applicant already have a sibling or step-sibling in attendance in this district?

PARENT OR GUARDIAN INFORMATION			
Name:		Home Phone:	
Address:		Work Phone:	
Parent/Guardian Signature		Date:	
<p>Pursuant to standards adopted by a nonresident school board a nonresident district may reserve the right to accept and reject applicants based on capacity of programs, class, grade level, or school building. Likewise, a nonresident district's standards may provide for the rejection of an applicant based upon the submission of false or misleading information to the above listed request for information when that information directly impacts the legal qualifications of an applicant to transfer pursuant to the School Choice Act. However, a nonresident district's standards shall not include an applicant's previous academic achievement, athletic or other extracurricular ability, handicapping conditions, English proficiency level, or previous disciplinary proceedings, except that an expulsion from another district may be included pursuant to Ark. Code Ann. § 6-18-510. Priority will be given to applicants with siblings or step-siblings attending the district. The nonresident district shall accept credits toward graduation that were awarded by another district and award a diploma to a nonresident applicant if the applicant meets the nonresident district's graduation requirements. This application must be filed in the nonresident district (with a copy to the resident district) or postmarked no later than June 1 of the year in which the applicant would begin the fall semester at the nonresident district. A student whose application for transfer is rejected by the nonresident district may request a hearing before the State Board of Education to reconsider the transfer by filing such a request in writing with the Commissioner of Education no later than ten (10) days after the student or student's parent receives a notice of rejection. (Consult Ark. Code Ann. § 6-18-1905 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013 for specific procedures on how to file such an appeal).</p>			
DISTRICT USE ONLY			
Date and Time Received by Resident District:		Date and Time Received by Nonresident District:	
Resident District LEA #:		Nonresident District LEA#:	
Student's State Identification #:			
Application	Accepted	Rejected	
Reason for Rejection (If Applicable):			
Date Notification Sent to Parent/Guardian of Applicant:			
Date Notification Sent to Resident District :			

HEARING PROCEDURES

Office of the Commissioner
 ATTN: Arkansas Public School Choice Act Appeals
 Four Capitol Mall
 Little Rock, AR 72201

- 8.01.7 Contemporaneously with the filing of its response with the Office of the Commissioner, the nonresident district must also mail a copy of the response to the student or student's parent.
- 8.01.8 If the State Board of Education overturns the determination of the nonresident district on appeal, the State Board of Education shall notify the parent, the nonresident district, and the resident district of the basis for the State Board of Education's decision.
- 8.02 The Department of Education shall collect data from school districts on the number of applications for student transfers under Section 8.00 of these rules and study the effects of school choice transfers under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules, including without limitation the net maximum number of transfers and exemptions, on both resident and nonresident districts for up to two (2) years to determine if a racially segregative impact has occurred to any school district.
- 8.03 Annually by October 1, the Department of Education shall report its findings from the study of the data under Section 8.02 of these rules to the Senate Committee on Education and the House Committee on Education.

9.00 EFFECTIVE DATE

The provisions of the Arkansas Public School Choice Act of 2013 and these rules shall remain in effect until July 1, 2015.

10.00 STATE BOARD HEARING PROCEDURES

The following procedures shall apply to hearings conducted by the State Board of Education pursuant to Ark. Code Ann. § 6-18-1907 and Section 8.00 of these rules:

- 10.01 A staff member of the Arkansas Department of Education shall introduce the agenda item.
- 10.02 All persons wishing to testify before the State Board of Education shall first be placed under oath by the Chairperson of the State Board.
- 10.03 Each party shall have the opportunity to present an opening statement of no longer than five (5) minutes, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their opening statements.

- 10.04 Each party shall be given twenty (20) minutes to present their cases, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their cases.
- 10.05 The State Board of Education, at its discretion, shall have the authority to require any person associated with the application to appear in person before the State Board as a witness during the hearing. The State Board of Education may accept testimony by affidavit, declaration or deposition.
- 10.06 Every witness may be subject to direct examination, cross examination and questioning by the State Board of Education.
- 10.07 For the purposes of the record, documents offered during the hearing by the nonresident district shall be clearly marked in sequential, numeric order (1,2,3).
- 10.08 For the purposes of the record, documents offered during the hearing by the appealing party shall be clearly marked in sequential, alphabetic letters (A,B,C).
- 10.09 The nonresident school district shall have the burden of proof in proving the basis for denial of the transfer.
- 10.10 The State Board of Education may sustain the rejection of the nonresident district or grant the appeal.
- 10.11 The State Board of Education may announce its decision immediately after hearing all arguments and evidence or may take the matter under advisement. The State Board shall provide a written decision to the Department of Education, the appealing party, the nonresident district and the resident district within fourteen (14) days of announcing its decision under this section.

NOTICE LETTER



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

May 29, 2014

**State Board
of Education**

Brenda Gullett
Fayetteville
Chair

Sam Ledbetter
Little Rock
Vice Chair

Dr. Jay Barth
Little Rock

Joe Black
Newport

Alice Mahony
El Dorado

Toyce Newton
Crossett

Mireya Reith
Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Ms. Candyce Allen
1554 Good Springs Road
Heber Springs, AR 72543

Dr. Kathy Berryhill, Superintendent
Pangburn School District
1100 Short Street
Pangburn, AR 72121

Mr. Russell Hester, Superintendent
Heber Springs School District
1100 West Pine Street
Heber Springs, AR 72543

**Re: Appeal Under the Public School Choice Act of 2013
Allen v. Heber Springs School District
VIA CERTIFIED AND REGULAR MAIL**

Everyone:

On May 21, 2014, Ms. Candyce Allen filed a petition appealing the decision of the Heber Springs School District to deny the following applications made pursuant to the Public School Choice Act of 2013:

- K. Allen
- C. Allen

This letter is to notify you that the Arkansas State Board of Education is tentatively scheduled to hear the above-referenced appeal(s) on **Thursday, July 10, 2014**. The meeting will begin at **10:00 a.m. in the Auditorium of the Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas.**

Enclosed with this letter you will find a copy of Ark. Code Ann. § 6-18-1901 et seq. and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013. Any additional materials any party chooses to submit should be provided to my office **no later than 12:00 noon on June 20, 2014.**

The above-referenced appeal(s) will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by Ark. Code Ann. § 6-18-1901 et seq. and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013.

Thank you in advance for your cooperation in this matter. Please do not hesitate to contact me at (501) 682-4227 should you require additional information.

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

School Choice Appeal Hearing Notice
May 29, 2014
Page 2 of 2

Respectfully,

A handwritten signature in black ink, appearing to read "Jeremy C. Lasiter", with a stylized flourish at the end.

Jeremy C. Lasiter
General Counsel

Enclosures

cc: Tom W. Kimbrell, Ed.D., Commissioner of Education
Mr. John Hoy, Asst. Commissioner, Div. of Public School Accountability
Ms. Deborah Coffman, Chief of Staff and State Board Liaison

APPEAL

May 21, 2014

To The Arkansas State Board of Education:

My name is Candyce Allen, and I am requesting a hearing before the State Board of Education to reconsider a transfer for my children, K [REDACTED] and C [REDACTED] Allen, into the Heber Springs School District.

My husband and I along with our two children live at 1554 Good Springs Rd, Heber Springs, AR 72543. We own a furniture store, in Heber Springs. We live just a few miles over the district line and would like for our children to attend Heber Springs School District for the simple reason of convenience, the school is just 5 min from our business.

Our children were 25 week preemies and do have an extensive medical history. I urge the word HISTORY because now even though we may have a few delays in some areas cognitively both kids are within the "normal" range.

On February 19th, 2014 I went to the Heber Springs Central office to fill out a transfer request from Pangburn School District to Heber School District. I was given 2 forms, the first was an "Application for Transfer to a Non-Resident District "Arkansas Public School Choice Act of 1989" and the second was a "Petition for Transfer of Students".

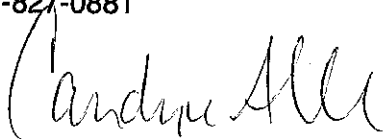
We sat down with Heber Springs superintendent Russell Hester and with Jon Rainbolt their Special Ed Coordinator on Thursday, March 17th to discuss our children attending Heber Schools. We explained that even though the kids do receive therapy we do not think at this time they need therapy during school hours. They have been attending a private school in Heber for the past year and do not require any assistance. They told us they would review their files with our therapists and contact us within about a week. After almost a month, on April 15th I emailed Jon Rainbolt to ask him if they had made any decisions for our request. He told me they really didn't have an answer, but said that Mr. Hester and himself were going to sit down and review our children's case by the end of the week. After not hearing from them for almost another month and leaving a message with Mr. Hester's office to call me, I sent Mr. Hester an email on May 12th asking him if they had reached a decision. He told me that it is the schools policy not to accept students from other districts with special needs.

I have since filed the correct paperwork transfers (the 2013 paperwork) and on May 17th denying our children a transfer into Heber School District.

We feel like since the Arkansas Department of Education Rules Governing The Public School Choice Act Of 2013 section 4.04.4 states "A school district receiving transfers under the Public School Choice Act of 2013 and these rules shall not discriminate on the basis of gender, national origin, race, ethnicity, religion, or disability.", our children should not be denied a transfer into a school district because the school thinks based on their past history they may need therapies. We are requesting an appeal.

I have enclosed copies of all emails between the school and myself, along with all paperwork filed and received from the school.

Thank you,
Candyce Allen
501-827-0881



RECEIVED
ATTORNEY'S OFFICE
MAY 23 2014
RECEIVED
COMMISSIONER'S OFFICE
MAY 23 2014
DEPARTMENT OF EDUCATION
GENERAL DIVISION

ATTACHMENT 1

APPLICATION FOR TRANSFER TO A NONRESIDENT DISTRICT

"ARKANSAS PUBLIC SCHOOL CHOICE ACT OF 2013"

(Must Be Submitted to Non-Resident and Resident Districts)

APPLICANT INFORMATION

☐
☐

Student Name: K [REDACTED] Allen ☐

Student Date of Birth: [REDACTED] Gender Male ☒ Female ☐

Grade: Kindergarten ☐

Does the applicant require special needs or programs? Yes ☐ No ☐ Not Sure Yet

Is applicant currently under expulsion? Yes ☐ No ☒

ETHNIC ORIGIN (CHECK ONE)

(For data reporting purposes only)

☐☐2 or More Races ☐Asian ☐African-American ☐Hispanic ☐Native American/ ☐Native Hawaiian/ ☐Native Alaskan ☐Pacific Islander ☐White ☒☐

RESIDENT SCHOOL DISTRICT OF APPLICANT

District Name: Pangburn School District County Name: White ☐

Address: 1100 Short Street Pangburn, AR 72121 ☐

Phone: 501-728-4511 ☐

NONRESIDENT SCHOOL DISTRICT APPLICANT WISHES TO ATTEND

☐

District Name: Heber Springs School District County Name: Cleburne ☐

Address: 1100 W. Pine St. Heber Springs, AR 72543 ☐

Phone: 501-362-2712 ☐

Does the applicant already have a sibling or step-sibling in attendance in this district?

No

PARENT OR GUARDIAN INFORMATION

Name:	Lance "Greg" Allen + Candye Allen	Home Phone:	<input type="checkbox"/>	[REDACTED]
Address:	[REDACTED]	Work Phone:	<input type="checkbox"/>	501-362-2698
	Heber Springs, AR 72543	Cell Phone	<input type="checkbox"/>	[REDACTED]
Parent/Guardian Signature	Lance Gregory Allen Candye Allen			Date: <input type="checkbox"/> 5-13-14

Pursuant to standards adopted by a nonresident school board a nonresident district may reserve the right to accept and reject applicants based on capacity of programs, class, grade level, or school building. Likewise, a nonresident district's standards may provide for the rejection of an applicant based upon the submission of false or misleading information to the above listed request for information when that information directly impacts the legal qualifications of an applicant to transfer pursuant to the School Choice Act. However, a nonresident district's standards shall not include an applicant's previous academic achievement, athletic or other extracurricular ability, handicapping conditions, English proficiency level, or previous disciplinary proceedings, except that an expulsion from another district may be included pursuant to Ark. Code Ann. § 6-18-510. Priority will be given to applicants with siblings or step-siblings attending the district. The nonresident district shall accept credits toward graduation that were awarded by another district and award a diploma to a nonresident applicant if the applicant meets the nonresident district's graduation requirements. This application must be filed in the nonresident district (with a copy to the resident district) or postmarked no later than June 1 of the year in which the applicant would begin the fall semester at the nonresident district. A student whose application for transfer is rejected by the nonresident district may request a hearing before the State Board of Education to reconsider the transfer by filing such a request in writing with the Commissioner of Education no later than ten (10) days after the student or student's parent receives a notice of rejection. (Consult Ark. Code Ann. § 6-18-1905 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013 for specific procedures on how to file such an appeal).

DISTRICT USE ONLY

Date and Time Received by Resident District:		Date and Time Received by Nonresident District:	
<input type="checkbox"/>			
Resident District LEA #:		Nonresident District LEA#:	
Student's State Identification #:			
Application	Accepted	Rejected	
Reason for Rejection (If Applicable):			
Date Notification Sent to Parent/Guardian of Applicant:			
<input type="checkbox"/>			
Date Notification Sent to Resident District :			
<input type="checkbox"/>			

received 5-13-14

Gm 005.19

ATTACHMENT 1

APPLICATION FOR TRANSFER TO A NONRESIDENT DISTRICT
"ARKANSAS PUBLIC SCHOOL CHOICE ACT OF 2013"
(Must Be Submitted to Non-Resident and Resident Districts)

APPLICANT INFORMATION

Student Name: C [REDACTED] Allen

Student Date of Birth: [REDACTED] Gender Male ☐ Female ☒

Grade: Kindergarten

Does the applicant require special needs or programs? Yes ☐ No ☐ Not Sure yetIs applicant currently under expulsion? Yes ☐ No ☒**ETHNIC ORIGIN (CHECK ONE)**

(For data reporting purposes only)

2 or More Races ☐Asian ☐African-American ☐Hispanic ☐Native American/
Native Alaskan ☐Native Hawaiian/
Pacific Islander ☐White ☒**RESIDENT SCHOOL DISTRICT OF APPLICANT**

District Name: Pangburn School District County Name: White

Address: 1100 Short Street Pangburn, AR 72121

Phone: 501-728-4511

NONRESIDENT SCHOOL DISTRICT APPLICANT WISHES TO ATTEND

District Name: Heber Springs School District County Name: Cleburne

Address: 1100 W. Pine St.

Phone: 501-362-6712

Does the applicant already have a sibling or step-sibling in attendance in this district?

No

PARENT OR GUARDIAN INFORMATION			
Name: Lance "Greg" and Candace Allen		Home Phone: [REDACTED]	
Address: [REDACTED]		Work Phone: 501-362-2698	
Heber Springs, AR 72543		Cell Phone: [REDACTED]	
Parent/Guardian Signature Lance Gregory Allen		Date: 5-13-14	
<p>Pursuant to standards adopted by a nonresident school board a nonresident district may reserve the right to accept and reject applicants based on capacity of programs, class, grade level, or school building. Likewise, a nonresident district's standards may provide for the rejection of an applicant based upon the submission of false or misleading information to the above listed request for information when that information directly impacts the legal qualifications of an applicant to transfer pursuant to the School Choice Act. However, a nonresident district's standards shall not include an applicant's previous academic achievement, athletic or other extracurricular ability, handicapping conditions, English proficiency level, or previous disciplinary proceedings, except that an expulsion from another district may be included pursuant to Ark. Code Ann. § 6-18-510. Priority will be given to applicants with siblings or step-siblings attending the district. The nonresident district shall accept credits toward graduation that were awarded by another district and award a diploma to a nonresident applicant if the applicant meets the nonresident district's graduation requirements. This application must be filed in the nonresident district (with a copy to the resident district) or postmarked no later than June 1 of the year in which the applicant would begin the fall semester at the nonresident district. A student whose application for transfer is rejected by the nonresident district may request a hearing before the State Board of Education to reconsider the transfer by filing such a request in writing with the Commissioner of Education no later than ten (10) days after the student or student's parent receives a notice of rejection. (Consult Ark. Code Ann. § 6-18-1905 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013 for specific procedures on how to file such an appeal).</p>			
DISTRICT USE ONLY			
Date and Time Received by Resident District:		Date and Time Received by Nonresident District:	
Resident District LEA #:		Nonresident District LEA#:	
Student's State Identification #:			
Application	Accepted	Rejected	
Reason for Rejection (If Applicable):			
Date Notification Sent to Parent/Guardian of Applicant:			
Date Notification Sent to Resident District :			

Superintendent
501-362-6712

High School
501-362-3141

Heber Springs Public Schools

1100 W. Pine Street
Heber Springs, AR 72543
Fax: 501-362-0613

Middle School
501-362-2488

Elementary School
501-362-8155

May 15, 2014

Rec. May 17th 2014

Lance and Candyce Allen
1554 Good springs Road
Heber Springs, AR 72543

Mr. and Mrs. Allen,

I understand the rules and regulations listed by the Arkansas Department of Education. You referenced rule 4.04.4 in your last email to me. Our denial has nothing to do with any of the areas listed.

If you will reference 4.03 you will see that the denial is based on expenditures that the district would have, over our required expenditures of in district students.

The Heber Springs District has not accepted students from any district that would require an increase in our special education budget.

Sincerely,


Russell Hester, Superintendent

From: Candyce Allen
To: Russell Hester

Mon, May 12 5:03 PM

Re: K [REDACTED] and C [REDACTED] Allen

Well thank you for your response to our request. And I will take this as an official "denial" for accepting K [REDACTED] and C [REDACTED] Allen into the Heber Springs school district next year. While we respect your decision we would like to know what the next process would be. Is there an appeals process? If you could let us know, we would really appreciate any insight you can offer.

Thank you,
Candyce Allen

Sent from my iPhone

From: On May 12, 2014, at 3:48 PM, Russell Hester <rhester@hssd.k12.ar.us> wrote:

I have discussed your situation with Jon and it is our opinion that your children will need some special services.
It is our policy from the district not to accept students from other districts with special needs.

I apologize for the delay, but I wanted Mr. Rainbolt to have all the time necessary to review any information he could get.

Russell Hester
Superintendent
Heber Springs School District
501-362-6712

On May 12, 2014, at 3:38 PM, Candyce Allen wrote:

From:

Hello Mr. Hester, I am sorry to bother you about our children's placement for next year. But, we would like to get an answer as soon as we can so we can prepare for next year. I have emailed Jon with a few extra questions but have not heard anything from him either. I know you are both very busy, but we would like to see if we could even get a chance to present our case to the board. If you could give us any insight we would be very appreciative!

Thank you,
Candyce Allen

Sent from my iPhone

From: **Candace Allen**
To: afeschso@arkansas.net

Wed, Apr 16 9:57 PM

Re: K [REDACTED] and C [REDACTED] Allen

Thank you for getting back with me Jon and all your cooperation. I do have a few questions that may help with all of this.

Would the fact that we have private insurance first, and Tefera second help? I know it's always billed different when you have private ins first.

Also, can we go ahead and screen the kids to see if any of this is even necessary? We would pay for the extra screening or testing our selves. Anything we can do to show that they really don't need the therapy right now IN school. I mean I think they would get more out of those 40 min blocks at the end of the day working in small groups than pulling them out twice a week for therapy. The thing is we (Greg, our therapists and myself) all feel like right now all the kids really need is the socialization. That, that would be the best thing for the kids right now.

You can have access to all our therapists paperwork, however I strongly urge you to just come meet the kids, work with them during their OT time with Missy, she would love that! You really can not get the true feel for how they are unless you meet them. I mean I can not predict the future, non of us can! But, I don't see them needing therapies to "educate" them. And they have yet to hit a milestone, maybe not always on time, but they always have! They just have to be given that chance. If we would have always treated them according to their paperwork/testing, they would not be where they are today!

Also, it seems that the only real question is K [REDACTED] Would the district take [REDACTED] and not K [REDACTED]? Is that an option? I don't feel like I am qualified to home school him and I don't feel like it's in his best interest but I will do that before I have to send him to a district 30 min away from me.

If you can give us any insight on these issues/questions it would be very helpful! And again thank you for your time and cooperation with all of this.

Thanks

Candyce Allen

Sent from my iPhone

com : On Apr 16, 2014, at 12:16 PM, John Rainbolt <afeschso@arkansas.net> wrote:

I have been 'budgeting' and trying to get info to the Department of Ed since before spring break, so I haven't had time to do anything more than ask Kayla to let me see her records for the kids. Did she ask you if it was okay for me to see their files? She might not have if she thought that you would be fine with this, but on the other hand we are supposed to get consent to release records even if it is only to look at them and not copy or remove them. I will review them Friday if I can make the arrangements. It is those records that I told Mr. Hester that I would look through to see if it made any difference on his decision.

You need to be cognizant that he's also balancing approval for the transfer with the fact that he has denied approval for all of the others with special needs prior to this point; and he may end up seeking a legal opinion so that he doesn't have other parents coming to him with complaint that he accepted one transfer request while denying others. It is that more than anything else that has him reluctantly careful as he makes a decision - he's got to balance prior decisions and future decisions with this one so that he can't be held liable for discrimination.

I hope that that helps you understand what he is going through. We both think that your reasons are valid and viable but he's in that unfortunate leadership position that makes it necessary for him to be very careful in his decision (not just him, but me too since I am the one who has helped him with prior decisions). The bottom line is that we are walking a very thin line in any decision and have to keep your children's needs in mind while staying legal and nondiscriminatory in what we do. We want to do the best for your kids as well as others and the situation makes it difficult to find just that point where we can justify our actions.

When I asked you (being very 'snoopy') what you would do if the request were denied and you said that you would very likely consider moving so that the kids could be residents of the district, it showed your intensity of feelings. Very honestly, the kids would have to be served regardless of anything else if you did have a residence in the district, but I cannot advocate that you do that but I can say that such an action would result in an automatic eligibility; and I am being very careful as I put that in writing, while at the same time making you aware of the unfortunate realities of the situation.

I hope that all of that makes sense and that you get the message (as unpleasant as it is to tell you) it is intended to convey.

Jon Rainbolt

From:

On Tue, Apr 15, 2014 at 1:35 PM, Candyce Allen <coachcandycce@yahoo.com> wrote:

Hello Jon, I just wanted to touch base with you and see if there had been any recommendations made about K [REDACTED] and [REDACTED] Allen being accepted in to the Heber School District for next year. I assumed the school board would be voting on it during their next meeting, which I figured would be soon. So, I just wanted to touch base with you and see where we stood.

Thanks,

Candyce Allen

[REDACTED]

Sent from my iPhone

4cc

Heber Springs, AR 72543

U.S. POSTAGE
PAID
HEBER SPRINGS, AR
72543
MAY 21, 14
AMOUNT
\$1.82
00069992-05



72201



1000

Office of the Commissioner
ATTN: Arkansas Public School Choice Act Appeals
Four Capitol Mall
Little Rock, AR 72201

RESPONSE

Superintendent
501-362-6712

High School
501-362-3141

Heber Springs Public Schools

1100 W. Pine Street
Heber Springs, AR 72543
Fax: 501-362-0613

Middle School
501-362-2488

Elementary School
501-362-8155

**RECEIVED
ATTORNEY'S OFFICE**

JUN 09 2014

**DEPARTMENT OF EDUCATION
GENERAL DIVISION**

From: Russell Hester, Superintendent
Subject: K [REDACTED] Allen, C [REDACTED] Allen
Date: May 29, 2014
To: Jeremy C. Lasiter, General Counsel

To Whom It May Concern:

I am responding to the State Board of Education on the appeal to the district's denial of transfer request for K [REDACTED] and C [REDACTED] Allen. I referenced in my letter to the parents state regulations pursuant to 4.04.4 as referenced by the parent. I specified that the denial is based on 4.03 of the same statute. i.e. the additional expenditure that would be required to serve these students.

From previous records on C [REDACTED], dated 7-17-2012, under impressions section, it is indicated that she is a: status post diagnosis 25 week preterm newborn with a long complicated prenatal course with chronic lung disease and currently off oxygen, G-tube dependent and dysphagia. Previous evaluation indicates moderately delayed expressive language skills and mild to moderately delayed receptive language skills. Cognitive ability assessed to be in Low Average range overall. In addition, Mr. Jon Rainbolt, Special Education Supervisor for the Heber Springs School District, discussed C [REDACTED] with her occupational therapist and speech therapist. Although all service providers indicated that C [REDACTED] has shown significant improvement, nothing in their reports indicates that C [REDACTED] will not continue to need both occupational therapy and speech therapy and quite possibly resource services through special education. Concerning K [REDACTED] an evaluation by Arkansas Children's Hospital, indicated the following impressions and recommendations:

Status post diagnosis 25 week preterm newborn with long complicated prenatal course including hydrocephalus secondary to IVH and status post shunt, G-tube, PVL, seizure disorder, laryngomalacia status post decannulation, and BPD.

Previous speech-language evaluation from May 2012, indicates moderately delayed expressive language skills and mild to moderate delayed receptive language skills, currently receiving speech-language therapy.

K [REDACTED] has a developmental coordination disorder and is currently receiving occupational and physical therapies.

Nonverbal cognitive ability assessed to be in the Borderline to Low Average range with a standard score of 82 (90% CI+78-88).

Given his speech-language delays, K [REDACTED] is at risk for learning disabilities especially in language based subject areas (reading, writing) and should be closely monitored.

Some difficulties with attention and focus today: continue to monitor in kindergarten.

Recommendations:

It is recommended that K [REDACTED] continue to receive occupational, physical and speech-language therapies as well as special education services for additional instruction in pre-academic skill as needed. Consider OHI (Other Health Impaired) as his educational classification for services.

Jon Rainbolt also talked to K [REDACTED] occupational therapist and speech therapist who indicated that he has made significant progress since first being seen. The Therapist do not indicate that he will not need occupational or speech therapy as well as special education services as noted in the recommendations. It is further indicated that if K [REDACTED] is in a larger school there could be safety issues at recess. According to his occupational therapist, transition from one class to another would require supervision by an adult.

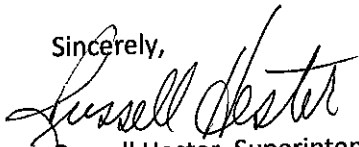
As you can see from the evaluation results considerable special education services (O.T, P.T., speech) are recommended. We contract for these services, so each additional student therefore costs us additional funds.

Also, especially with K [REDACTED], a more restrictive special education service may be necessary, and our current programs are anticipated to be at capacity next school year. Therefore additional staff would be necessary, requiring additional expenditures.

I could not in good conscience recommend separating the twins, accepting one twin but not the other, and it appears that although both twins need related services, K [REDACTED] will need significantly more. Given the fact that we do pay for these related services on a contract basis they will cause us to be required to spend additional funds beyond our current level.

This information is what I had in front of me to make my decision of denial of the Allen children into our district at Heber Springs.

Sincerely,


Russell Hester, Superintendent

CERTIFIED MAIL™

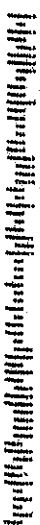
**Heber Springs School District
Administrative Office
1100 West Pine Street
Heber Springs, AR 72543**



7012 3050 0001 4407 5872

**Jeremy C. Lasiter, General Counsel
Arkansas Dept. of Education
Four Capitol Mall, Room 404-A
Little Rock, AR 72201**

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Title 6 Education

Subtitle 2. Elementary And Secondary Education Generally

Chapter 18 Students

Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1901 (2014)

6-18-1901. Title -- Legislative findings.

(a) This subchapter shall be known and may be cited as the "Public School Choice Act of 2013".

(b) The General Assembly finds that:

(1) The students in Arkansas's public schools and their parents will become more informed about and involved in the public educational system if students and their parents are provided greater freedom to determine the most effective school for meeting their individual educational needs. There is no right school for every student, and permitting students to choose from among different schools with differing assets will increase the likelihood that some at-risk students will stay in school and that other, more motivated students will find their full academic potential;

(2) Giving more options to parents and students with respect to where the students attend public school will increase the responsiveness and effectiveness of the state's schools because teachers, administrators, and school district board members will have added incentive to satisfy the educational needs of the students who reside in the district; and




(3) These benefits of enhanced quality and effectiveness in our public schools justify permitting a student to apply for admission to a school in any school district beyond the school district in which the student resides, provided that the transfer by the student does not conflict with an enforceable judicial decree or court order remedying the effects of past racial segregation in the school district.

HISTORY: Acts 2013, No. 1227, § 6.View

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A.C.A. § 6-18-1902

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1902 (2014)

6-18-1902. Definitions.




As used in this subchapter:

- (1) "Nonresident district" means a school district other than a student's resident district;
- (2) "Parent" means a student's parent, guardian, or other person having custody or care of the student;
- (3) "Resident district" means the school district in which the student resides as determined under § 6-18-202; and
- (4) "Transfer student" means a public school student who transfers to a nonresident district through a public school choice option under this subchapter.

HISTORY: Acts 2013, No. 1227, § 6.View Full  A.C.A. § 6-18-1902 [Return to Search Results](#)**A.C.A. § 6-18-1902** (Copy w/ Cite)Pages: 2



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A.C.A. § 6-18-1903

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Title 6 Education
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Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1903 (2014)

6-18-1903. Public school choice program established.

(a) A public school choice program is established to enable a student to attend a school in a nonresident district, subject to the limitations under § 6-18-1906.

(b) Each school district shall participate in a public school choice program consistent with this subchapter.

(c) This subchapter does not require a school district to add teachers, staff, or classrooms or in any way to exceed the requirements and standards established by existing law.

(d) (1) The board of directors of a public school district shall adopt by resolution specific standards for acceptance and rejection of applications under this subchapter.

(2) The standards:

(A) May include without limitation the capacity of a program, class, grade level, or school building;

(B) Shall include a statement that priority will be given to an applicant who has a sibling or stepsibling who:

(i) Resides in the same household; and

(ii) Is already enrolled in the nonresident district by choice; and

(C) Shall not include an applicant's:

(i) Academic achievement;

(ii) Athletic or other extracurricular ability;

(iii) English proficiency level; or

(iv) Previous disciplinary proceedings, except that an expulsion from another district may be included under § 6-18-510.

(3) A school district receiving transfers under this act shall not discriminate on the basis of gender, national origin, race, ethnicity, religion, or disability.

(e) A nonresident district shall:

(1) Accept credits toward graduation that were awarded by another district; and

(2) Award a diploma to a nonresident student if the student meets the nonresident district's graduation requirements.

(f) The superintendent of a school district shall cause public announcements to be made over the broadcast media and either in the print media or on the Internet to inform parents of students in adjoining districts of the:



(1) Availability of the program;

(2) Application deadline; and

(3) Requirements and procedure for nonresident students to participate in the program.

HISTORY: Acts 2013, No. 1227, § 6.

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1904 (2014)

6-18-1904. General provisions.

(a) The transfer of a student under the Arkansas Public School Choice Act of 1989, § 6-18-206 [repealed], is not voided by this subchapter and shall be treated as a transfer under this subchapter.

(b) (1) A student may accept only one (1) school choice transfer per school year.

(2) (A) A student who accepts a public school choice transfer may return to his or her resident district during the school year.

(B) If a transferred student returns to his or her resident district, the student's transfer is voided, and the student shall reapply if the student seeks a future school choice transfer.

(c) (1) A transfer student attending a nonresident school under this subchapter may complete all remaining school years at the nonresident district.

(2) A present or future sibling of a student who continues enrollment in the nonresident district under this subsection may enroll in or continue enrollment in the nonresident district until the sibling of the transfer student completes his or her secondary education, if the district has the capacity to accept the sibling without adding teachers, staff, or classrooms or exceeding the regulations and standards established by law.


(d) (1) The transfer student or the transfer student's parent is responsible for the transportation of the transfer student to and from the school in the nonresident district where the transfer student is enrolled.



(2) The nonresident district may enter into a written agreement with the student, the student's parent, or the resident district to provide the transportation.

(3) The State Board of Education may resolve disputes concerning transportation arising under this subsection.

(e) For purposes of determining a school district's state aid, a transfer student is counted as a part of the average daily membership of the nonresident district where the transfer student is enrolled.

HISTORY: Acts 2013, No. 1227, § 6.

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Title 6 Education
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Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1905 (2014)

6-18-1905. Application for a transfer.

(a) If a student seeks to attend a school in a nonresident district, the student's parent shall submit an application:

(1) To the nonresident district with a copy to the resident district;

(2) On a form approved by the Department of Education; and

(3) Postmarked no later than June 1 of the year in which the student seeks to begin the fall semester at the nonresident district.

(b) (1) By August 1 of the school year in which the student seeks to enroll in a nonresident district under this subchapter, the superintendent of the nonresident district shall notify the parent and the resident district in writing as to whether the student's application has been accepted or rejected.




(2) If the application is rejected, the superintendent of the nonresident district shall state in the notification letter the reason for rejection.

(3) If the application is accepted, the superintendent of the nonresident district shall state in the notification letter:



(A) A reasonable deadline by which the student shall enroll in the nonresident district and after which the acceptance notification is null; and

(B) Instructions for the renewal procedures established by the nonresident district.

HISTORY: Acts 2013, No. 1227, § 6.

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A.C.A. § 6-18-1906 (2014)

6-18-1906. Limitations.

(a) If the provisions of this subchapter conflict with a provision of an enforceable desegregation court order or a district's court-approved desegregation plan regarding the effects of past racial segregation in student assignment, the provisions of the order or plan shall govern.

(b) (1) A school district annually may declare an exemption under this section if the school district is subject to the desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation.

(2) (A) An exemption declared by a board of directors under this subsection is irrevocable for one (1) year from the date the school district notifies the Department of Education of the declaration of exemption.

(B) After each year of exemption, the board of directors may elect to participate in public school choice under this section if the school district's participation does not conflict with the school district's federal court-ordered desegregation program.

(3) A school district shall notify the department by April 1 if in the next school year the school district intends to:

(A) Declare an exemption under this section; or

(B) Resume participation after a period of exemption.

(c) (1) (A) There is established a numerical net maximum limit on school choice transfers each school year from a school district, less any school choice transfers into the school district, under this section of not more than three percent (3%) of the school district's three-quarter average daily membership for the immediately preceding school year.


(B) For the purpose of determining the percentage of school choice transfers under this subsection, siblings who are counted in the numerator as transfer students shall count as one



(1) student, and siblings who are counted in the denominator as part of the average daily membership shall count as one (1) student.

(2) Annually by June 1, the Department of Education shall report to each school district the net maximum number of school choice transfers for the current school year.

(3) If a student is unable to transfer due to the limits under this subsection, the resident district shall give the student priority for a transfer in the following year in the order that the resident district receives notices of applications under § 6-18-1905, as evidenced by a notation made by the district on the applications indicating date and time of receipt.

HISTORY: Acts 2013, No. 1227, § 6.

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Title 6 Education
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A.C.A. § 6-18-1907 (2014)

6-18-1907. Rules -- Appeal -- Data collection and reporting.

(a) The State Board of Education may promulgate rules to implement this subchapter.

(b) (1) A student whose application for a transfer under § 6-18-1905 is rejected by the nonresident district may request a hearing before the state board to reconsider the transfer.

(2) (A) A request for a hearing before the state board shall be in writing and shall be postmarked no later than ten (10) days after the student or the student's parent receives a notice of rejection of the application under § 6-18-1905.



(B) As part of the review process, the parent may submit supporting documentation that the transfer would be in the best educational, social, or psychological interest of the student.

(3) If the state board overturns the determination of the nonresident district on appeal, the state board shall notify the parent, the nonresident district, and the resident district of the basis for the state board's decision.




(c) (1) The department shall collect data from school districts on the number of applications for student transfers under this section and study the effects of school choice transfers under this subchapter, including without limitation the net maximum number of transfers and exemptions, on both resident and nonresident districts for up to two (2) years to determine if a racially segregative impact has occurred to any school district.

(2) Annually by October 1, the department shall report its findings from the study of the data under this subsection to the Senate Committee on Education and the House Committee on Education.

HISTORY: Acts 2013, No. 1227, § 6.

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
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A.C.A. § 6-18-1908 (2014)

6-18-1908. Effective date.

The provisions of this subchapter shall remain in effect until July 1, 2015.

HISTORY: Acts 2013, No. 1227, § 6.View  A.C.A. § 6-18-1908 [Return to Search Results](#)**A.C.A. § 6-18-1908** (Copy w/ Cite)Pages: **2**



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SCHOOL CHOICE RULES

**ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
THE PUBLIC SCHOOL CHOICE ACT OF 2013
September 2013**

1.00 PURPOSE

- 1.01 These rules shall be known as the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013
- 1.02 The purpose of these rules is to set forth the process and procedures necessary to administer the Public School Choice Act of 2013.

2.00 AUTHORITY

- 2.01 The Arkansas State Board of Education promulgated these rules pursuant to the authority granted to it by Act 1227 of 2013 and Ark. Code Ann. §§ 6-11-105 and 25-15-201 et seq.

3.00 DEFINITIONS

As used in these rules:

- 3.01 “Nonresident District” means a school district other than a student’s resident district;
- 3.02 “Parent” means a student’s parent, guardian, or other person having custody or care of the student;
- 3.03 “Resident district” means the school district in which the student resides as determined under Ark. Code Ann. § 6-18-202;
- 3.04 “Sibling” means each of two (2) or more children having a parent in common by blood, adoption, marriage, or foster care; and
- 3.05 “Transfer student” means a public school student who transfers to a nonresident district through a public school choice option under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules.

4.00 ESTABLISHMENT OF PUBLIC SCHOOL CHOICE PROGRAM

- 4.01 A public school choice program is established to enable a student to attend a school in a nonresident district, subject to the limitations under Ark. Code Ann. § 6-18-1906 and Section 7.00 of these rules.
- 4.02 Each school district shall participate in a public school choice program consistent with Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules.

- 4.03 These rules do not require a school district to add teachers, staff, or classrooms, or in any way to exceed the requirements and standards established by existing law.
- 4.04 The board of directors of a public school district shall adopt by resolution specific standards for acceptance and rejection of applications under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules. The standards:
 - 4.04.1 May include without limitation the capacity of a program, class, grade level, or school building;
 - 4.04.2 Shall include a statement that priority will be given to an applicant who has a sibling or stepsibling who:
 - 4.04.2.1 Resides in the same household; and
 - 4.04.2.2 Is already enrolled in the nonresident district by choice.
 - 4.04.3 Shall not include an applicant's:
 - 4.04.3.1 Academic achievement;
 - 4.04.3.2 Athletic or other extracurricular ability;
 - 4.04.3.3 English proficiency level; or
 - 4.04.3.4 Previous disciplinary proceedings, except that an expulsion from another district may be included under Ark. Code Ann. § 6-18-510.
 - 4.04.4 A school district receiving transfers under the Public School Choice Act of 2013 and these rules shall not discriminate on the basis of gender, national origin, race, ethnicity, religion, or disability.
- 4.05 A nonresident district shall:
 - 4.05.1 Accept credits toward graduation that were awarded by another district; and
 - 4.05.2 Award a diploma to a nonresident student if the student meets the nonresident district's graduation requirements.
- 4.06 The superintendent of a school district shall cause public announcements to be made over the broadcast media and either in the print media or on the Internet to inform parents of students in adjoining districts of the:

- 4.06.1 Availability of the program;
- 4.06.2 Application deadline; and
- 4.06.3 Requirements and procedure for nonresident students to participate in the program.

5.00 GENERAL PROVISIONS

- 5.01 The transfer of a student under the Arkansas Public School Choice Act of 1989 (Ark. Code Ann. § 6-18-206 [repealed]), is not voided by Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules and shall be treated as a transfer under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules.
- 5.02 A student may accept only one (1) school choice transfer per school year.
 - 5.02.1 A student who accepts a public school choice transfer may return to his or her resident district during the school year.
 - 5.02.2 If a transferred student returns to his or her resident district, the student's transfer is voided, and the student shall reapply if the student seeks a future school choice transfer.
- 5.03 A transfer student attending a nonresident school under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules may complete all remaining school years at the nonresident district.
 - 5.03.1 A present or future sibling of a student who continues enrollment in the nonresident district under Section 5.03 of these rules may enroll in or continue enrollment in the nonresident district until the sibling of the transfer student completes his or her secondary education, if the district has the capacity to accept the sibling without adding teachers, staff, or classrooms or exceeding the regulations and standards established by law.
- 5.04 The transfer student or the transfer student's parent is responsible for the transportation of the transfer student to and from the school in the nonresident district where the transfer student is enrolled.
 - 5.04.1 The nonresident district may enter into a written agreement with the student, the student's parent, or the resident district to provide the transportation.
 - 5.04.2 The State Board of Education may resolve disputes concerning transportation arising under Section 5.04 of these rules.

- 5.05 For purposes of determining a school district's state aid, a transfer student is counted as part of the average daily membership of the nonresident district where the transfer student is enrolled.

6.00 APPLICATION FOR TRANSFER

- 6.01 If a student seeks to attend a school in a nonresident district, the student's parent shall submit an application:
- 6.01.1 To the nonresident district with a copy to the resident district;
 - 6.01.2 On the form that is attached to these rules as Attachment 1; and
 - 6.01.3 Postmarked no later than June 1 of the year in which the student seeks to begin the fall semester at the nonresident district.
- 6.02 By August 1 of the school year in which the student seeks to enroll in a nonresident district under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules, the superintendent of the nonresident district shall notify the parent and the resident district in writing as to whether the student's application has been accepted or rejected. The notification shall be sent via First-Class Mail to the address on the application.
- 6.02.1 If the application is rejected, the superintendent of the nonresident district shall state in the notification letter the reason for the rejection.
 - 6.02.2 If the application is accepted, the superintendent of the nonresident district shall state in the notification letter:
 - 6.02.2.1 A reasonable deadline by which the student shall enroll in the nonresident district and after which the acceptance notification is null; and
 - 6.02.2.2 Instructions for the renewal procedures established by the nonresident district.

7.00 LIMITATIONS

- 7.01 If the provisions of Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules conflict with a provision of an enforceable desegregation court order or a district's court-approved desegregation plan regarding the effects of past racial segregation in student assignment, the provisions of the order or plan shall govern.
- 7.02 A school district annually may declare an exemption under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules if the school district is subject to the

desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation.

7.02.1 An exemption declared by a board of directors under Section 7.02 of these rules is irrevocable for one (1) year from the date the school district notifies the Department of Education of the declaration of exemption.

7.02.2 After each year of exemption, the board of directors may elect to participate in public school choice under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules if the school district's participation does not conflict with the school district's federal court-ordered desegregation program.

7.02.3 A school district shall notify the Department of Education by April 1 if in the next school year the school district intends to:

7.02.3.1 Declare an exemption under Section 7.02 of these rules; or

7.02.3.2 Resume participation after a period of exemption.

7.02.3.3 A school district shall provide the notifications under Section 7.02.3.1 or 7.02.3.2 to:

Office of the Commissioner
ATTN: Arkansas Public School Choice Act
Four Capitol Mall
Little Rock, AR 72201

7.03 There is established a numerical net maximum limit on school choice transfers each school year from a school district, less any school choice transfers into the school district under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules of not more than three percent (3%) of the school district's three-quarter average daily membership for the immediately preceding school year.

7.03.1 For the purpose of determining the percentage of school choice transfers under Section 7.03 of these rules, siblings who are counted in the numerator as transfer students shall count as one (1) student, and siblings who are counted in the denominator as part of the average daily membership shall count as one (1) student.

7.03.2 Annually by June 1, the Department of Education shall report to each school district the net maximum number of school choice transfers for the current school year.

7.03.3 If a student is unable to transfer due to the limits under Section 7.03 of these rules, the resident district shall give the student priority for a transfer

in the following year in the order that the resident district receives notices of applications under Ark. Code Ann. § 6-18-1905 and Section 6.00 of these rules, as evidenced by a notation made by the district on the applications indicating date and time of receipt.

8.00 APPEAL, DATA COLLECTION AND REPORTING

8.01 A student whose application for a transfer under Ark. Code Ann. § 6-18-1905 and Section 6.00 of these rules is rejected by the nonresident district may request a hearing before the State Board of Education to reconsider the transfer.

8.01.1 A request for a hearing before the State Board of Education shall be in writing and shall be postmarked no later than ten (10) calendar days, excluding weekends and legal holidays, after the student or the student's parent receives a notice of rejection of the application under Ark. Code Ann. § 6-18-1905 and Section 6.00 of these rules and shall be mailed to:

Office of the Commissioner
ATTN: Arkansas Public School Choice Act Appeals
Four Capitol Mall
Little Rock, AR 72201

8.01.2 Contemporaneously with the filing of the written appeal with the Office of the Commissioner, the student or student's parent must also mail a copy of the written appeal to the superintendent of the nonresident school district.

8.01.3 In its written appeal, the student or student's parent shall state his or her basis for appealing the decision of the nonresident district.

8.01.4 The student or student's parent shall submit, along with its written appeal, a copy of the notice of rejection from the nonresident school district.

8.01.5 As part of the review process, the student or student's parent may submit supporting documentation that the transfer would be in the best educational, social, or psychological interest of the student.

8.01.6 The nonresident district may submit, in writing, any additional information, evidence, or arguments supporting its rejection of the student's application by mailing such response to the State Board of Education. Such response shall be postmarked no later than ten (10) days after the nonresident district receives the student or parent's appeal. The response of the nonresident district shall be mailed to:

Office of the Commissioner
 ATTN: Arkansas Public School Choice Act Appeals
 Four Capitol Mall
 Little Rock, AR 72201

8.01.7 Contemporaneously with the filing of its response with the Office of the Commissioner, the nonresident district must also mail a copy of the response to the student or student's parent.

8.01.8 If the State Board of Education overturns the determination of the nonresident district on appeal, the State Board of Education shall notify the parent, the nonresident district, and the resident district of the basis for the State Board of Education's decision.

8.02 The Department of Education shall collect data from school districts on the number of applications for student transfers under Section 8.00 of these rules and study the effects of school choice transfers under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules, including without limitation the net maximum number of transfers and exemptions, on both resident and nonresident districts for up to two (2) years to determine if a racially segregative impact has occurred to any school district.

8.03 Annually by October 1, the Department of Education shall report its findings from the study of the data under Section 8.02 of these rules to the Senate Committee on Education and the House Committee on Education.

9.00 EFFECTIVE DATE

The provisions of the Arkansas Public School Choice Act of 2013 and these rules shall remain in effect until July 1, 2015.

10.00 STATE BOARD HEARING PROCEDURES

The following procedures shall apply to hearings conducted by the State Board of Education pursuant to Ark. Code Ann. § 6-18-1907 and Section 8.00 of these rules:

10.01 A staff member of the Arkansas Department of Education shall introduce the agenda item.

10.02 All persons wishing to testify before the State Board of Education shall first be placed under oath by the Chairperson of the State Board.

10.03 Each party shall have the opportunity to present an opening statement of no longer than five (5) minutes, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their opening statements.

- 10.04 Each party shall be given twenty (20) minutes to present their cases, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their cases.
- 10.05 The State Board of Education, at its discretion, shall have the authority to require any person associated with the application to appear in person before the State Board as a witness during the hearing. The State Board of Education may accept testimony by affidavit, declaration or deposition.
- 10.06 Every witness may be subject to direct examination, cross examination and questioning by the State Board of Education.
- 10.07 For the purposes of the record, documents offered during the hearing by the nonresident district shall be clearly marked in sequential, numeric order (1,2,3).
- 10.08 For the purposes of the record, documents offered during the hearing by the appealing party shall be clearly marked in sequential, alphabetic letters (A,B,C).
- 10.09 The nonresident school district shall have the burden of proof in proving the basis for denial of the transfer.
- 10.10 The State Board of Education may sustain the rejection of the nonresident district or grant the appeal.
- 10.11 The State Board of Education may announce its decision immediately after hearing all arguments and evidence or may take the matter under advisement. The State Board shall provide a written decision to the Department of Education, the appealing party, the nonresident district and the resident district within fourteen (14) days of announcing its decision under this section.

ATTACHMENT 1

***APPLICATION FOR TRANSFER TO A NONRESIDENT DISTRICT
“ARKANSAS PUBLIC SCHOOL CHOICE ACT OF 2013”
(Must Be Submitted to Non-Resident and Resident Districts)***

APPLICANT INFORMATION

Student Name:

Student Date of Birth:

Gender

Male ☐Female ☐

Grade:

Does the applicant require special needs or programs? Yes ☐ No ☐Is applicant currently under expulsion? Yes ☐ No ☐**ETHNIC ORIGIN (CHECK ONE)**

(For data reporting purposes only)

2 or More Races ☐Asian ☐African-American ☐Hispanic ☐Native American/
Native Alaskan ☐Native Hawaiian/
Pacific Islander ☐White ☐**RESIDENT SCHOOL DISTRICT OF APPLICANT**

District Name:

County Name:

Address:

Phone:

NONRESIDENT SCHOOL DISTRICT APPLICANT WISHES TO ATTEND

District Name:

County Name:

Address:

Phone:

Does the applicant already have a sibling or step-sibling in attendance in this district?

PARENT OR GUARDIAN INFORMATION			
Name:		Home Phone:	
Address:		Work Phone:	
Parent/Guardian Signature		Date:	
<p>Pursuant to standards adopted by a nonresident school board a nonresident district may reserve the right to accept and reject applicants based on capacity of programs, class, grade level, or school building. Likewise, a nonresident district's standards may provide for the rejection of an applicant based upon the submission of false or misleading information to the above listed request for information when that information directly impacts the legal qualifications of an applicant to transfer pursuant to the School Choice Act. However, a nonresident district's standards shall not include an applicant's previous academic achievement, athletic or other extracurricular ability, handicapping conditions, English proficiency level, or previous disciplinary proceedings, except that an expulsion from another district may be included pursuant to Ark. Code Ann. § 6-18-510. Priority will be given to applicants with siblings or step-siblings attending the district. The nonresident district shall accept credits toward graduation that were awarded by another district and award a diploma to a nonresident applicant if the applicant meets the nonresident district's graduation requirements. This application must be filed in the nonresident district (with a copy to the resident district) or postmarked no later than June 1 of the year in which the applicant would begin the fall semester at the nonresident district. A student whose application for transfer is rejected by the nonresident district may request a hearing before the State Board of Education to reconsider the transfer by filing such a request in writing with the Commissioner of Education no later than ten (10) days after the student or student's parent receives a notice of rejection. (Consult Ark. Code Ann. § 6-18-1905 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013 for specific procedures on how to file such an appeal).</p>			
DISTRICT USE ONLY			
Date and Time Received by Resident District:		Date and Time Received by Nonresident District:	
Resident District LEA #:		Nonresident District LEA#:	
Student's State Identification #:			
Application	Accepted	Rejected	
Reason for Rejection (If Applicable):			
Date Notification Sent to Parent/Guardian of Applicant:			
Date Notification Sent to Resident District :			

HEARING PROCEDURES

Office of the Commissioner
 ATTN: Arkansas Public School Choice Act Appeals
 Four Capitol Mall
 Little Rock, AR 72201

- 8.01.7 Contemporaneously with the filing of its response with the Office of the Commissioner, the nonresident district must also mail a copy of the response to the student or student's parent.
- 8.01.8 If the State Board of Education overturns the determination of the nonresident district on appeal, the State Board of Education shall notify the parent, the nonresident district, and the resident district of the basis for the State Board of Education's decision.
- 8.02 The Department of Education shall collect data from school districts on the number of applications for student transfers under Section 8.00 of these rules and study the effects of school choice transfers under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules, including without limitation the net maximum number of transfers and exemptions, on both resident and nonresident districts for up to two (2) years to determine if a racially segregative impact has occurred to any school district.
- 8.03 Annually by October 1, the Department of Education shall report its findings from the study of the data under Section 8.02 of these rules to the Senate Committee on Education and the House Committee on Education.

9.00 EFFECTIVE DATE

The provisions of the Arkansas Public School Choice Act of 2013 and these rules shall remain in effect until July 1, 2015.

10.00 STATE BOARD HEARING PROCEDURES

The following procedures shall apply to hearings conducted by the State Board of Education pursuant to Ark. Code Ann. § 6-18-1907 and Section 8.00 of these rules:

- 10.01 A staff member of the Arkansas Department of Education shall introduce the agenda item.
- 10.02 All persons wishing to testify before the State Board of Education shall first be placed under oath by the Chairperson of the State Board.
- 10.03 Each party shall have the opportunity to present an opening statement of no longer than five (5) minutes, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their opening statements.

- 10.04 Each party shall be given twenty (20) minutes to present their cases, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their cases.
- 10.05 The State Board of Education, at its discretion, shall have the authority to require any person associated with the application to appear in person before the State Board as a witness during the hearing. The State Board of Education may accept testimony by affidavit, declaration or deposition.
- 10.06 Every witness may be subject to direct examination, cross examination and questioning by the State Board of Education.
- 10.07 For the purposes of the record, documents offered during the hearing by the nonresident district shall be clearly marked in sequential, numeric order (1,2,3).
- 10.08 For the purposes of the record, documents offered during the hearing by the appealing party shall be clearly marked in sequential, alphabetic letters (A,B,C).
- 10.09 The nonresident school district shall have the burden of proof in proving the basis for denial of the transfer.
- 10.10 The State Board of Education may sustain the rejection of the nonresident district or grant the appeal.
- 10.11 The State Board of Education may announce its decision immediately after hearing all arguments and evidence or may take the matter under advisement. The State Board shall provide a written decision to the Department of Education, the appealing party, the nonresident district and the resident district within fourteen (14) days of announcing its decision under this section.

NOTICE LETTER



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

June 18, 2014

**State Board
of Education**

Brenda Gullett
Fayetteville
Chair

Sam Ledbetter
Little Rock
Vice Chair

Dr. Jay Barth
Little Rock

Joe Black
Newport

Alice Mahony
El Dorado

Toyce Newton
Crossett

Mireya Reith
Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Ms. Kaci Winters
150 Peace Road
El Dorado, AR 71730

Mr. Michael White, Supt.
Parkers Chapel School District
401 Parker Drive
El Dorado, AR 71730

Mr. Danny Thomas, Supt.
Junction City School District
P.O. Box 790
Junction City, AR 71749

**Re: Appeal Under the Public School Choice Act of 2013
Winters v. Parkers Chapel School District
VIA CERTIFIED AND REGULAR MAIL**

Everyone:

On June 9, 2014, Ms. Kaci Winters filed a petition appealing the decision of the Parkers Chapel School District to deny the following application made pursuant to the Public School Choice Act of 2013:

- J. Winters

This letter is to notify you that the Arkansas State Board of Education is tentatively scheduled to hear the above-referenced appeal(s) on **Thursday, July 10, 2014**. The meeting will begin at **10:00 a.m. in the Auditorium of the Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas.**

Enclosed with this letter you will find a copy of Ark. Code Ann. § 6-18-1901 et seq. and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013. Any additional materials any party chooses to submit should be provided to my office **no later than 12:00 noon on June 30, 2014.**

The above-referenced appeal(s) will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by Ark. Code Ann. § 6-18-1901 et seq. and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013.

Thank you in advance for your cooperation in this matter. Please do not hesitate to contact me at (501) 682-4227 should you require additional information.

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

School Choice Appeal Hearing Notice
June 18, 2014
Page 2 of 2

Respectfully,

A handwritten signature in black ink, appearing to read "Jeremy C. Lasiter". The signature is fluid and cursive, with a large initial "J" and a stylized "L" at the end.

Jeremy C. Lasiter
General Counsel

Enclosures

cc: Tom W. Kimbrell, Ed.D., Commissioner of Education
Mr. John Hoy, Asst. Commissioner, Div. of Public School Accountability
Ms. Deborah Coffman, Chief of Staff and State Board Liaison

APPEAL

Kaci Winters

El Dorado, AR 71730

June 3, 2014

Office of Commissioner
Arkansas Public School Choice Act
Four Capitol Mall
Little Rock, AR 72201

**RECEIVED
COMMISSIONER'S OFFICE**

JUN 09 2014

DEPARTMENT OF EDUCATION


Dear Commissioner:

I would like to appeal the rejection of transfer to a non- resident school and would like to be reconsidered for the transfer. According to the Public School Choice Act of 2013 the resident school must submit exemption notice to the Department of Education by April 1. The commissioner's office did not receive Junction City's exemption notice until May 16th, 2014.

May 7th, 2014 I called the Dept of Ed, and confirmed the resident school (Junction City) was NOT on the exempt list. On May 8th, I turned in my application to the non-resident school, got a signature, and mail a copy (certified) to the resident school for signature as instructed from the "School Choice, Dept". On May 28th, I received a rejection letter from the Non-Resident school proclaiming the resident school was exempt for the Act and would not grant the transfer. I feel because of the Resident school's lack of meeting deadlines; my transfer should be granted.

My child has attended pre-school at the non-resident school where he has developed social relationships.

Sincerely,



Kaci Winters

Parent of J [REDACTED] Winters

**RECEIVED
ATTORNEY'S OFFICE**

JUN 09 2014

**DEPARTMENT OF EDUCATION
GENERAL DIVISION**



PARKERS CHAPEL SCHOOLS

401 Parkers Chapel Road
El Dorado, AR 71730

Michael White
Superintendent
Phone: 862-4641
Fax: 881-5092

Mike LaRue
HS Principal
Phone: 862-2360
Fax: 881-5095

June Wells
Fed Pgm/MS Pgm
Phone: 875-1527
Fax: 881-5095

Carrie Burson
Elem. Principal
Phone: 862-9767
Fax: 881-5094

May 28, 2014

To: Parent/Guardian of School Choice Applicant

I am sorry, but the application you submitted for J [REDACTED] Winters has been rejected for the following reason(s).

X Your child's resident district has declared itself exempt from the provisions of the School Choice Law due to it being under an enforceable desegregation order.

____ Your child's resident district has reached its limitation cap for allowable transfers and we cannot accept any additional school choice transfers from that district.

____ Your child does not meet the openings identified for the coming school-year identified in the Board of Directors Resolution adopted on 8/23/13.

The specific reason for rejection is that acceptance would cause the district to have to add:

- ____ Staff
- ____ Teachers
- ____ classroom(s)
- ____ the insert the name of the program, class, grade level, or school building's capacity

As noted in your original application, you have ten (10) days from receipt of this notice in which to submit a written appeal of this decision to the State Board of Education.

Respectfully,

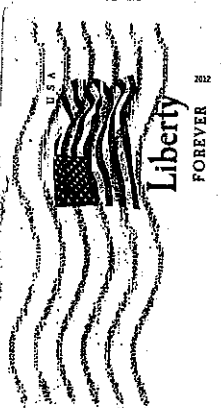
Michael J. White
Superintendent

Kaci Winters

El Dorado, AR 71750

LITTLE ROCK AR 722

DE JUN 09 2014



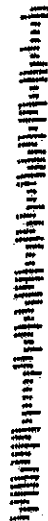
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JUN 09 2014

DEPARTMENT OF EDUCATION

Office of the Commissioner
ATTN: Arkansas Public School Choice Act
Appeals
Four Capitol Mall
Little Rock, AR 72201

72201101999



ATTACHMENT 1

APPLICATION FOR TRANSFER TO A NONRESIDENT DISTRICT
"ARKANSAS PUBLIC SCHOOL CHOICE ACT OF 2013"
(Must Be Submitted to Non-Resident and Resident Districts)

APPLICANT INFORMATION

Student Name:	[REDACTED] Winters		
Student Date of Birth:	[REDACTED]	Gender	Male <input checked="" type="checkbox"/> Female <input type="checkbox"/>
Grade:	Kindergarten		
Does the applicant require special needs or programs?	Yes <input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Is applicant currently under expulsion?	Yes <input type="checkbox"/>	No	<input checked="" type="checkbox"/>
ETHNIC ORIGIN (CHECK ONE) (For data reporting purposes only)			
2 or More Races <input type="checkbox"/>	Asian <input type="checkbox"/>	African-American <input type="checkbox"/>	
Hispanic <input type="checkbox"/>	Native American/ Native Alaskan <input type="checkbox"/>	Native Hawaiian/ Pacific Islander <input type="checkbox"/>	
White <input checked="" type="checkbox"/>			

RESIDENT SCHOOL DISTRICT OF APPLICANT

District Name:	Junction City	County Name:	Union
Address:	PO Box 790		
Phone:	Junction City, AR 71749 870-924-4575		

NONRESIDENT SCHOOL DISTRICT APPLICANT WISHES TO ATTEND

District Name:	Parkers Chapel	County Name:	Union
Address:	401 PARKER Drive		
Phone:	El Dorado, AR 71730 -870-862-4641		
Does the applicant already have a sibling or step-sibling in attendance in this district?			
no			

PARENT OR GUARDIAN INFORMATION	
Name: <u>Kaci Winters</u>	Home Phone: [REDACTED]
Address: [REDACTED]	Work Phone: <u>870-881-6462</u>
<u>El Dorado, AR 71730</u>	
Parent/Guardian Signature <u>Kaci Winters</u>	Date: <u>5/7/14</u>
<p>Pursuant to standards adopted by a nonresident school board a nonresident district may reserve the right to accept and reject applicants based on capacity of programs, class, grade level, or school building. Likewise, a nonresident district's standards may provide for the rejection of an applicant based upon the submission of false or misleading information to the above listed request for information when that information directly impacts the legal qualifications of an applicant to transfer pursuant to the School Choice Act. However, a nonresident district's standards shall not include an applicant's previous academic achievement, athletic or other extracurricular ability, handicapping conditions, English proficiency level, or previous disciplinary proceedings, except that an expulsion from another district may be included pursuant to Ark. Code Ann. § 6-18-510. Priority will be given to applicants with siblings or step-siblings attending the district. The nonresident district shall accept credits toward graduation that were awarded by another district and award a diploma to a nonresident applicant if the applicant meets the nonresident district's graduation requirements. This application must be filed in the nonresident district (with a copy to the resident district) or postmarked no later than June 1 of the year in which the applicant would begin the fall semester at the nonresident district. A student whose application for transfer is rejected by the nonresident district may request a hearing before the State Board of Education to reconsider the transfer by filing such a request in writing with the Commissioner of Education no later than ten (10) days after the student or student's parent receives a notice of rejection. (Consult Ark. Code Ann. § 6-18-1905 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013 for specific procedures on how to file such an appeal).</p>	
DISTRICT USE ONLY	
Date and Time Received by Resident District:	Date and Time Received by Nonresident District: <u>5/8/14 8:00 AM</u>
Resident District LEA #:	Nonresident District LEA#:
Student's State Identification #:	
Application	Accepted <input checked="" type="checkbox"/> Rejected <input type="checkbox"/>
Reason for Rejection (If Applicable):	
Date Notification Sent to Parent/Guardian of Applicant: <u>5/8/14</u>	
Date Notification Sent to Resident District : <u>5/8/14</u>	

RESPONSE



PARKERS CHAPEL SCHOOLS

401 Parkers Chapel Road
El Dorado, AR 71730

Michael White
Superintendent
Phone: 862-4641
Fax: 881-5092

Mike LaRue
HS Principal
Phone: 862-2360
Fax: 881-5095

June Wells
Fed Pgm/MS Pgm
Phone: 875-1527
Fax: 881-5095

Carrie Burson
Elem. Principal
Phone: 862-9767
Fax: 881-5094

June 11, 2014

Jeremy C. Lasiter, General Counsel
Arkansas Department of Education
Four Capitol Mall, Room 404-A
Little Rock, AR 72201

**RECEIVED
COMMISSIONER'S OFFICE**

JUN 16 2014

DEPARTMENT OF EDUCATION

Re Winter's School Choice Appeal

Mr. Lasiter,

In response to your email notifying Parkers Chapel of Ms. Winters' transfer appeal, I would like to inform you of the order of events leading up to my letter to Ms. Winters on the 28th of May.

We received a School Choice Application for [REDACTED] Winters on May 8, 2014 from Ms. Winters. We provisionally accepted her request for transfer that day. On May 20, 2014, I received an email from Mr. Danny Thomas, Superintendent of Junction City Schools, stating that there was a correction made on the state list of schools who have opted out of the School Choice law and that they were now on the list. After going online to confirm that, I sent a letter on May 28, 2014 to Ms. Winters to inform them that her request would be denied due to Junction City opting out of School Choice.

Please let me know if you need any other information about this request.

Sincerely yours,

Michael J. White
Superintendent

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ATTORNEY'S OFFICE**

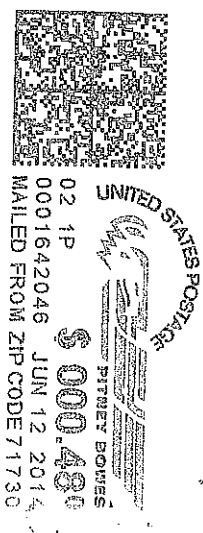
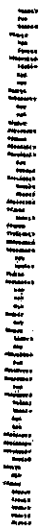
JUN 16 2014

**DEPARTMENT OF EDUCATION
GENERAL DIVISION**

PARKERS CHAPEL PUBLIC SCHOOL
401 PARKERS CHAPEL ROAD
EL DORADO, ARKANSAS 71730

Office of the Commissioner
Attn: Arkansas Public School Choice Act Appeals
Four Capitol Mall
Little Rock, AR 72201

72201101533



SCHOOL CHOICE STATUTES

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A.C.A. § 6-18-1901

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*** November 15, 2013. ***

Title 6 Education

Subtitle 2. Elementary And Secondary Education Generally

Chapter 18 Students

Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1901 (2014)

6-18-1901. Title -- Legislative findings.

(a) This subchapter shall be known and may be cited as the "Public School Choice Act of 2013".

(b) The General Assembly finds that:

(1) The students in Arkansas's public schools and their parents will become more informed about and involved in the public educational system if students and their parents are provided greater freedom to determine the most effective school for meeting their individual educational needs. There is no right school for every student, and permitting students to choose from among different schools with differing assets will increase the likelihood that some at-risk students will stay in school and that other, more motivated students will find their full academic potential;

(2) Giving more options to parents and students with respect to where the students attend public school will increase the responsiveness and effectiveness of the state's schools because teachers, administrators, and school district board members will have added incentive to satisfy the educational needs of the students who reside in the district; and




(3) These benefits of enhanced quality and effectiveness in our public schools justify permitting a student to apply for admission to a school in any school district beyond the school district in which the student resides, provided that the transfer by the student does not conflict with an enforceable judicial decree or court order remedying the effects of past racial segregation in the school district.

HISTORY: Acts 2013, No. 1227, § 6.View

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A.C.A. § 6-18-1902

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1902 (2014)

6-18-1902. Definitions.




As used in this subchapter:

- (1) "Nonresident district" means a school district other than a student's resident district;
- (2) "Parent" means a student's parent, guardian, or other person having custody or care of the student;
- (3) "Resident district" means the school district in which the student resides as determined under § 6-18-202; and
- (4) "Transfer student" means a public school student who transfers to a nonresident district through a public school choice option under this subchapter.

HISTORY: Acts 2013, No. 1227, § 6.View Full  A.C.A. § 6-18-1902 [Return to Search Results](#)**A.C.A. § 6-18-1902** (Copy w/ Cite)Pages: 2



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A.C.A. § 6-18-1903

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1903 (2014)

6-18-1903. Public school choice program established.

(a) A public school choice program is established to enable a student to attend a school in a nonresident district, subject to the limitations under § 6-18-1906.

(b) Each school district shall participate in a public school choice program consistent with this subchapter.

(c) This subchapter does not require a school district to add teachers, staff, or classrooms or in any way to exceed the requirements and standards established by existing law.

(d) (1) The board of directors of a public school district shall adopt by resolution specific standards for acceptance and rejection of applications under this subchapter.

(2) The standards:

(A) May include without limitation the capacity of a program, class, grade level, or school building;

(B) Shall include a statement that priority will be given to an applicant who has a sibling or stepsibling who:

(i) Resides in the same household; and

(ii) Is already enrolled in the nonresident district by choice; and

(C) Shall not include an applicant's:

(i) Academic achievement;

(ii) Athletic or other extracurricular ability;

(iii) English proficiency level; or

(iv) Previous disciplinary proceedings, except that an expulsion from another district may be included under § 6-18-510.

(3) A school district receiving transfers under this act shall not discriminate on the basis of gender, national origin, race, ethnicity, religion, or disability.

(e) A nonresident district shall:

(1) Accept credits toward graduation that were awarded by another district; and

(2) Award a diploma to a nonresident student if the student meets the nonresident district's graduation requirements.


(f) The superintendent of a school district shall cause public announcements to be made over the broadcast media and either in the print media or on the Internet to inform parents of students in adjoining districts of the:



(1) Availability of the program;

(2) Application deadline; and

(3) Requirements and procedure for nonresident students to participate in the program.

HISTORY: Acts 2013, No. 1227, § 6.

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 A.C.A. § 6-18-1903 






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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1904 (2014)

6-18-1904. General provisions.

(a) The transfer of a student under the Arkansas Public School Choice Act of 1989, § 6-18-206 [repealed], is not voided by this subchapter and shall be treated as a transfer under this subchapter.

(b) (1) A student may accept only one (1) school choice transfer per school year.

(2) (A) A student who accepts a public school choice transfer may return to his or her resident district during the school year.

(B) If a transferred student returns to his or her resident district, the student's transfer is voided, and the student shall reapply if the student seeks a future school choice transfer.

(c) (1) A transfer student attending a nonresident school under this subchapter may complete all remaining school years at the nonresident district.

(2) A present or future sibling of a student who continues enrollment in the nonresident district under this subsection may enroll in or continue enrollment in the nonresident district until the sibling of the transfer student completes his or her secondary education, if the district has the capacity to accept the sibling without adding teachers, staff, or classrooms or exceeding the regulations and standards established by law.


(d) (1) The transfer student or the transfer student's parent is responsible for the transportation of the transfer student to and from the school in the nonresident district where the transfer student is enrolled.



(2) The nonresident district may enter into a written agreement with the student, the student's parent, or the resident district to provide the transportation.

(3) The State Board of Education may resolve disputes concerning transportation arising under this subsection.

(e) For purposes of determining a school district's state aid, a transfer student is counted as a part of the average daily membership of the nonresident district where the transfer student is enrolled.

HISTORY: Acts 2013, No. 1227, § 6.

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 A.C.A. § 6-18-1904 



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View Full  A.C.A. § 6-18-1905 [Return to Search Results](#)**A.C.A. § 6-18-1905** (Copy w/ Cite)Pages: **2**

A.C.A. § 6-18-1905

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*** Legislation is current through the 2013 Regular Session and updates ***
*** received from the Arkansas Code Revision Commission through ***
*** November 15, 2013. ***

Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1905 (2014)

6-18-1905. Application for a transfer.

(a) If a student seeks to attend a school in a nonresident district, the student's parent shall submit an application:

(1) To the nonresident district with a copy to the resident district;

(2) On a form approved by the Department of Education; and

(3) Postmarked no later than June 1 of the year in which the student seeks to begin the fall semester at the nonresident district.

(b) (1) By August 1 of the school year in which the student seeks to enroll in a nonresident district under this subchapter, the superintendent of the nonresident district shall notify the parent and the resident district in writing as to whether the student's application has been accepted or rejected.




(2) If the application is rejected, the superintendent of the nonresident district shall state in the notification letter the reason for rejection.

(3) If the application is accepted, the superintendent of the nonresident district shall state in the notification letter:



(A) A reasonable deadline by which the student shall enroll in the nonresident district and after which the acceptance notification is null; and

(B) Instructions for the renewal procedures established by the nonresident district.

HISTORY: Acts 2013, No. 1227, § 6.

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View  A.C.A. § 6-18-1906 

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A.C.A. § 6-18-1906

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1906 (2014)

6-18-1906. Limitations.

(a) If the provisions of this subchapter conflict with a provision of an enforceable desegregation court order or a district's court-approved desegregation plan regarding the effects of past racial segregation in student assignment, the provisions of the order or plan shall govern.

(b) (1) A school district annually may declare an exemption under this section if the school district is subject to the desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation.

(2) (A) An exemption declared by a board of directors under this subsection is irrevocable for one (1) year from the date the school district notifies the Department of Education of the declaration of exemption.

(B) After each year of exemption, the board of directors may elect to participate in public school choice under this section if the school district's participation does not conflict with the school district's federal court-ordered desegregation program.

(3) A school district shall notify the department by April 1 if in the next school year the school district intends to:

(A) Declare an exemption under this section; or

(B) Resume participation after a period of exemption.

(c) (1) (A) There is established a numerical net maximum limit on school choice transfers each school year from a school district, less any school choice transfers into the school district, under this section of not more than three percent (3%) of the school district's three-quarter average daily membership for the immediately preceding school year.


(B) For the purpose of determining the percentage of school choice transfers under this subsection, siblings who are counted in the numerator as transfer students shall count as one



(1) student, and siblings who are counted in the denominator as part of the average daily membership shall count as one (1) student.

(2) Annually by June 1, the Department of Education shall report to each school district the net maximum number of school choice transfers for the current school year.

(3) If a student is unable to transfer due to the limits under this subsection, the resident district shall give the student priority for a transfer in the following year in the order that the resident district receives notices of applications under § 6-18-1905, as evidenced by a notation made by the district on the applications indicating date and time of receipt.

HISTORY: Acts 2013, No. 1227, § 6.

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 A.C.A. § 6-18-1906 






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A.C.A. § 6-18-1907

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1907 (2014)

6-18-1907. Rules -- Appeal -- Data collection and reporting.

(a) The State Board of Education may promulgate rules to implement this subchapter.

(b) (1) A student whose application for a transfer under § 6-18-1905 is rejected by the nonresident district may request a hearing before the state board to reconsider the transfer.

(2) (A) A request for a hearing before the state board shall be in writing and shall be postmarked no later than ten (10) days after the student or the student's parent receives a notice of rejection of the application under § 6-18-1905.



(B) As part of the review process, the parent may submit supporting documentation that the transfer would be in the best educational, social, or psychological interest of the student.

(3) If the state board overturns the determination of the nonresident district on appeal, the state board shall notify the parent, the nonresident district, and the resident district of the basis for the state board's decision.




(c) (1) The department shall collect data from school districts on the number of applications for student transfers under this section and study the effects of school choice transfers under this subchapter, including without limitation the net maximum number of transfers and exemptions, on both resident and nonresident districts for up to two (2) years to determine if a racially segregative impact has occurred to any school district.

(2) Annually by October 1, the department shall report its findings from the study of the data under this subsection to the Senate Committee on Education and the House Committee on Education.

HISTORY: Acts 2013, No. 1227, § 6.

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View  A.C.A. § 6-18-1908 [Return to Search Results](#)**A.C.A. § 6-18-1908** (Copy w/ Cite)Pages: **2**

A.C.A. § 6-18-1908

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Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 18 Students
Subchapter 19 -- Public School Choice Act of 2013

A.C.A. § 6-18-1908 (2014)

6-18-1908. Effective date.

The provisions of this subchapter shall remain in effect until July 1, 2015.

HISTORY: Acts 2013, No. 1227, § 6.View  A.C.A. § 6-18-1908 [Return to Search Results](#)**A.C.A. § 6-18-1908** (Copy w/ Cite)Pages: **2**



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SCHOOL CHOICE RULES

**ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
THE PUBLIC SCHOOL CHOICE ACT OF 2013
September 2013**

1.00 PURPOSE

- 1.01 These rules shall be known as the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013
- 1.02 The purpose of these rules is to set forth the process and procedures necessary to administer the Public School Choice Act of 2013.

2.00 AUTHORITY

- 2.01 The Arkansas State Board of Education promulgated these rules pursuant to the authority granted to it by Act 1227 of 2013 and Ark. Code Ann. §§ 6-11-105 and 25-15-201 et seq.

3.00 DEFINITIONS

As used in these rules:

- 3.01 “Nonresident District” means a school district other than a student’s resident district;
- 3.02 “Parent” means a student’s parent, guardian, or other person having custody or care of the student;
- 3.03 “Resident district” means the school district in which the student resides as determined under Ark. Code Ann. § 6-18-202;
- 3.04 “Sibling” means each of two (2) or more children having a parent in common by blood, adoption, marriage, or foster care; and
- 3.05 “Transfer student” means a public school student who transfers to a nonresident district through a public school choice option under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules.

4.00 ESTABLISHMENT OF PUBLIC SCHOOL CHOICE PROGRAM

- 4.01 A public school choice program is established to enable a student to attend a school in a nonresident district, subject to the limitations under Ark. Code Ann. § 6-18-1906 and Section 7.00 of these rules.
- 4.02 Each school district shall participate in a public school choice program consistent with Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules.

- 4.03 These rules do not require a school district to add teachers, staff, or classrooms, or in any way to exceed the requirements and standards established by existing law.
- 4.04 The board of directors of a public school district shall adopt by resolution specific standards for acceptance and rejection of applications under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules. The standards:
 - 4.04.1 May include without limitation the capacity of a program, class, grade level, or school building;
 - 4.04.2 Shall include a statement that priority will be given to an applicant who has a sibling or stepsibling who:
 - 4.04.2.1 Resides in the same household; and
 - 4.04.2.2 Is already enrolled in the nonresident district by choice.
 - 4.04.3 Shall not include an applicant's:
 - 4.04.3.1 Academic achievement;
 - 4.04.3.2 Athletic or other extracurricular ability;
 - 4.04.3.3 English proficiency level; or
 - 4.04.3.4 Previous disciplinary proceedings, except that an expulsion from another district may be included under Ark. Code Ann. § 6-18-510.
 - 4.04.4 A school district receiving transfers under the Public School Choice Act of 2013 and these rules shall not discriminate on the basis of gender, national origin, race, ethnicity, religion, or disability.
- 4.05 A nonresident district shall:
 - 4.05.1 Accept credits toward graduation that were awarded by another district; and
 - 4.05.2 Award a diploma to a nonresident student if the student meets the nonresident district's graduation requirements.
- 4.06 The superintendent of a school district shall cause public announcements to be made over the broadcast media and either in the print media or on the Internet to inform parents of students in adjoining districts of the:

- 4.06.1 Availability of the program;
- 4.06.2 Application deadline; and
- 4.06.3 Requirements and procedure for nonresident students to participate in the program.

5.00 GENERAL PROVISIONS

- 5.01 The transfer of a student under the Arkansas Public School Choice Act of 1989 (Ark. Code Ann. § 6-18-206 [repealed]), is not voided by Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules and shall be treated as a transfer under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules.
- 5.02 A student may accept only one (1) school choice transfer per school year.
 - 5.02.1 A student who accepts a public school choice transfer may return to his or her resident district during the school year.
 - 5.02.2 If a transferred student returns to his or her resident district, the student's transfer is voided, and the student shall reapply if the student seeks a future school choice transfer.
- 5.03 A transfer student attending a nonresident school under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules may complete all remaining school years at the nonresident district.
 - 5.03.1 A present or future sibling of a student who continues enrollment in the nonresident district under Section 5.03 of these rules may enroll in or continue enrollment in the nonresident district until the sibling of the transfer student completes his or her secondary education, if the district has the capacity to accept the sibling without adding teachers, staff, or classrooms or exceeding the regulations and standards established by law.
- 5.04 The transfer student or the transfer student's parent is responsible for the transportation of the transfer student to and from the school in the nonresident district where the transfer student is enrolled.
 - 5.04.1 The nonresident district may enter into a written agreement with the student, the student's parent, or the resident district to provide the transportation.
 - 5.04.2 The State Board of Education may resolve disputes concerning transportation arising under Section 5.04 of these rules.

- 5.05 For purposes of determining a school district's state aid, a transfer student is counted as part of the average daily membership of the nonresident district where the transfer student is enrolled.

6.00 APPLICATION FOR TRANSFER

- 6.01 If a student seeks to attend a school in a nonresident district, the student's parent shall submit an application:
- 6.01.1 To the nonresident district with a copy to the resident district;
 - 6.01.2 On the form that is attached to these rules as Attachment 1; and
 - 6.01.3 Postmarked no later than June 1 of the year in which the student seeks to begin the fall semester at the nonresident district.
- 6.02 By August 1 of the school year in which the student seeks to enroll in a nonresident district under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules, the superintendent of the nonresident district shall notify the parent and the resident district in writing as to whether the student's application has been accepted or rejected. The notification shall be sent via First-Class Mail to the address on the application.
- 6.02.1 If the application is rejected, the superintendent of the nonresident district shall state in the notification letter the reason for the rejection.
 - 6.02.2 If the application is accepted, the superintendent of the nonresident district shall state in the notification letter:
 - 6.02.2.1 A reasonable deadline by which the student shall enroll in the nonresident district and after which the acceptance notification is null; and
 - 6.02.2.2 Instructions for the renewal procedures established by the nonresident district.

7.00 LIMITATIONS

- 7.01 If the provisions of Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules conflict with a provision of an enforceable desegregation court order or a district's court-approved desegregation plan regarding the effects of past racial segregation in student assignment, the provisions of the order or plan shall govern.
- 7.02 A school district annually may declare an exemption under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules if the school district is subject to the

desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation.

7.02.1 An exemption declared by a board of directors under Section 7.02 of these rules is irrevocable for one (1) year from the date the school district notifies the Department of Education of the declaration of exemption.

7.02.2 After each year of exemption, the board of directors may elect to participate in public school choice under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules if the school district's participation does not conflict with the school district's federal court-ordered desegregation program.

7.02.3 A school district shall notify the Department of Education by April 1 if in the next school year the school district intends to:

7.02.3.1 Declare an exemption under Section 7.02 of these rules; or

7.02.3.2 Resume participation after a period of exemption.

7.02.3.3 A school district shall provide the notifications under Section 7.02.3.1 or 7.02.3.2 to:

Office of the Commissioner
ATTN: Arkansas Public School Choice Act
Four Capitol Mall
Little Rock, AR 72201

7.03 There is established a numerical net maximum limit on school choice transfers each school year from a school district, less any school choice transfers into the school district under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules of not more than three percent (3%) of the school district's three-quarter average daily membership for the immediately preceding school year.

7.03.1 For the purpose of determining the percentage of school choice transfers under Section 7.03 of these rules, siblings who are counted in the numerator as transfer students shall count as one (1) student, and siblings who are counted in the denominator as part of the average daily membership shall count as one (1) student.

7.03.2 Annually by June 1, the Department of Education shall report to each school district the net maximum number of school choice transfers for the current school year.

7.03.3 If a student is unable to transfer due to the limits under Section 7.03 of these rules, the resident district shall give the student priority for a transfer

in the following year in the order that the resident district receives notices of applications under Ark. Code Ann. § 6-18-1905 and Section 6.00 of these rules, as evidenced by a notation made by the district on the applications indicating date and time of receipt.

8.00 APPEAL, DATA COLLECTION AND REPORTING

8.01 A student whose application for a transfer under Ark. Code Ann. § 6-18-1905 and Section 6.00 of these rules is rejected by the nonresident district may request a hearing before the State Board of Education to reconsider the transfer.

8.01.1 A request for a hearing before the State Board of Education shall be in writing and shall be postmarked no later than ten (10) calendar days, excluding weekends and legal holidays, after the student or the student's parent receives a notice of rejection of the application under Ark. Code Ann. § 6-18-1905 and Section 6.00 of these rules and shall be mailed to:

Office of the Commissioner
ATTN: Arkansas Public School Choice Act Appeals
Four Capitol Mall
Little Rock, AR 72201

8.01.2 Contemporaneously with the filing of the written appeal with the Office of the Commissioner, the student or student's parent must also mail a copy of the written appeal to the superintendent of the nonresident school district.

8.01.3 In its written appeal, the student or student's parent shall state his or her basis for appealing the decision of the nonresident district.

8.01.4 The student or student's parent shall submit, along with its written appeal, a copy of the notice of rejection from the nonresident school district.

8.01.5 As part of the review process, the student or student's parent may submit supporting documentation that the transfer would be in the best educational, social, or psychological interest of the student.

8.01.6 The nonresident district may submit, in writing, any additional information, evidence, or arguments supporting its rejection of the student's application by mailing such response to the State Board of Education. Such response shall be postmarked no later than ten (10) days after the nonresident district receives the student or parent's appeal. The response of the nonresident district shall be mailed to:

Office of the Commissioner
 ATTN: Arkansas Public School Choice Act Appeals
 Four Capitol Mall
 Little Rock, AR 72201

8.01.7 Contemporaneously with the filing of its response with the Office of the Commissioner, the nonresident district must also mail a copy of the response to the student or student's parent.

8.01.8 If the State Board of Education overturns the determination of the nonresident district on appeal, the State Board of Education shall notify the parent, the nonresident district, and the resident district of the basis for the State Board of Education's decision.

8.02 The Department of Education shall collect data from school districts on the number of applications for student transfers under Section 8.00 of these rules and study the effects of school choice transfers under Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules, including without limitation the net maximum number of transfers and exemptions, on both resident and nonresident districts for up to two (2) years to determine if a racially segregative impact has occurred to any school district.

8.03 Annually by October 1, the Department of Education shall report its findings from the study of the data under Section 8.02 of these rules to the Senate Committee on Education and the House Committee on Education.

9.00 EFFECTIVE DATE

The provisions of the Arkansas Public School Choice Act of 2013 and these rules shall remain in effect until July 1, 2015.

10.00 STATE BOARD HEARING PROCEDURES

The following procedures shall apply to hearings conducted by the State Board of Education pursuant to Ark. Code Ann. § 6-18-1907 and Section 8.00 of these rules:

10.01 A staff member of the Arkansas Department of Education shall introduce the agenda item.

10.02 All persons wishing to testify before the State Board of Education shall first be placed under oath by the Chairperson of the State Board.

10.03 Each party shall have the opportunity to present an opening statement of no longer than five (5) minutes, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their opening statements.

- 10.04 Each party shall be given twenty (20) minutes to present their cases, beginning with the nonresident school district. The Chairperson of the State Board may, for good cause shown and upon request of either party, allow either party additional time to present their cases.
- 10.05 The State Board of Education, at its discretion, shall have the authority to require any person associated with the application to appear in person before the State Board as a witness during the hearing. The State Board of Education may accept testimony by affidavit, declaration or deposition.
- 10.06 Every witness may be subject to direct examination, cross examination and questioning by the State Board of Education.
- 10.07 For the purposes of the record, documents offered during the hearing by the nonresident district shall be clearly marked in sequential, numeric order (1,2,3).
- 10.08 For the purposes of the record, documents offered during the hearing by the appealing party shall be clearly marked in sequential, alphabetic letters (A,B,C).
- 10.09 The nonresident school district shall have the burden of proof in proving the basis for denial of the transfer.
- 10.10 The State Board of Education may sustain the rejection of the nonresident district or grant the appeal.
- 10.11 The State Board of Education may announce its decision immediately after hearing all arguments and evidence or may take the matter under advisement. The State Board shall provide a written decision to the Department of Education, the appealing party, the nonresident district and the resident district within fourteen (14) days of announcing its decision under this section.

ATTACHMENT 1

***APPLICATION FOR TRANSFER TO A NONRESIDENT DISTRICT
“ARKANSAS PUBLIC SCHOOL CHOICE ACT OF 2013”
(Must Be Submitted to Non-Resident and Resident Districts)***

APPLICANT INFORMATION

Student Name:

Student Date of Birth:

Gender

Male ☐Female ☐

Grade:

Does the applicant require special needs or programs? Yes ☐ No ☐Is applicant currently under expulsion? Yes ☐ No ☐**ETHNIC ORIGIN (CHECK ONE)**

(For data reporting purposes only)

2 or More Races ☐Asian ☐African-American ☐Hispanic ☐Native American/
Native Alaskan ☐Native Hawaiian/
Pacific Islander ☐White ☐**RESIDENT SCHOOL DISTRICT OF APPLICANT**

District Name:

County Name:

Address:

Phone:

NONRESIDENT SCHOOL DISTRICT APPLICANT WISHES TO ATTEND

District Name:

County Name:

Address:

Phone:

Does the applicant already have a sibling or step-sibling in attendance in this district?

PARENT OR GUARDIAN INFORMATION			
Name:		Home Phone:	
Address:		Work Phone:	
Parent/Guardian Signature		Date:	
<p>Pursuant to standards adopted by a nonresident school board a nonresident district may reserve the right to accept and reject applicants based on capacity of programs, class, grade level, or school building. Likewise, a nonresident district's standards may provide for the rejection of an applicant based upon the submission of false or misleading information to the above listed request for information when that information directly impacts the legal qualifications of an applicant to transfer pursuant to the School Choice Act. However, a nonresident district's standards shall not include an applicant's previous academic achievement, athletic or other extracurricular ability, handicapping conditions, English proficiency level, or previous disciplinary proceedings, except that an expulsion from another district may be included pursuant to Ark. Code Ann. § 6-18-510. Priority will be given to applicants with siblings or step-siblings attending the district. The nonresident district shall accept credits toward graduation that were awarded by another district and award a diploma to a nonresident applicant if the applicant meets the nonresident district's graduation requirements. This application must be filed in the nonresident district (with a copy to the resident district) or postmarked no later than June 1 of the year in which the applicant would begin the fall semester at the nonresident district. A student whose application for transfer is rejected by the nonresident district may request a hearing before the State Board of Education to reconsider the transfer by filing such a request in writing with the Commissioner of Education no later than ten (10) days after the student or student's parent receives a notice of rejection. (Consult Ark. Code Ann. § 6-18-1905 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013 for specific procedures on how to file such an appeal).</p>			
DISTRICT USE ONLY			
Date and Time Received by Resident District:		Date and Time Received by Nonresident District:	
Resident District LEA #:		Nonresident District LEA#:	
Student's State Identification #:			
Application	Accepted	Rejected	
Reason for Rejection (If Applicable):			
Date Notification Sent to Parent/Guardian of Applicant:			
Date Notification Sent to Resident District :			



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

May 1, 2014

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of Education

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*Fayetteville
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Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Ruth Denson
Marvell-Elaine School District
P O Box 1870
Marvell, AR 72366

**Re: Academic Distress Notification
(VIA CERTIFIED MAIL)**

Dear Superintendent Denson:

Pursuant to Ark. Code Ann. § 6-15-428, please accept this letter as notice that the Arkansas Department of Education has identified the following school(s) in the Marvell-Elaine School District as being in academic distress. The schools meet the definition of "academic distress" as set forth in Section 3.02.2 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program.

School Number	School Name	Percent Proficient or Advanced
5404032	Marvell-Elaine High School	48.97%

According to Section 3.02.2.1 of the ACTAAP Rules, a school may be identified as in academic distress if 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period.

Your school district may appeal this determination to the Arkansas State Board of Education (State Board) by filing a written appeal with the Commissioner of Education via certified mail, return receipt requested, within thirty (30) calendar days of receipt of this notification. You may send any appeal to Dr. Tom Kimbrell, Commissioner, Arkansas Department of Education, Four Capitol Mall, Little Rock, AR 72201-1019. Any appeal should contain written justification as to why a school should not be classified as being in academic distress.

If your school district does appeal this identification, the State Board shall hear the appeal within sixty (60) days of receipt of the written appeal in the commissioner's office. In the event of an appeal, you will be provided separate notice of the time and date of the State Board hearing during which the matter will be considered.

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

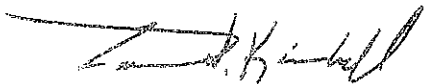
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Information on academic distress in the ACTAAP Rules can be found at the following link:
[http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP -
Emergency Adoption - Revised April 10.pdf](http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP - Emergency Adoption - Revised April 10.pdf).

Please note the specific authority the State Board has with regard to a school district in academic distress. (Ark. Code Ann. § 6-15-430; Section 11.0 of the ACTAAP Rules).

Thank you for your attention to this matter. Please contact the Division of Public School Accountability at (501) 682-5891 should you have any questions or require additional information.

Sincerely,



Dr. Tom Kimbrell, Commissioner,
Arkansas Department of Education

cc: John Hoy, Assistant Commissioner,
Public School Accountability
Jeremy Lasiter, General Legal Counsel,
Arkansas Department of Education
Brenda Gullett – Chairman,
State Board of Education
Samuel Ledbetter – Vice Chairman
Joe Black - Member
Alice Williams Mahoney - Member
Toyce Newton - Member
Mireya Reith - Member
Vicki Saviers - Member
Jay Barth - Member
Diane Zook - Member

MARVELL - ELAINE PUBLIC SCHOOLS

P.O. BOX 1870

MARVELL, ARKANSAS 72366

870-829-2101

May 6, 2014

Dr. Tom Kimbrell, Commissioner
Department of Education
Four Capitol Mall
Little Rock, AR 72201-1019

Re: Academic Distress Notification

Dear Commissioner Kimbrell:

Pursuant to Ark. Code Ann. § 6-15-428, Marvell Elaine-High School may be identified as in academic distress as set forth in Section 3.02.2 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program. We would like to appeal this determination to the Arkansas State Board of Education for the following reasons:

According to the 2013 Arkansas School ESEA Accountability Report, Marvell-Elaine High School has received an Overall School Status of Achieving. This report also indicates that the Literacy, Mathematics, and Graduation Rate Status are all identified as Achieving. Marvell-Elaine High School has been steadily increasing the status and growth performance for all students.

Members of the entire school ecology (Board of Directors, certified and classified staff members, students, parents, concerned citizens, social service agencies, colleges, universities, and businesses) have worked diligently in establishing collaborative relationships to advance and sustain student achievement goals and objectives. These dual designations are conflicting and confusing to all of us. The State Board identifies Marvell-Elaine High School, as being in Academic Distress and the Federal ESEA Flexibility designation is Achieving, leading to a designation of being an "Achieving Academic Distress School." We have worked untiringly with the Marvell and Elaine communities and they have rallied around us in helping to improve our school and community. Our parental involvement program has even been recognized by the USDOE in their research study of Turnaround Schools.

We acknowledge that by law, we fell behind the required percent proficient or advanced by .53% and we are asking that we are put on an "alert" status and not labeled as being in Academic Distress. We are anticipating that the upcoming three-year average will increase and move us above the 49.5% proficiency level.

Please consider our appeal request toward revising this academic distress designation. We thank you in advance for your assistance.

Sincerely yours,

Dr. Ruth Denson

Dr. Ruth Denson, Superintendent
Marvell-Elaine School District



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

ACADEMIC DISTRESS – APPEAL HEARING NOTICE LETTER

State Board
of Education

June 5, 2014

Brenda Gullett
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Sam Ledbetter
*Little Rock
Vice Chair*

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Little Rock

Joe Black
Newport

Alice Mahony
El Dorado

Toyce Newton
Crossett

Mireya Reith
Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Ruth Denson, Superintendent
Marvell-Elaine School District
P O Box 1870
Marvell, AR 72366

**Re: Notice of Academic Distress Appeal Hearing
(VIA CERTIFIED MAIL)**

Dear Superintendent Denson:

On May 2, 2014, pursuant to Ark. Code Ann. § 6-15-428, the Arkansas Department of Education (ADE) mailed you a notification that the following school(s)/school district had been designated as being in Academic Distress for the 2013-14 school year:

Marvell-Elaine High School

Also pursuant to Ark. Code Ann. § 6-15-428, your school district had the right to appeal the ADE's determination to the Arkansas State Board of Education (State Board). The appeal was required to be filed by June 9, 2014. Your district filed an appeal on **May 30, 2014.**

This letter is to notify you that the State Board will conduct a hearing concerning this appeal during its scheduled meeting on **Thursday, July 10, 2014, in the Auditorium of the Arkansas Department of Education-Arch Ford Education Building, Four State Capitol Mall, Little Rock, Arkansas, at 9:00 a.m.** You will have an opportunity to address the State Board at that time. The State Board hearing will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by Ark. Code Ann. § 6-15-428 et seq. and § 10.04 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program. You may find an electronic version of those rules here:

<http://www.arkansased.org/divisions/legal/rules/current>

You and any other representatives of the **Marvell-Elaine School District** who can address questions from the State Board concerning this matter should plan to be in attendance during the meeting.

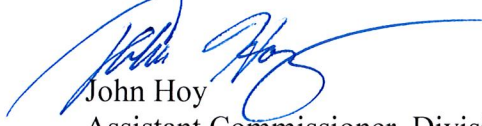
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Little Rock, AR
72201-1019
(501) 682-4475
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Page 2
Ruth Denson
June 5, 2014

Thank you for your attention to this matter. Please contact Louis Ferren at 501-682-4208, should you have any questions, or require additional information.

Sincerely,



John Hoy
Assistant Commissioner, Division of Public School Accountability
Arkansas Department of Education

cc: Tom W. Kimbrell, Ed.D, Commissioner of Education
Jeremy C. Lasiter, General Counsel
State Board Office



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

May 1, 2014

State Board
of Education

Brenda Gullett
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Chair*

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*Little Rock
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Joe Black
Newport

Alice Mahony
El Dorado

Toyce Newton
Crossett

Mireya Relth
Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Danny Hazelwood
Watson Chapel School District
4100 Camden Rd
Pine Bluff, AR 71603

**Re: Academic Distress Notification
(VIA CERTIFIED MAIL)**

Dear Superintendent Hazelwood:

Pursuant to Ark. Code Ann. § 6-15-428, please accept this letter as notice that the Arkansas Department of Education has identified the following school(s) in the Watson Chapel School District as being in academic distress. The schools meet the definition of "academic distress" as set forth in Section 3.02.2 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program.

School Number	School Name	Percent Proficient or Advanced
3509067	Watson Chapel High School	47.11%

According to Section 3.02.2.1 of the ACTAAP Rules, a school may be identified as in academic distress if 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period.

Your school district may appeal this determination to the Arkansas State Board of Education (State Board) by filing a written appeal with the Commissioner of Education via certified mail, return receipt requested, within thirty (30) calendar days of receipt of this notification. You may send any appeal to Dr. Tom Kimbrell, Commissioner, Arkansas Department of Education, Four Capitol Mall, Little Rock, AR 72201-1019. Any appeal should contain written justification as to why a school should not be classified as being in academic distress.

If your school district does appeal this identification, the State Board shall hear the appeal within sixty (60) days of receipt of the written appeal in the commissioner's office. In the event of an appeal, you will be provided separate notice of the time and date of the State Board hearing during which the matter will be considered.

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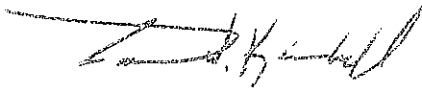
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Information on academic distress in the ACTAAP Rules can be found at the following link:
[http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP -
Emergency Adoption - Revised April 10.pdf](http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP%20-%20Emergency%20Adoption%20-%20Revised%20April%2010.pdf).

Please note the specific authority the State Board has with regard to a school district in academic distress. (Ark. Code Ann. § 6-15-430; Section 11.0 of the ACTAAP Rules).

Thank you for your attention to this matter. Please contact the Division of Public School Accountability at (501) 682-5891 should you have any questions or require additional information.

Sincerely,



Dr. Tom Kimbrell, Commissioner,
Arkansas Department of Education

cc: John Hoy, Assistant Commissioner,
Public School Accountability
Jeremy Lasiter, General Legal Counsel,
Arkansas Department of Education
Brenda Gullett – Chairman,
State Board of Education
Samuel Ledbetter – Vice Chairman
Joe Black - Member
Alice Williams Mahoney - Member
Toyce Newton - Member
Mireya Reith - Member
Vicki Saviers - Member
Jay Barth - Member
Diane Zook - Member



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

May 1, 2014

State Board
of Education

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Chair*

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El Dorado

Toyce Newton
Crossett

Mireya Reith
Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Belinda Shook
Beebe School District
1201 W. Center St.
Beebe, AR 72012

**Re: Academic Distress Notification
(VIA CERTIFIED MAIL)**

Dear Superintendent Shook:

Pursuant to Ark. Code Ann. § 6-15-428, please accept this letter as notice that the Arkansas Department of Education has identified the following school(s) in the Beebe School District as being in academic distress. The schools meet the definition of "academic distress" as set forth in Section 3.02.2 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program.

School Number	School Name	Percent Proficient or Advanced
7302703	Badger Academy	24.24%

According to Section 3.02.2.1 of the ACTAAP Rules, a school may be identified as in academic distress if 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period.

Your school district may appeal this determination to the Arkansas State Board of Education (State Board) by filing a written appeal with the Commissioner of Education via certified mail, return receipt requested, within thirty (30) calendar days of receipt of this notification. You may send any appeal to Dr. Tom Kimbrell, Commissioner, Arkansas Department of Education, Four Capitol Mall, Little Rock, AR 72201-1019. Any appeal should contain written justification as to why a school should not be classified as being in academic distress.

If your school district does appeal this identification, the State Board shall hear the appeal within sixty (60) days of receipt of the written appeal in the commissioner's office. In the event of an appeal, you will be provided separate notice of the time and date of the State Board hearing during which the matter will be considered.

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Little Rock, AR
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Information on academic distress in the ACTAAP Rules can be found at the following link:
[http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP -
Emergency Adoption - Revised April 10.pdf](http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP - Emergency Adoption - Revised April 10.pdf).

Please note the specific authority the State Board has with regard to a school district in academic distress. (Ark. Code Ann. § 6-15-430; Section 11.0 of the ACTAAP Rules).

Thank you for your attention to this matter. Please contact the Division of Public School Accountability at (501) 682-5891 should you have any questions or require additional information.

Sincerely,



Dr. Tom Kimbrell, Commissioner,
Arkansas Department of Education

cc: John Hoy, Assistant Commissioner,
Public School Accountability
Jeremy Lasiter, General Legal Counsel,
Arkansas Department of Education
Brenda Gullett – Chairman,
State Board of Education
Samuel Ledbetter – Vice Chairman
Joe Black - Member
Alice Williams Mahoney - Member
Toyce Newton - Member
Mireya Reith - Member
Vicki Saviers - Member
Jay Barth - Member
Diane Zook - Member



Harold Davis, President

Robert Jenkins, Secretary

Brenda McKown, Member

Beebe Public Schools

1201 West Center Street

Beebe, Arkansas 72012

Phone 501-882-5463

Fax 501-882-5465

Clay Goff, Member

Janet Hines, Member

Dr. Belinda Shook, Superintendent

Dr. Tom Kimbrell, Commissioner
Arkansas Department of Education
#4 State Capitol Mall
Little Rock, AR 72201-1019

May 12, 2014

Dear Dr. Kimbrell:

On May 1, 2014 the Beebe School District (Superintendent and School Board President) received notice that Badger Academy, the District's ALE/Conversion Charter School, has been identified to meet the definition of "academic distress" as set forth in Section 3.02.2 of the ACCTAP Rules.

As you know, Badger Academy is an alternative learning environment/ conversion charter school. Students who attend Badger Academy exhibit the following situations that negatively affect the student's academic and social progress:

- Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics;
- Abuse: physical, mental, or sexual;
- Frequent relocation of residency;
- Homelessness;
- Inadequate emotional support;
- Mental/physical health problems;
- Pregnancy;
- Single parenting;
- Personal or family problems or situations;
- Recurring Absenteeism;
- Dropping out from school; or
- Disruptive behavior

In addition, please consider the following:

Dr. Tom Kimbrell
May 12, 2014
Page 2

- Students transition in and out of the ALE environment, as the goal is to get them back into the regular classroom. Some students tested have only been at the ALE since January, and are required to test in April.
- The small number of students who test do not constitute a statistically relevant number. In most cases, only two or three students per grade level test each year, so the total three-year period is 6-9 students.
- The majority of students who attend Badger Academy are substantially below grade level, thus, as the criteria indicates, and the reason for placement.

Badger Academy has seen great success and has been the impetus behind the graduation of many at-risk students. Perhaps, a secondary data source could be used to measure the school's progress. A snapshot of a student's performance on one day, after attending the school two and one-half months is not an accurate measurement of the instructional effects from Badger Academy.

As the superintendent of the Beebe School District, year after year I hear from students, parents and grandparents, their child would have never graduated without the intensive support of Badger Academy. We watch students enter and make up work at an accelerated pace to catch grade-level peers. We see students graduate from the Second Chance Program and go to college. Rest assured, the school is helping students succeed.

Taking into account the method for measurement, along with the other information presented, in reality, it is not likely that Badger Academy will ever meet the 49.5% requirement. In fact, if this is the only measure for a school of this sort, instead of reaping the negative publicity, the District might be better off to abandon the ALE/ Conversion Charter School. However, this would not be best for the population of students served by the school, which is the reason it was established.

Thank you and please consider this our formal request to appeal this designation.

Sincerely,

Dr. Belinda P. Shook
Superintendent
Beebe School District



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

ACADEMIC DISTRESS – APPEAL HEARING NOTICE LETTER

State Board
of Education

June 18, 2014

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Little Rock
Vice Chair

Dr. Jay Barth
Little Rock

Joe Black
Newport

Alice Mahony
El Dorado

Toyce Newton
Crossett

Mireya Reith
Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Dr. Belinda Shook, Superintendent
Beebe School District
1201 West Center Street
Beebe, Arkansas 72012

COPY

**Re: Notice of Academic Distress Appeal Hearing
(VIA CERTIFIED MAIL)**

Dear Superintendent Shook:

On May 2, 2014, pursuant to Ark. Code Ann. § 6-15-428, the Arkansas Department of Education (ADE) mailed you a notification that the following school(s)/school district had been designated as being in Academic Distress for the 2013-14 school year:

Badger Academy

Also pursuant to Ark. Code Ann. § 6-15-428, your school district had the right to appeal the ADE's determination to the Arkansas State Board of Education (State Board). The appeal was required to be filed by June 9, 2014. Your district filed an appeal on **May 12, 2014.**

This letter is to notify you that the State Board will conduct a hearing concerning this appeal during its scheduled meeting **Thursday, July 10, 2014, in the Auditorium of the Arkansas Department of Education-Arch Ford Education Building, Four State Capitol Mall, Little Rock, Arkansas, at 10:00 a.m.** You will have an opportunity to address the State Board at that time. The State Board hearing will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by Ark. Code Ann. § 6-15-428 et seq. and § 10.04 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program. You may find an electronic version of those rules here:

<http://www.arkansased.org/divisions/legal/rules/current>

You and any other representatives of the **Beebe School District** who can address questions from the State Board concerning this matter should plan to be in attendance during the meeting.

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Little Rock, AR
72201-1019
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Page 2
Dr. Belinda Shook
June 18, 2014

Thank you for your attention to this matter. Please contact Louis Ferren at 501-682-4208, should you have any questions, or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "John Hoy", with a horizontal line extending to the right.

John Hoy
Assistant Commissioner, Division of Public School Accountability
Arkansas Department of Education

cc: Tom W. Kimbrell, Ed.D, Commissioner of Education
Jeremy C. Lasiter, General Counsel
State Board Office



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

May 1, 2014

**State Board
of Education**

Brenda Gullett
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Chair*

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Vice Chair*

Dr. Jay Barth
Little Rock

Joe Black
Newport

Alice Mahony
El Dorado

Toyce Newton
Crossett

Mireya Reith
Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

William Thurman
Cabot School District
602 North Lincoln
Cabot, AR 72023

**Re: Academic Distress Notification
(VIA CERTIFIED MAIL)**

Dear Superintendent Thurman:

Pursuant to Ark. Code Ann. § 6-15-428, please accept this letter as notice that the Arkansas Department of Education has identified the following school(s) in the Cabot School District as being in academic distress. The schools meet the definition of "academic distress" as set forth in Section 3.02.2 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program.

School Number	School Name	Percent Proficient or Advanced
4304016	Cabot Learning(lale) Academy	25.00%

According to Section 3.02.2.1 of the ACTAAP Rules, a school may be identified as in academic distress if 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period.

Your school district may appeal this determination to the Arkansas State Board of Education (State Board) by filing a written appeal with the Commissioner of Education via certified mail, return receipt requested, within thirty (30) calendar days of receipt of this notification. You may send any appeal to Dr. Tom Kimbrell, Commissioner, Arkansas Department of Education, Four Capitol Mall, Little Rock, AR 72201-1019. Any appeal should contain written justification as to why a school should not be classified as being in academic distress.

If your school district does appeal this identification, the State Board shall hear the appeal within sixty (60) days of receipt of the written appeal in the commissioner's office. In the event of an appeal, you will be provided separate notice of the time and date of the State Board hearing during which the matter will be considered.

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Little Rock, AR
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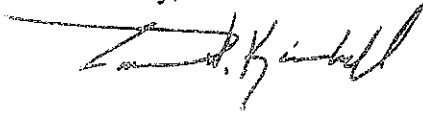
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Information on academic distress in the ACTAAP Rules can be found at the following link:
[http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP -
Emergency Adoption - Revised April 10.pdf](http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP -
Emergency Adoption - Revised April 10.pdf).

Please note the specific authority the State Board has with regard to a school district in academic distress. (Ark. Code Ann. § 6-15-430; Section 11.0 of the ACTAAP Rules).

Thank you for your attention to this matter. Please contact the Division of Public School Accountability at (501) 682-5891 should you have any questions or require additional information.

Sincerely,



Dr. Tom Kimbrell, Commissioner,
Arkansas Department of Education

cc: John Hoy, Assistant Commissioner,
Public School Accountability
Jeremy Lasiter, General Legal Counsel,
Arkansas Department of Education
Brenda Gullett – Chairman,
State Board of Education
Samuel Ledbetter – Vice Chairman
Joe Black - Member
Alice Williams Mahoney - Member
Toyce Newton - Member
Mireya Reith - Member
Vicki Saviers - Member
Jay Barth - Member
Diane Zook - Member

CC: A. Barnes 5/30/14



CABOT PUBLIC SCHOOLS
602 NORTH LINCOLN STREET • CABOT, ARKANSAS 72023 • (501) 843-3363
RECEIVED
MAY 30 2014

DIVISION OF PUBLIC
SCHOOL ACCOUNTABILITY

May 27, 2014

RECEIVED
COMMISSIONER'S OFFICE

MAY 23 2014

Dr. Tom Kimbrell, Commissioner
Arkansas Department of Education
4 State Capitol Mall
Little Rock, AR 72201-1019

DEPARTMENT OF EDUCATION

Dear Dr. Kimbrell:

We received notification regarding Cabot Learning Academy being identified as being in academic distress pursuant to Section 3.02.2 of the Arkansas Department of Education Rules Governing ACTAAP and Academic Distress Program. Section 3.02.1 of these rules states that the ADE has the discretion to not place a school in academic distress, if, in the professional judgment of ADE, the school is operating under such circumstances that the rules conflict with the actual success of the school in question. Please accept this as notice of our official appeal.

Cabot Learning Academy may very well always be held in academic distress if the rules are applied without proper consideration of the student body making up this school and the challenges they face. You are quoted in the May 10 issue of the Arkansas Democrat Gazette as stating "districts need to be focusing resources and energy on these schools that are failing". We have chosen to focus on this population of students who face many challenges above and beyond their academic needs in an effort to improve their chance for success. The purpose of CLA is to help students be successful in the regular school environment. Once we believe that a student can be socially, emotionally, and academically successful, they return to their home school. Unfortunately, we have a growing population of students that need this intensive structure so there are always students needing a placement in this unique setting.

The majority of students attending CLA suffer from a diagnosed emotional disturbance as well as bipolar disorder. We have found this to stem from sexual, physical, and various other types of abuse or emotional trauma. Of the students who have/are attending CLA this year, 16 have been referred for hospitalization and/or served through a residential program for some length of time, two students have been court ordered to jail or a juvenile detention center. Several students are very verbally and physically aggressive toward classmates and staff. Of the 51 students served in this environment this year, 10 have successfully transitioned back to a regular campus and a less restrictive environment

Mark Russell
President

Donna Nash
Vice President

Brian Evans
Secretary

Wendel Msall

Dean Martin

Corey Williams

Ricky Hill

with three more transitioning at the beginning of the 2014-15 school year. We hold this as a huge success for these students and this program.

Before the inception of CLA three years ago, these students were being 'served' through contracted services with a mental health agency that operated a 'school' in Cabot. This type of day school service was not serving our students. Our district provided technology, curriculum guides, manipulatives and other resources to be utilized by our students but consistently found these rarely, if ever, used. Our students were sent home routinely due to inappropriate behaviors and received little academic instruction. This scenario prompted Cabot School District to create CLA to serve this unique population in all areas, including students' social, emotional, and academic development.

I hope by elaborating on CLA and its challenges and successes you are able to determine that CLA should not be placed on Academic Distress. I have included a copy of our most recent 'Arkansas School Report Card' for CLA which shows that CLA's Improvement School Rating (Gains) is a 5, Schools of Excellence for Improvement. The Performance School Rating is a 2, Schools Approaching Standards. CLA's attendance rate over the last three years has exceeded 95%, which is above the state average. Thank you for your consideration of our request that the Cabot Learning Academy be removed from the list of academically distressed schools.

Sincerely,

A handwritten signature in black ink, appearing to read "DR" followed by a stylized, cursive-like flourish.

Dr. Tony Thurman
Superintendent

Cabot Learning(lale) Academy

School Report Card 2012-2013
401 North Second | Cabot , AR 72023
501-743-3620

SCHOOL CHARACTERISTICS

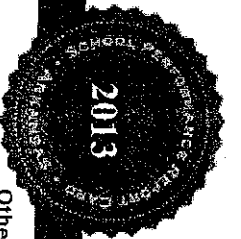
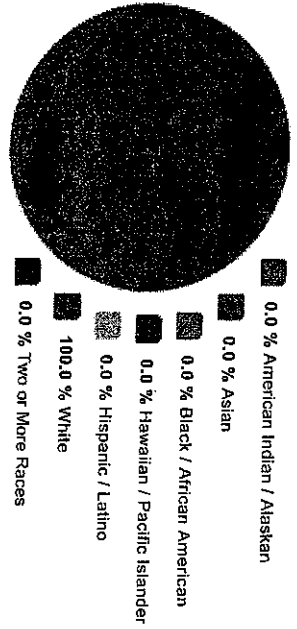
Enrollment	20
Avg. Class Size	1
Avg. years teaching Experience	13
Per pupil spending	
- District avg.	\$8,016
- State avg.	\$9,324
School Choice Transfers	0

STUDENT DEMOGRAPHICS

Principal
Superintendent

Gwyn Evans
William Thurman

Race/Ethnicity Statistics



Limited English proficiency

ND

Low-income

75 %

Students eligible to receive special education

65 %

Other Demographics

Tested 2012-2013												2011-2012												2012-2013												2013-2014												2014-2015											
												Below Basic	Basic	Proficient	Advanced	Prof & Advanced													Below Basic	Basic	Proficient	Advanced	Prof & Advanced													Below Basic	Basic	Proficient	Advanced	Prof & Advanced	School								
3rd Grade Literacy												Annual Measurable Objective (AMO)					0.00													2012 AMO					8.33																		AMO						
Combined Population												RV																	RV	RV	RV	RV	RV													RV	RV	RV	RV	RV	RV	16.67							
TAGG												RV																																								16.67							
African American												RV																																								16.67							
Hispanic												RV																																															
Caucasian												RV																																															
Economically Disadvantaged												RV																																								16.67							
Students with Disabilities												RV																																															
Limited English Proficient												RV																																								72.23							
Female												RV																																															
Male												RV																																															
Migrant												RV																																															
3rd Grade Mathematics												Annual Measurable Objective (AMO)					66.67													2012 AMO					69.45																		AMO						
Combined Population												RV																																								72.23							
TAGG												RV																																								72.23							
African American												RV																																								72.23							
Hispanic												RV																																															
Caucasian												RV																																															
Economically Disadvantaged												RV																																								72.23							
Students with Disabilities												RV																																															
Limited English Proficient												RV																																								72.23							
Female												RV																																															
Male												RV																																															
Migrant												RV																																															
Download 2012 School Report Card for 2011 Benchmark Results												Download 2012 School Report Card for 2012 Benchmark Results																																															

Download 2012 School Report Card for 2011 Benchmark Results

Download 2012 School Report Card for 2012 Benchmark Results

INDICATOR: Achievement

Tested 2012-		2011-2012					2012-2013					School AMO
		Below Basic	Basic	Proficient	Advanced	Prof & Advanced	Below Basic	Basic	Proficient	Advanced	Prof & Advanced	
4th Grade Literacy		Annual Measurable Objective (AMO)					2012 AMO					AMO
Combined Population		RV	RV	RV	RV	0.00	RV	RV	RV	RV	RV	
TAGG		RV	RV	RV	RV		RV	RV	RV	RV	RV	16.67
African American		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Hispanic		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Caucasian		RV	RV	RV	RV		RV	RV	RV	RV	RV	83.08
Economically Disadvantaged		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Students with Disabilities		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Limited English Proficient		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Number of recently arrived LEP students not assessed in 4th Grade Literacy												
Female		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Male		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Migrant		RV	RV	RV	RV		RV	RV	RV	RV	RV	
4th Grade Mathematics		Annual Measurable Objective (AMO)					2012 AMO					AMO
Combined Population		RV	RV	RV	RV	66.67	RV	RV	RV	RV	RV	
TAGG		RV	RV	RV	RV		RV	RV	RV	RV	RV	72.23
African American		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Hispanic		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Caucasian		RV	RV	RV	RV		RV	RV	RV	RV	RV	82.98
Economically Disadvantaged		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Students with Disabilities		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Limited English Proficient		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Female		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Male		RV	RV	RV	RV		RV	RV	RV	RV	RV	
Migrant		RV	RV	RV	RV		RV	RV	RV	RV	RV	

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INDICATOR: Achievement

Tested 2012-		2011 - 2012					2012/2013					School
2013		Below Basic	Basic	Proficient	Advanced	Prof & Advanced	Below Basic	Basic	Proficient	Advanced	Prof & Advanced	
5th Grade Literacy		Annual Measurable Objective (AMO)					2012 AMO					AMO
Combined Population						0.00						16.67
TAGG												16.67
African American												16.67
Hispanic												16.67
Caucasian												16.67
Economically Disadvantaged												16.67
Students with Disabilities												16.67
Limited English Proficient												16.67
Number of recently arrived LEP students not assessed in 5th Grade Literacy												
Female												
Male												
Migrant												
5th Grade Mathematics		Annual Measurable Objective (AMO)					2012 AMO					AMO
Combined Population						66.67						72.23
TAGG												72.23
African American												72.23
Hispanic												72.23
Caucasian												72.23
Economically Disadvantaged												72.23
Students with Disabilities												72.23
Limited English Proficient												72.23
Female												
Male												
Migrant												

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INDICATOR: Achievement

	Tested 2012					2011-2012					2012-2013					School
	Below Basic	Basic	Proficient	Advanced	Prof & Advanced	Below Basic	Basic	Proficient	Advanced	Prof & Advanced	Below Basic	Basic	Proficient	Advanced	Prof & Advanced	
6th Grade Mathematics	Annual Measurable Objective (AMO)					2012 AMO					2012 AMO					AMO
Combined Population					66.67					69.45						72.23
TAGG																72.23
African American																72.23
Hispanic																
Caucasian																72.23
Economically Disadvantaged																72.23
Students with Disabilities																72.23
Limited English Proficient																
Female																
Male																
Migrant																
7th Grade Literacy	Annual Measurable Objective (AMO)					2012 AMO					2012 AMO					AMO
Combined Population					0.00					8.33						
TAGG																
African American																
Hispanic																
Caucasian																
Economically Disadvantaged																
Students with Disabilities																
Limited English Proficient																
Number of recently arrived LEP students not assessed in 7th Grade Literacy																
Female																
Male																
Migrant																

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2000

INDICATOR: Achievement

Tested 2012-																	2012-2013																	2012/2013																
2013																	Below Basic	Basic	Proficient	Advanced	Prof & Advanced	Below Basic	Basic	Proficient	Advanced	Prof & Advanced	Below Basic	Basic	Proficient	Advanced	Prof & Advanced	School																		
8th Grade Literacy																	Annual Measurable Objective (AMO)					2012 AMO					2012 AMO					AMO																		
Combined Population																	RV				0.00					8.33																								
TAGG																	RV																																	
African American																	RV																																	
Hispanic																	RV																																	
Caucasian																	RV																																	
Economically Disadvantaged																	RV																																	
Students with Disabilities																	RV																																	
Limited English Proficient																	RV																																	
Female																	RV																																	
Male																	RV																																	
Migrant																	RV																																	
8th Grade Mathematics																	Annual Measurable Objective (AMO)					2012 AMO					2012 AMO					AMO																		
Combined Population																	RV				66.67					69.45																								
TAGG																	RV																																	
African American																	RV																																	
Hispanic																	RV																																	
Caucasian																	RV																																	
Economically Disadvantaged																	RV																																	
Students with Disabilities																	RV																																	
Limited English Proficient																	RV																																	
Female																	RV																																	
Male																	RV																																	
Migrant																	RV																																	
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	Tested 2012-2013	2011-2012				2012-2013			
		Below Basic	Basic	Proficient	Advanced	Below Basic	Basic	Proficient	Advanced
EOC Algebra I		Annual Measurable Objective (AMO)				2012 AMO			
Combined Population	—				66.67				
TAGG	—								
African American	—								
Hispanic	—								
Caucasian	—								
Economically Disadvantaged	—								
Students with Disabilities	—								
Limited English Proficient	—								
Female	—								
Male	—								
Migrant	—								
EOC Geometry		Annual Measurable Objective (AMO)				2012 AMO			
Combined Population	—				66.67				
TAGG	—								
African American	—								
Hispanic	—								
Caucasian	—								
Economically Disadvantaged	—								
Students with Disabilities	—								
Limited English Proficient	—								
Female	—								
Male	—								
Migrant	—								

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INDICATOR: Achievement

	Tested 2012-2013	2011-2013					2012-2013					School
		Below Basic	Basic	Proficient	Advanced	Prof & Advanced	Below Basic	Basic	Proficient	Advanced	Prof & Advanced	
EOC Biology												
Combined Population	—											—
TAGG	—											—
African American	—											—
Hispanic	—											—
Caucasian	—											—
Economically Disadvantaged	—											—
Students with Disabilities	—											—
Limited English Proficient	—											—
Female	—											—
Male	—											—
Migrant	—											—
Grade 11 Literacy												
Combined Population	—											—
TAGG	—											—
African American	—											—
Hispanic	—											—
Caucasian	—											—
Economically Disadvantaged	—											—
Students with Disabilities	—											—
Limited English Proficient	—											—
Number of recently arrived LEP students not assessed in Grade 11 Literacy	—											—
Female	—											—
Male	—											—
Migrant	—											—

Annual Measurable Objective (AMO) 0.00

2012 AMO 8.33

AMO

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	2011			2012			2013		
	School	District	State	School	District	State	School	District	State
Grade One Reading Comprehension	---	---	---	---	---	---	RV	61	56
Grade One Math Problems	---	---	---	---	---	---	RV	60	56
Grade Two Reading Comprehension	---	---	---	---	---	---	RV	66	59
Grade Two Math Problems	---	---	---	---	---	---	RV	65	58
Grade Three Reading	---	---	---	---	---	---	RV	58	51
Grade Three Math	---	---	---	---	---	---	RV	61	55
Grade Four Reading	---	---	---	---	---	---	RV	61	53
Grade Four Math	---	---	---	---	---	---	RV	67	61
Grade Five Reading	---	---	---	---	---	---	RV	56	47
Grade Five Math	---	---	---	---	---	---	RV	69	55
Grade Five Science	---	---	---	---	---	---	RV	71	60
Grade Six Reading	---	---	---	---	---	---	RV	56	46
Grade Six Math	---	---	---	---	---	---	RV	65	55
Grade Seven Reading	---	---	---	---	---	---	RV	59	50
Grade Seven Math	---	---	---	---	---	---	RV	59	54
Grade Seven Science	---	---	---	---	---	---	RV	70	61
Grade Eight Reading	---	---	---	---	---	---	RV	60	53
Grade Eight Math	---	---	---	---	---	---	RV	59	54
Grade Nine Reading Comprehension	---	---	---	---	---	---	---	62	50
Grade Nine Math Concepts and Problems	---	---	---	---	---	---	---	56	49

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Norm Referenced Test Results

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Norm Referenced Test Results

										2012-2013					
										School		District		State	
										School		District		State	
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										School		District		State	

10/22/2015					10/22/2015									
No Child Left Behind Met Adequate Yearly Progress (AYP)														
Achieving Standards					School	District	State	School	District	State	School	District	State	
First Year Not to Meet Standards (Alert)														
Year One of Targeted School Improvement**														
Year Two of Targeted School Improvement														
Targeted Corrective Action														
Targeted Intensive School Improvement														
Targeted Restructuring														
Year One of Whole School Improvement														
Year Two of Whole School Improvement														
Whole School Corrective Action														
Whole School Intensive Improvement														
Whole School Intensive Restructuring														
State Directed														
Arkansas ESEA Accountability					Download 2011 School Report Card for 2011 No Child Left Behind Results									
Needs Improvement														
Needs Improvement Priority														
Needs Improvement Priority Met Year 1 Exit Criteria														
Needs Improvement Focus														
Needs Improvement Focus Met Year 1 Exit Criteria														
Achieving														
Exemplary														
Improvement School Rating (Gains)					Download 2012 School Report Card for 2012 ESEA results									
Improvement (Gain) School Rating														
1 - Schools in need of Immediate Improvement					5			5						
2 - Schools Approaching Standards (Alert)					2	428	1	85						
3 - Schools Meeting Improvement Standards					6	502	1	232						
4 - Schools Exceeding Improvement Standards					10	624	6	349						
5 - Schools of Excellence for Improvement					12	366	5	264						
					2	98	3	76						

INDICATOR: School Performance

	2012-2013			2011-2012			2010-2011		
	School	District	State	School	District	State	School	District	State
Dropout Rate									
Dropout Rate	7.14 %	2.56 %	2.58 %	0.00 %	1.97 %	2.43 %	0.00 %	2.03 %	2.12 %
Graduation Rate ("State Goal 85%")									
Graduation Rate Combined	---	76.9 %	79.6 %	---	87.3 %	84.1 %	---	88.4 %	84.9 %
Graduation Rate for Targeted Achievement Gap Group	---	63.0 %	74.6 %	---	75.5 %	79.3 %	---	76.7 %	80.5 %
Graduation Rate African American	---	66.7 %	71.4 %	---	80.0 %	78.1 %	---	75.0 %	78.1 %
Graduation Rate Hispanic	---	69.0 %	74.0 %	---	73.9 %	78.0 %	---	90.0 %	81.8 %
Graduation Rate Caucasian	---	77.4 %	83.2 %	---	88.0 %	87.0 %	---	88.7 %	87.8 %
Graduation Rate Economically Disadvantaged	---	58.4 %	74.5 %	---	72.8 %	79.1 %	---	74.7 %	80.3 %
Graduation Rate Students with Disabilities	---	72.2 %	73.8 %	---	76.5 %	79.2 %	---	76.7 %	80.4 %
Graduation Rate Limited English Proficient	---	60.0 %	71.1 %	---	100.0 %	77.3 %	---	75.0 %	80.8 %
Grade Inflation Rate	---	---	---	---	---	---	---	0.68 %	2.51 %
College Remediation Rate	---	31.4 %	47.8 %	---	31.1 %	49.4 %	---	25.4 %	43.0 %
Enrollment									
October 1 Enrollment	22	10,062	468,066	14	10,116	468,856	20	10,167	471,867

2012-2013												2013-2014												2014-2015											
	School	District	State	School	District	State	School	District	State	School	District	State																							
Discipline Policies Distributed to Parents	Y	100 %	100 %	Y	100 %	100 %	Y	100 %	100 %	Y	100 %	100 %																							
Discipline Training Provided to Staff	Y	100 %	100 %	Y	100 %	100 %	Y	100 %	100 %	Y	100 %	100 %																							
Parental Involvement Plan Adopted	Y	100 %	100 %	Y	100 %	100 %	Y	100 %	100 %	Y	100 %	100 %																							
District Alternative Learning Environment Compliance	Y	97.67 %		Y	98.83 %		Y	96.89 %		Y	96.89 %																								
Expulsions	---	1	505	---	2	378	---	---	471	---	---	---																							
Weapons Incidents	1	16	711	---	22	690	---	15	763	---	15	763																							
Staff Assaults	2	3	408	---	3	436	---	6	495	---	6	495																							
Student Assaults	1	5	1,952	---	15	1,944	---	11	2,302	---	11	2,302																							

INDICATOR: Retention

2012-2013									
2013-2014									
	School	District	State	School	District	State	School	District	State
Number of Students Retained at Grade 1	---	46	1,656	---	42	1,534	0	22	1,416
Percent of Students Retained at Grade 1	---	5.79 %	4.40 %	---	5.27 %	4.09 %	0.00 %	2.81 %	3.82 %
Number of Students Retained at Grade 2	---	25	633	---	19	564	0	18	558
Percent of Students Retained at Grade 2	---	3.05 %	1.72 %	---	2.39 %	1.62 %	0.00 %	2.38 %	1.53 %
Number of Students Retained at Grade 3	---	2	287	---	9	305	0	8	240
Percent of Students Retained at Grade 3	---	0.25 %	0.78 %	---	1.09 %	0.84 %	0.00 %	1.02 %	0.66 %
Number of Students Retained at Grade 4	---	7	148	---	2	141	0	1	114
Percent of Students Retained at Grade 4	---	0.82 %	0.40 %	---	0.25 %	0.38 %	0.00 %	0.12 %	0.32 %
Number of Students Retained at Grade 5	---	2	105	---	3	84	0	4	101
Percent of Students Retained at Grade 5	---	0.25 %	0.29 %	---	0.38 %	0.23 %	0.00 %	0.50 %	0.28 %
Number of Students Retained at Grade 6	---	1	134	---	2	137	0	3	135
Percent of Students Retained at Grade 6	---	0.13 %	0.37 %	---	0.25 %	0.37 %	0.00 %	0.36 %	0.37 %
Number of Students Retained at Grade 7	---	5	367	---	1	317	0	1	296
Percent of Students Retained at Grade 7	---	0.65 %	1.01 %	---	0.13 %	0.86 %	0.00 %	0.12 %	0.81 %
Number of Students Retained at Grade 8	---	1	392	---	2	253	0	0	251
Percent of Students Retained at Grade 8	---	0.12 %	1.08 %	---	0.26 %	0.70 %	0.00 %	0.00 %	0.59 %

	2012-2013			2013-2014			2014-2015		
	School	District	State	School	District	State	School	District	State
% Teachers Completely Certified (Licensed)	---	---	---	---	---	---	100.0 %	98.5 %	97.9 %
% Teachers with Emergency / Provisional Credentials	---	---	---	---	---	---	0.0 %	0.5 %	0.9 %
% Teachers with Bachelor's Degree	50.0 %	59.0 %	61.0 %	67.0 %	56.0 %	59.0 %	67.0 %	56.0 %	59.0 %
% Teachers with Master's Degree	50.0 %	41.0 %	39.0 %	33.0 %	44.0 %	40.0 %	33.0 %	44.0 %	40.0 %
% Teachers with Advanced Degree	0.0 %	0.0 %	1.0 %	0.0 %	0.0 %	1.0 %	0.0 %	0.0 %	1.0 %
HQ Teachers in High Poverty Schools									
% Core Academic Classes not Taught by HQ Teachers	---	---	---	---	---	---	---	0.0 %	0.9 %
HQ Teachers in Low Poverty Schools									
% Core Academic Classes not Taught by HQ Teachers	---	0.0 %	---	0.0 %	0.0 %	---	---	0.0 %	0.6 %
HQ Teachers Aggregate of All Economic Levels									
% Core Academic Classes not Taught by HQ Teachers	0.0 %	0.0 %	---	0.0 %	0.0 %	---	0.0 %	0.0 %	0.6 %
School Board Members									
Donna Nash									
Brian Evans									
Ricky Hill**									
Dean Martin									
Wendal Msall									
Mark Russell									
Corey Williams									

	30.00								
	22.00								
	12.25								
	15.25								
	3.00								
	17.00								
	15.25								

Hours of Training

INDICATOR: School Choice

Percent of Students School Choice

2012-2013						2013-2014		
School	District	State	School	District	State	School	District	State
0.00 %	0.59 %	3.34 %	0.00 %	0.47 %	2.90 %	0.00 %	0.42 %	2.68 %

	2012-2013			2013-2014			2014-2015		
	School	District	State	School	District	State	School	District	State
Mills Voted		39.5	37.0		39.5	37.2		39.5	37.4
Expenditure Per Student		\$7,829	\$9,315		\$7,975	\$9,379		\$8,016	\$9,324
Average Teacher Salary		\$49,445	\$46,663		\$51,013	\$46,946		\$53,980	\$47,316
Total Expenditures		\$92,951,102	\$5,171,678,766		\$97,606,239	\$5,196,885,067		\$103,527,605	\$5,088,669,535
Instructional Expenditures		\$46,787,341	\$2,508,579,625		\$48,280,954	\$2,485,540,210		\$49,071,952	\$2,472,977,282
Administrative Expenditures		\$5,048,068	\$315,455,818		\$5,195,026	\$317,870,955		\$5,381,099	\$312,346,508
Extracurricular Expenditures		\$3,288,160	\$165,701,106		\$4,966,551	\$201,604,356		\$4,105,644	\$184,520,020
Capital Expenditures		\$11,864,608	\$649,987,805		\$12,295,219	\$608,547,135		\$17,695,295	\$631,101,753
Debt Service Expenditures		\$2,668,808	\$226,232,300		\$4,049,909	\$267,265,988		\$3,669,411	\$235,094,970
Free and Reduced Meals									
Percent of Students Eligible for Free and Reduced Meals	54.6 %	34.1 %	60.0 %	50.0 %	36.2 %	60.5 %	75.0 %	35.8 %	60.3 %
State Free and Reduced-Price Meal Rate**			58.2 %			60.3 %			60.7 %
National Free and Reduced-Price Meal Rate**			49.2 %			53.9 %			50.6 %

**Source: FNS National databank for federal fiscal year 2013.

***State Free and Reduced Meal Rate includes preschool and adult education students.



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

ACADEMIC DISTRESS – APPEAL HEARING NOTICE LETTER

State Board
of Education

June 5, 2014

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Fayetteville
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Melbourne

William Thurman, Superintendent
Cabot School District
602 North Lincoln
Cabot, AR 72023

Re: Notice of Academic Distress Appeal Hearing (VIA CERTIFIED MAIL)

Dear Superintendent Thurman:

On May 2, 2014, pursuant to Ark. Code Ann. § 6-15-428, the Arkansas Department of Education (ADE) mailed you a notification that the following school(s)/school district had been designated as being in Academic Distress for the 2013-14 school year:

Cabot Learning Academy

Also pursuant to Ark. Code Ann. § 6-15-428, your school district had the right to appeal the ADE's determination to the Arkansas State Board of Education (State Board). The appeal was required to be filed by June 9, 2014. Your district filed an appeal on **May 23, 2014.**

This letter is to notify you that the State Board will conduct a hearing concerning this appeal during its scheduled meeting on **Thursday, July 10, 2014, in the Auditorium of the Arkansas Department of Education-Arch Ford Education Building, Four State Capitol Mall, Little Rock, Arkansas, at 9:00 a.m.** You will have an opportunity to address the State Board at that time. The State Board hearing will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by Ark. Code Ann. § 6-15-428 et seq. and § 10.04 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program. You may find an electronic version of those rules here:

<http://www.arkansased.org/divisions/legal/rules/current>

You and any other representatives of the **Cabot School District** who can address questions from the State Board concerning this matter should plan to be in attendance during the meeting.

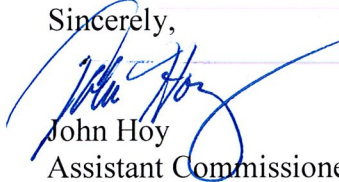
Four Capitol Mall
Little Rock, AR
72201-1019
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Page 2
William Thurman
June 5, 2014

Thank you for your attention to this matter. Please contact Louis Ferren at 501-682-4208, should you have any questions, or require additional information.

Sincerely,



John Hoy
Assistant Commissioner, Division of Public School Accountability
Arkansas Department of Education

cc: Tom W. Kimbrell, Ed.D, Commissioner of Education
Jeremy C. Lasiter, General Counsel
State Board Office



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

May 1, 2014

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Little Rock

Diane Zook
Melbourne

Joyce Craft
Hot Springs School District
400 Linwood Avenue
Hot Springs, AR 71913

**Re: Academic Distress Notification
(VIA CERTIFIED MAIL)**

Dear Superintendent Craft:

Pursuant to Ark. Code Ann. § 6-15-428, please accept this letter as notice that the Arkansas Department of Education has identified the following school(s) in the Hot Springs School District as being in academic distress. The schools meet the definition of "academic distress" as set forth in Section 3.02.2 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program.

School Number	School Name	Percent Proficient or Advanced
2603013	Summit School	27.14%

According to Section 3.02.2.1 of the ACTAAP Rules, a school may be identified as in academic distress if 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period.

Your school district may appeal this determination to the Arkansas State Board of Education (State Board) by filing a written appeal with the Commissioner of Education via certified mail, return receipt requested, within thirty (30) calendar days of receipt of this notification. You may send any appeal to Dr. Tom Kimbrell, Commissioner, Arkansas Department of Education, Four Capitol Mall, Little Rock, AR 72201-1019. Any appeal should contain written justification as to why a school should not be classified as being in academic distress.

If your school district does appeal this identification, the State Board shall hear the appeal within sixty (60) days of receipt of the written appeal in the commissioner's office. In the event of an appeal, you will be provided separate notice of the time and date of the State Board hearing during which the matter will be considered.

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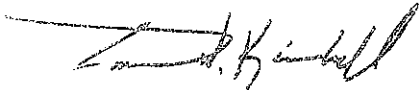
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Information on academic distress in the ACTAAP Rules can be found at the following link:
[http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP -
Emergency Adoption - Revised April 10.pdf](http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP_-_Emergency_Adoption_-_Revised_April_10.pdf).

Please note the specific authority the State Board has with regard to a school district in academic distress. (Ark. Code Ann. § 6-15-430; Section 11.0 of the ACTAAP Rules).

Thank you for your attention to this matter. Please contact the Division of Public School Accountability at (501) 682-5891 should you have any questions or require additional information.

Sincerely,



Dr. Tom Kimbrell, Commissioner,
Arkansas Department of Education

cc: John Hoy, Assistant Commissioner,
Public School Accountability
Jeremy Lasiter, General Legal Counsel,
Arkansas Department of Education
Brenda Gullett – Chairman,
State Board of Education
Samuel Ledbetter – Vice Chairman
Joe Black - Member
Alice Williams Mahoney - Member
Toyce Newton - Member
Mireya Reith - Member
Vicki Saviers - Member
Jay Barth - Member
Diane Zook - Member



May 23, 2014

Dr. Tom Kimbrell, Commissioner
Arkansas Department of Education
4 State Capitol Mall
Little Rock, AR 72201-1019

Dear Dr. Kimbrell:

This letter is in reference to the correspondence from you notifying the Hot Springs School District's Summit School has been identified as being in academic distress as set forth in Section 3.02.02 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program.

As indicated in your letter, Section 3.02.2.1 provides that "a school *may* be identified as in academic distress if 49.5% or less of it students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period. There are many variables that cause an Alternative Learning Environment as our Summit School is to meet the identification of an academic distress school.

This is an appeal for Summit School (2603013) to not be identified as an Academic Distress school. School Personnel has collected the attached data for school years 2011, 2012, and 2013 as documentation of the basis for this appeal request. Based on the attached data and the many factors associated with an Alternative Learning Environment (Summit School), the district believes the appeal is justified for the following reasons:

- To begin with, Summit School's AMOs **do not (emphasis added)** require the campus to be at or above 50% in Literacy and Math until Spring 2016. These are ESEA guidelines set for our campus. See attachment.
- Summit School is an ALE campus with the purpose of serving other campuses in the Garland County local schools.
- For years 2011-2013, Summit tested a total of 426 students in grades 3-8, Algebra I and Geometry EOC and Grade 11 Literacy. Of the 426 students, only 92 different students counted in the AYP calculation. The others were not included due to mobility.

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MAY 28 2014

Dr. Tom Kimbrell

May 23, 2014

Page 2

- Of the 92 students, 29 are SPED and 15 are Job Corps students; only 48 students remain as regular education students testing at 6 different grade levels and 3 high school tests. This is only an average of 5.33 students per assessment.
- Since Job Corp is a federal program, Summit School has less control over the curriculum, learning environment, personnel and the students. Job Corp students function on a different schedule than the typical school. They can complete a course at any time during the year.
- Note in Table II the number of students who counted in grades 3-8 are all single digits. Thus, the personnel feel that it is unfair to label the campus as Academic Distress for such a small population.

Hot Springs School District has made substantial changes in the organization and structure of the Summit campus since the beginning of 2011. Please note the number of students who counted in AYP in 2013, 35% less than prior years. ALE students in grades K-8 are now served on their home campus, rather than at the Summit campus. For the year 2013, only 26 students counted in AYP. Of the 26 students, 10 were IEP. Thus, the third year of the three year cycle, only 16 students were regular education students across 6 different grade levels and 3 high school tests. This equates to less than 2 students per assessment.

In addition, since July 1, 2013 due to regular attrition, Summit School is under new leadership and has better procedures for tracking students to ensure that all students, including Job Corp, are progressing toward their goals

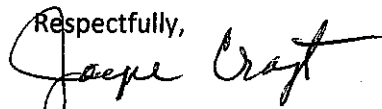
The Summit campus continues to receive good weekly reports from the external provider and ADE School Improvement Specialist towards meeting their Interim Measurement Objectives (IMO). These IMOs were set up by staff and the external provider, and agreed to by their ADE SIS. These IMOs were set up in the Spring of 2013 with help from the external provider and ADE SIS. These IMOs were created based upon the Scholastic Audit recommendations and student assessment data. This appeal is based on the fact that Summit School needs more than one year after setting their IMOs to meet regular education expectation.

Dr. Tom Kimbrell

May 23, 2014

Page 3

Thus, this is an official appeal to not identify the Summit ALE campus as Academic Distress. I ask that you reconsider this designation. If this appeal is not granted, then I respectfully request to appear before the State Board of Education.

Respectfully,


(Mrs.) Joyce Craft
Superintendent

Attachments

Cc: Mr. Tony Wood
Mr. Jeremy Lasiter
Mr. John Hoy

2012 ESEA AMOs SUMMIT SCHOOL

2603013
Literacy Growth

Group	Total Number with a Growth Trajectory in Lit; Year 2011	Percent Making Growth in Literacy, Year 2011	Year 2012 AMO	Year 2013 AMO	Year 2014 AMO	Year 2015 AMO	Year 2016 AMO	Year 2017 AMO
All Students	14	14.29	21.43	28.58	35.72	42.86	50.00	57.15
Targeted Achievement Gap Group	14	14.29	21.43	28.58	35.72	42.86	50.00	57.15
African American	5	0.00	8.33	16.67	25.00	33.33	41.67	50.00
Hispanic	1	0.00	8.33	16.67	25.00	33.33	41.67	50.00
Caucasian	8	25.00	31.25	37.50	43.75	50.00	56.25	62.50
Economically Disadvantaged	14	14.29	21.43	28.58	35.72	42.86	50.00	57.15
English Learners	0	.	.	.	.	.	.	.
Students with Disabilities	4	0.00	8.33	16.67	25.00	33.33	41.67	50.00

2012 ESEA AMOs SUMMIT SCHOOL

2603013 Math Performance

Group	Total Number Attempting Math, Year 2011	Percent Proficient in Math, Year 2011	Year 2012 AMO	Year 2013 AMO	Year 2014 AMO	Year 2015 AMO	Year 2016 AMO	Year 2017 AMO
All Students	38	23.68	30.04	36.40	42.76	49.12	55.48	61.84
Targeted Achievement Gap Group	34	26.47	32.60	38.73	44.85	50.98	57.11	63.24
African American	21	9.52	17.06	24.60	32.14	39.68	47.22	54.76
Hispanic	3	33.33	38.89	44.44	50.00	55.55	61.11	66.67
Caucasian	13	46.15	50.64	55.13	59.61	64.10	68.59	73.08
Economically Disadvantaged	32	28.13	34.12	40.11	46.10	52.09	58.08	64.07
English Learners	0	.	.	.	.	.	.	.
Students with Disabilities	11	9.09	16.67	24.24	31.82	39.39	46.97	54.55

2012 ESEA AMOs SUMMIT SCHOOL

2603013
Math Growth

Group	Total Number with a Growth Trajectory in Math, Year 2011	Percent Making Growth in Math, Year 2011	Year 2012 AMO	Year 2013 AMO	Year 2014 AMO	Year 2015 AMO	Year 2016 AMO	Year 2017 AMO
All Students	14	28.57	34.52	40.48	46.43	52.38	58.33	64.29
Targeted Achievement Gap Group	14	28.57	34.52	40.48	46.43	52.38	58.33	64.29
African American	5	20.00	26.67	33.33	40.00	46.67	53.33	60.00
Hispanic	1	0.00	8.33	16.67	25.00	33.33	41.67	50.00
Caucasian	8	37.50	42.71	47.92	53.13	58.33	63.54	68.75
Economically Disadvantaged	14	28.57	34.52	40.48	46.43	52.38	58.33	64.29
English Learners	0	.	.	.	.	.	.	.
Students with Disabilities	4	0.00	8.33	16.67	25.00	33.33	41.67	50.00

2012 ESEA AMOs SUMMIT SCHOOL

2603013
Graduation

Group	Number Expected to Graduate, Year 2010	Graduation Rate, Year 2010	Year 2011 AMO	Year 2012 AMO	Year 2013 AMO	Year 2014 AMO	Year 2015 AMO	Year 2016 AMO
All Students	66	37.93	43.10	48.28	53.45	58.62	63.79	68.97
Targeted Achievement Gap Group	24	28.57	34.52	40.48	46.43	52.38	58.33	64.29
African American	36	40.91	45.83	50.76	55.68	60.61	65.53	70.46
Hispanic	3	42.86	47.62	52.38	57.15	61.91	66.67	71.43
Caucasian	27	34.18	39.67	45.15	50.64	56.12	61.61	67.09
Economically Disadvantaged	19	25.00	31.25	37.50	43.75	50.00	56.25	62.50
English Learners	0	.	.	.	.	.	.	.
Students with Disabilities	10	55.56	59.26	62.97	66.67	70.37	74.08	77.78

Table 3
SUMMIT ALE
NON-MOBILE STUDENTS
2011-2013

Year	Grade	Course	Test	Student Last Name	Student First Name	IEP	JOB CORPS	Student State ID
1. 2011	Varies	ALG I	ALG I EOC	Anthony	Trevor		X	4935219173
2. 2011	Varies	ALG I	ALG I EOC	Fogarty	Tony		X	3998496769
3. 2011	Varies	ALG I	ALG I EOC	Moore	Augustus	X	X	7619446125
4. 2011	Varies	ALG I	ALG I EOC	Tennison	Kavareioe	X	X	3489748778
5. 2011	Varies	ALG I	ALG I EOC	Clark	Kayman			7239822699
6. 2011	Varies	ALG I	ALG I EOC	Copeland	Nicholas			1186079428
7. 2011	Varies	ALG I	ALG I EOC	Finster	Danielle			5247494687
8. 2011	Varies	ALG I	ALG I EOC	Hill	Winsten	X		6534734745
9. 2011	Varies	ALG I	ALG I EOC	Holmes	Justin			7586654956
1. 2011	Varies	GEOM	GEOM EOC	Breshears	Austin			8387656429
2. 2011	Varies	GEOM	GEOM EOC	Brown	Anisi		X	9194172571
3. 2011	Varies	GEOM	GEOM EOC	Davis	Deven		X	1709286679
4. 2011	Varies	GEOM	GEOM EOC	Horton	Lakeshia		X	1152816799
5. 2011	Varies	GEOM	GEOM EOC	Reynolds	Dylan		X	4190856811
6. 2011	Varies	GEOM	GEOM EOC	Alonso	Laura			2175315592
7. 2011	Varies	GEOM	GEOM EOC	Garcia	Nicolas			7343138766
8. 2011	Varies	GEOM	GEOM EOC	Hill	Stormy			3025467843
9. 2011	Varies	GEOM	GEOM EOC	Searcy	Justine			6607512186
10. 2011	Varies	GEOM	GEOM EOC	Tucker	Carol	X		4928837266
1. 2011	Varies	ENG I	ENG I EOC	Broussard	Britany			8341412764
2. 2011	Varies	ENG I	ENG I EOC	Hudson	Cameron	X		6817618398
3. 2011	Varies	ENG I	ENG I EOC	Jordan	Cameron			1492320382
4. 2011	Varies	ENG I	ENG I EOC	Sanders	Gentry			7172803604
5. 2011	Varies	ENG I	ENG I EOC	Clayborn	Jackson	X		2609819986
6. 2011	Varies	ENG I	ENG I EOC	Danner	Korean			1703207947
7. 2011	Varies	ENG I	ENG I EOC	Ellis	Tashonna			8087240731
8. 2011	Varies	ENG I	ENG I EOC	Hause	Christopher			8566168488
9. 2011	Varies	ENG I	ENG I EOC	Kelley	Karen			9326851133
10. 2011	Varies	ENG I	ENG I EOC	Oliver	Joshua			7408868674
11. 2011	Varies	ENG I	ENG I EOC	Pallen	Star			4481865831
1. 2011	Varies	---	---	Fillers	Bradley	X		8091698814
2. 2011	Varies	---	---	Gibson	Cory			9078002247
1. 2011	Varies	---	---	Hale, Jigget	Ryan			3621355472
1. 2011	Varies	---	---	Anderson	Dazhia			4780884225
2. 2011	Varies	---	---	Anderson	Kenell			4138096809

	Year	Grade	Course	Test	Student Last Name	Student First Name	IEP	JOB CORPS	Student State ID
3.	2011	6	---	AABE	Anderson	Terryke	X		7404199638
4.	2011	6	---	AABE	Ober	Derek			5616458554
5.	2011	6	---	AABE	Weatherford	Chancellor			7459137499
1.	2011	7	---	AABE	Bryant	Akejae			1042480648
2.	2011	7	---	AABE	Davis	Cheyenne	X		3187323502
3.	2011	7	---	AABE	Settlemyle	Delanea			6564950667
4.	2011	7	---	AABE	Hay	Lauren			6010902819
5.	2011	7	---	AABE	Ell	Angel			4105049224
6.	2011	7	---	AABE	Luker	Brianna			9202126771
7.	2011	7	---	AABE	Shaw	Giorgio			5789432711
1.	2011	8	---	AABE	Cleaver	Tiffany			6425802847
2.	2011	8	---	AABE	Witse	Jesse			2168532486
3.	2011	8	---	AABE	Pavlovic	Sean			3126759882
4.	2011	8	---	AABE	Polston	April			2259543057
5.	2011	8	---	AABE	Sanillian	Jose	X		7393617471
1.	2012	Varies	ALG1	ALG1EOC	Hall	Melissa			1836974116
2.	2012	Varies	ALG1	ALG1EOC	Adams	Maili			5622719712
3.	2012	Varies	ALG1	ALG1EOC	Andrews	Chekeenan			1771012331
4.	2012	Varies	ALG1	ALG1EOC	Cotroneo	Nathan			1156715806
5.	2012	Varies	ALG1	ALG1EOC	Johnson	Jayvon			6371157558
6.	2012	Varies	ALG1	ALG1EOC	Main	Stephanie			2333970508
7.	2012	Varies	ALG1	ALG1EOC	Bigby	Desharti	X		1929093276
1.	2012	Varies	GEOM	GEOM EOC	Bowman	Tyler			3135515966
2.	2012	Varies	GEOM	GEOM EOC	Jennings	Katlyn			3767632993
3.	2012	Varies	GEOM	GEOM EOC	Nestell	Joshua			7575579745
4.	2012	Varies	GEOM	GEOM EOC	Tucker	Tanika			5506466595
1.	2012	11	ENG 11	11 TH LIT BOC	Brown	Ariel	X		2826501616
2.	2012	11	ENG 11	11 TH LIT BOC	Croft	Joshua	X		9414623461
3.	2012	11	ENG 11	11 TH LIT BOC	Dawson	Bobby	X		1829750763
4.	2012	11	ENG 11	11 TH LIT BOC	Frazell	Angel	X		7079077206
5.	2012	11	ENG 11	11 TH LIT BOC	Reed	Ariel	X		8076254221
6.	2012	11	ENG 11	11 TH LIT BOC	Roland	Jermecia	X		4422554324
7.	2012	11	ENG 11	11 TH LIT BOC	Breshleas	Austin			8387656429
8.	2012	11	ENG 11	11 TH LIT BOC	Grace	Mary			3217484916
9.	2012	11	ENG 11	11 TH LIT BOC	Swartz	Daila			1275959903
10.	2012	11	ENG 11	11 TH LIT BOC	Thrower	Keyuna			1927411289
11.	2012	11	ENG 11	11 TH LIT BOC	Clayborn	Jackson	X		2609819986
12.	2012	11	ENG 11	11 TH LIT BOC	Venness	Kyle			2514415713
13.	2012	11	ENG 11	11 TH LIT BOC	Witherspoon	Kyle			6145092696
14.	2012	11	ENG 11	11 TH LIT BOC	Young	Jevonta			8471633461

Year	Grade	Course	Test	Student Last Name	Student First Name	IEP	JOB CORPS	Student State ID
1. 2012	4	---	AABE	Jeff-Marshall	Caleb	X		6542712208
2. 2012	4	---	AABE	Sims	Bradley			1418771139
3. 2012	4	---	AABE	Sims	Brandon			2600854452
1. 2012	5	---	AABE	Baños	Kevin	X		7340907513
2. 2012	5	---	AABE	Jiles	Nathan	X		1749827689
1. 2012	6	---	AABE	Honagle	Cameron			6149439887
2. 2012	6	---	AABE	Johnson	Marcus	X		3435680981
3. 2012	6	---	AABE	Soto	Jacob			3174586275
4. 2012	6	---	AABE	Allen	Zachery	X		2182475583
5. 2012	6	---	AABE	Chumley	Dustin	X		7302840334
6. 2012	6	---	AABE	Jones	Antoniette			7840256848
1. 2012	7	---	AABE	Brown	Michael			2195088721
2. 2012	7	---	AABE	Weatherford	Chancellor			7459137499
1. 2012	8	---	AABE	Chavez	Brayan	X		1942890982
2. 2012	8	---	AABE	Davis	Cheyenne	X		3187323502
3. 2012	8	---	AABE	Luker	Brianna			9202126771
4. 2012	8	---	AABE	Martinez	Maya			3038770817
5. 2012	8	---	AABE	Darrough	Dnario			1028571445
6. 2012	8	---	AABE	Wells	Gerrard			6418168623
1. 2013	Varies	ALG I	ALG I EOC	Jacob	Julie			3027508784
2. 2013	Varies	ALG I	ALG I EOC	Luker	Brianna			9202126771
3. 2013	Varies	ALG I	ALG I EOC	Sasser	Lavall		X	9984067858
4. 2013	Varies	ALG I	ALG I EOC	Davis	William			7239579123
1. 2013	Varies	GEOM	GEOM EOC	Batts	Lexus			3763912827
2. 2013	Varies	GEOM	GEOM EOC	Davis	William			7239579123
3. 2013	Varies	GEOM	GEOM EOC	Holmes	Justin			7586654956
4. 2013	Varies	GEOM	GEOM EOC	Martin	DeAnthony			6858552987
1. 2013	11	ENG II	11 TH LIT EOC	Batts	Lexus			3763912827
2. 2013	11	ENG II	11 TH LIT EOC	Swartz	Dallia			1275959903
3. 2013	11	ENG II	11 TH LIT EOC	Flemmons,	Cordarily		X	5390141679
1. 2013	3	---	AABE	Daley	Anthony			5715845696
1. 2013	4	---	AABE	Anderson	Jamarion			6044896121
2. 2013	4	---	AABE	Lisaniti	Ronson	X		5626670483
1. 2013	5	---	AABE	Jeff-Marshall	Caleb	X		6542712208
2. 2013	5	---	AABE	Nodurft	Britney	X		7132478338
3. 2013	5	---	AABE	Sorter	Stephen	X		1575967561
1. 2013	6	---	AABE	Clark	Brandon	X		3679622767
2. 2013	6	---	AABE	Johnson	Jaehlyn	X		1876659451
3. 2013	6	---	AABE	Kelly	Angel			7445712089
4. 2013	6	---	AABE	Luker	Kayla	X		8722479708

	Year	Grade	Course	Test	Student Last Name	Student First Name	IEP	JOB CORPS	Student State ID
5.	2013	6	---	AABE	Barnes	Kevin	X		7340907513
1.	2013	7	---	AABE	Hopson	Adrian	X		3592360167
2.	2013	7	---	AABE	Johnson	Marcus	X		3435680981
3.	2013	7	---	AABE	McKisick	Brennan	X		7616882285
1.	2013	8	---	AABE	Ainey	Myiesha			5069247271

Table 1
Summit
2011-2013
Summary of Mobile and Non Mobile Students

Year	Total Tested	Total Counted in AYP	Total IEP	Total Job Corps
2011	174	40	10	8
2012	149	44	9	7
2013	103	26	10	0

Table 2
Summit
2011-2013

Summary of Mobile and Non Mobile Students by Test

Year	Grade	Course	Number Tested	Number Counted in AYP	Number Counted IEP	Number Counted Job Corps
2011	Varies	ALG1EOC	54	9	3	4
2011	Varies	GEOM EOC	30	10	1	4
2011	11 th	11 th Lit EOC	20	11	2	0
2011	3		7	2	1	0
2011	4		3	0	0	0
2011	5		12	1	0	0
2011	6		11	5	1	0
2011	7		16	7	1	0
2011	8		21	5	1	0
2012	Varies	ALG1EOC	29	7	0	1
2012	Varies	GEOM EOC	11	4	0	0
2012	11	11 th Lit EOC	24	14	1	6
2012	3		10	0	0	0
2012	4		7	3	1	0
2012	5		13	2	2	0
2012	6		18	6	3	0
2012	7		18	2	0	0
2012	8		37	6	2	0
2013	Varies	ALG1EOC	19	4	0	1
2013	Varies	GEOM EOC	10	4	0	0
2013	11	11 th Lit EOC	7	3	0	1
2013	3		3	1	0	0
2013	4		10	2	0	0
2013	5		8	3	3	0
2013	6		15	5	4	0
2013	7		14	3	3	0
2013	8		17	1	0	0



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

ACADEMIC DISTRESS – APPEAL HEARING NOTICE LETTER

State Board
of Education

June 5, 2014

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Vicki Saviers
Little Rock

Diane Zook
Melbourne

Joyce Craft, Superintendent
Hot Springs School District
400 Linwood Avenue
Hot Springs, AR 71913

Re: Notice of Academic Distress Appeal Hearing (VIA CERTIFIED MAIL)

Dear Superintendent Craft:

On May 2, 2014, pursuant to Ark. Code Ann. § 6-15-428, the Arkansas Department of Education (ADE) mailed you a notification that the following school(s)/school district had been designated as being in Academic Distress for the 2013-14 school year:

Summit School

Also pursuant to Ark. Code Ann. § 6-15-428, your school district had the right to appeal the ADE's determination to the Arkansas State Board of Education (State Board). The appeal was required to be filed by June 9, 2014. Your district filed an appeal on **May 28, 2014.**

This letter is to notify you that the State Board will conduct a hearing concerning this appeal during its scheduled meeting on **Thursday, July 10, 2014, in the Auditorium of the Arkansas Department of Education-Arch Ford Education Building, Four State Capitol Mall, Little Rock, Arkansas, at 9:00 a.m.** You will have an opportunity to address the State Board at that time. The State Board hearing will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by Ark. Code Ann. § 6-15-428 et seq. and § 10.04 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program. You may find an electronic version of those rules here:

<http://www.arkansased.org/divisions/legal/rules/current>

You and any other representatives of the **Hot Springs School District** who can address questions from the State Board concerning this matter should plan to be in attendance during the meeting.

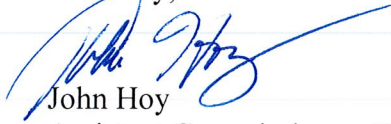
Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
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Page 2
Joyce Craft
June 5, 2014

Thank you for your attention to this matter. Please contact Louis Ferren at 501-682-4208, should you have any questions, or require additional information.

Sincerely,



John Hoy

Assistant Commissioner, Division of Public School Accountability
Arkansas Department of Education

cc: Tom W. Kimbrell, Ed.D, Commissioner of Education
Jeremy C. Lasiter, General Counsel
State Board Office



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

May 1, 2014

State Board
of Education

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Mireya Reith
Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Dexter Suggs
Little Rock School District
810 W. Markham St.
Little Rock, AR 72201

**Re: Academic Distress Notification
(VIA CERTIFIED MAIL)**

Dear Superintendent Suggs:

Pursuant to Ark. Code Ann. § 6-15-428, please accept this letter as notice that the Arkansas Department of Education has identified the following school(s) in the Little Rock School District as being in academic distress. The schools meet the definition of "academic distress" as set forth in Section 3.02.2 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program.

School Number	School Name	Percent Proficient or Advanced
6001068	Accelerated Learning Program	9.52%
6001052	Baseline Elementary School	48.25%
6001702	Cloverdale Aerospace Tech Char	41.47%
6001002	Hall High School	40.64%
6001013	Henderson Middle School	46.05%
6001063	J.A. Fair High School	43.30%
6001064	Mcclellan Magnet High School	40.75%
6001070	W.D. Hamilton Learning Academy	2.31%

According to Section 3.02.2.1 of the ACTAAP Rules, a school may be identified as in academic distress if 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period.

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Little Rock, AR
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Your school district may appeal this determination to the Arkansas State Board of Education (State Board) by filing a written appeal with the Commissioner of Education via certified mail, return receipt requested, within thirty (30) calendar days of receipt of this notification. You may send any appeal to Dr. Tom Kimbrell, Commissioner, Arkansas Department of Education, Four Capitol Mall, Little Rock, AR 72201-1019.

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Any appeal should contain written justification as to why a school should not be classified as being in academic distress.

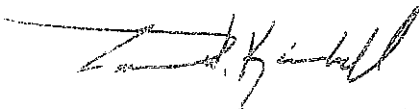
If your school district does appeal this identification, the State Board shall hear the appeal within sixty (60) days of receipt of the written appeal in the commissioner's office. In the event of an appeal, you will be provided separate notice of the time and date of the State Board hearing during which the matter will be considered.

Information on academic distress in the ACTAAP Rules can be found at the following link:
[http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP -
Emergency Adoption - Revised April 10.pdf](http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP_-_Emergency_Adoption_-_Revised_April_10.pdf).

Please note the specific authority the State Board has with regard to a school district in academic distress. (Ark. Code Ann. § 6-15-430; Section 11.0 of the ACTAAP Rules).

Thank you for your attention to this matter. Please contact the Division of Public School Accountability at (501) 682-5891 should you have any questions or require additional information.

Sincerely,



Dr. Tom Kimbrell, Commissioner,
Arkansas Department of Education

cc: John Hoy, Assistant Commissioner,
Public School Accountability
Jeremy Lasiter, General Legal Counsel,
Arkansas Department of Education
Brenda Gullett – Chairman,
State Board of Education
Samuel Ledbetter – Vice Chairman
Joe Black - Member
Alice Williams Mahoney - Member
Toyce Newton - Member
Mireya Reith - Member
Vicki Saviers - Member
Jay Barth - Member
Diane Zook - Member



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

ACADEMIC DISTRESS – APPEAL HEARING NOTICE LETTER

State Board
of Education

June 5, 2014

Brenda Gullett
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Little Rock

Diane Zook
Melbourne

Dexter Suggs, Superintendent
Little Rock School District
810 W. Markham St.
Little Rock, AR 72201

**Re: Notice of Academic Distress Appeal Hearing
(VIA CERTIFIED MAIL)**

Dear Superintendent Suggs:

On May 2, 2014, pursuant to Ark. Code Ann. § 6-15-428, the Arkansas Department of Education (ADE) mailed you a notification that the following school(s)/school district had been designated as being in Academic Distress for the 2013-14 school year:

Accelerated Learning Program
W.D. Hamilton Learning Academy

Also pursuant to Ark. Code Ann. § 6-15-428, your school district had the right to appeal the ADE's determination to the Arkansas State Board of Education (State Board). The appeal was required to be filed by June 9, 2014. Your district filed an appeal on **May 20, 2014.**

This letter is to notify you that the State Board will conduct a hearing concerning this appeal during its scheduled meeting on **Thursday, July 10, 2014, in the Auditorium of the Arkansas Department of Education-Arch Ford Education Building, Four State Capitol Mall, Little Rock, Arkansas, at 9:00 a.m.** You will have an opportunity to address the State Board at that time. The State Board hearing will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by Ark. Code Ann. § 6-15-428 et seq. and § 10.04 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program. You may find an electronic version of those rules here:

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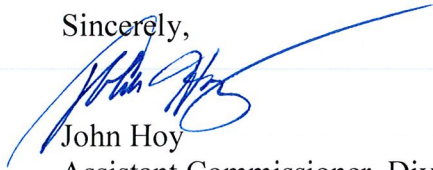
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You and any other representatives of the **Little Rock School District** who can address questions from the State Board concerning this matter should plan to be in attendance during the meeting.

Page 2
Dexter Suggs
June 5, 2014

Thank you for your attention to this matter. Please contact Louis Ferren at 501-682-4208, should you have any questions, or require additional information.

Sincerely,



John Hoy
Assistant Commissioner, Division of Public School Accountability
Arkansas Department of Education

cc: Tom W. Kimbrell, Ed.D, Commissioner of Education
Jeremy C. Lasiter, General Counsel
State Board Office



LITTLE ROCK SCHOOL DISTRICT

OFFICE OF THE SUPERINTENDENT

RECEIVED
COMMISSIONER'S OFFICE

May 15, 2014

MAY 20 2014

DEPARTMENT OF EDUCATION

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Tom Kimbrell, Commissioner
Arkansas Department of Education
4 Capitol Mall
Little Rock, AR 72201

Dear Dr. Kimbrell:

The Little Rock School District is appealing the designation of "academic distress" for Hamilton Learning Academy and the Accelerated Learning Center (ACC). The district contends that Hamilton and ACC should not be on the "academic distress" list because both are programs that provide short-term services for students who are not succeeding in the traditional setting. Neither is considered a full-service school, and both have a unique population of at-risk students. We believe that the conceptual basis of "academic distress" does not apply to these programs. Students are not enrolled in these programs long enough to have a great impact on achievement in the high-stakes tested areas.

The Accelerated Learning Center is a technology-based program for students who are overage and don't have enough credits to graduate. Students who enroll at ACC must be 18-21 years of age. This program is the last chance that these students have to earn the remaining credits that are needed to award them a high school diploma. The credits are earned by taking online courses using Edmentum (Plato) courseware. Virtually all the ACC students have previously taken the EOC exams for Algebra and Geometry and the eleventh (11th) grade literacy exam. Students are not required to take the tests again if the course is repeated. Only a very few students take Algebra I, Geometry or English 3 for the first time at ACC. These few take the appropriate exams during their time at ACC, and those are the scores that were used to place ACC on the "academic distress" list. A table is included to verify that the portion of the total enrollment that constitutes the test-takers is very small. There were 4 math test-takers and 39 literacy test-takers over the four-year period from 2010 to 2013.

Hamilton Learning Academy is an alternative school for secondary students who are not successful in the traditional school setting. Sixty-eight percent (68%) of the population receives services under IDEA or Section 504. Many students have irregular attendance due

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adjudication or transition to/from other facilities. Sometimes, parents request temporary assignment of their child to Hamilton for a variety of reasons. The majority of the students enrolled at Hamilton are there because of disciplinary sanctions at their assigned middle or high school. Most students are enrolled at Hamilton for nine-weeks up to a semester, but some may remain longer. Only about half of the students at Hamilton during a given year are there during the time that high-stakes tests are taken; the remaining students who are enrolled at some point during the year have either returned to the traditional secondary school or have yet to be assigned to the school. The table that is included shows the enrollment and number of test-takers at Hamilton. The students at Hamilton are there because they have not been successful in the traditional school environment; the likelihood that they will do well on ACTAAP assessments after being there such a short while is not good. The district does not believe that a program that serves students on a short-term basis should be placed on "academic distress."

Please consider the unique nature of the programs at ACC and Hamilton. The district is accountable for student achievement at our schools; however, the special programs that are in place to provide specific, short-term services to at-risk students should not be accountable in the same manner as our schools.

If you need additional information, or if you would like to discuss this matter with me, please feel free to give me a call.

Sincerely

A handwritten signature in black ink, appearing to read "Dr. D. Suggs", written in a cursive style.

Dr. Dexter Suggs, Ed.D.
Superintendent of Schools

Students who took and/or passed the EOC Exams at ACC and Hamilton since 2009-10

	*ACC - Overage-Undercredit Program for students who are 18- 21 years old.	#HAMILTON - Short-term alternative placement for students who are not succeeding in the traditional school.
2010 % Proficient # that took the test # of students that took the test that are proficient	11th Grade Algebra Geometry Literacy 0.0% 1 0 0.0% 4 0 Enrollment = 211 students who are overage/undercredit.	11th Grade Algebra Geometry Literacy 8.0% 7.0% 2.0% 40 34 47 3 3 1 Enrollment = 281 students
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2013 % Proficient # that took the test # of students that took the test that are proficient	11th Grade			11th Grade		
	Algebra	Geometry	Literacy	Algebra	Geometry	Literacy
	18.0%	0.0%	0.0%	18.0%	11.0%	0.0%
	17	3	17	17	27	19
	3	0	0	3	3	0
	Enrollment = 170 students who are overage/undercredit.			Enrollment = 208 students		

*Accelerated Learning Center (ACC) is a program for students who are 18 - 21 years old you are lacking enough credits to graduate. Students attend a minimum of 4 hours a day but may attend longer. Motivated students who need just a course or two to graduate may finish in a few weeks. Other students may stay the entire year. The vast majority of students have taken the EOC and 11th grade literacy exams in their home schools when they first took the courses. The few who have not previously taken a tested course will take the exams during their time at the ACC.

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ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

May 1, 2014

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Dexter Suggs
Little Rock School District
810 W. Markham St.
Little Rock, AR 72201

**Re: Academic Distress Notification
(VIA CERTIFIED MAIL)**

Dear Superintendent Suggs:

Pursuant to Ark. Code Ann. § 6-15-428, please accept this letter as notice that the Arkansas Department of Education has identified the following school(s) in the Little Rock School District as being in academic distress. The schools meet the definition of "academic distress" as set forth in Section 3.02.2 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program.

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Four Capitol Mall
Little Rock, AR
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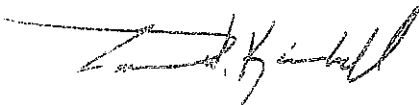
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Please note the specific authority the State Board has with regard to a school district in academic distress. (Ark. Code Ann. § 6-15-430; Section 11.0 of the ACTAAP Rules).

Thank you for your attention to this matter. Please contact the Division of Public School Accountability at (501) 682-5891 should you have any questions or require additional information.

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Arkansas Department of Education

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LITTLE ROCK SCHOOL DISTRICT

OFFICE OF THE SUPERINTENDENT

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COMMISSIONER'S OFFICE

May 15, 2014

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DEPARTMENT OF EDUCATION

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RETURN RECEIPT REQUESTED

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Arkansas Department of Education
4 Capitol Mall
Little Rock, AR 72201

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Dr. Tom W. Kimbrell
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Dexter Suggs, Superintendent
Little Rock School District
810 W. Markham St.
Little Rock, AR 72201

**Re: Notice of Academic Distress Appeal Hearing
(VIA CERTIFIED MAIL)**

Dear Superintendent Suggs:

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W.D. Hamilton Learning Academy

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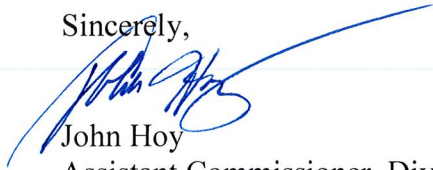
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You and any other representatives of the **Little Rock School District** who can address questions from the State Board concerning this matter should plan to be in attendance during the meeting.

Page 2
Dexter Suggs
June 5, 2014

Thank you for your attention to this matter. Please contact Louis Ferren at 501-682-4208, should you have any questions, or require additional information.

Sincerely,



John Hoy
Assistant Commissioner, Division of Public School Accountability
Arkansas Department of Education

cc: Tom W. Kimbrell, Ed.D, Commissioner of Education
Jeremy C. Lasiter, General Counsel
State Board Office



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

May 1, 2014

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Diane Zook
Melbourne

Benny Gooden
Fort Smith School District
P.O. Box 1948
Fort Smith, AR 72902

**Re: Academic Distress Notification
(VIA CERTIFIED MAIL)**

Dear Superintendent Gooden:

Pursuant to Ark. Code Ann. § 6-15-428, please accept this letter as notice that the Arkansas Department of Education has identified the following school(s) in the Fort Smith School District as being in academic distress. The schools meet the definition of "academic distress" as set forth in Section 3.02.2 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program.

School Number	School Name	Percent Proficient or Advanced
6601005	Belle Point Alternative Center	25.32%

According to Section 3.02.2.1 of the ACTAAP Rules, a school may be identified as in academic distress if 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period.

Your school district may appeal this determination to the Arkansas State Board of Education (State Board) by filing a written appeal with the Commissioner of Education via certified mail, return receipt requested, within thirty (30) calendar days of receipt of this notification. You may send any appeal to Dr. Tom Kimbrell, Commissioner, Arkansas Department of Education, Four Capitol Mall, Little Rock, AR 72201-1019. Any appeal should contain written justification as to why a school should not be classified as being in academic distress.

If your school district does appeal this identification, the State Board shall hear the appeal within sixty (60) days of receipt of the written appeal in the commissioner's office. In the event of an appeal, you will be provided separate notice of the time and date of the State Board hearing during which the matter will be considered.

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

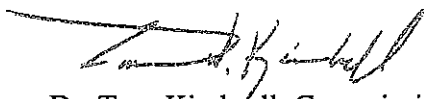
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Information on academic distress in the ACTAAP Rules can be found at the following link:
[http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP -
Emergency Adoption - Revised April 10.pdf](http://www.arkansased.org/public/userfiles/rules/Current/ACTAAP -
Emergency Adoption - Revised April 10.pdf).

Please note the specific authority the State Board has with regard to a school district in academic distress. (Ark. Code Ann. § 6-15-430; Section 11.0 of the ACTAAP Rules).

Thank you for your attention to this matter. Please contact the Division of Public School Accountability at (501) 682-5891 should you have any questions or require additional information.

Sincerely,



Dr. Tom Kimbrell, Commissioner,
Arkansas Department of Education

cc: John Hoy, Assistant Commissioner,
Public School Accountability
Jeremy Lasiter, General Legal Counsel,
Arkansas Department of Education
Brenda Gullett – Chairman,
State Board of Education
Samuel Ledbetter – Vice Chairman
Joe Black - Member
Alice Williams Mahoney - Member
Toyce Newton - Member
Mireya Reith - Member
Vicki Saviers - Member
Jay Barth - Member
Diane Zook - Member

Today... and ...



in the **Future**

Office of the Superintendent

3205 Jenny Lind • P.O. Box 1948
Fort Smith, Arkansas 72902-1948
479-785-2501
Fax: 479-785-1722

May 9, 2014

Dr. Tom Kimbrell, Commissioner
Arkansas Department of Education
4 State Capitol Mall
Little Rock, AR 72201-1019

Certified Return Receipt #
7012 3050 0001 6475 8168

Dear Dr. Kimbrell:

Mrs. Jeannie Cole, President of the Fort Smith Public Schools Board of Education and I have received your letters notifying us that the Belle Point Alternative Center has been identified as being in academic distress as set forth in Section 3.02.2 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program.

As you note in your letter, Section 3.02.2.1 provides that "a school **may** (emphasis added) be identified as in academic distress if 49.5% or less of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period." This statement appears to acknowledge that ADE has the discretion to apply reasonable judgment in this process.

Several factors make it likely that school campuses operated like Belle Point will always fail to meet the identification standard cited above. Specifically these include:

- Only students who are not performing appropriately on academic, behavioral or attendance qualities are assigned to this campus;
- Many students are erratic in their attendance due to legal issues which take them from regular school attendance for extended periods; and
- When student performance improves on the characteristics noted above, the student is returned to another campus.

As you can see, the student population is chosen using criteria which generally include unacceptable academic performance and which specifically excludes students who would meet the expected performance standard. Simply stated—this is a "school of last resort" for some students, and it is a pathway to restore others to the expected pattern of school success.

You may recall my discussion with you at the time these rules were proposed relative to schools like Belle Point. As I told you at that time, the very nature of this school and others like it as alternative placements for secondary students and the manner in which students are assigned make the cited criteria inappropriate on several counts. At that time, I expressed concerns that

Dr. Tom Kimbrell
May 9, 2014
Page 2

the "one size fits all" tone of the rules would subject special purpose schools and school districts which develop them to inappropriate sanctions which are actually harmful to our abilities to provide optimal services to benefit these students in need. You advised me that it was not the intent of the Arkansas Department of Education or the State Board of Education to target schools like Belle Point and that you did not plan to impose such sanctions on these schools.

Has your position and that of the State Board of Education changed? Clearly, the rule cited above gives the Department discretion to apply reasonable judgment in identifying schools which are not appropriately serving students in need. I respectfully ask you to reconsider this designation and rescind the notification contained in your letter dated May 1, 2014.

In the event that you will not reconsider this designation, please accept this letter as my written appeal of this designation. I respectfully request that I be afforded time to address the State Board of Education on this issue.

I look forward to your appropriate response.

Sincerely,

A handwritten signature in black ink, appearing to read "Benny L. Gooden", with a stylized, flowing script.

Benny L. Gooden, Ed.D.
Superintendent of Schools

pc: Board of Education
Mitch Llewellyn
Tony Wood
John Hoy
Jeremy Lasiter
State Board of Education



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

ACADEMIC DISTRESS – APPEAL HEARING NOTICE LETTER

State Board
of Education

June 5, 2014

Brenda Gullett
Fayetteville
Chair

Benny Gooden, Superintendent
Fort Smith School District
P.O. Box 1948
Fort Smith, AR 72902

Sam Ledbetter
Little Rock
Vice Chair

Dr. Jay Barth
Little Rock

Re: Notice of Academic Distress Appeal Hearing (VIA CERTIFIED MAIL)

Joe Black
Newport

Alice Mahony
El Dorado

Dear Superintendent Gooden:

Toyce Newton
Crossett

On May 2, 2014, pursuant to Ark. Code Ann. § 6-15-428, the Arkansas Department of Education (ADE) mailed you a notification that the following school(s)/school district had been designated as being in Academic Distress for the 2013-14 school year:

Mireya Reith
Fayetteville

Belle Point Alternative Center

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Also pursuant to Ark. Code Ann. § 6-15-428, your school district had the right to appeal the ADE's determination to the Arkansas State Board of Education (State Board). The appeal was required to be filed by June 9, 2014. Your district filed an appeal on **May 13, 2014.**

This letter is to notify you that the State Board will conduct a hearing concerning this appeal during its scheduled meeting on **Thursday, July 10, 2014, in the Auditorium of the Arkansas Department of Education-Arch Ford Education Building, Four State Capitol Mall, Little Rock, Arkansas, at 9:00 a.m.** You will have an opportunity to address the State Board at that time. The State Board hearing will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by Ark. Code Ann. § 6-15-428 et seq. and § 10.04 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program. You may find an electronic version of those rules here:

<http://www.arkansased.org/divisions/legal/rules/current>

You and any other representatives of the **Fort Smith School District** who can address questions from the State Board concerning this matter should plan to be in attendance during the meeting.

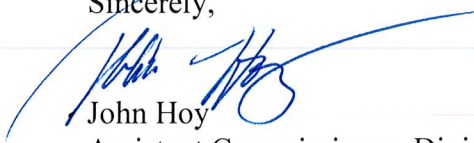
Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

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Page 2
Benny Gooden
June 5, 2014

Thank you for your attention to this matter. Please contact Louis Ferren at 501-682-4208, should you have any questions, or require additional information.

Sincerely,



John Hoy
Assistant Commissioner, Division of Public School Accountability
Arkansas Department of Education

cc: Tom W. Kimbrell, Ed.D, Commissioner of Education
Jeremy C. Lasiter, General Counsel
State Board Office

Dsit Number	Dist Name	School Number	School Name	Proficient
7401000	Augusta School District	7401003	Augusta High School	43.428%
7302000	Beebe School District	7302703	Badger Academy	24.242%
4702000	Blytheville School District	4702706	Blytheville High School New Tech	47.744%
4304000	Cabot School District	4304016	Cabot Learning(lale) Academy	25.000%
6044700	Covenantkeepers Charter School	6044702	Covenant Keepers Charter	46.965%
3502000	Dollarway School District	3502010	Dollarway High School	28.481%
2002000	Fordyce School District	2002007	Fordyce High School	43.640%
6201000	Forrest City School District	6201011	Forrest City High School	44.728%
6201000	Forrest City School District	6201010	Forrest City Jr. High	46.154%
6201000	Forrest City School District	6201702	Lincoln Academy Of Excellence	47.519%
6601000	Fort Smith School District	6601005	Belle Point Alternative Center	25.316%
5403000	Helena/ W.Helena School Dist.	5403019	Central High School	43.625%
2603000	Hot Springs School District	2603013	Summit School	27.143%
6001000	Little Rock School District	6001068	Accelerated Learning Program	9.524%
6001000	Little Rock School District	6001052	Baseline Elementary School	48.251%
6001000	Little Rock School District	6001702	Cloverdale Aerospace Tech Char	41.470%
6001000	Little Rock School District	6001002	Hall High School	40.642%
6001000	Little Rock School District	6001013	Henderson Middle School	46.049%
6001000	Little Rock School District	6001063	J.A. Fair High School	43.304%
6001000	Little Rock School District	6001064	Mcclellan Magnet High School	40.748%
6001000	Little Rock School District	6001070	W.D. Hamilton Learning Academy	2.312%
5404000	Marvell-Elaine School District	5404032	Marvell-Elaine High School	48.974%
4713000	Osceola School District	4713051	Osceola High School	47.043%
3505000	Pine Bluff School District	3505025	Belair Middle School	48.302%
3505000	Pine Bluff School District	3505034	Oak Park Elementary School	46.429%
3505000	Pine Bluff School District	3505042	Pine Bluff High School	37.380%
6003000	Pulaski Co. Spec. School Dist.	6003102	Harris Elementary School	48.790%
6003000	Pulaski Co. Spec. School Dist.	6003123	Jacksonville High School	46.877%
6003000	Pulaski Co. Spec. School Dist.	6003125	Wilbur D. Mills High School	45.017%
5206000	Stephens School District	5206033	Stephens High School	44.603%
7009000	Strong-Huttig School District	7009049	Strong High School	41.667%
3509000	Watson Chapel School District	3509067	Watson Chapel High School	47.109%

District LE	District Name	Fname	Lname
7401000	Augusta School District	Norman	Nasser
7302000	Beebe School District	Belinda	Shook
4702000	Blytheville School District	Richard	Atwill
4304000	Cabot School District	William	Thurman
6044700	Covenantkeepers Charter School	Valerie	Tatum
3502000	Dollarway School District	Bobby	Acklin
2002000	Fordyce School District	Donny	Collins
6201000	Forrest City School District	Joye	Hughes
6601000	Fort Smith School District	Benny	Gooden
5403000	Helena/ W.Helena School Dist.	Suzanne	McCommon
2603000	Hot Springs School District	Joyce	Craft
6001000	Little Rock School District	Dexter	Suggs
5404000	Marvell-Elaine School District	Ruth	Denson
4713000	Osceola School District	Michael	Cox
3505000	Pine Bluff School District	Linda	Watson
6003000	Pulaski County Special School Distr	Jerry	Guess
5206000	Stephens School District	Patsy	Hughey
7009000	Strong-Huttig School District	Saul	Lusk
	Watson Chapel School District	Danny	Hazelwood

Mar 24, 2014

Address	City	State	Zip	
320 Sycamore	Augusta	AR	72006	870-347-2241
1201 W. Center St.	Beebe	AR	72012	501-882-5463
P.O. Box 1169	Blytheville	AR	72316	870-762-2053
602 North Lincoln	Cabot	AR	72023	501-843-3363
5615 Geyer Springs Rd	Little Rock	AR	72209	501-682-7550
4900 Dollarway Road	Pine Bluff	AR	71602	870-534-7003
P O Box 706	Fordyce	AR	71742	870-352-3005
625 Irving Street	Forrest City	AR	72335	870-633-1485
P.O. Box 1948	Fort Smith	AR	72902	479-785-2501
305 Valley Drive	Helena	AR	72342	870-338-4425
400 Linwood Avenue	Hot Springs	AR	71913	501-624-3372
810 W. Markham St.	Little Rock	AR	72201	501-447-1002
P O Box 1870	Marvell	AR	72366	870-829-2101
P O Box 528	Osceola	AR	72370	870-563-2561
512 South Pine	Pine Bluff	AR	71601	870-543-4203
925 E. Dixon Rd	Little Rock	AR	72206	501-234-2002
315 W Chert St	Stephens	AR	71764	870-786-5443
P O Box 735	Strong	AR	71765	870-797-3040
4100 Camden Rd	Pine Bluff	AR	71603	870-879-0220

12:19:58 PM

District LE	School	Fname	Lname
	Augusta School District	Debbie	Briscoe
	Beebe School District	Harold	Davis
	Blytheville School District	Tommy	Bennett Jr.
	Cabot School District	Mark	Russell
	Covenantkeepers Charter School	Cynthia	Townsend
	Dollarway School District	Tom	Kimbrell
	Fordyce School District	Mark	Klappenbach
	Forrest City School District	Joey	Astin
	Fort Smith School District	Jeannie	Cole
	Helena/ W.Helena School Dist.	Tom	Kimbrell
	Hot Springs School District	Nathaniel	Freeman
	Little Rock School District	Greg	Adams
	Marvell-Elaine School District	Clyde	Williams
	Osceola School District	Terry	Cole
	Pine Bluff School District	Piccola	Washington
	Pulaski County Special School District	Tom	Kimbrell
	Stephens School District	Erma	Brown
	Strong-Huttig School District	Cindy	Smith
	Watson Chapel School District	Donnie	Hartsfield

Address	City	State	Zip
996 S. 4th Street	Augusta	AR	72006
121 Hebel Lane	Mcrae	AR	72102
1116 Hickory Lane	Blytheville	AR	72315
407 Birddog	Ward	AR	72176
6004 Baseline Road	Little Rock	AR	72209
1803 Garner Road	Fordyce	AR	71742
100 Sfc 770	Forrest City	AR	72335
7410 Oxford Place	Fort Smith	AR	72903
207 Hermlee Street	Hot Springs	AR	71913
2413 Gristmill Road	Little Rock	AR	72227
P O Box 287	Elaine	AR	72333
115 Gary Lynn	Osceola	AR	72370
1205 South Utah Street	Pine Bluff	AR	71601
	Little Rock	AR	72206
125 Mockingbird Lane	Stephens	AR	71764
2134 Aurelle Road	Strong	AR	71765
8455 Sulphur Springs	Pine Bluff	AR	71603



ARKANSAS DEPARTMENT OF EDUCATION

June 18, 2014

Dr. Tom W. Kimbrell
Commissioner

State Board
of Education

Brenda Gullett
Fayetteville
Chair

Sam Ledbetter
Little Rock
Vice Chair

Dr. Jay Barth
Little Rock

Joe Black
Newport

Alice Mahony
El Dorado

Toyce Newton
Crossett

Mireya Reith
Fayetteville

Vicki Saviers
Little Rock

Diane Zook
Melbourne

Ms. Dana Higdon, Superintendent
Mulberry/Pleasant View Bi-County Public Schools
424 Alma Avenue
Mulberry, AR 72947

**Re: HEARING NOTICE LETTER
Mulberry/Pleasant View Bi-County School District Petition**

Dear Superintendent Higdon:

On June 13, 2014, I received the June 12, 2014 resolution of the Mulberry/Pleasant View Bi-County School Board (School Board), which requests that the State Board of Education (State Board) allow the School Board to decrease in number from seven (7) members to five (5) members. The School Board made the request pursuant to Ark. Code Ann. § 6-13-634.

This letter is to inform you that the State Board will consider this request during its scheduled meeting on **Thursday, July 10, 2014, in the auditorium of the Arkansas Department of Education-Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas, at 10:00 a.m.** You should plan to attend the State Board meeting to answer any questions the members of State Board may have.

The State Board will conduct this hearing pursuant to Ark. Code Ann. § 6-13-634. Pursuant to that statute, the State Board may enter an order to decrease the number of directors for the school district "[u]pon a showing that the . . . decrease will be for the benefit of the school district petitioning for it."

Thank you for your attention to this matter. Please contact me at (501) 682-4227 should you have any questions or require additional information.

Respectfully,

Jeremy C. Lasiter
General Counsel

Four Capitol Mall
Little Rock, AR
72201-1019
(501) 682-4475
ArkansasEd.org

cc: Mr. Tony Wood, Deputy Commissioner of Education
Ms. Deborah Coffman, ADE Chief of Staff and State Board Liaison

Mulberry/Pleasant View Bi-County School Board

Resolution for Board Reduction

Ark. Code Ann. §6-13-634

WHEREAS the Mulberry/Pleasant View Bi-County School District Board of Directors met in a regular, open, and properly-called meeting on June 12, 2014, at Mulberry, Arkansas;

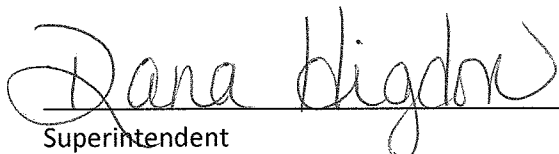
WHEREAS 5 members were present, a quorum was declared by the Chair;

WHEREAS the Board of Directors had a discussion about reducing the size of the School Board from seven (7) members to five (5) members;

WHEREAS the Board of Directors received a recommendation to adopt a resolution to petition the State Board of Education to reduce the number of members from seven (7) to five (5) due to the size of the District and its voting population (Ark. Code Ann. §6-13-634);

WHEREAS the Board, after all due consideration, moved to approve the Petition to reduce the size of the Board;

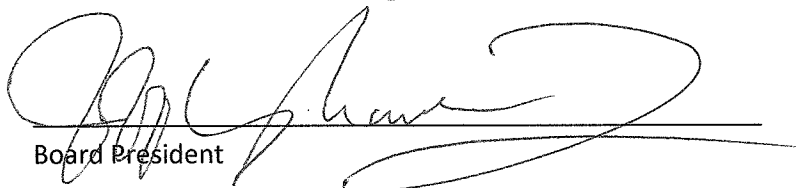
THEREFORE, due to the specific reasons cited above, it is hereby declared to be the intent of the Mulberry/Pleasant View Bi-County School District Board of Directors to petition the State Board of Education to reduce the size of the Board from seven (7) to five (5) members.



Superintendent

6/12/14

Date



Board President

6/12/14

Date

LEGAL'S

Mulberry/ Pleasant View
Bi-County School Board
has petitioned the State
Board of Education to re-
duce the size of the
Board from seven (7) to
Five (5) members.
Published in the June 18,
2014 issue of the Press
Argus-Courier.

PRESS ARGUS-COURIER

PO Box 369

Van Buren, Arkansas 72957

(479) 474-5215

PROOF OF PUBLICATION

State of Arkansas
County of Crawford

I, Kim Hattaway, Publisher of the Press Argus-Courier, a newspaper in said County and State, and having
general circulation therein, hereby certify that the annexed advertisement was published in said newspaper
one time, on the **18th** day of **June**, 2014

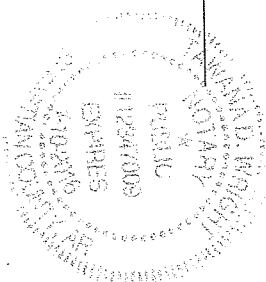
Publisher's Fee \$ 12.16

Kim Hattaway
Publisher

Subscribed and sworn to before me this 20th day of June, 2014.

My Commission expires
April 10, 2016

Savanna D. Wright
Notary Public





Listening. Learning. Leading.

Multistate Standard-Setting Technical Report

PRAXIS™ EDUCATION OF YOUNG CHILDREN (5024)

Licensure and Credentialing Research

ETS

Princeton, New Jersey

February 2014

EXECUTIVE SUMMARY

To support the decision-making process of education agencies establishing a passing score (cut score) for the Praxis™ Education of Young Children (5024) test, research staff from Educational Testing Service (ETS) designed and conducted a multistate standard-setting study.

PARTICIPATING STATES

Panelists from 16 states were recommended by their respective education agencies. The education agencies recommended panelists with (a) experience as either early childhood teachers or college faculty who prepare early childhood teachers and (b) familiarity with the knowledge and skills required of beginning early childhood teachers.

RECOMMENDED PASSING SCORE

ETS provides a recommended passing score from the multistate standard-setting study to help education agencies determine an appropriate operational passing score. For the Praxis Education of Young Children test, the recommended passing score¹ is 81 out of a possible 125 raw-score points. The scaled score associated with a raw score of 81 is 160 on a 100–200 scale.

¹ Results from the two panels participating in the study were averaged to produce the recommended passing score.

To support the decision-making process for education agencies establishing a passing score (cut score) for the Praxis™ Education of Young Children (5024) test, research staff from ETS designed and conducted a multistate standard-setting study in February, 2014 in Princeton, New Jersey. Education agencies² recommended panelists with (a) experience as either early childhood teachers or college faculty who prepare early childhood teachers and (b) familiarity with the knowledge and skills required of beginning early childhood teachers. Sixteen states (Table 1) were represented by 28 panelists. (See Appendix A for the names and affiliations of the panelists.)

Table 1
Participating States and Number of Panelists

Arkansas (2 panelists)	Nebraska (3 panelists)
Connecticut (1 panelist)	Nevada (1 panelist)
Delaware (1 panelist)	New Hampshire (2 panelists)
Hawaii (1 panelist)	Rhode Island (1 panelist)
Kansas (2 panelists)	South Carolina (3 panelists)
Louisiana (2 panelists)	Tennessee (1 panelist)
Maine (2 panelists)	West Virginia (2 panelists)
Mississippi (2 panelists)	Wyoming (2 panelists)

The following technical report contains three sections. The first section describes the content and format of the test. The second section describes the standard-setting processes and methods. The third section presents the results of the standard-setting study.

ETS provides a recommended passing score from the multistate standard-setting study to education agencies. In each state, the department of education, the board of education, or a designated educator licensure board is responsible for establishing the operational passing score in accordance with applicable regulations. This study provides a recommended passing score,³ which represents the combined judgments of two panels of experienced educators. Each state may want to consider the recommended passing score but also other sources of information when setting the final Praxis Education of Young Children passing score (see Geisinger & McCormick, 2010). A state may accept the

² States and jurisdictions that currently use Praxis were invited to participate in the multistate standard-setting study.

³ In addition to the recommended passing score averaged across the two panels, the recommended passing scores for each panel are presented.

recommended passing score, adjust the score upward to reflect more stringent expectations, or adjust the score downward to reflect more lenient expectations. There is no *correct* decision; the appropriateness of any adjustment may only be evaluated in terms of its meeting the states' needs.

Two sources of information to consider when setting the passing score are the standard error of measurement (SEM) and the standard error of judgment (SEJ). The former addresses the reliability of the Praxis Education of Young Children test score and the latter, the reliability of panelists' passing-score recommendation. The SEM allows a state to recognize that any test score on any standardized test—including a Praxis Education of Young Children test score—is not perfectly reliable. A test score only *approximates* what a candidate truly knows or truly can do on the test. The SEM, therefore, addresses the question: How close of an approximation is the test score to the *true* score? The SEJ allows a state to gauge the likelihood that the recommended passing score from a particular panel would be similar to the passing scores recommended by other panels of experts similar in composition and experience. The smaller the SEJ, the more likely that another panel would recommend a passing score consistent with the recommended passing score. The larger the SEJ, the less likely the recommended passing score would be reproduced by another panel.

In addition to measurement error metrics (e.g., SEM, SEJ), each state should consider the likelihood of classification errors. That is, when adjusting a passing score, policymakers should consider whether it is more important to minimize a false-positive decision or to minimize a false-negative decision. A false-positive decision occurs when a candidate's test score suggests that he should receive a license/certificate, but his actual level of knowledge/skills indicates otherwise (i.e., the candidate does not possess the required knowledge/skills). A false-negative decision occurs when a candidate's test score suggests that she should not receive a license/certificate, but she actually does possess the required knowledge/skills. The state needs to consider which decision error is more important to minimize.

OVERVIEW OF THE PRAXIS EDUCATION OF YOUNG CHILDREN TEST

The Praxis Education of Young Children *Test at a Glance* document (ETS, in press) describes the purpose and structure of the test. In brief, the test measures whether entry-level early childhood teachers have the knowledge/skills believed necessary for competent professional practice.

The two and a half hour test contains 120 selected-response items⁴ and three constructed-response items covering six content areas: *Child Development and Learning* (approximately 25 selected-response items), *Observation, Documentation and Assessment* (approximately 19 selected-response items), *Developmentally Appropriate Practices* (approximately 19 selected-response items), *Professionalism, Family and Community* (approximately 19 selected-response items), *Content Pedagogy and Knowledge* (approximately 38 selected-response items), and *Knowledge of Teaching* (3 constructed-response items).⁵ The reporting scale for the Praxis Education of Young Children test ranges from 100 to 200 scaled-score points.

PROCESSES AND METHODS

The design of the standard-setting study included two, independent expert panels. Before the study, panelists received an email explaining the purpose of the standard-setting study and requesting that they review the content specifications for the test. This review helped familiarize the panelists with the general structure and content of the test.

For each panel, the standard-setting study began with a welcome and introduction by the meeting facilitator. The facilitator described the test, provided an overview of standard setting, and presented the agenda for the study. Appendix B shows the agenda for the panel meeting.

⁴ Twenty of the 120 selected-response items are pretest items and do not contribute to a candidate's score.

⁵ The number of selected-response items for each content area may vary slightly from form to form of the test.

REVIEWING THE TEST

The standard-setting panelists first reviewed the test and then discussed it. This discussion helped bring the panelists to a shared understanding of what the test does and does not cover, which serves to reduce potential judgment errors later in the standard-setting process.

The test discussion covered the major content areas being addressed by the test. Panelists were asked to remark on any content areas that would be particularly challenging for entry-level teachers or areas that address content particularly important for entry-level teachers.

DESCRIBING THE JUST QUALIFIED CANDIDATE

Following the review of the test, panelists described the just qualified candidate. The *just qualified candidate description* plays a central role in standard setting (Perie, 2008); the goal of the standard-setting process is to identify the test score that aligns with this description.

Panel 1 created a description of the just qualified candidate — the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate. To create this description, the panel first split into smaller groups to consider the just qualified candidate. The full panel then reconvened and, through whole-group discussion, created the description of the just qualified candidate to use for the remainder of the study.

The written description of the just qualified candidate summarized the panel discussion in a bulleted format. The description was not intended to describe all the knowledge and skills of the just qualified candidate but only highlight those that differentiate a *just* qualified candidate from a *not quite* qualified candidate. The written description was distributed to panelists to use during later phases of the study (see Appendix C for the just qualified candidate description).

For Panel 2, the panelists began with the description of the just qualified candidate developed by Panel 1. Given that the multistate standard-setting study was designed to provide two recommendations for the same performance standard, it was important that panels use a consistent just qualified candidate description to frame their judgments. The panelists reviewed the just qualified candidate description, and any ambiguities were discussed and clarified.

PANELISTS' JUDGMENTS

The Praxis Education of Young Children test includes both dichotomously scored selected-response and constructed-response items. Panelists received training in two distinct standard-setting approaches: one standard-setting approach for the dichotomously scored items and another approach for the constructed-response items.

A panel's passing score is the sum of the interim passing scores recommended by the panelists for (a) the dichotomously scored items and (b) the constructed-response items. As with scoring and reporting, the panelists' judgments for the constructed-response items were weighted such that they contributed 20% of the overall score.

Dichotomously scored items. The standard-setting process for the dichotomously scored items was a probability-based Modified Angoff method (Brandon, 2004; Hambleton & Pitoniak, 2006). In this study, each panelist judged each item on the likelihood (probability or chance) that the just qualified candidate would answer the item correctly. Panelists made their judgments using the following rating scale: 0, .05, .10, .20, .30, .40, .50, .60, .70, .80, .90, .95, 1. The lower the value, the less likely it is that the just qualified candidate would answer the item correctly because the item is difficult for the just qualified candidate. The higher the value, the more likely it is that the just qualified candidate would answer the item correctly.

Panelists were asked to approach the judgment process in two stages. First, they reviewed both the description of the just qualified candidate and the item and decided if, overall, the item would be difficult for the just qualified candidate, easy for the just qualified candidate or moderately difficult/easy. The facilitator encouraged the panelists to consider the following rules of thumb to guide their decision:

- Difficult items for the just qualified candidate are in the 0 to .30 range.
- Moderately difficult/easy items for the just qualified candidate are in the .40 to .60 range.
- Easy items for the just qualified candidate are in the .70 to 1 range.

Next, panelists decided how to refine their judgment within the range. For example, if a panelist thought that an item would be easy for the just qualified candidate, the initial decision located the item in the .70 to 1 range. The second decision for the panelist was to decide if the likelihood of answering it correctly is .70, .80, .90, .95 or 1.

After the training, panelists made practice judgments and discussed those judgments and their rationale. All panelists completed a post-training survey to confirm that they had received adequate training and felt prepared to continue; the standard-setting process continued only if all panelists confirmed their readiness.

Constructed-response items. An Extended Angoff method (Cizek & Bunch, 2007; Hambleton & Plake, 1995) was used for the constructed-response items. For this portion of the study, a panelist decided on the assigned score value that would most likely be earned by the just qualified candidate for each constructed-response item. Panelists were asked first to review the definition of the just qualified candidate and then to review the constructed-response item and its rubric. The rubric for a constructed-response item defines (holistically) the quality of the evidence that would merit a response earning a particular score. During this review, each panelist independently considered the level of knowledge/skill required to respond to the constructed-response item and the features of a response that would earn a particular score, as defined by the rubric. Each panelist decided on the score most likely to be earned by the just qualified candidate from the possible values a test taker can earn.

A test-taker's response to a constructed-response item is independently scored by two raters, and the sum of the raters' scores is the assigned score⁶; possible scores, therefore, range from zero (both raters assigned a score of zero) to six (both raters assigned a score of three). For their ratings, each panelist decided on the score most likely to be earned by a just qualified candidate from the following possible values: 0, 1, 2, 3, 4, 5, or 6. For each of the constructed-response item, panelists recorded the score (0 through 6) that a just qualified candidate would most likely earn.

After the training, panelists made practice judgments and discussed those judgments and their rationale. All panelists completed a post-training survey to confirm that they had received adequate training and felt prepared to continue; the standard-setting process continued only if all panelists confirmed their readiness.

Multiple Rounds. Following this first round of judgments (*Round 1*), item-level feedback was provided to the panel. The panelists' judgments were displayed for each item and summarized across panelists. For dichotomously scored items, items were highlighted to show when panelists converged in

⁶ If the two raters' scores differ by more than one point (non-adjacent), the Chief Reader for that item assigns the score, which is then doubled.

their judgments (at least two-thirds of the panelists located an item in the same difficulty range) or diverged in their judgments.

The panelists discussed their item-level judgments. These discussions helped panelists maintain a shared understanding of the knowledge/skills of the just qualified candidate and helped to clarify aspects of items that might not have been clear to all panelists during the Round 1 judgments. The purpose of the discussion was not to encourage panelists to conform to another's judgment, but to understand the different relevant perspectives among the panelists.

In Round 2, panelists discussed their Round 1 judgments and were encouraged by the facilitator (a) to share the rationales for their judgments and (b) to consider their judgments in light of the rationales provided by the other panelists. Panelists recorded their Round 2 judgments only for items when they wished to change a Round 1 judgment. Panelists' final judgments for the study, therefore, consist of their Round 1 judgments and any adjusted judgments made during Round 2.

Other than the description of the just qualified candidate, results from Panel 1 were not shared with Panel 2. The item-level judgments and resulting discussions for Panel 2 were independent of judgments and discussions that occurred with Panel 1.

RESULTS

EXPERT PANELS

Table 2 presents a summary of the panelists' demographic information. The panel included 28 educators representing 16 states. (See Appendix A for a listing of panelists.) Nine panelists were teachers, 14 were college faculty, and five were administrators or department heads. All fourteen faculty members' job responsibilities included the training of early childhood teachers.

The number of experts by panel and their demographic information are presented in Appendix D (Table D1).

Table 2
Panel Member Demographics (Across Panels)

	<i>N</i>	<i>%</i>
Current position		
Teacher	9	32%
Administrator/Department head	5	18%
College faculty	14	50%
Race		
White	23	82%
Black or African American	2	7%
Hispanic or Latino	1	4%
Asian or Asian American	2	7%
Gender		
Female	27	96%
Male	1	4%
Are you currently certified to teach this subject in your state?		
Yes	15	54%
No	13	46%
Are you currently teaching this subject in your state?		
Yes	23	82%
No	5	18%
Are you currently supervising or mentoring other teachers of this subject?		
Yes	23	82%
No	5	18%
Including this year, how many years of experience do you have teaching this subject?		
3 years or less	2	7%
4–7 years	5	18%
8–11 years	3	11%
12–15 years	4	14%
16 years or more	14	50%
If you are college faculty, are you currently involved in the training/preparation of teacher candidates in this subject?		
Yes	14	50%
No	0	0%
Not college faculty	14	50%

STANDARD-SETTING JUDGMENTS

Table 3 summarizes the standard-setting judgments (Round 2) of panelists. The table also includes estimates of the measurement error associated with the judgments: the standard deviation of the mean and the standard error of judgment (SEJ). The SEJ is one way of estimating the reliability or consistency of a panel's standard-setting judgments.⁷ It indicates how likely it would be for several other panels of educators similar in makeup, experience, and standard-setting training to the current panel to recommend the same passing score on the same form of the test. The confidence intervals created by adding/subtracting two SEJs to each panel's recommended passing score overlap, indicating that they may be comparable.

Panelist-level results, for Rounds 1 and 2, are presented in Appendix D (Table D2).

Table 3
Summary of Round 2 Standard-setting Judgments

	Panel 1	Panel 2
Average	83.00	78.60
Lowest	75.59	60.36
Highest	93.56	91.24
SD	6.08	6.83
SEJ	1.75	1.71

Round 1 judgments are made without discussion among the panelists. The most variability in judgments, therefore, is typically present in the first round. Round 2 judgments, however, are informed by panel discussion; thus, it is common to see a decrease in both the standard deviation and SEJ. This decrease — indicating convergence among the panelists' judgments — was observed for each panel (see Table D2 in Appendix D). The Round 2 average score is the panel's recommended passing score.

⁷ An SEJ assumes that panelists are randomly selected and that standard-setting judgments are independent. It is seldom the case that panelists are randomly sampled, and only the first round of judgments may be considered independent. The SEJ, therefore, likely underestimates the uncertainty of passing scores (Tannenbaum & Katz, 2013).

The panels' passing score recommendations for the Praxis Education of Young Children test are 83.00 for Panel 1 and 78.60 for Panel 2 (out of a possible 125 raw-score points). The values were rounded to the next highest whole number, to determine the functional recommended passing score — 83 for Panel 1 and 79 for Panel 2. The scaled scores associated with 83 and 79 raw points are 162 and 158, respectively.

In addition to the recommended passing score for each panel, the average passing score across the two panels is provided to help education agencies determine an appropriate passing score. The panels' average passing score recommendation for the Praxis Education of Young Children test is 80.80 (out of a possible 125 raw-score points). The value was rounded to 81 (next highest raw score) to determine the functional recommended passing score. The scaled score associated with 81 raw points is 160.

Table 4 presents the estimated conditional standard error of measurement (CSEM) around the recommended passing score. A standard error represents the uncertainty associated with a test score. The scaled scores associated with one and two CSEMs above and below the recommended passing score are provided. The conditional standard error of measurement provided is an estimate.

Table 4
Passing Scores Within 1 and 2 CSEMs of the Recommended Passing Score⁸

Recommended passing score (CSEM)		Scale score equivalent
	81 (5.12)	160
-2 CSEMs	71	149
-1 CSEM	76	154
+ 1 CSEM	87	166
+ 2 CSEMs	92	171

Note. CSEM = conditional standard error of measurement.

⁸ The unrounded CSEM value is added to or subtracted from the rounded passing-score recommendation. The resulting values are rounded up to the next-highest whole number and the rounded values are converted to scaled scores.

FINAL EVALUATIONS

The panelists completed an evaluation at the conclusion of their standard-setting study. The evaluation asked the panelists to provide feedback about the quality of the standard-setting implementation and the factors that influenced their decisions. The responses to the evaluation provided evidence of the validity of the standard-setting process, and, as a result, evidence of the reasonableness of the recommended passing score.

Panelists were also shown the panel's recommended passing score and asked (a) how comfortable they are with the recommended passing score and (b) if they think the score was too high, too low, or about right. A summary of the final evaluation results is presented in Appendix D.

All panelists *strongly agreed* or *agreed* that they understood the purpose of the study. Twenty-six of the 28 panelists *strongly agreed* or *agreed* that the facilitator's instructions and explanations were clear and they were prepared to make their standard-setting judgments. Twenty-seven of the 28 panelists *strongly agreed* or *agreed* that the standard-setting process was easy to follow.

All of the panelists indicated they were at least *somewhat comfortable* with the passing score they recommended; 19 of the 28 panelists were *very comfortable*. Twenty-six of the 28 panelists indicated the recommended passing score was *about right* with the remaining two panelists indicating that the passing score was *too low*.

SUMMARY

To support the decision-making process for education agencies establishing a passing score (cut score) for the Praxis Education of Young Children test, research staff from ETS designed and conducted a multistate standard-setting study.

ETS provides a recommended passing score from the multistate standard-setting study to help education agencies determine an appropriate operational passing score. For the Praxis Education of Young Children test, the recommended passing score⁹ is 81 out of a possible 125 raw-score points. The scaled score associated with a raw score of 81 is 160 on a 100–200 scale.

⁹ Results from the two panels participating in the study were averaged to produce the recommended passing score.

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APPENDIX A

PANELISTS' NAMES & AFFILIATIONS

Participating Panelists With Affiliation

<u>Panelist</u>	<u>Affiliation</u>
Dawn E. Alexander	Warner Elementary School (DE)
Lisa Baker	West Virginia University Parkersburg (WV)
Paige Bray	University of Hartford (CT)
Monica Brown	Oakhaven Elementary School (TN)
Michelle Buchanan	University of Wyoming (WY)
Christina Buford	Watkins Elementary School (MS)
Patricia Cantor	Plymouth State University (NH)
Eun Kyeong Cho	University of New Hampshire (NH)
Jennifer Douell	Clinton Public Schools (MS)
Bronwyn Fees	Kansas State University (KS)
Melanie K. Felton	College of Saint Mary (NE)
Julie Goggin	South Kingstown Inclusionary Preschool (RI)
Joanna Grymes	Arkansas State University (AR)
Elizabeth Hope Halfacre-Bryant	Lexington School District One-Pleasant Hill Elementary School (SC)
Beth Hatcher	University of Maine at Farmington (ME)
Shelli Henehan	University of the Ozarks (AR)
Donna Karno	University of Maine at Farmington (ME)
Catie Limbach	Crawford Public Schools (NE)
Christine Marvin	University of Nebraska Lincoln (NE)
Sydney Montoya	Basic Beginnings (WY)
Dale Niederhauser	West Virginia University (WV)
Elizabeth Park	Chaminade University of Honolulu (HI)
Kim Richardson	Kelly Edwards Elementary (SC)
Anna Severens	Nevada Department of Education (NV)
Ivy Starns	Louisiana Department of Education (LA)
Sara J. Stroup	Fort Hays State University (KS)
Kelley White	College of Charleston (SC)
Emily Williamson	University of Louisiana at Monroe (LA)

APPENDIX B

STUDY AGENDA

AGENDA

Praxis Education of Young Children (5024) Standard-Setting Study

Day 1

Welcome and Introduction
Overview of Standard Setting and the Praxis Education of Young Children Test
Review the Praxis Education of Young Children Test
Discuss the Praxis Education of Young Children Test
Break
Discuss the Just Qualified Candidate (JQC)
Create the JQC Description
Lunch
Create the JQC Description (continued)
Break
Discuss & finalize JQC description
Training for Selected-Response (SR) judgments
Practice judgments & discuss
Round 1 SR Judgments
Collect Materials; End of Day 1

Day 2

Overview of Day 2
Training of Constructed-Response (CR) judgments
Practice CR judgments & discuss
Round 1 CR judgments
Discuss judgments and Round 2
Lunch
Discuss judgments and Round 2 (continued)
Complete Final Evaluation
Collect Materials; End of Study

APPENDIX C

JUST QUALIFIED CANDIDATE DESCRIPTION

Description of the Just Qualified Candidate¹⁰

A just qualified candidate ...

I. Child Development and Learning

1. Understands young children's age-associated characteristics and needs
2. Understands that children's development and learning is affected by multiple influences, such as the children's environments, health status and abilities, and community characteristics
3. Understands that children develop at different rates and is familiar with typical and atypical development
4. Can apply developmental knowledge to create healthy, respectful, supportive, and appropriate learning environments

II. Observation, Documentation and Assessment

1. Understands the goals, benefits and uses of assessment to inform curriculum and instruction
2. Understands different types of assessments and the advantages and disadvantages of various methods and procedures
3. Familiar with ethical and responsible assessment practices
4. Understands the need for screening, referral, evaluation and family participation to identify children who may benefit from additional support
5. Knows the importance of building two-way communication with families and colleagues to establish shared responsibilities for child-centered learning.

III. Developmentally Appropriate Practices

1. Understands how environments influence children's learning and links teaching approaches to children's individual and developmental needs

IV. Professionalism, Family and Community

1. Understands the importance of partnering with families and communities (i.e. programs, relatives, neighborhoods) to advance children's development and learning
2. Understands and uses appropriate personnel and technological resources to enhance communication and teaching approaches for children's development and learning
3. Understands the benefits of professionalism (i.e. guidelines and standards) and the importance of ongoing dynamic and reflective practices

¹⁰ Description of the just qualified candidate focuses on the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate.

Description of the Just Qualified Candidate¹¹ (continued)

A just qualified candidate ...

V. A. Language and Literacy

1. Knows how to facilitate and expand children's communication and language development
2. Knows the components and processes of emergent reading (COP, phonological awareness, phonemic awareness, comprehension, fluency, and vocabulary)
3. Knows how to develop children's understanding of features and structures of a variety of types of text and comprehension of those texts.
4. Knows strategies to integrate literacy into the content areas
5. Understands the developmental stages of writing (pre-emergent, emergent) and how to facilitate children's writing.
6. Knows how to develop children's knowledge of writing for a variety of purposes

B. Mathematics

1. Knows how to help children understand the relationship between number names and quantities
2. Knows strategies and tools that support children's learning in counting
3. Knows strategies to develop children's understanding of operations and algebraic thinking (addition & subtraction, patterns, concepts & operations)
4. Knows how to develop children's understanding of place values & representations of rational numbers and their properties
5. Knows strategies and tools to support children's understanding of measurement
6. Knows strategies and tools to help children represent and interpret data
7. Knows how to develop children's ability to analyze, compare and create one, two and three dimensional figures and shapes

¹¹ Description of the just qualified candidate focuses on the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate.

Description of the Just Qualified Candidate¹² (continued)

A just qualified candidate ...

VI. Knowledge of Teaching

1. Understands DAP
2. Can apply and give a rationale for using practices that are developmentally appropriate (age, individual, cultural)

A. Professionalism, Family and Community

1. Can provide examples of strategies and activities to encourage family and community support of children's learning
2. Can demonstrate knowledge of professionalism in reaching out to families and communities
3. Can articulate what it means to be an early childhood professional, including the ethical responsibilities

B. Observation, Documentation and Assessment

1. Can provide examples of developmentally appropriate assessment strategies
2. Can provide examples of how assessment information is used to guide instruction

C. Content Pedagogy and Knowledge

1. Can provide examples of developmentally appropriate content pedagogy

¹² Description of the just qualified candidate focuses on the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate.

APPENDIX D

RESULTS

Table D1
Panel Member Demographics (by Panel)

	Panel 1		Panel 2	
	<i>N</i>	%	<i>N</i>	%
Current position				
Teacher	4	33%	5	31%
Administrator/Department head	2	17%	3	19%
College faculty	6	50%	8	50%
Race				
White	9	75%	14	88%
Black or African American	2	17%	0	0%
Hispanic or Latino	1	8%	0	0%
Asian or Asian American	0	0%	2	13%
Gender				
Female	12	100%	15	94%
Male	0	0%	1	6%
Are you currently certified to teach this subject in your state?				
Yes	8	67%	7	44%
No	4	33%	9	56%
Are you currently teaching this subject in your state?				
Yes	9	75%	14	88%
No	3	25%	2	13%
Are you currently supervising or mentoring other teachers of this subject?				
Yes	10	83%	13	81%
No	2	17%	3	19%
Including this year, how many years of experience do you have teaching this subject?				
3 years or less	2	17%	0	0%
4–7 years	2	17%	3	19%
8–11 years	0	0%	3	19%
12–15 years	2	17%	2	13%
16 years or more	6	50%	8	50%
If you are college faculty, are you currently involved in the training/preparation of teacher candidates in this subject?				
Yes	6	50%	8	50%
No	0	0%	0	0%
Not college faculty	6	50%	8	50%

Table D2

Passing Score Summary by Round of Judgments

Panelist	Panel 1		Panel 2	
	Round 1	Round 2	Round 1	Round 2
1	73.98	76.08	74.89	77.38
2	90.06	90.89	55.82	60.36
3	75.59	75.59	71.98	73.07
4	81.04	81.44	91.24	91.24
5	75.79	76.14	89.87	88.37
6	82.37	82.67	76.59	77.78
7	83.24	81.26	81.31	78.53
8	92.94	91.07	79.17	73.69
9	80.89	79.89	73.13	75.47
10	84.27	84.47	82.37	82.42
11	82.03	82.93	82.42	81.42
12	93.06	93.56	74.92	76.72
13			80.36	81.16
14			81.57	81.07
15			82.07	81.17
16			79.38	77.79
Average	82.94	83.00	78.57	78.60
Lowest	73.98	75.59	55.82	60.36
Highest	93.06	93.56	91.24	91.24
SD	6.39	6.08	8.05	6.83
SEJ	1.85	1.75	2.01	1.71

Table D3***Final Evaluation: Panel 1***

	Strongly agree		Agree		Disagree		Strongly disagree	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• I understood the purpose of this study.	10	83%	2	17%	0	0%	0	0%
• The instructions and explanations provided by the facilitator were clear.	10	83%	2	17%	0	0%	0	0%
• The training in the standard-setting method was adequate to give me the information I needed to complete my assignment.	11	92%	1	8%	0	0%	0	0%
• The explanation of how the recommended passing score is computed was clear.	9	75%	3	25%	0	0%	0	0%
• The opportunity for feedback and discussion between rounds was helpful.	12	100%	0	0%	0	0%	0	0%
• The process of making the standard-setting judgments was easy to follow.	9	75%	3	25%	0	0%	0	0%

Table D3 (continued)
Final Evaluation: Panel 1

How influential was each of the following factors in guiding your standard-setting judgments?	Very influential		Somewhat influential		Not influential			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• The description of the just qualified candidate	11	92%	1	8%	0	0%		
• The between-round discussions	7	58%	5	42%	0	0%		
• The knowledge/skills required to answer each test item	10	83%	2	17%	0	0%		
• The passing scores of other panel members	3	25%	8	67%	1	8%		
• My own professional experience	8	67%	4	33%	0	0%		
	Very comfortable		Somewhat comfortable		Somewhat uncomfortable		Very uncomfortable	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• Overall, how comfortable are you with the panel's recommended passing score?	10	83%	2	17%	0	0%	0	0%
	Too low		About right		Too high			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• Overall, the recommended passing score is:	1	8%	11	92%	0	0%		

Table D4***Final Evaluation: Panel 2***

	Strongly agree		Agree		Disagree		Strongly disagree	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• I understood the purpose of this study.	14	88%	2	13%	0	0%	0	0%
• The instructions and explanations provided by the facilitator were clear.	11	69%	3	19%	2	13%	0	0%
• The training in the standard-setting method was adequate to give me the information I needed to complete my assignment.	9	56%	5	31%	1	6%	1	6%
• The explanation of how the recommended passing score is computed was clear.	10	63%	6	38%	0	0%	0	0%
• The opportunity for feedback and discussion between rounds was helpful.	15	94%	1	6%	0	0%	0	0%
• The process of making the standard-setting judgments was easy to follow.	6	38%	9	56%	1	6%	0	0%

Table D4 (continued)
Final Evaluation: Panel 2

How influential was each of the following factors in guiding your standard-setting judgments?	Very influential		Somewhat influential		Not influential			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• The description of the just qualified candidate	13	81%	3	19%	0	0%		
• The between-round discussions	13	81%	3	19%	0	0%		
• The knowledge/skills required to answer each test item	14	88%	2	13%	0	0%		
• The passing scores of other panel members	7	44%	6	38%	3	19%		
• My own professional experience	10	63%	5	31%	1	6%		
	Very comfortable		Somewhat comfortable		Somewhat uncomfortable		Very uncomfortable	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• Overall, how comfortable are you with the panel's recommended passing score?	9	56%	7	44%	0	0%	0	0%
	Too low		About right		Too high			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• Overall, the recommended passing score is:	1	6%	15	94%	0	0%		

Arkansas State Review

Early Childhood Special Education Integrated (Birth-Kindergarten) Licensure Tests:

Praxis™ Interdisciplinary Early Childhood Education (5023)

Praxis™ Education of Young Children (5024)

Recent changes to the Arkansas Department of Education (ADE) licensure structure include the addition of an Integrated Early Childhood/Special Education license for Birth-Kindergarten (B-K) to replace the previous Early Childhood P-4 and the Special Education: Early Childhood Instructional Specialist P-4 licenses. This change created the need for the adoption of new Praxis assessments for the EC/ECSE license. The Educational Testing Service (ETS) offers several assessment options that could meet this need.

A committee of early childhood and special education representatives from the ADE, the Department of Human Services (DHS), teacher training institutions, and P-12 schools met in fall 2013 and reviewed the various assessments that ETS had to offer. The committee selected the Praxis II: Interdisciplinary Early Childhood Education assessment (5023) and the Praxis II: Education of Young Children assessment (5024) to recommend for adoption. ETS staff conducted a state test review in February 2014 and a follow up meeting in April 2014 with a panel comprised of early childhood teachers, special education teachers, representatives from the ADE and the DHS for the purpose of studying the specifications and establishing minimum passing scores (cut scores) for the respective assessments.

From the state test review meetings the following assessments and respective cut scores are recommended for the Integrated Early Childhood/Special Education (B-K) license:

Praxis™ Interdisciplinary Early Childhood Education (5023)

The two hour assessment contains 100 multiple-choice questions covering six content areas:

1. Growth and Development of Young Children across the Spectrum of Development (24 questions);
2. Educational and Service Requirements for Children with a Range of Abilities and Special Needs (19-20 questions);
3. Curriculum, Instruction, and Assessment for Young Children (26-27 questions);
4. Play and Learning Environment for Young Children (24 questions);
5. Collaboration with Families and Colleagues (14-15 questions); and
6. Professionalism and Growth through Professional Development (11-12 questions).

A data sheet indicating pass rates for the past three years for various groups on the Praxis II: Interdisciplinary Early Childhood Education assessment (5023) is attached.

The review panel recommends a passing score of 160 (100 - 200 point range) for the Praxis™ Interdisciplinary Early Childhood Education (5023) test.

Praxis™ Education of Young Children (5024)

The two and a half hour assessment contains 120 selected-response items and three constructed-response items covering six content areas:

1. Child Development and Learning (approximately 25 selected-response items);
2. Observation, Documentation and Assessment (approximately 19 selected-response items);
3. Developmentally Appropriate Practices (approximately 19 selected-response items);
4. Professionalism, Family and Community (approximately 19 selected-response items);
5. Content Pedagogy and Knowledge (approximately 38 selected-response items); and
6. Knowledge of Teaching (3 constructed-response items).

The review panel recommends a passing score of 160 (100 - 200 point range) for the Praxis™ Education of Young Children (5024) test.

Interdisciplinary Early Childhood Education #0023/5023

Prepared for Arkansas Test Review

Total for All Test Takers

	2013-2014	2012-2013	2011-2012	
Number of Individuals	114	230	170	
Pass Rate Percentage @ 160	96.5	97.0	95.9	
Pass Rate Percentage @ 165	93.9	95.7	89.4	
Pass Rate Percentage @ 170	88.6	87.8	82.9	
Mean	178.4	179.3	178.5	

Number of states using #0023/5023: 2
Passing Score Range: 166 - 170

IA - 170

KY - 166

Ethnic Group Breakouts – African American or Black

	2013-2014	2012-2013	2011-2012	
Number of Individuals	10	10	12	
Pass Rate Percentage @ 160	80.0	60	83.3	
Pass Rate Percentage @ 165	40.0	60	41.7	
Pass Rate Percentage @ 170	40.0	20	33.3	
Mean	168.4	163.9	165.5	

Ethnic Group Breakouts - White

	2013-2014	2012-2013	2011-2012	
Number of Individuals	100	202	141	
Pass Rate Percentage @ 160	97.0	99.0	96.5	
Pass Rate Percentage @ 165	95.0	97.5	92.2	
Pass Rate Percentage @ 170	92.0	91.1	85.8	
Mean	179.0	180.2	179.3	

Gender– Male

	2013-2014	2012-2013	2011-2012	
Number of Individuals	0	1	1	

Gender - Female

Number of Individuals	114	229	169	
Pass Rate Percentage @ 160	96.5	96.9	95.9	
Pass Rate Percentage @ 165	93.9	95.6	89.4	
Pass Rate Percentage @ 170	88.6	87.8	82.8	
Mean	178.4	179.3	178.5	

Teacher Prep Program Description – Undergraduate

	2013-2014	2012-2013	2011-2012	
Number of Individuals	97	153	110	
Pass Rate Percentage @ 160	96.9	97.4	95.5	
Pass Rate Percentage @ 165	93.8	95.4	90	
Pass Rate Percentage @ 170	88.7	87.6	80.9	
Mean	178.0	178.9	177.8	

Teacher Prep Program Description – Master's Degree Program

Number of Individuals	9	52	35	
Pass Rate Percentage @ 160	100	98.1	97.1	
Pass Rate Percentage @ 165	100	98.1	94.3	
Pass Rate Percentage @ 170	88.9	96.2	91.4	
Mean	180.4	183.0	181.3	



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Multistate Standard-Setting Technical Report

PRAXIS™ GIFTED EDUCATION (5358)

Licensure and Credentialing Research

ETS

Princeton, New Jersey

November 2013

EXECUTIVE SUMMARY

To support the decision-making process of education agencies establishing a passing score (cut score) for the Praxis™ Gifted Education (5358) test, research staff from Educational Testing Service (ETS) designed and conducted a multistate standard-setting study.

PARTICIPATING STATES

Panelists from seven states were recommended by their respective education agencies. The education agencies recommended panelists with (a) experience as either gifted education teachers or college faculty who prepare gifted education teachers and (b) familiarity with the knowledge and skills required of beginning gifted education teachers.

RECOMMENDED PASSING SCORE

ETS provides a recommended passing score from the multistate standard-setting study to help education agencies determine an appropriate operational passing score. For the Praxis Gifted Education test, the recommended passing score is 65 out of a possible 100 raw-score points. The scaled score associated with a raw score of 65 is 157 on a 100–200 scale.

To support the decision-making process for education agencies establishing a passing score (cut score) for the Praxis™ Gifted Education (5358) test, research staff from ETS designed and conducted a multistate standard-setting study in November 2013 in Princeton, New Jersey. Education agencies¹ recommended panelists with (a) experience as either gifted education teachers or college faculty who prepare gifted education teachers and (b) familiarity with the knowledge and skills required of beginning gifted education teachers. Seven states (Table 1) were represented by 18 panelists. (See Appendix A for the names and affiliations of the panelists.)

Table 1

Participating states and Number of Panelists

Arkansas (3 panelists)	Maine (3 panelists)
Delaware (1 panelist)	North Dakota (2 panelists)
Idaho (3 panelists)	Tennessee (3 panelists)
Kentucky (3 panelists)	

The following technical report contains three sections. The first section describes the content and format of the test. The second section describes the standard-setting processes and methods. The third section presents the results of the standard-setting study.

ETS provides a recommended passing score from the multistate standard-setting study to education agencies. In each state, the department of education, the board of education, or a designated educator licensure board is responsible for establishing the operational passing score in accordance with applicable regulations. This study provides a recommended passing score, which represents the combined judgments of a group of experienced educators. Each state may want to consider the recommended passing score but also other sources of information when setting the final Praxis Gifted Education passing score (see Geisinger & McCormick, 2010). A state may accept the recommended passing score, adjust the score upward to reflect more stringent expectations, or adjust the score downward to reflect more lenient expectations. There is no *correct* decision; the appropriateness of any adjustment may only be evaluated in terms of its meeting the state's needs.

¹ States and jurisdictions that currently use Praxis were invited to participate in the multistate standard-setting study.

Two sources of information to consider when setting the passing score are the standard error of measurement (SEM) and the standard error of judgment (SEJ). The former addresses the reliability of the Praxis Gifted Education test score and the latter, the reliability of panelists' passing-score recommendation. The SEM allows a state to recognize that any test score on any standardized test—including a Praxis Gifted Education test score—is not perfectly reliable. A test score only *approximates* what a candidate truly knows or truly can do on the test. The SEM, therefore, addresses the question: How close of an approximation is the test score to the *true* score? The SEJ allows a state to gauge the likelihood that the recommended passing score from the current panel would be similar to the passing scores recommended by other panels of experts similar in composition and experience. The smaller the SEJ, the more likely that another panel would recommend a passing score consistent with the recommended passing score. The larger the SEJ, the less likely the recommended passing score would be reproduced by another panel.

In addition to measurement error metrics (e.g., SEM, SEJ), each state should consider the likelihood of classification errors. That is, when adjusting a passing score, policymakers should consider whether it is more important to minimize a false-positive decision or to minimize a false-negative decision. A false-positive decision occurs when a candidate's test score suggests that he should receive a license/certificate, but his actual level of knowledge/skills indicates otherwise (i.e., the candidate does not possess the required knowledge/skills). A false-negative decision occurs when a candidate's test score suggests that she should not receive a license/certificate, but she actually does possess the required knowledge/skills. The state needs to consider which decision error is more important to minimize.

OVERVIEW OF THE PRAXIS GIFTED EDUCATION TEST

The Praxis Gifted Education *Test at a Glance* document (ETS, in press) describes the purpose and structure of the test. In brief, the test measures whether entry-level gifted education teachers have the knowledge/skills believed necessary for competent professional practice.

The two-hour assessment contains 120 selected-response items² covering five content areas: *Development and Characteristics of Gifted Students* (approximately 25 items), *Learning Environment for Gifted Students* (approximately 23 items), *Instruction of Gifted Students* (approximately 33 items), *Identification and Assessment of Gifted Students* (approximately 22 items), and *Professionalism* (approximately 17 items).³ The reporting scale for the Praxis Gifted Education test ranges from 100 to 200 scaled-score points.

PROCESSES AND METHODS

The design of the standard-setting study included an expert panel. Before the study, panelists received an email explaining the purpose of the standard-setting study and requesting that they review the content specifications for the test. This review helped familiarize the panelists with the general structure and content of the test.

The standard-setting study began with a welcome and introduction by the meeting facilitator. The facilitator described the test, provided an overview of standard setting, and presented the agenda for the study. Appendix B shows the agenda for the panel meeting.

REVIEWING THE TEST

The standard-setting panelists first took the test and then discussed it. This discussion helped bring the panelists to a shared understanding of what the test does and does not cover, which serves to reduce potential judgment errors later in the standard-setting process.

² Twenty of the 120 selected-response items are pretest items and do not contribute to a candidate's score.

³ The number of items for each content area may vary slightly from form to form of the test.

The test discussion covered the major content areas being addressed by the test. Panelists were asked to remark on any content areas that would be particularly challenging for entry-level teachers or areas that address content particularly important for entry-level teachers.

DEFINING THE TARGET CANDIDATE

Following the review of the test, panelists described the target candidate. The *target candidate description* plays a central role in standard setting (Perie, 2008); the goal of the standard-setting process is to identify the test score that aligns with this description.

The panel created a description of the target candidate —the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate. To create this description, the panel first split into smaller groups to consider the target candidate. The full panel then reconvened and, through whole-group discussion, determined the description of the target candidate to use for the remainder of the study.

The written description of the target candidate summarized the panel discussion in a bulleted format. The description was not intended to describe all the knowledge and skills of the target candidate but only highlight those that differentiate a *just* qualified candidate from a *not quite* qualified candidate. The written description was distributed to panelists to use during later phases of the study (see Appendix C for the target candidate description).

PANELISTS' JUDGMENTS

The standard-setting process for the Praxis Gifted Education test was a probability-based Modified Angoff method (Brandon, 2004; Hambleton & Pitoniak, 2006). In this study, each panelist judged each item on the likelihood (probability or chance) that the target candidate would answer the item correctly. Panelists made their judgments using the following rating scale: 0, .05, .10, .20, .30, .40, .50, .60, .70, .80, .90, .95, 1. The lower the value, the less likely it is that the target candidate would answer the item correctly because the item is difficult for the target candidate. The higher the value, the more likely it is that the target candidate would answer the item correctly.

Panelists were asked to approach the judgment process in two stages. First, they reviewed both the description of the target candidate and the item and decided if, overall, the item would be difficult for the target candidate, easy for the target candidate or moderately difficult/easy. The facilitator encouraged the panelists to consider the following rules of thumb to guide their decision:

- Difficult items for the target candidate are in the 0 to .30 range.
- Moderately difficult/easy items for the target candidate are in the .40 to .60 range.
- Easy items for the target candidate are in the .70 to 1 range.

Next, panelists decided how to refine their judgment within the range. For example, if a panelist thought that an item would be easy for the target candidate, the initial decision located the item in the .70 to 1 range. The second decision for the panelist was to decide if the likelihood of answering it correctly is .70, .80, .90, .95 or 1.

After the training, panelists made practice judgments and discussed those judgments and their rationale. All panelists completed a post-training survey to confirm that they had received adequate training and felt prepared to continue; the standard-setting process continued only if all panelists confirmed their readiness.

Following this first round of judgments (*Round 1*), item-level feedback was provided to the panel. The panelists' judgments were displayed for each item and summarized across panelists. Items were highlighted to show when panelists converged in their judgments (at least two-thirds of the panelists located an item in the same difficulty range) or diverged in their judgments.

The panelists discussed their item-level judgments. These discussions helped panelists maintain a shared understanding of the knowledge/skills of the target candidate and helped to clarify aspects of items that might not have been clear to all panelists during the Round 1 judgments. The purpose of the discussion was not to encourage panelists to conform to another's judgment, but to understand the different relevant perspectives among the panelists.

In Round 2, panelists discussed their Round 1 judgments and were encouraged by the facilitator (a) to share the rationales for their judgments and (b) to consider their judgments in light of the rationales provided by the other panelists. Panelists recorded their Round 2 judgments only for items when they wished to change a Round 1 judgment. Panelists final judgments for the study, therefore, consist of their Round 1 judgments and any adjusted judgments made during Round 2.

RESULTS

EXPERT PANELS

Table 2 presents a summary of the panelists' demographic information. The panel included 18 educators representing seven states . (See Appendix A for a listing of panelists.) Eleven panelists were teachers, five were college faculty, and two were administrators or department heads. Four of the five faculty members' job responsibilities included the training of gifted education teachers.

Table 2
Panel Member Demographics

	<i>N</i>	<i>%</i>
Current position		
Teacher	11	61%
Administrator/Department Head	2	11%
College Faculty	5	28%
Race		
White	16	89%
Black or African American	1	6%
Hispanic or Latino	1	6%
Gender		
Female	16	89%
Male	2	11%
Are you currently certified to teach this subject in your state?		
Yes	18	100%
No	0	0%
Are you currently teaching this subject in you state?		
Yes	17	94%
No	1	6%
Are you currently supervising or mentoring other teachers of this subject?		
Yes	14	78%
No	4	22%

Table 2 (continued)***Panel Member Demographics***

	<i>N</i>	<i>%</i>
At what K–12 grade level are you currently teaching this subject?		
Elementary (K–5 or K–6)	5	28%
Elementary and Middle School	1	6%
High School (9–12 or 10–12)	1	6%
Middle and High School	1	6%
All Grades	5	28%
Not currently teaching at the K–12 level	5	28%
Including this year, how many years of experience do you have teaching this subject?		
3 years or less	2	11%
4–7 years	7	39%
8–11 years	2	11%
12–15 years	1	6%
16 years or more	6	33%
Which best describes the location of your K–12 school?		
Urban	1	6%
Suburban	6	33%
Rural	6	33%
Not currently working at the K–12 level	5	28%
If you are college faculty, are you currently involved in the training/preparation of teacher candidates in this subject?		
Yes	4	22%
No	1	6%
Not college faculty	13	72%

STANDARD-SETTING JUDGMENTS

Table 3 summarizes the standard-setting judgments of panelists. The table shows the passing scores—the number of raw points needed to pass the test—recommended by each panelist.

Table 3 also includes estimate of the measurement error associated with the judgments: the standard deviation of the mean and the standard error of judgment (SEJ). The SEJ is one way of estimating the reliability or consistency of a panel’s standard-setting judgments.⁴ It indicates how likely

⁴ An SEJ assumes that panelists are randomly selected and that standard-setting judgments are independent. It is seldom the case that panelists are randomly sampled, and only the first round of judgments may be considered independent. The SEJ, therefore, likely underestimates the uncertainty of passing scores (Tannenbaum & Katz, 2013).

it would be for several other panels of educators similar in makeup, experience, and standard-setting training to the current panel to recommend the same passing score on the same form of the test.

Round 1 judgments are made without discussion among the panelists. The most variability in judgments, therefore, is typically present in the first round. Round 2 judgments, however, are informed by panel discussion; thus, it is common to see a decrease both in the standard deviation and SEJ. This decrease — indicating convergence among the panelists’ judgments — was observed (see Table 3). The Round 2 average score is the panel’s recommended passing score.

Table 3
Passing Score Summary by Round of Judgments

Panelist	Round 1	Round 2
1	62.30	63.70
2	77.80	76.50
3	76.20	75.60
4	57.95	58.35
5	63.70	60.30
6	47.50	56.30
7	61.45	62.95
8	72.90	70.60
9	72.80	71.80
10	61.30	61.00
11	57.40	55.80
12	59.80	60.10
13	66.90	66.50
14	65.45	65.65
15	62.40	62.00
16	64.85	63.55
17	56.30	55.90
18	70.55	68.70
Average	64.31	64.18
Lowest	47.50	55.80
Highest	77.80	76.50
SD	7.66	6.38
SEJ	1.81	1.50

The panel's passing score recommendation for the Praxis Gifted Education test is 64.18 (out of a possible 100 raw-score points). The value was rounded to the next highest whole number, 65, to determine the functional recommended passing score. The scaled score associated with 65 raw points is 157.

Table 4 presents the estimated conditional standard error of measurement (CSEM) around the recommended passing score. A standard error represents the uncertainty associated with a test score. The scaled scores associated with one and two CSEMs above and below the recommended passing score are provided. The conditional standard error of measurement provided is an estimate.

Table 4

Passing Scores Within 1 and 2 CSEMs of the Recommended Passing Score⁵

Recommended passing score (CSEM)		Scale score equivalent
	65 (4.79)	157
-2 CSEMs	56	144
-1 CSEM	61	151
+ 1 CSEM	70	164
+ 2 CSEMs	75	171

Note. CSEM = conditional standard error of measurement.

⁵ The unrounded CSEM value is added to or subtracted from the rounded passing-score recommendation. The resulting values are rounded up to the next-highest whole number and the rounded values are converted to scaled scores.

FINAL EVALUATIONS

The panelists completed an evaluation at the conclusion of their standard-setting study. The evaluation asked the panelists to provide feedback about the quality of the standard-setting implementation and the factors that influenced their decisions. The responses to the evaluation provided evidence of the validity of the standard-setting process, and, as a result, evidence of the reasonableness of the recommended passing score.

Panelists were also shown the panel's recommended passing score and asked (a) how comfortable they are with the recommended passing score and (b) if they think the score was too high, too low, or about right. A summary of the final evaluation results is presented in Appendix D.

All panelists *strongly agreed* or *agreed* that they understood the purpose of the study and that the facilitator's instructions and explanations were clear. All panelists *strongly agreed* or *agreed* that they were prepared to make their standard-setting judgments and that the standard-setting process was easy to follow.

All of the panelists indicated they were at least *somewhat comfortable* with the passing score they recommended; 15 of the 18 panelists were *very comfortable*. All of the panelists indicated the recommended passing score was *about right*.

SUMMARY

To support the decision-making process for education agencies establishing a passing score (cut score) for the Praxis Gifted Education test, research staff from ETS designed and conducted a multistate standard-setting study.

ETS provides a recommended passing score from the multistate standard-setting study to help education agencies determine an appropriate operational passing score. For the Praxis Gifted Education test, the recommended passing score is 65 out of a possible 100 raw-score points. The scaled score associated with a raw score of 65 is 157 on a 100–200 scale.

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APPENDIX A

PANELISTS' NAMES & AFFILIATIONS

Participating Panelists With Affiliations

<u>Panelist</u>	<u>Affiliation</u>
Chéré Beavers	Vilonia School District (AR)
Thais Campbell	Ooltewah Middle School/Barger Academy/Bess T. Shepherd Elementary School (TN)
Kimberly Code	Northern Kentucky University (KY)
Amy Cox	Joint School District #2 (ID)
James Curry	University of Southern Maine (ME)
Amanda Shaner Gaglione	Misppillion Elementary School (DE)
Sue Ann Gaitings	Brewer School Department (ME)
Jennifer Goode	Maine School Administrative District #40 (ME)
Jo Henderson	Boise State University (ID)
Meghan McDonagh	Joint School District #2 (ID)
Rachelle Miller	University of Central Arkansas (AR)
Carolyn Ray	Washington County Board of Education (KY)
Dustin Seaton	Prairie Grove School District (AR)
Gem Thomerson	Vanderbilt University (TN)
Yvonne R. Timian	Fargo Public Schools (ND)
Michelle Villarreal	Rutherford County Schools-Blackman High School (TN)
Marla Wagenman	Fargo Public Schools (ND)
Karen G. West	Corbin Independent Schools (KY)

APPENDIX B

STUDY AGENDA

AGENDA

Praxis Gifted Education (5358) Standard-Setting Study

Day 1

Welcome and Introduction

Overview of Standard Setting and the Praxis Gifted Education Test

Review the Praxis Gifted Education Test

Discuss the Praxis Gifted Education Test

Lunch

Define the Knowledge/Skills of a Target Candidate

Break

Standard-Setting Training

Round 1 Standard Setting Judgments

Collect Materials; End of Day 1

Day 2

Overview of Day 2

Round 1 Feedback and Round 2 Judgments

Lunch

Feedback on Round 2 Recommended Cut Score

Complete Final Evaluation

Collect Materials; End of Study

APPENDIX C

TARGET CANDIDATE DESCRIPTION

Description of the Target Candidate⁶

A target candidate ...

I. Development and Characteristics of Gifted Students

A. Development

1. Knows the early indicators of giftedness (e.g., advanced verbal ability, curiosity and imagination, early achievement of milestones, ability to focus attention intensely, accelerated rate of learning) and of asynchronous development

B. Characteristics

1. Knows the similarities and differences between various types of giftedness and the general student population as they relate to cognitive and social and emotional characteristics
2. Knows a variety of factors that may affect the development of gifted students including causes for underachievement and coexisting conditions and exceptionalities (e.g., ADHD, literacy disabilities, learning disabilities)

II. The Learning Environment of the Gifted

1. Understands the idiosyncratic and asynchronous academic, social, and emotional development of gifted learners
2. Knows how to adapt curriculum and resources and align instruction to meet unique needs of gifted learners

III. Instruction of Gifted Students

A. Planning

1. Can identify the major models for developing curriculum for gifted students
2. Knows how to use assessment data to differentiate

B. Instruction

1. Knows a variety of instructional strategies that promote depth, complexity, and metacognition in gifted students
2. Can identify instructional strategies that meet the needs of the profoundly gifted and gifted students with diverse cultural and linguistic needs

IV. Identification and Assessment of Gifted Students

1. Can identify commonly used qualitative and quantitative assessments and their uses and limitations in identifying and serving gifted students
2. Knows when to use alternative assessments, particularly among special populations
3. Knows basic processes for nominating and identifying gifted students using multiple criteria

⁶ Description of the target candidate focuses on the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate.

Description of the Target Candidate⁷ (continued)

A target candidate ...

V. Professionalism

A. Foundations

1. Knows the rationales, principles, and goals of gifted education in relation to major theories and philosophies

B. Collaboration, Leadership, and Professional Development

1. Knows strategies for identifying and evaluating information on professional and instructional trends and issues
2. Knows how to apply theory and research into instructional practices
3. Can identify the need for collaboration among all stakeholders to address and advocate for the academic, emotional, and social needs of gifted students

⁷ Description of the target candidate focuses on the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate.

APPENDIX D

FINAL EVALUATION RESULTS

Table D1***Final Evaluation***

	Strongly agree		Agree		Disagree		Strongly disagree	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• I understood the purpose of this study.	17	94%	1	6%	0	0%	0	0%
• The instructions and explanations provided by the facilitator were clear.	17	94%	1	6%	0	0%	0	0%
• The training in the standard-setting method was adequate to give me the information I needed to complete my assignment.	17	94%	1	6%	0	0%	0	0%
• The explanation of how the recommended passing score is computed was clear.	15	83%	3	17%	0	0%	0	0%
• The opportunity for feedback and discussion between rounds was helpful.	17	94%	1	6%	0	0%	0	0%
• The process of making the standard-setting judgments was easy to follow.	16	89%	2	11%	0	0%	0	0%

Table D1 (continued)

Final Evaluation

How influential was each of the following factors in guiding your standard-setting judgments?	Very influential		Somewhat influential		Not influential			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• The description of the target candidate	17	94%	1	6%	0	0%		
• The between-round discussions	9	50%	8	44%	1	6%		
• The knowledge/skills required to answer each test item	13	72%	5	28%	0	0%		
• The passing scores of other panel members	2	11%	14	78%	2	11%		
• My own professional experience	9	50%	9	50%	0	0%		
	Very comfortable		Somewhat comfortable		Somewhat uncomfortable		Very uncomfortable	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• Overall, how comfortable are you with the panel's recommended passing score?	15	83%	3	17%	0	0%	0	0%
	Too low		About right		Too high			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• Overall, the recommended passing score is:	0	0%	18	100%	0	0%		



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Multistate Standard-Setting Technical Report

PRAXIS™ MIDDLE SCHOOL SCIENCE (5440)

Licensure and Credentialing Research

ETS

Princeton, New Jersey

February 2014

EXECUTIVE SUMMARY

To support the decision-making process of education agencies establishing a passing score (cut score) for the Praxis™ Middle School Science (5440) test, research staff from Educational Testing Service (ETS) designed and conducted a multistate standard-setting study.

PARTICIPATING STATES

Panelists from 20 states and Guam were recommended by their respective education agencies. The education agencies recommended panelists with (a) experience as either science teachers or college faculty who prepare science teachers and (b) familiarity with the knowledge and skills required of beginning science teachers.

RECOMMENDED PASSING SCORE

ETS provides a recommended passing score from the multistate standard-setting study to help education agencies determine an appropriate operational passing score. For the Praxis Middle School Science test, the recommended passing score¹ is 60 out of a possible 100 raw-score points. The scaled score associated with a raw score of 60 is 150 on a 100–200 scale.

¹ Results from the two panels participating in the study were averaged to produce the recommended passing score.

To support the decision-making process for education agencies establishing a passing score (cut score) for the Praxis™ Middle School Science (5440) test, research staff from ETS designed and conducted a multistate standard-setting study in February 2014 in Princeton, New Jersey. Education agencies² recommended panelists with (a) experience as either science teachers or college faculty who prepare science teachers and (b) familiarity with the knowledge and skills required of beginning science teachers. Twenty states and Guam (Table 1) were represented by 32 panelists. (See Appendix A for the names and affiliations of the panelists.)

Table 1
Participating Jurisdictions and Number of Panelists

Arkansas (2 panelists)	Nevada (1 panelist)
Delaware (1 panelist)	New Hampshire (1 panelist)
Guam (1 panelist)	New Jersey (2 panelists)
Hawaii (1 panelist)	North Carolina (1 panelist)
Idaho (2 panelists)	North Dakota (2 panelists)
Kansas (1 panelist)	Rhode Island (1 panelist)
Kentucky (2 panelists)	South Carolina (2 panelists)
Louisiana (2 panelists)	South Dakota (2 panelists)
Maine (1 panelist)	Virginia (2 panelists)
Maryland (2 panelists)	West Virginia (1 panelist)
Mississippi (2 panelists)	

The following technical report contains three sections. The first section describes the content and format of the test. The second section describes the standard-setting processes and methods. The third section presents the results of the standard-setting study.

ETS provides a recommended passing score from the multistate standard-setting study to education agencies. In each jurisdiction, the department of education, the board of education, or a designated educator licensure board is responsible for establishing the operational passing score in accordance with applicable regulations. This study provides a recommended passing score,³ which represents the combined judgments of two panels of experienced educators. Each jurisdiction may want

² States and jurisdictions that currently use Praxis were invited to participate in the multistate standard-setting study.

³ In addition to the recommended passing score averaged across the two panels, the recommended passing scores for each panel are presented.

to consider the recommended passing score but also other sources of information when setting the final Praxis Middle School Science passing score (see Geisinger & McCormick, 2010). A jurisdiction may accept the recommended passing score, adjust the score upward to reflect more stringent expectations, or adjust the score downward to reflect more lenient expectations. There is no *correct* decision; the appropriateness of any adjustment may only be evaluated in terms of its meeting the jurisdiction's needs.

Two sources of information to consider when setting the passing score are the standard error of measurement (SEM) and the standard error of judgment (SEJ). The former addresses the reliability of the Praxis Middle School Science test score and the latter, the reliability of panelists' passing-score recommendation. The SEM allows a jurisdiction to recognize that any test score on any standardized test—including a Praxis Middle School Science test score—is not perfectly reliable. A test score only *approximates* what a candidate truly knows or truly can do on the test. The SEM, therefore, addresses the question: How close of an approximation is the test score to the *true* score? The SEJ allows a jurisdiction to gauge the likelihood that the recommended passing score from a particular panel would be similar to the passing scores recommended by other panels of experts similar in composition and experience. The smaller the SEJ, the more likely that another panel would recommend a passing score consistent with the recommended passing score. The larger the SEJ, the less likely the recommended passing score would be reproduced by another panel.

In addition to measurement error metrics (e.g., SEM, SEJ), each jurisdiction should consider the likelihood of classification errors. That is, when adjusting a passing score, policymakers should consider whether it is more important to minimize a false-positive decision or to minimize a false-negative decision. A false-positive decision occurs when a candidate's test score suggests that he should receive a license/certificate, but his actual level of knowledge/skills indicates otherwise (i.e., the candidate does not possess the required knowledge/skills). A false-negative decision occurs when a candidate's test score suggests that she should not receive a license/certificate, but she actually does possess the required knowledge/skills. The jurisdiction needs to consider which decision error is more important to minimize.

OVERVIEW OF THE PRAXIS MIDDLE SCHOOL SCIENCE TEST

The Praxis Middle School Science *Test at a Glance* document (ETS, in press) describes the purpose and structure of the test. In brief, the test measures whether entry-level science teachers have the knowledge/skills believed necessary for competent professional practice.

The two and a half-hour test contains 125 selected-response⁴ items covering six content areas: *Scientific Inquiry, Methodology, Techniques, and History* (approximately 15 items), *Basic Principles of Matter and Energy* (approximately 15 items), *Physical Sciences* (approximately 28 items), *Life Sciences* (approximately 30 items), *Earth and Space Sciences* (approximately 22 items), and *Science, Technology, and Society* (approximately 15 items).⁵ The reporting scale for the Praxis Middle School Science ranges from 100 to 200 scaled-score points.

PROCESSES AND METHODS

The design of the standard-setting study included two expert panels. Before the study, panelists received an email explaining the purpose of the standard-setting study and requesting that they review the content specifications for the test. This review helped familiarize the panelists with the general structure and content of the test.

The standard-setting study began with a welcome and introduction by the meeting facilitator. The facilitator described the test, provided an overview of standard setting, and presented the agenda for the study. Appendix B shows the agenda for the panel meeting.

REVIEWING THE TEST

The standard-setting panelists first reviewed the test and then discussed it. This discussion helped bring the panelists to a shared understanding of what the test does and does not cover, which serves to reduce potential judgment errors later in the standard-setting process.

⁴ Twenty-five of the 125 selected-response items are pretest items and do not contribute to a candidate's score.

⁵ The number of items for each content area may vary slightly from form to form of the test.

The test discussion covered the major content areas being addressed by the test. Panelists were asked to remark on any content areas that would be particularly challenging for entry-level teachers or areas that address content particularly important for entry-level teachers.

DESCRIBING THE JUST QUALIFIED CANDIDATE

Following the review of the test, panelists described the just qualified candidate. The *just qualified candidate description* plays a central role in standard setting (Perie, 2008); the goal of the standard-setting process is to identify the test score that aligns with this description.

Both panels worked together to create a description of the just qualified candidate — the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate. To create this description, they first split into smaller groups to consider the just qualified candidate. Then they reconvened and, through whole-group discussion, created the description of the just qualified candidate to use for the remainder of the study. After the description was completed, panelists were split into two, distinct panels that worked separately for the remainder of the study.

The written description of the just qualified candidate summarized the discussion in a bulleted format. The description was not intended to describe all the knowledge and skills of the just qualified candidate but only highlight those that differentiate a *just* qualified candidate from a *not quite* qualified candidate. The written description was distributed to panelists to use during later phases of the study (see Appendix C for the just qualified candidate description).

PANELISTS' JUDGMENTS

The standard-setting process for the Praxis Middle School Science was a probability-based Modified Angoff method (Brandon, 2004; Hambleton & Pitoniak, 2006). In this study, each panelist judged each item on the likelihood (probability or chance) that the just qualified candidate would answer the item correctly. Panelists made their judgments using the following rating scale: 0, .05, .10, .20, .30, .40, .50, .60, .70, .80, .90, .95, 1. The lower the value, the less likely it is that the just qualified candidate would answer the item correctly because the item is difficult for the just qualified candidate. The higher the value, the more likely it is that the just qualified candidate would answer the item correctly.

Panelists were asked to approach the judgment process in two stages. First, they reviewed both the description of the just qualified candidate and the item and decided if, overall, the item would be

difficult for the just qualified candidate, easy for the just qualified candidate or moderately difficult/easy. The facilitator encouraged the panelists to consider the following rules of thumb to guide their decision:

- Difficult items for the just qualified candidate are in the 0 to .30 range.
- Moderately difficult/easy items for the just qualified candidate are in the .40 to .60 range.
- Easy items for the just qualified candidate are in the .70 to 1 range.

Next, panelists decided how to refine their judgment within the range. For example, if a panelist thought that an item would be easy for the just qualified candidate, the initial decision located the item in the .70 to 1 range. The second decision for the panelist was to decide if the likelihood of answering it correctly is .70, .80, .90, .95 or 1.

After the training, panelists made practice judgments and discussed those judgments and their rationale. All panelists completed a post-training survey to confirm that they had received adequate training and felt prepared to continue; the standard-setting process continued only if all panelists confirmed their readiness.

Following this first round of judgments (*Round 1*), item-level feedback was provided to the panel. The panelists' judgments were displayed for each item and summarized across panelists. Items were highlighted to show when panelists converged in their judgments (at least two-thirds of the panelists located an item in the same difficulty range) or diverged in their judgments.

The panelists discussed their item-level judgments. These discussions helped panelists maintain a shared understanding of the knowledge/skills of the just qualified candidate and helped to clarify aspects of items that might not have been clear to all panelists during the Round 1 judgments. The purpose of the discussion was not to encourage panelists to conform to another's judgment, but to understand the different relevant perspectives among the panelists.

In Round 2, panelists discussed their Round 1 judgments and were encouraged by the facilitator (a) to share the rationales for their judgments and (b) to consider their judgments in light of the rationales provided by the other panelists. Panelists recorded their Round 2 judgments only for items when they wished to change a Round 1 judgment. Panelists' final judgments for the study, therefore, consist of their Round 1 judgments and any adjusted judgments made during Round 2.

Other than the description of the just qualified candidate, results from Panel 1, including the summary of the Round 1 judgments, were not shared with Panel 2. The item-level judgments and resulting discussions for Panel 2 were independent of judgments and discussions that occurred with Panel 1.

RESULTS

EXPERT PANELS

Table 2 presents a summary of the panelists' demographic information. The panel included 32 educators representing 20 states and Guam. (See Appendix A for a listing of panelists.) Seventeen panelists were teachers, eleven were college faculty, one was an administrator or department head, and three held another position. All of the faculty members' job responsibilities included the training of science teachers.

Table D1 (in Appendix D) presents a summary of demographic information by panel.

Table 2

Panel Member Demographics (Across Panels)

	<i>N</i>	<i>%</i>
Current position		
Teacher	17	53%
Administrator/Department head	1	3%
College faculty	11	34%
Other	3	9%
Race		
White	20	63%
Black or African American	5	16%
Hispanic or Latino	2	6%
Asian or Asian American	2	6%
American Indian or Alaskan Native	1	3%
Native Hawaiian or Other Pacific Islander	1	3%
Other	1	3%

Table 2 (continued)***Panel Member Demographics (Across Panels)***

	<i>N</i>	<i>%</i>
Gender		
Female	23	72%
Male	9	28%
Are you currently certified to teach this subject in your state?		
Yes	27	84%
No	5	16%
Are you currently teaching this subject in your state?		
Yes	25	78%
No	7	22%
Are you currently supervising or mentoring other teachers of this subject?		
Yes	18	56%
No	14	44%
At what K–12 grade level are you currently teaching this subject?		
Middle School (6 - 8 or 7 - 9)	17	53%
High School (9 – 12 or 10 - 12)	1	3%
Middle and High School	1	3%
Not currently teaching at the K–12 level	13	41%
Including this year, how many years of experience do you have teaching this subject?		
3 years or less	2	6%
4–7 years	4	13%
8–11 years	11	34%
12–15 years	4	13%
16 years or more	11	34%
Which best describes the location of your K–12 school?		
Urban	6	19%
Suburban	7	22%
Rural	6	19%
Not currently working at the K–12 level	13	41%
If you are college faculty, are you currently involved in the training/preparation of teacher candidates in this subject?		
Yes	11	34%
No	0	0%
Not college faculty	21	66%

STANDARD-SETTING JUDGMENTS

Table 3 summarizes the standard-setting judgments (Round 2) of panelists. The table also includes estimates of the measurement error associated with the judgments: the standard deviation of the mean and the standard error of judgment (SEJ). The SEJ is one way of estimating the reliability or consistency of a panel's standard-setting judgments.⁶ It indicates how likely it would be for several other panels of educators similar in makeup, experience, and standard-setting training to the current panel to recommend the same passing score on the same form of the test. The confidence intervals created by adding/subtracting two SEJs to each panel's recommended passing score overlap, indicating that they may be comparable.

Panelist-level results, for Rounds 1 and 2, are presented in Appendix D (Table D2).

Table 3

Summary of Round 2 Standard-setting Judgments

	Panel 1	Panel 2
Average	62.09	57.86
Lowest	51.60	49.20
Highest	71.85	69.90
SD	5.21	5.56
SEJ	1.30	1.39

Round 1 judgments are made without discussion among the panelists. The most variability in judgments, therefore, is typically present in the first round. Round 2 judgments, however, are informed by panel discussion; thus, it is common to see a decrease both in the standard deviation and SEJ. This decrease — indicating convergence among the panelists' judgments — was observed for each panel (see Table D2 in Appendix D). The Round 2 average score is the panel's recommended passing score.

⁶ An SEJ assumes that panelists are randomly selected and that standard-setting judgments are independent. It is seldom the case that panelists are randomly sampled, and only the first round of judgments may be considered independent. The SEJ, therefore, likely underestimates the uncertainty of passing scores (Tannenbaum & Katz, 2013).

The panels' passing score recommendations for the Praxis Middle School Science are 62.09 for Panel 1 and 57.86 for Panel 2 (out of a possible 100 raw-score points). The values were rounded to the next highest whole number, to determine the functional recommended passing score — 63 for Panel 1 and 58 for Panel 2. The scaled scores associated with 63 and 58 raw points are 154 and 147, respectively.

In addition to the recommended passing score for each panel, the average passing score across the two panels is provided to help education agencies determine an appropriate passing score. The panels' average passing score recommendation for the Praxis Middle School Science is 59.98 (out of a possible 100 raw-score points). The value was rounded to 60 (next highest raw score) to determine the functional recommended passing score. The scaled score associated with 60 raw points is 150.

Table 4 presents the estimated conditional standard error of measurement (CSEM) around the recommended passing score. A standard error represents the uncertainty associated with a test score. The scaled scores associated with one and two CSEMs above and below the recommended passing score are provided. The conditional standard error of measurement provided is an estimate.

Table 4

Passing Scores Within 1 and 2 CSEMs of the Recommended Passing Score⁷

Recommended passing score (CSEM)		Scale score equivalent
	60 (4.92)	150
-2 CSEMs	51	137
-1 CSEM	56	144
+ 1 CSEM	65	157
+ 2 CSEMs	70	164

***Note.* CSEM = conditional standard error of measurement.**

⁷ The unrounded CSEM value is added to or subtracted from the rounded passing-score recommendation. The resulting values are rounded up to the next-highest whole number and the rounded values are converted to scaled scores.

FINAL EVALUATIONS

The panelists completed an evaluation at the conclusion of their standard-setting study. The evaluation asked the panelists to provide feedback about the quality of the standard-setting implementation and the factors that influenced their decisions. The responses to the evaluation provided evidence of the validity of the standard-setting process, and, as a result, evidence of the reasonableness of the recommended passing score.

Panelists were also shown their panel's recommended passing score and asked (a) how comfortable they are with the recommended passing score and (b) if they think the score was too high, too low, or about right. A summary of the final evaluation results is presented in Appendix D.

All panelists *strongly agreed* or *agreed* that they understood the purpose of the study and that the facilitator's instructions and explanations were clear. All panelists *strongly agreed* or *agreed* that they were prepared to make their standard-setting judgments. All panelists *strongly agreed* or *agreed* that the standard-setting process was easy to follow.

All but two of the panelists indicated they were at least *somewhat comfortable* with the passing score they recommended; 23 of the 32 panelists were *very comfortable*. Twenty-nine of the 32 panelists indicated the recommended passing score was *about right* with the three remaining panelists indicating that the score was *too low*.

SUMMARY

To support the decision-making process for education agencies establishing a passing score (cut score) for the Praxis Middle School Science, research staff from ETS designed and conducted a multistate standard-setting study.

ETS provides a recommended passing score from the multistate standard-setting study to help education agencies determine an appropriate operational passing score. For the Praxis Middle School Science, the recommended passing score⁸ is 60 out of a possible 100 raw-score points. The scaled score associated with a raw score of 60 is 150 on a 100–200 scale.

⁸ Results from the two panels participating in the study were averaged to produce the recommended passing score.

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APPENDIX A

PANELISTS' NAMES & AFFILIATIONS

Participating Panelists With Affiliations

<u>Panelist</u>	<u>Affiliation</u>
Nancy Allen	Gilford Middle School (NH)
Katie Anderson	East Middle School-Rapid City School District (SD)
Gena Asevado	N. P. Trist Middle School (LA)
Steve Beckelhimer	Marshall University/June Harless Center (WV)
April Bullen	McCullough Middle School (DE)
Laurie Cleavinger	University of Kansas (KS)
Michelle Crane	Smee School District (SD)
André E. DeLeón	Nevada Dept. of Education (NV)
Kyle Engdahl	Cheney Middle School (ND)
Janice Francis	PCSSD, Maumelle Middle School (AR)
Esther Frazier	Madison Middle School (MS)
Chelsey Gravseth	Mandan Middle School (ND)
Albert Hayward	South Carolina State University (SC)
Allen Henderson	Harding University (AR)
Ebony Hill	Richmond Public Schools-Thompson Middle School (VA)
Lisa Hopkins	Dorchester County Public Schools (MD)
Richard Jones	University of Hawaii West Oahu (HI)
Misti Kelly	Stevenson University (MD)
John Labriola	Chariho Middle School (RI)
Carole Lee	University of Maine at Farmington (ME)
Rachel Lowery	Kings Mountain Intermediate School (NC)
Michiko McClary	Clafin University (SC)
Dennis McDill	Berwick High School (LA)
Renu Mendiratta	John Adams Middle School, Edison (NJ)
Elizabeth Morales	New Brunswick Public Schools (NJ)
Louis Nadelson	Boise State University (ID)
Kimberly Riggs-Poole	Hampton City Schools (VA)
Wendy Ruchti	Idaho State University (ID)
Cheryl Sanguenza	University of Guam (GU)
Melissa L. Shirley	University of Louisville (KY)
Sandra Thomas-Jenkins	Madison Middle School (MS)
Corean Wells	Corbin Middle School (KY)

APPENDIX B

STUDY AGENDA

AGENDA

Praxis Middle School Science (5440) Standard-Setting Study

Day 1

Welcome and Introduction

Overview of Standard Setting and the Praxis Middle School Science test

Review the test

Discuss test

Break

Describe the Knowledge/Skills of a Just Qualified Candidate

Create the JQC description

Lunch

Create the JQC description (continued)

Break

Discuss and finalize JQC description

Training for standard-setting judgments

Practice judgments & discuss

Round 1 judgments

Collect Materials; End of Day 1

AGENDA

Praxis Middle School Science (5440) Standard-Setting Study

Day 2

Review Day 1 & Preview Day 2

Round 1 standard setting judgments (continued from Day 1)

Discuss judgments & Round 2

Lunch

Discuss judgments & Round 2 (continued)

Complete final evaluation

Collect materials; End of study

APPENDIX C

JUST QUALIFIED CANDIDATE DESCRIPTION

Description of the Just Qualified Candidate⁹

A Just Qualified Candidate ...

I. Scientific Inquiry, Methodology, Techniques, and History

- A. Understands methods of scientific inquiry and how methods are used in basic problem solving
- B. Understands the processes involved in scientific data collection and manipulation
- C. Understands how to interpret and draw conclusions from data presented in tables, graphs, and charts

II. Basic Principles of Matter and Energy

- A. Knows the structure and properties of matter; can identify occurrence and abundance of the elements and their isotopes
- B. Knows the basic relationships between energy and matter and identifies the basic relationships between energy and matter
- C. Knows the basic structure of the atom; can identify ions, electron arrangements, radioactivity, and applications of radioactivity

III. Physical Sciences

A. Physics

- 1. Knows mechanics and knows linear motion in 1 & 2 dimensions (speed, velocity, acceleration), including—distinguish between mass and weight, conservation of energy, and density
- 2. Can identify circular motion in 1 & 2 dimensions, inertia vs. momentum, simple machines and mechanical advantage, buoyancy and pressure
- 3. Can identify electricity & magnetism
- 4. Can identify basic waves and optics

B. Chemistry

- 1. Knows organization of periodic table and how to use it to predict physical & chemical properties
- 2. Can identify covalent and ionic bonding
- 3. Knows names of simple chemical compounds
- 4. Knows how to balance simple chemical equations
- 5. Can identify factors that affect reaction rates
- 6. Can identify chemical and physical properties of acids and bases
- 7. Can identify pH scale and neutralization
- 8. Can identify dilute vs. concentrated solutions
- 9. Can identify difference between solute and solvent
- 10. Can identify effect of temperature and particle size on dissolving

⁹ Description of the just qualified candidate focuses on the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate.

Description of the Just Qualified Candidate¹⁰ (continued)

A Just Qualified Candidate ...

IV. Life Sciences

1. Understands the basic structure, function of cells, cellular organelles and cell reproduction
2. Knows basic genetics including DNA structure, replication, Mendelian inheritance, mutations and can identify common genetic disorders
3. Knows the major structures and functions of plant and animals organs and systems
4. Knows key aspects of ecology
5. Knows the theory and key mechanisms of evolution

V. Earth and Space Sciences

1. Understands the basics of the rock cycle and knows plate tectonics (e.g., weathering, erosion, deposition, earthquakes, and volcanoes)
2. Knows properties of water and identifies structures and processes of earth's oceans and bodies of water
3. Knows basic meteorology (e.g., Earth's atmosphere, frontal systems and precipitation) and can identify major factors that affect climate and seasons
4. Understands interaction of Earth, moon, sun and identifies major features of solar system and universe

VI. Science, Technology, and Society

1. Understands the impact of science and technology and major issues on the environment and management of natural resources
2. Can identify applications of science and technology in daily life and the impact of science on public-health issues

¹⁰ Description of the just qualified candidate focuses on the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate.

APPENDIX D

RESULTS

Table D1
Panel Member Demographics (by Panel)

	Panel 1		Panel 2	
	<i>N</i>	%	<i>N</i>	%
Current position				
Teacher	9	56%	8	50%
Administrator/Department head	0	0%	1	6%
College faculty	5	31%	6	38%
Other	2	13%	2	6%
Race				
White	10	63%	10	63%
Black or African American	3	19%	2	13%
Hispanic or Latino	1	6%	1	6%
Asian or Asian American	1	6%	1	6%
American Indian or Alaskan Native	0	0%	1	6%
Native Hawaiian or Other Pacific Islander	0	0%	1	6%
Other	1	6%	0	0%
Gender				
Female	11	69%	12	75%
Male	5	31%	4	25%
Are you currently certified to teach this subject in your state?				
Yes	14	88%	13	81%
No	2	13%	3	19%
Are you currently teaching this subject in your state?				
Yes	13	81%	12	75%
No	3	19%	4	25%
Are you currently supervising or mentoring other teachers of this subject?				
Yes	6	38%	12	75%
No	10	63%	4	25%
At what K–12 grade level are you currently teaching this subject?				
Middle School (6–8 or 7–9)	9	56%	8	50%
High School (9–12 or 10–12)	1	6%	0	0%
Middle and High School	1	6%	0	0%
Not currently teaching at the K–12 level	5	31%	8	50%

Table D1 (continued)***Panel Member Demographics (by Panel)***

	Panel 1		Panel 2	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
Including this year, how many years of experience do you have teaching this subject?				
3 years or less	1	6%	1	6%
4–7 years	4	25%	0	0%
8–11 years	5	31%	6	38%
12–15 years	1	6%	3	19%
16 years or more	5	31%	6	38%
Which best describes the location of your K–12 school?				
Urban	3	19%	3	19%
Suburban	3	19%	4	25%
Rural	4	25%	2	13%
Not currently working at the K–12 level	6	38%	7	44%
If you are college faculty, are you currently involved in the training/preparation of teacher candidates in this subject?				
Yes	5	31%	6	38%
No	0	0%	0	0%
Not college faculty	11	69%	10	63%

Table D2***Passing Score Summary by Round of Judgments***

Panelist	Panel 1		Panel 2	
	Round 1	Round 2	Round 1	Round 2
1	50.50	51.60	47.60	49.20
2	64.90	65.00	65.90	62.55
3	71.60	71.85	53.70	52.90
4	63.25	62.65	56.60	56.30
5	64.75	65.25	63.20	63.55
6	60.55	62.95	64.90	64.90
7	54.95	57.70	48.75	50.35
8	57.35	58.05	74.10	69.90
9	65.80	65.25	55.00	55.30
10	60.60	62.00	54.10	54.50
11	63.75	62.65	57.15	58.25
12	56.40	57.90	62.10	61.80
13	64.50	64.90	58.00	56.70
14	56.55	58.50	55.85	57.45
15	54.35	56.80	60.00	58.70
16	72.25	70.45	48.95	53.35
Average	61.38	62.09	57.87	57.86
Lowest	50.50	51.60	47.60	49.20
Highest	72.25	71.85	74.10	69.90
SD	6.11	5.21	7.04	5.56
SEJ	1.53	1.30	1.76	1.39

Table D3***Final Evaluation: Panel 1***

	Strongly agree		Agree		Disagree		Strongly disagree	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• I understood the purpose of this study.	15	94%	1	6%	0	0%	0	0%
• The instructions and explanations provided by the facilitator were clear.	12	75%	4	25%	0	0%	0	0%
• The training in the standard-setting method was adequate to give me the information I needed to complete my assignment.	13	81%	3	19%	0	0%	0	0%
• The explanation of how the recommended passing score is computed was clear.	6	38%	7	44%	3	19%	0	0%
• The opportunity for feedback and discussion between rounds was helpful.	11	69%	5	31%	0	0%	0	0%
• The process of making the standard-setting judgments was easy to follow.	11	69%	5	31%	0	0%	0	0%

Table D3 (continued)
Final Evaluation: Panel 1

How influential was each of the following factors in guiding your standard-setting judgments?	Very influential		Somewhat influential		Not influential			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• The description of the just qualified candidate	16	100%	0	0%	0	0%		
• The between-round discussions	8	50%	8	50%	0	0%		
• The knowledge/skills required to answer each test item	11	69%	5	31%	0	0%		
• The passing scores of other panel members	1	6%	9	56%	6	38%		
• My own professional experience	7	44%	8	50%	1	6%		
	Very comfortable		Somewhat comfortable		Somewhat uncomfortable		Very uncomfortable	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• Overall, how comfortable are you with the panel's recommended passing score?	10	63%	5	31%	1	6%	0	0%
	Too low		About right		Too high			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• Overall, the recommended passing score is:	2	13%	14	88%	0	0%		

Table D4***Final Evaluation: Panel 2***

	Strongly agree		Agree		Disagree		Strongly disagree	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• I understood the purpose of this study.	16	100%	0	0%	0	0%	0	0%
• The instructions and explanations provided by the facilitator were clear.	15	94%	1	6%	0	0%	0	0%
• The training in the standard-setting method was adequate to give me the information I needed to complete my assignment.	15	94%	1	6%	0	0%	0	0%
• The explanation of how the recommended passing score is computed was clear.	11	69%	5	31%	0	0%	0	0%
• The opportunity for feedback and discussion between rounds was helpful.	14	88%	2	13%	0	0%	0	0%
• The process of making the standard-setting judgments was easy to follow.	13	81%	3	19%	0	0%	0	0%

Table D4 (continued)
Final Evaluation: Panel 2

How influential was each of the following factors in guiding your standard-setting judgments?	Very influential		Somewhat influential		Not influential			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• The description of the just qualified candidate	13	81%	3	19%	0	0%		
• The between-round discussions	8	50%	7	44%	1	6%		
• The knowledge/skills required to answer each test item	13	81%	3	19%	0	0%		
• The passing scores of other panel members	3	19%	11	69%	2	13%		
• My own professional experience	13	81%	3	19%	0	0%		
	Very comfortable		Somewhat comfortable		Somewhat uncomfortable		Very uncomfortable	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• Overall, how comfortable are you with the panel's recommended passing score?	13	81%	2	13%	1	6%	0	0%
	Too low		About right		Too high			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• Overall, the recommended passing score is:	1	6%	15	94%	0	0%		

Arkansas State Review

Physics (7-12) Licensure Test:

Praxis™ Physics: Content Knowledge (5265)

Recent changes to the Arkansas Department of Education (ADE) licensure structure include a new teaching license in Physics/Math for grades 7-12. Candidates for this license will be required to take a Praxis™ content knowledge assessment in each of the two subject areas. The Praxis™ assessment for mathematics is already in use for the mathematics license, but the ADE has not yet adopted a content knowledge assessment for Physics.

The Educational Testing Service (ETS) offers the Praxis™ Physics: Content Knowledge (5265) assessment. The two-hour assessment contains 100 multiple-choice questions covering the following six content areas:

1. Mechanics (32 questions, 32%);
2. Electricity and Magnetism (32 questions, 32%);
3. Optics and Waves (17 questions, 17%);
4. Heat and Thermodynamics (8 questions, 8%);
5. Modern Physics, Atomic, and Nuclear Structure (8 questions, 8%); and
6. History and Nature of Science; Science Technology, and Social Perspectives (12 questions, 12%).

In January 2014, ETS staff conducted a state test review for the purpose of studying the specifications and establishing a minimum passing score (cut score) for the Praxis™ Physics: Content Knowledge (5265) assessment. A panel comprised of higher education science faculty and grades 7-12 science teachers reviewed the assessment and considered possible cut scores based upon the study value generated by the review and pass rate data provided by ETS. A data sheet indicating pass rates for the past three years for various groups on the Praxis™ Physics: Content Knowledge (5265) assessment is attached.

The state review panel recommends adoption of the Praxis™ Physics: Content Knowledge (5265) with a minimum passing score of 135 (100 - 200 point range).

Physics: Content Knowledge #0265/5265
Prepared for Arkansas Test Review

Total for All Test Takers

	2013-2014	2012-2013	2011-2012	
Number of Individuals	397	1250	1368	
Pass Rate Percentage @ 135	73.3	71.9	69.2	
Pass Rate Percentage @ 140	67.0	64.6	60.9	
Pass Rate Percentage @ 145	59.5	54.0	50.6	
Mean	151.3	147.7	144.8	

Number of states using #0265/5265: 31
 Passing Score Range: 126-153

HI - 153	CT - 141	AL - 138	AK - 129
	IN - 149	KS - 141	WY - 137	ID - 129
	VA - 147	LA - 141	UT - 136	IA - 127
	NH - 146	MO - 141	MT - 135	WV - 126
	RI - 146	NJ - 141	KY - 133	
	DE - 144	WI - 141	NC - 133	
	TN - 144	PA - 140	ND - 132	
	DC - 143	VT - 140	OH - 132	
	MD - 143	MS - 139	SD - 130	

Ethnic Group Breakouts – African American or Black

	2013-2014	2012-2013	2011-2012	
Number of Individuals	14	48	41	
Pass Rate Percentage @ 135	42.9	43.8	46.3	
Pass Rate Percentage @ 140	28.6	39.6	41.5	
Pass Rate Percentage @ 145	28.6	33.3	24.4	
Mean	132.6	129.4	130.0	

Ethnic Group Breakouts - White

	2013-2014	2012-2013	2011-2012	
Number of Individuals	311	1007	1127	
Pass Rate Percentage @ 135	74.3	71.8	70.5	
Pass Rate Percentage @ 140	67.9	64.7	61.9	
Pass Rate Percentage @ 145	60.5	53.1	51.6	
Mean	151.8	147.5	145.5	

Ethnic Group Breakouts – Asian/Asian American

	2013-2014	2012-2013	2011-2012	
Number of Individuals	8	28	37	

Pass Rate Percentage @ 135	87.5	67.9	70.3	
Pass Rate Percentage @ 140	87.5	64.3	64.9	
Pass Rate Percentage @ 145	75.0	57.1	54.1	
Mean	155.0	151.5	145.1	
Ethnic Group Breakouts - Other Hispanic, Latino, Latin American				
	2013-2014	2012-2013	2011-2012	
Number of Individuals	9	17	16	
Pass Rate Percentage @ 135	55.6	47.1	50.0	
Pass Rate Percentage @ 140	55.6	41.2	50.0	
Pass Rate Percentage @ 145	44.4	35.3	37.5	
Mean	148.1	139.1	136.5	
Gender- Male				
	2013-2014	2012-2013	2011-2012	
Number of Individuals	246	765	826	
Pass Rate Percentage @ 135	82.9	79.9	76.4	
Pass Rate Percentage @ 140	78.1	73.3	69.5	
Pass Rate Percentage @ 145	70.3	63.7	59.0	
Mean	157.1	152.7	149.1	
Gender - Female				
	2013-2014	2012-2013	2011-2012	
Number of Individuals	151	485	542	
Pass Rate Percentage @ 135	57.6	59.4	58.1	
Pass Rate Percentage @ 140	49.0	50.9	47.8	
Pass Rate Percentage @ 145	41.7	38.8	37.8	
Mean	141.7	139.8	138.2	
Teacher Prep Program Description - Undergraduate				
	2013-2014	2012-2013	2011-2012	
Number of Individuals	132	418	438	
Pass Rate Percentage @ 135	66.7	64.8	66.7	
Pass Rate Percentage @ 140	59.9	57.4	56.6	
Pass Rate Percentage @ 145	51.5	46.2	43.4	
Mean	144.5	142.7	141.7	

Teacher Prep Program Description – Master’s Degree Program				
	2013-2014	2012-2013	2011-2012	
Number of Individuals	118	355	403	
Pass Rate Percentage @ 135	75.4	74.9	67.5	
Pass Rate Percentage @ 140	71.2	67.6	59.3	
Pass Rate Percentage @ 145	65.3	57.2	50.6	
Mean	155.5	149.8	144.6	
Teacher Prep Program Description – Alternate Route				
	2013-2014	2012-2013	2011-2012	
Number of Individuals	89	321	359	
Pass Rate Percentage @ 135	74.2	75.1	72.14	
Pass Rate Percentage @ 140	67.4	67.3	64.9	
Pass Rate Percentage @ 145	58.4	57.3	55.7	
Mean	152.1	149.7	147.5	

Physics: Content Knowledge #0265/5265

Prepared for Arkansas Test Review

Total for All Test Takers

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	VA - 147	LA - 141	UT - 136	IA - 127
	NH - 146	MO - 141	MT - 135	WV - 126
	RI - 146	NJ - 141	KY - 133	
	DE - 144	WI - 141	NC - 133	
	TN - 144	PA - 140	ND - 132	
	DC - 143	VT - 140	OH - 132	
	MD - 143	MS - 139	SD - 130	

Ethnic Group Breakouts – African American or Black

	2013-2014	2012-2013	2011-2012	
Number of Individuals	14	48	41	
Pass Rate Percentage @ 135	42.9	43.8	46.3	
Pass Rate Percentage @ 140	28.6	39.6	41.5	
Pass Rate Percentage @ 145	28.6	33.3	24.4	
Mean	132.6	129.4	130.0	

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	2013-2014	2012-2013	2011-2012	
Number of Individuals	311	1007	1127	
Pass Rate Percentage @ 135	74.3	71.8	70.5	
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Pass Rate Percentage @ 145	60.5	53.1	51.6	
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Listening. Learning. Leading.

Multistate Standard-Setting Technical Report

PRAXIS™ SPEECH-LANGUAGE PATHOLOGY (5331)

Licensure and Credentialing Research

ETS

Princeton, New Jersey

February 2014

EXECUTIVE SUMMARY

To support the decision-making process of the American Speech-Language-Hearing Association (ASHA) and state education agencies establishing a passing score (cut score) for the Praxis™ Speech-Language Pathology (5331) test, research staff from Educational Testing Service (ETS) designed and conducted a multistate standard-setting study.

PARTICIPATING STATES

ASHA recommended panelists from 16 states with (a) experience as either speech-language pathologists or college faculty who prepare speech-language pathologists and (b) familiarity with the knowledge and skills required of beginning speech-language pathologists.

RECOMMENDED PASSING SCORE

ETS provides a recommended passing score from the multistate standard-setting study to help (a) ASHA establish a passing score as part of its Certification of Clinical Competence in Speech-Language Pathology (CCC-SLP) and (b) state education agencies establish a state-specific passing score for licensure/certification. For the Praxis Speech-Language Pathology test, the recommended passing score is 74 out of a possible 108 raw-score points. The scaled score associated with a raw score of 74 is 162 on a 100–200 scale.

To support the decision-making process of the American Speech-Language-Hearing Association (ASHA) and state education agencies establishing a passing score (cut score) for the Praxis™ Speech-Language Pathology (5331) test, research staff from Educational Testing Service (ETS) designed and conducted a multistate standard-setting study in January 2014 in Princeton, New Jersey. ASHA recommended panelists with (a) experience as either speech-language pathologists or college faculty who prepare speech-language pathologists and (b) familiarity with the knowledge and skills required of beginning speech-language pathologists. Sixteen states (Table 1) were represented by 17 panelists. (See Appendix A for the names and affiliations of the panelists.)

Table 1

Participating States and Number of Panelists

Arkansas (1 panelist)	North Dakota (1 panelist)
Georgia (1 panelist)	New York (1 panelist)
Hawaii (1 panelist)	Ohio (2 panelists)
Iowa (1 panelist)	Oregon (1 panelist)
Indiana (1 panelist)	Pennsylvania (1 panelist)
Massachusetts (1 panelist)	South Carolina (1 panelist)
Maryland (1 panelist)	Tennessee (1 panelist)
Michigan (1 panelist)	Wisconsin (1 panelist)

The following technical report contains three sections. The first section describes the content and format of the test. The second section describes the standard-setting processes and methods. The third section presents the results of the standard-setting study.

ETS provides a recommended passing score from the multistate standard-setting study to ASHA and state education agencies. ASHA requires the Praxis Speech-Language Pathology test as a component of its Certification of Clinical Competence in Speech-Language Pathology (CCC-SLP) and is responsible to establishing a passing score for this purpose. Some states require the Praxis Speech-Language Pathology test as part of the state's licensure/certification of beginning speech-language pathologists. In each state, the department of education, the board of education, or a designated certification/licensure board is responsible for establishing the operational passing score in accordance with applicable regulations.

This study provides a recommended passing score, which represents the combined judgments of a group of experienced speech-language pathologists. ASHA and each state may want to consider the recommended passing score but also other sources of information when setting the final Praxis Speech-Language Pathology passing score (see Geisinger & McCormick, 2010). A state or ASHA may accept the recommended passing score, adjust the score upward to reflect more stringent expectations, or adjust the score downward to reflect more lenient expectations. There is no *correct* decision; the appropriateness of any adjustment may only be evaluated in terms of its meeting ASHA's or a state's needs.

Two sources of information to consider when setting the passing score are the standard error of measurement (SEM) and the standard error of judgment (SEJ). The former addresses the reliability of the Praxis Speech-Language Pathology test score and the latter, the reliability of panelists' passing-score recommendation. Any test score on any standardized test—including a Praxis Speech-Language Pathology test score—is not perfectly reliable. A test score only *approximates* what a candidate truly knows or truly can do on the test. The SEM, therefore, addresses the question: How close of an approximation is the test score to the *true* score? The SEJ reflects the likelihood that the recommended passing score from the current panel would be similar to the passing scores recommended by other panels of experts similar in composition and experience. The smaller the SEJ, the more likely that another panel would recommend a passing score consistent with the recommended passing score. The larger the SEJ, the less likely the recommended passing score would be reproduced by another panel.

In addition to measurement error metrics (e.g., SEM, SEJ), ASHA and each state should consider the likelihood of classification errors. That is, when adjusting a passing score, policymakers should consider whether it is more important to minimize a false-positive decision or to minimize a false-negative decision. A false-positive decision occurs when a candidate's test score suggests that he should receive a license/certificate, but his actual level of knowledge/skills indicates otherwise (i.e., the candidate does not possess the required knowledge/skills). A false-negative decision occurs when a candidate's test score suggests that she should not receive a license/certificate, but she actually does possess the required knowledge/skills. ASHA and the states need to consider which decision error is more important to minimize.

OVERVIEW OF THE PRAXIS SPEECH-LANGUAGE PATHOLOGY TEST

The Praxis Speech-Language Pathology *Test at a Glance* document (ETS, in press) describes the purpose and structure of the test. In brief, the test measures whether entry-level speech-language pathologists have the knowledge/skills believed necessary for competent professional practice.

The two-hour and 30 minute test contains 132 selected-response items¹ covering three content areas: *Foundations and Professional Practice* (approximately 44 items), *Screening, Assessment, Evaluation, and Diagnosis* (approximately 44 items), and *Planning, Implementation, and Evaluation of Treatment* (approximately 44 items).² The reporting scale for the Praxis Speech-Language Pathology test ranges from 100 to 200 scaled-score points.

PROCESSES AND METHODS

The design of the standard-setting study included an expert panel. Before the study, panelists received an email explaining the purpose of the standard-setting study and requesting that they review the content specifications for the test. This review helped familiarize the panelists with the general structure and content of the test.

The standard-setting study began with a welcome and introduction by the meeting facilitator. The facilitator described the test, provided an overview of standard setting, and presented the agenda for the study. Appendix B shows the agenda for the panel meeting.

¹ Twenty-four of the 132 selected-response items are pretest items and do not contribute to a candidate's score.

² The number of items for each content area may vary slightly from form to form of the test.

REVIEWING THE TEST

The standard-setting panelists first reviewed the test and then discussed it. This discussion helped bring the panelists to a shared understanding of what the test does and does not cover, which serves to reduce potential judgment errors later in the standard-setting process.

The test discussion covered the major content areas being addressed by the test. Panelists were asked to remark on any content areas that would be particularly challenging for entry-level speech-language pathologists or areas that address content particularly important for entry-level speech-language pathologists.

DESCRIBING THE JUST QUALIFIED CANDIDATE

Following the review of the test, panelists described the just qualified candidate. The *just qualified candidate description* plays a central role in standard setting (Perie, 2008); the goal of the standard-setting process is to identify the test score that aligns with this description.

The panel created a description of the just qualified candidate —the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate. To create this description, the panel first split into smaller groups to consider the just qualified candidate. The full panel then reconvened and, through whole-group discussion, determined the description of the just qualified candidate to use for the remainder of the study.

The written description of the just qualified candidate summarized the panel discussion in a bulleted format. The description was not intended to describe all the knowledge and skills of the just qualified candidate but only highlight those that differentiate a *just* qualified candidate from a *not quite* qualified candidate. The written description was distributed to panelists to use during later phases of the study (see Appendix C for the just qualified candidate description).

PANELISTS' JUDGMENTS

The standard-setting process for the Praxis Speech-Language Pathology test was a probability-based Modified Angoff method (Brandon, 2004; Hambleton & Pitoniak, 2006). In this study, each panelist judged each item on the likelihood (probability or chance) that the just qualified candidate would answer the item correctly. Panelists made their judgments using the following rating scale: 0, .05, .10, .20, .30, .40, .50, .60, .70, .80, .90, .95, 1. The lower the value, the less likely it is that the just qualified candidate would answer the item correctly because the item is difficult for the just qualified candidate. The higher the value, the more likely it is that the just qualified candidate would answer the item correctly.

Panelists were asked to approach the judgment process in two stages. First, they reviewed both the description of the just qualified candidate and the item and decided if, overall, the item would be difficult for the just qualified candidate, easy for the just qualified candidate or moderately difficult/easy. The facilitator encouraged the panelists to consider the following rules of thumb to guide their decision:

- Difficult items for the just qualified candidate are in the 0 to .30 range.
- Moderately difficult/easy items for the just qualified candidate are in the .40 to .60 range.
- Easy items for the just qualified candidate are in the .70 to 1 range.

Next, panelists decided how to refine their judgment within the range. For example, if a panelist thought that an item would be easy for the just qualified candidate, the initial decision located the item in the .70 to 1 range. The second decision for the panelist was to decide if the likelihood of answering it correctly is .70, .80, .90, .95 or 1.

After the training, panelists made practice judgments and discussed those judgments and their rationale. All panelists completed a post-training survey to confirm that they had received adequate training and felt prepared to continue; the standard-setting process continued only if all panelists confirmed their readiness.

Following this first round of judgments (*Round 1*), item-level feedback was provided to the panel. The panelists' judgments were displayed for each item and summarized across panelists. Items were highlighted to show when panelists converged in their judgments (at least two-thirds of the panelists located an item in the same difficulty range) or diverged in their judgments.

The panelists discussed their item-level judgments. These discussions helped panelists maintain a shared understanding of the knowledge/skills of the just qualified candidate and helped to clarify aspects of items that might not have been clear to all panelists during the Round 1 judgments. The purpose of the discussion was not to encourage panelists to conform to another's judgment, but to understand the different relevant perspectives among the panelists.

In Round 2, panelists discussed their Round 1 judgments and were encouraged by the facilitator (a) to share the rationales for their judgments and (b) to consider their judgments in light of the rationales provided by the other panelists. Panelists recorded their Round 2 judgments only for items when they wished to change a Round 1 judgment. Panelists final judgments for the study, therefore, consist of their Round 1 judgments and any adjusted judgments made during Round 2.

RESULTS

EXPERT PANELS

Table 2 presents a summary of the panelists' demographic information. The panel included 17 speech-language pathologists representing 16 states . (See Appendix A for a listing of panelists.) Eleven panelists were speech-language pathologists, four were college faculty, one was a director/administrator of a health service program, and one held another position.

Table 2
Panel Member Demographics

	<i>N</i>	<i>%</i>
What is your primary employment function?		
Speech-Language Pathologist	11	65%
College faculty	4	24%
Director/Administrator of a Health Services Program	1	6%
Other	1	6%
What is your primary employment facility?		
School (Pre-K to 12 levels; public or private)	6	35%
College or University	6	35%
Hospital or Outpatient Clinic	2	12%
Other	3	18%
How many years of experience have you had as a speech-language pathologist?		
3 years or less	4	24%
4 - 7 years	3	18%
8 - 11 years	6	35%
12 - 15 years	1	6%
16 years or more	3	18%
Do you currently hold the ASHA Certificate of Clinical Competence in Speech-Language Pathology (CCC_SLP)?		
Yes	17	100%
No	0	0%
Have you had any experience supervising a newly graduated, entry-level speech-language pathologist in the past five (5) years?		
Yes	10	59%
No	7	41%
Gender		
Female	17	100%
Male	0	0%
Race		
White	11	65%
Black or African American	4	24%
Other	2	12%

STANDARD-SETTING JUDGMENTS

Table 3 summarizes the standard-setting judgments of panelists. The table shows the passing scores—the number of raw points needed to pass the test—recommended by each panelist.

Table 3 also includes estimate of the measurement error associated with the judgments: the standard deviation of the mean and the standard error of judgment (SEJ). The SEJ is one way of estimating the reliability or consistency of a panel's standard-setting judgments.³ It indicates how likely it would be for several other panels similar in makeup, experience, and standard-setting training to the current panel to recommend the same passing score on the same form of the test.

Round 1 judgments are made without discussion among the panelists. The most variability in judgments, therefore, is typically present in the first round. Round 2 judgments, however, are informed by panel discussion; thus, it is common to see a decrease both in the standard deviation and SEJ. This decrease — indicating convergence among the panelists' judgments — was observed (see Table 3). The Round 2 average score is the panel's recommended passing score.

The panel's passing score recommendation for the Praxis Speech-Language Pathology test is 73.57 (out of a possible 108 raw-score points). The value was rounded to the next highest whole number, 74, to determine the functional recommended passing score. The scaled score associated with 74 raw points is 162.

³ An SEJ assumes that panelists are randomly selected and that standard-setting judgments are independent. It is seldom the case that panelists are randomly sampled, and only the first round of judgments may be considered independent. The SEJ, therefore, likely underestimates the uncertainty of passing scores (Tannenbaum & Katz, 2013).

Table 3
Passing Score Summary by Round of Judgments

Panelist	Round 1	Round 2
1	71.85	73.40
2	75.20	74.65
3	73.90	73.70
4	70.35	75.65
5	71.90	72.35
6	73.20	74.60
7	58.60	65.20
8	58.05	68.65
9	75.15	77.15
10	65.85	68.05
11	78.80	79.80
12	78.10	79.20
13	61.60	62.40
14	79.05	78.40
15	72.80	75.55
16	73.90	73.60
17	77.35	78.30
Average	71.51	73.57
Lowest	58.05	62.40
Highest	79.05	79.80
SD	6.66	4.94
SEJ	1.62	1.20

Table 4 presents the estimated conditional standard error of measurement (CSEM) around the recommended passing score. A standard error represents the uncertainty associated with a test score. The scaled scores associated with one and two CSEMs above and below the recommended passing score are provided. The conditional standard error of measurement provided is an estimate.

Table 4***Passing Scores Within 1 and 2 CSEMs of the Recommended Passing Score⁴***

Recommended passing score (CSEM)		Scale score equivalent
	74 (4.85)	162
-2 CSEMs	65	150
-1 CSEM	70	157
+ 1 CSEM	79	169
+ 2 CSEMs	84	175

***Note.* CSEM = conditional standard error of measurement.**

FINAL EVALUATIONS

The panelists completed an evaluation at the conclusion of their standard-setting study. The evaluation asked the panelists to provide feedback about the quality of the standard-setting implementation and the factors that influenced their decisions. The responses to the evaluation provided evidence of the validity of the standard-setting process, and, as a result, evidence of the reasonableness of the recommended passing score.

Panelists were also shown the panel's recommended passing score and asked (a) how comfortable they are with the recommended passing score and (b) if they think the score was too high, too low, or about right. A summary of the final evaluation results is presented in Appendix D.

All panelists *strongly agreed* that they understood the purpose of the study. All panelists *strongly agreed* or *agreed* that the facilitator's instructions and explanations were clear and that they were prepared to make their standard-setting judgments. All panelists *strongly agreed* or *agreed* that the standard-setting process was easy to follow.

All but one of the panelists indicated they were at least *somewhat comfortable* with the passing score they recommended; nine of the 17 panelists were *very comfortable*. Sixteen of the 17 panelists indicated the recommended passing score was *about right* with the remaining panelist indicated that the passing score was *too low*.

⁴ The unrounded CSEM value is added to or subtracted from the rounded passing-score recommendation. The resulting values are rounded up to the next-highest whole number and the rounded values are converted to scaled scores.

SUMMARY

To support the decision-making process of the American Speech-Language-Hearing Association (ASHA) and state education agencies establishing a passing score (cut score) for the Praxis Speech-Language Pathology (5331) test, research staff from Educational Testing Service (ETS) designed and conducted a multistate standard-setting study.

ETS provides a recommended passing score from the multistate standard-setting study to help (a) ASHA establish a passing score as part of its Certification of Clinical Competence in Speech-Language Pathology (CCC-SLP) and (b) state education agencies establish a state-specific passing score for licensure/certification. For the Praxis Speech-Language Pathology test, the recommended passing score is 74 out of a possible 108 raw-score points. The scaled score associated with a raw score of 74 is 162 on a 100–200 scale.

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APPENDIX A

PANELISTS' NAMES & AFFILIATIONS

Participating Panelists With Affiliation

<u>Panelist</u>	<u>Affiliation</u>
Jessica Conrad	Special Services, Johnson County and Surrounding Schools (IN)
Angelica Gunn	Wellstar Health System (GA)
Fran Hagstrom	University of Arkansas – Fayetteville (AR)
Melissa Herzig	Minot State University (ND)
Elisa Huff	St. Ambrose University (IA)
Tyese Hunter	Tennessee State University (TN)
Nia Johnson	Darlington County School District (SC)
Sarah Leslie	Carespring Health Care Management (OH)
Nicole Moran	Genesis Rehab Services (OH)
Rebecca Peixoto	Marlborough Public Schools (MA)
Ericka Shuptar	Capitol Area Physical Therapy Associates (MI)
Sarah Stuntebeck	University of Wisconsin-Madison (WI)
Joann Thompson	P186X Walter J. Damrosch School (NY)
Emily Tipograph	Montgomery County Public Schools (MD)
Leisha Vogl	Sensible Speech-Language Pathology, LLC (OR)
Sarah Wallace	Duquesne University (PA)
Tomoko Yokooji	Windward District, Dept. Of Education, Spec. Svs. Division (HI)

APPENDIX B

STUDY AGENDA

AGENDA

Praxis Speech-Language Pathology (5331) Standard-Setting Study

Day 1

Welcome and Introduction

Overview of Standard Setting and the Praxis Speech-Language Pathology Test

Review the Praxis Speech-Language Pathology Test

Discuss the Praxis Speech-Language Pathology Test

Lunch

Describe the Knowledge/Skills of a Just Qualified Candidate

Break

Standard-Setting Training

Round 1 Standard Setting Judgments

Collect Materials; End of Day 1

Day 2

Overview of Day 2

Round 1 Feedback and Round 2 Judgments

Lunch

Feedback on Round 2 Recommended Passing Score

Complete Final Evaluation

Collect Materials; End of Study

APPENDIX C

JUST QUALIFIED CANDIDATE DESCRIPTION

Description of the Just Qualified Candidate⁵

A just qualified candidate ...

- I. Foundations and Professional Practice
 - A. Foundations
 - 1. Knows common characteristics of common communication, cognitive and swallowing disorders
 - 2. Understands communication and cognitive, typical/atypical development (i.e., sequence, timeframe) and performance across the life span - recognizes “red flags”
 - B. Professional Practice
 - 1. Understands key elements of documentation and how to produce accurate documentation across settings
 - 2. Understands how to follow ethical guidelines within the scope of practice
 - 3. Can identify culturally and linguistically appropriate service delivery approaches and strategies for client advocacy
 - 4. Knows how to collaborate with team members to guide treatment and support prevention of communication, swallowing and cognitive disorders
 - 5. Knows common research methods and knows how to implement evidence-based practice
- II. Screening, Assessment, Evaluation, and Diagnosis
 - A. Screening
 - 1. Understands how to select appropriate screening procedures or tools and effectively identify areas needing further assessment
 - B. Approaches to Assessment and Evaluation
 - 1. Knows how to develop a comprehensive case history, select (common) appropriate formal and/or informal assessment measures and procedures, and make appropriate referrals
 - C. Assessment Procedures and Assessment
 - 1. Understands how to administer, score, and interpret formal and informal assessment measures for the Big 9 areas of speech-language pathology across the lifespan
 - 2. Knows when and how to adapt evaluation procedures to meet individual patient needs
 - 3. Knows ramifications of adapting evaluation
 - D. Etiology
 - 1. Can identify common genetic, developmental, disease-related, auditory, neurological, structural and functional, and psychogenic etiologies that may impact communication and swallowing disorders

⁵ Description of the just qualified candidate focuses on the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate.

Description of the Just Qualified Candidate⁶ (continued)

A just qualified candidate ...

III. Planning, Implementation, and Evaluation of Treatment

A. Treatment Planning

1. Understands how to initiate, develop and communicate treatment plan and goals
2. Knows how to prioritize, adapt, and revise treatment goals
3. Knows positive and negative prognostic indicators related to provision of treatment and prognosis (e.g., lack of motivation, severity, culture, behavior)

B. Treatment Evaluation

1. Knows different methods for monitoring treatment progress and outcomes
2. Is familiar with the importance of and processes for following up on post-treatment referrals and recommendations

C. Treatment

1. Knows typical treatments for the Big 9

⁶ Description of the just qualified candidate focuses on the knowledge/skills that differentiate a *just* from a *not quite* qualified candidate.

APPENDIX D

FINAL EVALUATION RESULTS

Table D1***Final Evaluation***

	Strongly agree		Agree		Disagree		Strongly disagree	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• I understood the purpose of this study.	17	100%	0	0%	0	0%	0	0%
• The instructions and explanations provided by the facilitator were clear.	13	76%	4	24%	0	0%	0	0%
• The training in the standard-setting method was adequate to give me the information I needed to complete my assignment.	16	94%	1	6%	0	0%	0	0%
• The explanation of how the recommended passing score is computed was clear.	14	82%	3	18%	0	0%	0	0%
• The opportunity for feedback and discussion between rounds was helpful.	16	94%	1	6%	0	0%	0	0%
• The process of making the standard-setting judgments was easy to follow.	11	65%	6	35%	0	0%	0	0%

Table D1 (continued)

Final Evaluation

How influential was each of the following factors in guiding your standard-setting judgments?	Very influential		Somewhat influential		Not influential			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• The description of the just qualified candidate	15	88%	2	12%	0	0%		
• The between-round discussions	10	59%	7	41%	0	0%		
• The knowledge/skills required to answer each test item	12	71%	5	29%	0	0%		
• The passing scores of other panel members	2	12%	14	82%	1	6%		
• My own professional experience	6	35%	9	53%	2	12%		
	Very comfortable		Somewhat comfortable		Somewhat uncomfortable		Very uncomfortable	
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%
• Overall, how comfortable are you with the panel's recommended passing score?	9	53%	7	41%	1	6%	0	0%
	Too low		About right		Too high			
	<i>N</i>	%	<i>N</i>	%	<i>N</i>	%		
• Overall, the recommended passing score is:	1	6%	16	94%	0	0%		

**ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
CONSOLIDATION AND ANNEXATION OF SCHOOL DISTRICTS
January 2013**

1.00 PURPOSE

- 1.01 The purpose of these rules is to establish the requirements and procedures concerning the consolidation and annexation of school districts; the administrative consolidation and annexation of school districts; and the distribution of consolidation/annexation incentive funding.

2.00 AUTHORITY

- 2.01 The State Board of Education (State Board) enacts these rules pursuant to the authority granted by Ark. Code Ann. §§ 6-11-105, 6-13-1401 et seq., 6-13-1601 et seq., 25-15-201 et seq., Act 1073 of 2013 and annual appropriations of the Arkansas General Assembly.

3.00 DEFINITIONS

- 3.01 “Administrative annexation” means the joining of an affected school district or a part of the school district with a receiving school district;
- 3.02 “Administrative consolidation” means the joining of two (2) or more school districts to create a new single school district with one (1) administrative unit and one (1) board of directors that is not required to close school facilities;
- 3.03 “Affected district” means a school district that:
- 3.03.1 Loses territory or students as a result of annexation or administrative annexation; or
- 3.03.2 Is involved in a consolidation or administrative consolidation.
- 3.04 “Aggrieved district” means the lawfully constituted and existing board of directors of a school district that gains or loses territory or students as a result of an annexation, administrative annexation, consolidation, or administrative consolidation;
- 3.05 “Annexation” means the joining of an affected school district or part thereof with a receiving district;
- 3.06 “Average daily membership (ADM)” has the same meaning as defined by the Arkansas General Assembly in Ark. Code Ann. § 6-20-2303. ~~means the total number of days attended plus the total number of days absent by students in~~

~~grades kindergarten through twelve (K-12) during the first three (3) quarters of each school year divided by the number of school days actually taught in the school district during that period of time rounded up to the nearest hundredth.~~

~~3.06.1 Students who may be counted for average daily membership are:~~

~~3.06.1.1 — Students who reside within the boundaries of the school district and who are enrolled in a public school operated by the school district or a private school for special education students, with their attendance resulting from a written tuition agreement approved by the Department of Education;~~

~~3.06.1.2 — Legally transferred students living outside the school district but attending a public school in the school district; and~~

~~3.06.1.3 — Students who reside within the boundaries of the school district and who are enrolled in the Arkansas National Guard Youth Challenge Program, so long as the students are participants in the program;~~

- 3.07 “Consolidation” means the joining of two (2) or more affected school districts or parts thereof to create a new single school district;
- 3.08 “Debt” means a legal liability, encumbrance or contract, including employment contracts, to be paid out of future revenues or current reserves of the school district.
- 3.09 “Receiving district” means a school district or districts that receive territory or students, or both, from an affected district as a result of annexation or administrative annexation;
- 3.10 “Resulting district” means the new school district created from affected districts as a result of consolidation or administrative consolidation.

Source: Ark. Code Ann. §§ 6-13-1401 and 6-13-1601

4.00 CONSOLIDATION AND ANNEXATION AUTHORITY OF THE STATE BOARD

- 4.01 There shall not be any consolidation or annexation of any public school district with any other school district in the state without the prior consent and approval of the State Board.

Source: Ark. Code Ann. § 6-13-1402

CONSOLIDATION AND ANNEXATION OF SCHOOL DISTRICTS

5.00 CONDITIONS UNDER WHICH THE STATE BOARD OF EDUCATION MAY ANNEX SCHOOL DISTRICTS

5.01 The State Board shall consider the annexation of an affected school district or districts to a receiving district or districts under any of the following conditions:

5.01.1 The State Board, after providing thirty (30) days' written notice to the affected school districts, determines that annexation is in the best interest of the affected district or districts and the receiving district based upon failure to meet standards for accreditation or failure to meet academic, fiscal, or facilities distress requirements pursuant to The Quality Education Act of 2003, Ark. Code Ann. § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, Ark. Code Ann. § 6-15-401 et seq., the Arkansas Fiscal Assessment and Accountability Program, Ark. Code Ann. § 6-20-1901 et seq., and the Arkansas Public School Academic Facilities Program Act, Ark. Code Ann. § 6-21-801 et seq.;

5.01.2 The affected district or districts file a petition with the State Board requesting annexation to a particular receiving district or districts, and a copy of the petition is filed with the county clerk's office of each county where the affected district or districts are located;

5.01.2.1 The county clerk's office of each county where the affected district or districts are located certifies in writing that the petition has been signed by a majority of the qualified electors of the affected district or districts; and

5.01.2.2 The receiving district or districts provide to the State Board written proof of consent to receive the affected district or districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education or by a vote to approve annexation by a majority of the qualified electors of the receiving district as provided for in Ark. Code Ann. § 6-14-122;

5.01.3 A majority of the qualified electors in the affected district or districts vote to approve the annexation of an affected school district or districts to a receiving district or districts as provided for in Ark. Code Ann. § 6-14-122; and

5.01.3.1 The receiving district or districts provide to the State Board written proof of consent to receive the affected district or

districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education or by a vote to approve annexation by a majority of the qualified electors of the receiving district as provided in Ark. Code Ann. § 6-14-122; or

5.01.4 The local board of education of the affected district or districts votes to approve by resolution the annexation of the affected district or districts to a receiving district or districts by a majority of the members of the local board of education of the affected district or districts; and

5.01.4.1 The receiving district or districts provide to the State Board written proof of consent to receive the affected district or districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education or by a vote to approve annexation by a majority of the qualified electors of the receiving districts as provided for in Ark. Code Ann. § 6-14-122.

5.02 The State Board may vote to approve, by a majority of a quorum present of the members of the State Board, the annexation of the affected districts into a receiving district:

5.02.1 The State Board, after providing thirty (30) days written notice to the affected districts, may on its own motion based on a school district's failure to meet standards for accreditation or failure to meet academic, fiscal, or facilities distress requirements pursuant to The Quality Education Act of 2003, Ark. Code Ann. § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, Ark. Code Ann. § 6-15-401 et seq., the Arkansas Fiscal Assessment and Accountability Program, Ark. Code Ann. § 6-20-1901 et seq., and the Arkansas Public School Academic Facilities Program Act, Ark. Code Ann. § 6-21-801 et seq.; or

5.02.2 Upon receipt of a valid petition for annexation and after receiving proof from the petitioning party of at least one (1) of the required conditions set forth in Ark. Code Ann. § 6-13-1403(a) and Section 5.01 of these rules, and upon receipt of proof of the issuance of public notice of the intent to annex affected districts into a receiving district or districts in the local newspapers of general circulation in the affected districts for a time period of no less than one (1) time a week for two (2) consecutive weeks immediately prior to the time the petition is filed with the State Board.

- 5.03 In order for the petition for annexation to be valid, it shall be filed with the State Board at least thirty (30) days prior to the next regularly scheduled State Board meeting, at which time the petition will be presented for hearing before the State Board. However, no petition is required for the State Board to annex a school district or districts upon a motion of the State Board as allowed in Ark. Code Ann. § 6-13-1403(b) and Section 5.02 of these rules.
- 5.04 Upon determination by the State Board to annex a school district or approval of a petition requesting annexation, the State Board shall issue an order dissolving the affected district or districts and establishing the receiving district or districts.
 - 5.04.1 The State Board shall issue an order establishing the boundary lines of the receiving district or districts.
 - 5.04.2 It shall be the duty of the Department of Education to make changes in the maps of the school districts to properly show the boundary lines of the receiving district or districts.
- 5.05 The State Board shall:
 - 5.05.1 Issue an order establishing the changed boundaries; and
 - 5.05.2 File the order with the:
 - 5.05.2.1 County clerk of each county that contains school district territory of each affected or receiving district;
 - 5.05.2.2 Secretary of State; and
 - 5.05.2.3 Arkansas Geographic Information Office.
 - 5.05.3 The county clerk shall make a permanent record of the order.
 - 5.05.4 A consolidation or annexation order filed with the Secretary of State and the Arkansas Geographic Information Office shall include a digital map showing the boundaries of the resulting district or receiving district in a format prescribed by the Arkansas Geographic Information Office.
 - 5.05.5 The boundaries established by the State Board pursuant to Ark. Code Ann. § 6-13-1403(e) and Section 5.05 of these rules shall be the boundaries of the receiving district or districts until changes are made according to the provisions of law.
- 5.06 The State Board shall not annex affected districts into a receiving district or districts that are not geographically contiguous unless the following limited conditions are determined to be valid reasons for annexation:

5.06.1 The annexation will result in the overall improvement in the educational benefit to students in all the school districts involved; or

5.06.2 The annexation will provide a significant advantage in transportation costs or service to all the school districts involved.

Source: Ark. Code Ann. §§ 6-13-1403, 6-13-1415, & 6-13-1416

6.00 CONDITIONS UNDER WHICH THE STATE BOARD OF EDUCATION MAY CONSOLIDATE SCHOOL DISTRICTS

6.01 The State Board shall consider the consolidation of affected districts into a new resulting district or districts under the following conditions:

6.01.1 The State Board, after providing thirty (30) ~~days~~ days’ written notice to the affected school districts, determines consolidation is in the best interest of the affected districts based upon failure to meet standards for accreditation or academic, fiscal, or facilities distress requirements pursuant to The Quality Education Act of 2003, Ark. Code Ann. § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, Ark. Code Ann. § 6-15-401 et seq., the Arkansas Fiscal Assessment and Accountability Program, Ark. Code Ann. § 6-20-1901 et seq., and the Arkansas Public School Academic Facilities Program Act, Ark. Code Ann. § 6-21-801 et seq.; or

6.01.2 The affected districts file a petition with the State Board requesting that the affected districts be consolidated into a resulting district or districts;

6.01.2.1 A copy of the petition has been filed with the county clerk’s office of each county where the affected districts are located;

6.01.2.2 The county clerk’s office certifies in writing to the State Board that the petition has been signed by a majority of the qualified electors of the affected districts;

6.01.2.3 A majority of the qualified electors in the affected districts votes to approve consolidation of the affected districts into a resulting district or districts pursuant to a valid election as provided in Ark. Code Ann. § 6-14-122; and

6.01.2.4 The local board of directors votes to approve by resolution of a majority of the members of each local board of education the consolidation of the affected districts into a resulting district or districts.

6.02 The State Board:

- 6.02.1 After providing thirty (30) days written notice to the affected districts, may consolidate school districts upon its own motion based upon a school district's failure to meet standards for accreditation or academic, fiscal, or facilities distress requirements pursuant to The Quality Education Act of 2003, Ark. Code Ann. § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, Ark. Code Ann. § 6-15-401 et seq., the Arkansas Fiscal Assessment and Accountability Program, Ark. Code Ann. § 6-20-1901 et seq., and the Arkansas Public School Academic Facilities Program Act, Ark. Code Ann. § 6-21-801 et seq.; or
- 6.02.2 May vote to approve by a majority of a quorum present of the members of the State Board the consolidation of the affected districts into a resulting district or districts upon receipt of a valid petition for consolidation after receiving proof from the petitioning party of at least one (1) of the required conditions set forth in Ark. Code Ann. § 6-13-1404(a) and Section 6.01 of these rules, and upon receipt of proof of the issuance of public notice of the intent to consolidate affected districts into a resulting district or districts in the local newspapers of general circulation in the affected districts for a time period of no less than one (1) time a week for two (2) consecutive weeks immediately prior to the time the petition is filed with the State Board.
- 6.03 In order for the petition for consolidation to be valid, it shall be filed with the State Board at least thirty (30) days prior to the next regularly scheduled State Board meeting, at which time the petition will be presented for hearing before the State Board. However, no petition is required for the State Board to consolidate a school district or districts on a motion of the State Board as allowed Ark. Code Ann. § 6-13-1404(b) and Section 6.02 of these rules.
- 6.04 Upon consolidation of a school district by the State Board or approval of a petition requesting consolidation, the State Board shall issue an order dissolving the affected districts and establishing the resulting district or districts.
 - 6.04.1 The State Board shall issue an order establishing the boundary lines of the resulting district or districts.
 - 6.04.2 It shall be the duty of the Department of Education to make changes in the maps of the school districts to properly show the boundary lines of the resulting district or districts.

6.05 The State Board shall:

6.05.1 Issue an order establishing the changed boundaries; and

6.05.2 File the order with the:

6.05.2.1 County clerk of each county that contains school district territory of each affected or resulting district;

6.05.2.2 Secretary of State; and

6.05.2.3 Arkansas Geographic Information Office.

6.05.3 The county clerk shall make a permanent record of the order.

6.05.4 A consolidation or annexation order filed with the Secretary of State and the Arkansas Geographic Information Office shall include a digital map showing the boundaries of the resulting district or receiving district in a format prescribed by the Arkansas Geographic Information Office.

6.05.5 The boundaries established under this subsection shall be the boundaries of the resulting district or districts until changes are made according to the provisions of law.

6.06 The State Board shall not consolidate affected districts that are not geographically contiguous unless the following limited conditions are determined to be valid reasons for consolidation:

6.06.1 The consolidation will result in the overall improvement in the educational benefit to students in all the school districts involved; or

6.06.2 The consolidation will provide a significant advantage in transportation costs or service to all the school districts involved.

Source: Ark. Code Ann. §§ 6-13-1404, 6-13-1415, & 6-13-1416

7.00 RESULTING DISTRICT SUCCESSOR IN INTEREST – WHEN PART OF DISTRICT TAKEN

7.01 Any receiving or resulting district created under Ark. Code Ann. § 6-13-1407 and Section 7.00 of these rules shall become the successor in interest to the property of the school district dissolved, shall become liable for the contracts and debts of such a school district, and may sue and be sued therefor.

7.02 When territory less than the entire school district is annexed or consolidated to a school district, the receiving or resulting district shall take the property of the

school district from which the territory was taken, as the State Board shall deem proper, and shall be liable for that part of all indebtedness of the school district from which the territory was taken as shall be assigned to it by the State Board unless otherwise approved by a majority vote of the affected school district's or districts' board or boards of directors.

Source: Ark. Code Ann. § 6-13-1407

8.00 ANNEXATION OR CONSOLIDATION NOT TO NEGATIVELY IMPACT STATE-ASSISTED DESEGREGATION

- 8.01 The State Board shall not order any annexation or consolidation pursuant to Title 6, Chapter 13, Subchapter 14, or any other act or any combination of acts which hampers, delays, or in any manner negatively affects the desegregation efforts of a school district or districts in this state.
- 8.02 Prior to the entry of any order under Title 6, Chapter 13, Subchapter 14, the State Board shall seek an advisory opinion from the Attorney General concerning the impact of the proposed annexation or consolidation on the effort of the state to assist a school district or districts in desegregation of the public schools of this state.
- 8.03 Any order of annexation or consolidation or combination thereof that violates the provisions of Ark. Code Ann. § 6-13-1408 and Section 8.00 of these rules shall be null and void.

Source: Ark. Code Ann. § 6-13-1408

9.00 OTHER STATE BOARD OF EDUCATION DUTIES

- 9.01 The State Board shall have the following duties regarding consolidations and annexations:
 - 9.01.1 To form local school districts, change boundary lines of school districts, dissolve school districts and annex the territory of those school districts to another school district, create new school districts, and perform all other functions regarding changes in school districts in accordance with the law;
 - 9.01.2 To transfer funds and attach territory that is in no school district to other school districts as may seem best for the educational welfare of the children; and
 - 9.01.3 To enact rules and regulations regarding the consolidation and annexation of school districts pursuant to Title 6 of the Arkansas Code.

- 9.02 The millage rate of the electors of an affected district shall remain the same until an election may be held to change the rate of taxation for the resulting or receiving district or districts.

Source: Ark. Code Ann. § 6-13-1409

10.00 APPEAL AND ELECTION

- 10.01 Notwithstanding any other provision of law or rule of the State Board, the decision of the State Board regarding an administrative consolidation, consolidation, administrative annexation, or annexation shall be final with no further right of appeal except that only an aggrieved district may appeal to Pulaski County Circuit Court pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-201 et seq.

Source: Ark. Code Ann. § 6-13-1410

11.00 USE OF FUND BALANCES

- 11.01 Unless otherwise approved by a unanimous vote of the board of directors of the resulting district, the fund balances of any school district that is consolidated, annexed, or otherwise reorganized shall be used by the resulting district solely for the construction of facilities or the operation, maintenance, or support of the schools that were located in the affected school district from which the fund balance was derived if any of the facilities of the affected district from which the fund balance was derived remain open.
- 11.02 The provisions of Ark. Code Ann. § 6-13-1411 and Section 11.00 of these rules shall not apply if the consolidation or annexation is because of the school district's failure to meet standards for accreditation or failure to meet academic, ~~or~~ fiscal, or facilities distress requirements pursuant to The Quality Education Act of 2003, Ark. Code Ann. § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, Ark. Code Ann. § 6-15-401 et seq., ~~or the Arkansas Fiscal Assessment and Accountability Program, Ark. Code Ann. § 6-20-1901 et seq., or the Arkansas Public School Academic Facilities Program Act, Ark. Code Ann. § 6-21-801 et seq.~~

Source: Ark. Code Ann. § 6-13-1411

12.00 INVOLUNTARY ANNEXATION OR CONSOLIDATION – EFFECTIVE DATE – INTERIM BOARD OF DIRECTORS

- 12.01 Ark. Code Ann. § 6-13-1415 and Section 12.00 of these rules apply to the involuntary consolidation or involuntary annexation of a school district made by a motion of the State Board.

- 12.02 The effective date of an involuntary consolidation or involuntary annexation of a school district shall be the July 1 after the State Board action unless determined otherwise by the State Board.
- 12.03 The State Board shall establish the terms and conditions of the involuntary consolidation or involuntary annexation that shall govern the affected districts, resulting districts, and receiving districts.
- 12.04 If the State Board determines that a new permanent board of directors is necessary, the State Board shall prescribe:
 - 12.04.1 The number of members for the new permanent board of directors of the resulting district or receiving district;
 - 12.04.2 The manner of formation of the new permanent board of directors of the resulting district or receiving district under Ark. Code Ann. § 6-13-1417 and Section 14.00 of these rules; and
 - 12.04.3 Whether the new permanent board of directors will be elected at the first or second school election after the effective date of consolidation or annexation. The election for the new permanent school board of directors may take place during the second school election after the effective date of consolidation or annexation only if the State Board determines that additional time is required to implement single-member zoned elections.
- 12.05 If the State Board determines that an interim board of directors is necessary, the State Board shall prescribe:
 - 12.05.1 The number of members for the interim board of directors of the resulting district or receiving district;
 - 12.05.2 The terms of the members of the interim board of directors of the resulting district or receiving district; and
 - 12.05.3 The manner of formation of the interim board of directors of the resulting district or receiving district. The State Board may:
 - 12.05.3.1 Allow the affected districts and receiving districts thirty (30) days to establish an interim board of directors to govern the resulting district or receiving district that consists of either five (5) or seven (7) members selected from the boards of directors from the affected districts and receiving districts based on the proportion of the student

population of each of the affected districts and receiving districts before consolidation or annexation;

12.05.3.2 Appoint an interim board of directors to govern the resulting or receiving district that consists of either five (5) or seven (7) members selected from the boards of directors from the affected districts and receiving districts based on the proportion of the student population of each of the affected districts and receiving districts before consolidation or annexation; or

12.05.3.3 Designate the existing board of directors of one (1) affected district in a consolidation or the existing board of directors of the receiving district in an annexation as the interim board to govern the resulting district or receiving district.

12.06 The State Board may determine that an interim board of directors is not necessary and may order the existing board of directors of one (1) affected district in a consolidation or the existing board of directors of the receiving district in an annexation to remain as the permanent school board of directors.

12.07 An interim board of directors shall serve until the first school election after the effective date of consolidation or annexation unless:

12.07.1 Any members of the permanent board of directors of the resulting district or receiving district are elected from single-member zones, then the interim board of directors may serve until the second school election after the effective date of consolidation or annexation under Ark. Code Ann. § 6-13-1415(d)(1)(C) and Section 12.04.3 of these rules; or

12.07.2 All the members of the permanent board of directors of the resulting district or receiving district are elected at-large, then the State Board may stagger the terms of the interim board of directors, which shall be determined by lot so that no more than two (2) members' terms expire during any one (1) year.

12.08 If the State Board allows the local school districts time to establish an interim board of directors, the board of directors of each affected district before the consolidation or each affected district and receiving district before the annexation may determine independently how to select members of the existing board of directors to serve on the interim board of directors, subject to approval by the State Board, by:

- 12.08.1 The voluntary resignation of one (1) or more members of the existing board of directors;
 - 12.08.2 Selecting one (1) or more members of the existing board of directors by a majority vote of the school board; or
 - 12.08.3 Selecting one (1) or more members of the existing board of directors by a random lot drawing.
- 12.09 An interim board of directors shall be established by May 31 of the year preceding the effective date of administrative consolidation or administrative annexation under Ark. Code Ann. § 6-13-1603 if the State Board determines that an interim board of directors is necessary.
- 12.10 A consolidation or annexation order adopted by the State Board shall be filed with the:
- 12.10.1 County clerk of each county that contains school district territory of each affected district, receiving district, or resulting district;
 - 12.10.2 Secretary of State; and
 - 12.10.3 Arkansas Geographic Information Office.
- 12.11 A consolidation or annexation order shall include a map of the boundaries of the resulting district or receiving district.
- 12.12 A consolidation or annexation order filed with the Secretary of State and the Arkansas Geographic Information Office shall include a digital map showing the boundaries of the resulting district or receiving district in a format prescribed by the Arkansas Geographic Information Office.

Source: Ark. Code Ann. § 6-13-1415

13.00 VOLUNTARY CONSOLIDATION OR ANNEXATION – EFFECTIVE DATE – INTERIM BOARD OF DIRECTORS

- 13.01 Ark. Code Ann. § 6-13-1416 and Section 13.00 of these rules apply to any petition for consolidation or annexation of a school district submitted to the State Board by a school district.
- 13.02 The effective date of a petition for consolidation or annexation of a school district shall be the July 1 after the State Board approves the consolidation or annexation petition unless the State Board approves an alternative effective date or determines otherwise.

13.03 Each board of directors of an affected district and receiving district shall enter into a written agreement approved by the quorum of the members of each board of directors present and executed by the president and secretary of each school board of directors.

13.03.1 The written agreement may prescribe the effective date of the annexation of the affected district to the receiving district or the effective date of the formation of the resulting district from consolidation of affected districts, subject to approval by the state board.

13.03.2 The written agreement may prescribe the number of members of the permanent board of directors of the resulting district or receiving district and the manner of formation of the permanent board of directors of the resulting district or receiving district under Ark. Code Ann. § 6-13-1417 or as allowed by law.

13.03.2.1 If the written agreement prescribes the formation of a new permanent board of directors, the written agreement shall specify whether the new permanent board of directors will be elected at the first or second school election after the effective date of consolidation or annexation.

13.03.2.2 The election of a new permanent board of directors may take place during the second school election after the effective date of consolidation or annexation only if additional time is necessary to implement single-member zoned elections.

13.04 The written agreement may prescribe for the formation of an interim board of directors, including the number of members, the length of member terms, and the manner of formation as follows:

13.04.1 Establish an interim board of directors to govern the resulting district or receiving district that consists of either five (5) or seven (7) members selected from the boards of directors from the affected districts and receiving districts based on the proportion of the student population of each of the affected districts and receiving districts before consolidation or annexation;

13.04.2 Designate the existing board of directors of one (1) affected district in a consolidation or the existing board of directors of the receiving district in an annexation as the interim board of directors; or

- 13.04.3 Determine that an interim board of directors is not necessary and may designate the existing board of directors of one (1) affected district in a consolidation or the existing board of directors of the receiving district in an annexation to remain as the permanent school board of directors.
- 13.05 If the written agreement prescribes the formation of an interim board of directors, the interim board of directors shall serve until the first school election after the effective date of consolidation or annexation unless:
 - 13.05.1 Any members of the permanent board of directors of the resulting district or receiving district are elected from single-member zones, then the interim board of directors may serve until the second school election after the effective date of consolidation or annexation under Ark. Code Ann. § 6-13-1416(c)(3)(B) and Sections 13.03.2.1 and 13.03.2.2 of these rules; or
 - 13.05.2 All the members of the permanent board of directors of the resulting district or receiving district are elected at-large, then the ~~State Board~~ written agreement may stagger the terms of the interim board of directors, which shall be determined by lot so that no more than two (2) members' terms expire during any one (1) year.
- 13.06 If the written agreement prescribes formation of an interim board of directors, the board of directors of the affected district before the consolidation or the affected district and receiving district before annexation may determine independently how to select members of the existing board of directors to serve on the interim board of directors by:
 - 13.06.1 The voluntary resignation of one (1) or more members of the existing board of directors;
 - 13.06.2 Selecting one (1) or more members of the existing board of directors by a majority vote of the school board; or
 - 13.06.3 Selecting one (1) or more members of the existing board of directors by a random lot drawing.
- 13.07 If the written agreement in an administrative consolidation or an administrative annexation under Ark. Code Ann. § 6-13-1603 requires the formation of an interim board of directors, the interim board of directors shall be established by May 31 preceding the effective date of the administrative consolidation or administrative annexation.
- 13.08 An executed copy of the written agreement shall be attached to the petition for consolidation or annexation submitted to the State Board.

- 13.08.1 If the written agreement is approved by the State Board, the terms of the written agreement shall be binding upon the affected districts, receiving districts, and resulting districts, including the interim and permanent school boards of directors.
- 13.08.2 A written agreement under Ark. Code Ann. § 6-13-1416 and Section 13.00 of these rules shall not be effective without approval from the State Board.
- 13.09 A consolidation or annexation petition approved by the State Board along with an executed copy of the written agreement shall be filed with the:
 - 13.09.1 County clerk of each county that contains school district territory of each affected district, receiving district, or resulting district;
 - 13.09.2 Secretary of State; and
 - 13.09.3 Arkansas Geographic Information Office.
- 13.10 An approved consolidation or annexation petition shall include a map of the boundaries of the resulting district or receiving district.
- 13.11 An approved consolidation or annexation petition filed with the Secretary of State and the Arkansas Geographic Information Office shall include a digital map showing the boundaries of the resulting district or receiving district in a format prescribed by the Arkansas Geographic Information Office.

Source: Ark. Code Ann. § 6-13-1416

14.00 FORMATION OF A PERMANENT BOARD OF DIRECTORS

- 14.01 A permanent board of directors shall have either five (5) or seven (7) members unless the school district is allowed to have nine (9) members under Ark. Code Ann. § 6-13-604.
- 14.02 The length of the terms of the board of directors may be for the time period prescribed by law and:
 - 14.02.1 Prescribed in the written agreement under Ark. Code Ann. § 6-13-1416 and Section 13.00 of these rules; or
 - 14.02.2 Determined by the permanent board of directors.

- 14.03 At the first meeting of the permanent board of directors, the members shall determine the terms of the board of directors by lot so that not more than two (2) members' terms expire during any one (1) year.
- 14.04 A vacancy on the board of directors shall be filled as prescribed by law.
- 14.05 If single-member election zones are not necessary to comply with the Voting Rights Act of 1965 or with any other federal or state law, any or all of the members of the permanent board of directors may be elected at large.
- 14.06 A minimum of five (5) members of a permanent board of directors shall be elected from single-member election zones if one (1) or more of the following applies:
- 14.06.1 Single-member election zones are required to comply with the Voting Rights Act of 1965 or other federal law;
 - 14.06.2 The resulting district or receiving district after consolidation or annexation is required to be zoned under Ark. Code Ann. § 6-13-631 or other state law; or
 - 14.06.3 The boards of directors of the affected districts before consolidation or the boards of directors of the affected districts and receiving districts before annexation agree that the permanent board of directors shall be elected from single-member election zones.
- 14.07 If single-member election zones are necessary to comply with the Voting Rights Act of 1965, other federal law, or state law, the resulting district or receiving district shall:
- 14.07.1 Review the demographic makeup and boundaries of the zones based on the latest decennial census data of the resulting district or receiving district after consolidation or annexation and rezone the resulting district or receiving district as necessary to comply with the Voting Rights Act of 1965, other federal law, or state law;
 - 14.07.2 Complete the election rezoning no later than one hundred twenty (120) calendar days before the second school election following the effective date of the consolidation or annexation; and
 - 14.07.3 ~~File a digital map detailing the election zone boundaries of the resulting district or receiving district with the Secretary of State and the Arkansas Geographic Information Office in a format prescribed by the Arkansas Geographic Information Office no~~ No later than one hundred twenty (120) calendar days before the

second school election following the effective date of the consolidation or annexation, file a digital map, in a format prescribed by the Arkansas Geographic Information Office, detailing the election zone boundaries of the resulting district or receiving district with the:

14.07.3.1 Secretary of State;

14.07.3.2 Arkansas Geographic Information Office; and

14.07.3.3 County clerk of each county that contains school district territory of each affected district, receiving district, or resulting district.

Source: Ark. Code Ann. § 6-13-1417

ADMINISTRATIVE CONSOLIDATION AND ANNEXATION OF SCHOOL DISTRICTS

15.00 ADMINISTRATIVE CONSOLIDATION LIST

15.01 By January 1 of each year, the Department of Education shall publish a:

- 15.01.1 List of all school districts with fewer than three hundred fifty (350) students according to the school district average daily membership in the school year immediately preceding the current school year; and
- 15.01.2 Consolidation list that includes all school districts with fewer than three hundred fifty (350) students according to the school district average daily membership in each of the two (2) school years immediately preceding the current school year.

Source: Ark. Code Ann. § 6-13-1602

16.00 ADMINISTRATIVE REORGANIZATION

- 16.01 Any school district included in the Department of Education's consolidation list under Ark. Code Ann. § 6-13-1602 may voluntarily agree to administratively consolidate with or be annexed to another school district or districts in accordance with the requirements and limitations of Ark. Code Ann. § 6-13-1603 and Section 16.00 of these rules.
- 16.02 Any school district on the consolidation list choosing to voluntarily administratively consolidate or annex shall submit a petition for approval to the State Board by March 1 immediately following publication of the list and shall set forth the terms of the administrative consolidation or annexation agreement in the petition. If the petition is approved by the State Board, the administrative consolidation or annexation shall be completed by May 1, to be effective July 1 immediately following the publication of the list required under Ark. Code Ann. § 6-13-1602 and Section 15.00 of these rules.
- 16.03 Any school district on the consolidation list that does not submit a petition under Ark. Code Ann. § 6-13-1603(a)(2)(A) or Section 16.02 of these rules, or that does not receive approval by the State Board for a voluntary consolidation or annexation petition, shall be administratively consolidated by the State Board with or into one (1) or more school districts by May 1, to be effective July 1 immediately following the publication of the list required under Ark. Code Ann. § 6-13-1602 and Section 15.00 of these rules.
- 16.04 The State Board shall promptly consider petitions or move on its own motion to administratively consolidate a school district on the consolidation list in order to

enable the affected school districts to reasonably accomplish any resulting administrative consolidation or annexation by July 1 immediately following the publication of the list required under Ark. Code Ann. § 6-13-1602 and Section 15.00 of these rules.

16.05 The State Board shall not deny the petition for voluntary administrative consolidation or annexation of any two (2) or more school districts unless:

16.05.1 The provisions contained in the articles of administrative consolidation or annexation would violate state or federal law; or

16.05.2 The voluntary consolidation or annexation would not contribute to the betterment of the education of students in the school district.

16.06 Any school district required to be administratively consolidated under Title 6, Chapter 13, Subchapter 16 and Section 16.00 of these rules shall be administratively consolidated in such a manner as to create a resulting district with an average daily membership meeting or exceeding three hundred fifty (350).

16.07 All administrative consolidations or annexations under Ark. Code Ann. § 6-13-1603 and Section 16.00 of these rules shall be accomplished so as not to create a school district that hampers, delays, or in any manner negatively affects the desegregation of another school district in this state.

16.08 In the administratively consolidated or annexed school districts created under Title 6, Chapter 13, Subchapter 16 and Section 16.00 of these rules, the ad valorem tax rate shall be determined as set forth under Ark. Code Ann. § 6-13-1409 and Section 9.00 of these rules.

16.09 Nothing in Ark. Code Ann. § 6-13-1603 or Section 16.00 of these rules shall be construed to require the closing of any school or school facility.

16.10 No administratively consolidated or annexed resulting or receiving school district shall have more than one (1) superintendent.

16.11 Any school district not designated as being in academic or fiscal distress for the current school year and previous two (2) school years that administratively receives by consolidation or annexation a school district designated by the State Board as being in academic or fiscal distress at the time of consolidation or annexation shall not be subject to academic or fiscal distress sanctions for a period of three (3) years from the effective date of consolidation unless:

16.11.1 The school district fails to meet minimum teacher salary requirements; or

- 16.11.2 The school district fails to comply with the Standards for Accreditation of Arkansas Public Schools and School Districts issued by the Department of Education.
- 16.12 Noncontiguous school districts may voluntarily consolidate if the facilities and physical plant of each school district:
 - 16.12.1 Are within the same county, and the State Board approves the administrative consolidation; or
 - 16.12.2 Are not within the same county, and the State Board approves the administrative consolidation or administrative annexation and finds that:
 - 16.12.2.1 The administrative consolidation or administrative annexation will result in the overall improvement in the educational benefit to students in all of the school districts involved; or
 - 16.12.2.2 The administrative consolidation or administrative annexation will provide a significant advantage in transportation costs or service to all of the school districts involved.
- 16.13 Contiguous school districts may administratively consolidate even if they are not in the same county.
- 16.14 The provisions of Ark. Code Ann. §§ 6-13-1415 through 6-13-1417, and Sections 12.00 through 14.00 of these rules, shall govern the board of directors of each resulting district or receiving district created under this Title 6, Chapter 13, Subchapter 16 and Section 16.00 of these rules.

Source: Ark. Code Ann. § 6-13-1603

17.00 DEVELOPMENT OF PLAN TO TRACK STUDENT PROGRESS

- 17.01 Following the administrative consolidation or administrative annexation under Ark. Code Ann. §§ 6-13-1601 -- 6-13-1603, 6-13-1604 [repealed], and 6-13-1605 [repealed] effective before December 1, 2004, and before any consolidation, annexation, detachment, approval of a conversion charter, or any other type of reclassification or reorganization of a school district after December 1, 2004, each receiving district or resulting district and the Department of Education shall develop a plan to track the educational progress of all students from the affected district and the following subgroups of those students:

- 17.01.1 Students who have been placed at risk of academic failure as required under Ark. Code Ann. § 6-15-1602;
 - 17.01.2 Economically disadvantaged students;
 - 17.01.3 Students from major racial and ethnic groups; and
 - 17.01.4 Specific population groups as identified by the State Board, the Department of Education, the affected district, or the receiving district as target groups for closing the achievement gaps.
- 17.02 The receiving or resulting district shall obtain and retain all student records from the affected district for the five (5) years immediately preceding the administrative consolidation or administrative annexation, specifically including, but not limited to:
- 17.02.1 Individual student records;
 - 17.02.2 Attendance records;
 - 17.02.3 Enrollment records;
 - 17.02.4 Assessment records for assessments required under the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, Ark. Code Ann. § 6-15-401 et seq., specifically including benchmark assessments and end-of-course assessments; and
 - 17.02.5 American College Test (ACT) and Standardized Aptitude Test (SAT) results and records.
- 17.03 The school district shall report to the Department of Education information determined by the Department of Education as necessary to track the educational progress of all students from the affected district as a subgroup and the following subgroups of those transferred students:
- 17.03.1 Students who have been placed at risk of academic failure as required under Ark. Code Ann. § 6-15-1602;
 - 17.03.2 Economically disadvantaged students; and
 - 17.03.3 Students from major racial and ethnic groups.
- 17.04 By November 1 of each year, the Department of Education shall file a written report with the Governor, the chair of the House Interim Committee on Education, the chair of the Senate Interim Committee on Education, and the secretary of the Legislative Council assessing the educational progress of all students from the

affected district as a subgroup and the following subgroups of those transferred students:

- 17.04.1 Students who have been placed at risk of academic failure as required under Ark. Code Ann. § 6-15-1602;
- 17.04.2 Economically disadvantaged students; and
- 17.04.3 Students from major racial and ethnic groups.

Source: Ark. Code Ann. § 6-13-1606

18.00 RETENTION OF HISTORICAL RECORDS AND DOCUMENTS

18.01 Following the annexations or consolidations under Ark. Code Ann. § 6-13-1601 et seq. effective prior to December 1, 2004, and prior to any consolidation, annexation, detachment, approval of a conversion charter, or any other type of reclassification or reorganization of a school district after December 31, 2004, a receiving or resulting school district shall obtain and retain all student and historical records and documents from the affected school district, specifically including, but not limited to:

- 18.01.1 Student transcripts;
- 18.01.2 Graduation records;
- 18.01.3 Minutes and other legal documents of the local board of directors;
- 18.01.4 Maps or boundary documents;
- 18.01.5 Sports records, trophies, and awards;
- 18.01.6 Employee records; and
- 18.01.7 Financial records.

Source: Ark. Code Ann. § 6-13-1607

19.00 AUDIT REQUIRED

19.01 The Division of Legislative Audit shall conduct a comprehensive financial review of all the school district's financial matters for any school that is involved in administrative consolidation or administrative annexation or is otherwise reorganized by the State Board.

- 19.02 The comprehensive financial review shall begin no less than ten (10) days after the earliest of:
- 19.02.1 The publication of the district's name on the consolidation and annexation list under Ark. Code Ann. § 6-13-1602;
 - 19.02.2 The filing of a petition for voluntary administrative consolidation or administrative annexation; or
 - 19.02.3 The adoption of a motion by the State Board to consolidate, annex, or otherwise reorganize a school district designated as being in academic or fiscal distress.
- 19.03 Beginning on the date of publication of the consolidation list under Ark. Code Ann. § 6-13-1602 and Section 16.00 of these rules each year, the Department of Education shall have authority to oversee all fiscal and accounting-related matters of all school districts on the consolidation list and shall require those school districts to have accurate records necessary to close all books within sixty (60) days after the end of the fiscal year.
- 19.03.1 No contract or other debt obligation incurred by a school district for which the department has oversight authority under Ark. Code Ann. § 6-13-1608 and Section 19.00 of these rules shall be valid or enforceable against a resulting school district unless the contract or other debt obligation is preapproved in writing by the Commissioner of Education or his or her designee.
- 19.04 Any school that is involved in an administrative consolidation or administrative annexation shall have an audit started within thirty (30) days of the completion of the closing of the books by the school district.
- 19.05 The Department of Education and the Division of Legislative Audit shall jointly develop the scope and details of the comprehensive fiscal review consistent with the requirements of Ark. Code Ann. § 6-13-1608 and Section 19.00 of these rules.
- 19.06 A school district may not incur debt without the prior written approval of the Department of Education if the school district is identified by the Department of Education under Ark. Code Ann. § 6-13-1602(1) and Section 15.01.1 of these rules as having fewer than three hundred fifty (350) students according to the school district average daily membership in the school year immediately preceding the current school year.

Source: Ark. Code Ann. § 6-13-1608

20.00 PRESERVATION OF HISTORICAL SCHOOL ARTIFACTS

- 20.01 Following the administrative consolidations or administrative annexations under Ark. Code Ann. §§ 6-13-1601 -- 6-13-1603, 6-13-1604 [repealed], and 6-13-1605 [repealed] effective before December 1, 2004, and before any consolidation, annexation, detachment, approval of a conversion charter, or any other type of reclassification or reorganization of a school district after December 31, 2004, a receiving district or resulting district shall obtain, retain, preserve, and, as appropriate, display historical artifacts of the affected district in the same manner as if the historical artifacts were those of the receiving district or resulting district.

Source: Ark. Code Ann. § 6-13-1609

21.00 FINANCIAL RELIEF FOR DEBTS ACQUIRED AS A RESULT OF INVOLUNTARY CONSOLIDATIONS

- 21.01 As used in Section 21.00 of these rules:

- 21.01.1 “Accounts payable” means a debt owed by a school district on June 30 immediately prior to administrative consolidation, excluding bonded indebtedness or other long-term debt;
- 21.01.2 “Act 60 school district” means a school district that was on the consolidation list under Ark. Code Ann. § 6-13-1602 and Section 15.00 of these rules and was involuntarily consolidated under Ark. Code Ann. § 6-13-1603(a)(3) and Section 16.03 of these rules;
- 21.01.3 “Available funding” means funds that are available to a school district for paying accounts payable or are reasonably expected to be collected and available for payment of accounts payable;
- 21.01.4 “Excess accounts payable” means accounts payable of an Act 60 school district that exceed available funding; and
- 21.01.5 “Improper expenditure exceptions” means an erroneous expenditure of federal or state funds that is noted as an audit exception and has been determined by the Department of Education to require an expenditure of funds by the resulting school district to be correct.

- 21.02 If on July 1, 2004, or thereafter, the State Board required an involuntary administrative consolidation under Ark. Code Ann. § 6-13-1603(a)(3) and Section 16.03 of these rules and the resulting district assumed excess accounts payable or improper expenditure exceptions incurred by the Act 60 school district before the July 1 administrative consolidation date that would have caused deficit spending

if paid from the funds of the Act 60 district, the Department of Education shall provide supplemental funding to the resulting district.

- 21.03 The amount of the supplemental funding provided under Ark. Code Ann. § 6-13-1610(b) and Section 21.02 of these rules shall be equal to the amount of the excess accounts payable and improper expenditure exceptions assumed by the resulting school district.

21.03.1 The amount of accounts payable, excess accounts payable, improper expenditure exceptions, and available funding shall be determined by the Department of Education based on information provided in a final audit and other verifiable fiscal information available to the Department of Education.

21.03.2 The audit of an Act 60 school district required under Ark. Code Ann. § 6-13-1610 and Section 21.00 of these rules shall be completed within the time under Ark. Code Ann. § 6-20-1801(d) for school districts in fiscal distress.

21.03.3 No supplemental funding shall be paid under this section until after completion of a final audit by the Division of Legislative Audit or a private certified public accountant that may conduct school district audits under Ark. Code Ann. § 6-20-1801.

- 21.04 Beginning on the date of the publication of the consolidation list under Ark. Code Ann. § 6-13-1602 and Section 15.00 of these rules each year, the Department of Education shall have authority to oversee all fiscal and accounting-related matters of all school districts on the consolidation list and shall require these school districts to have accurate records necessary to close all books within sixty (60) days of the end of the fiscal year.

21.04.1 No contract or other debt obligation incurred by a school district for which the Department of Education has oversight authority under Ark. Code Ann. § 6-13-1610 and Section 21.00 of these rules shall be valid or enforceable against a resulting district unless the contract or other debt obligation is preapproved in writing by the Commissioner of Education or his or her designee.

Source: Ark. Code Ann. § 6-13-1610

22.00 ANNUAL REPORTS

- 22.01 By October 1 of each year, the resulting district or receiving district of any school district that was administratively consolidated or administratively annexed under Ark. Code Ann. §§ 6-13-1601 -- 6-13-1603, 6-13-1604 [repealed], and 6-13-1605 [repealed] shall file a written report with the House Interim Committee on

Education, the Senate Interim Committee on Education, and the Department of Education indicating:

- 22.01.1 What efforts were made and the results of those efforts for inclusion of parents from the affected district in the receiving district's or the resulting district's activities, including without limitation:
 - 22.01.1.1 Parent-teacher associations;
 - 22.01.1.2 Booster clubs; and
 - 22.01.1.3 Parent involvement committees;
- 22.01.2 The number and percentage of students from the affected districts participating in an extracurricular activity, itemized by each extracurricular activity offered by the school district and, for each activity, which school district the student attended before reorganization; and
- 22.01.3 The employment status of each administrator by name, gender, and race before the administrative annexation or administrative consolidation, which school employed the administrator before administrative consolidation, and his or her employment status in the receiving district or the resulting district.
- 22.02 The Department of Education shall develop or approve a survey to be used by the resulting or receiving districts to capture perceptual data from parents and students regarding their opinions on:
 - 22.02.1 Opportunities for inclusion or participation in the resulting or receiving district; and
 - 22.02.2 The efforts, if any, that were made to include parents from the affected district in the receiving or resulting district's activities, including, but not limited to, parent-teacher associations, booster clubs, and parent involvement committees.

Source: Ark. Code Ann. § 6-13-1611

23.00 ACADEMIC SUPPORT CENTERS

- 23.01 The purpose of Ark. Code Ann. § 6-13-1612 and Section 23.00 of these rules is to:
- 23.01.1 Prevent students who attend administratively consolidated or administratively annexed schools from returning home to communities with little or no opportunities for supplemental academic support;
 - 23.01.2 Increase opportunities for access to library materials, academic resource materials, and educational technology for these students within their local communities; and
 - 23.01.3 Help advance academic performance for these students by providing opportunities for homework and tutorial assistance based on the Arkansas curriculum frameworks.
- 23.02 An academic support center may be established in communities whose schools have been closed by administrative consolidation or administrative annexation under Title 6, Chapter 13, Subchapter 16 of the Arkansas Code to fulfill the objectives identified in Ark. Code Ann. § 6-13-1612(a) and Section 23.00 of these rules.
- 23.03 The Department of Education shall report annually to the House Interim Committee on Education and the Senate Interim Committee on Education regarding the establishment of academic support centers and their effectiveness.

Source: Ark. Code Ann. § 6-13-1612

CONSOLIDATION AND ANNEXATION INCENTIVE FUNDING

24.00 DEFINITIONS APPLICABLE TO CONSOLIDATION AND ANNEXATION INCENTIVE FUNDING

For the purposes of Sections 24.00 through 26.00 of these rules, the following definitions apply:

- 24.01 “Annexation” includes both Annexation and Administrative Annexation as defined in Section 3.00 of these Rules.
- 24.02 “Consolidation” includes both Consolidation and Administrative Consolidation as defined in Section 3.00 of these Rules.
- 24.03 “Foundation Funding” means an amount of money specified by the General Assembly for each school year to be expended by school districts for the provision of an adequate education for each student.
- 24.04 “Per Student Foundation Funding Amount” means a dollar amount established by the General Assembly to be multiplied by the ADM of the previous school year for the district foundation funding.
- 24.05 “Funding Factor” means a factor established by the Arkansas Department of Education (Department) to ensure that the calculated funding does not exceed the funds available for consolidation/annexation incentive funding.

25.00 GUIDELINES FOR THE DISTRIBUTION OF CONSOLIDATION AND ANNEXATION INCENTIVE FUNDING

- 25.01 The distribution of consolidation and annexation incentive funding is dependent upon appropriation and funding by the Arkansas General Assembly.
- 25.02 Consolidation/annexation incentive funding shall be determined as follows:
 - 25.02.1 One hundred percent (100%) of the incentive allowance computed as provided in these rules shall be in addition to the school district’s aid the first year of consolidation/annexation. The second year of consolidation/annexation the district shall receive fifty percent (50%) of the consolidation/annexation incentive funding received by the district in the previous year in addition to other state aid. Beginning in the third year and each year thereafter no consolidation/annexation incentive funding shall be provided. The consolidation/annexation incentive is intended to supplement the customary state aid the districts would have received had the consolidation/annexation not occurred.

- 25.02.2 For those school districts not required to be consolidated/annexed in the current school year, if two (2) districts consolidate or one (1) district is annexed to another school district, multiply the prior year ADM of the smaller district by the per student foundation funding amount, then by the funding factor, where the minimum ADM applicable is one hundred (100) and the maximum ADM applicable is three hundred (300).
- 25.02.3 For those school districts required to be consolidated/annexed in the current school year, if two (2) districts consolidate or one (1) district is annexed to another school district, multiply the prior year ADM of the smaller district by the per student foundation funding amount, then by the funding factor, where the minimum ADM applicable is one hundred (100) and the maximum ADM applicable three hundred (300).
- 25.02.4 For those school districts not required to be consolidated/annexed in the current school year, if three (3) districts consolidate or two (2) districts are annexed to a third school district, multiply the total prior year ADM of the two (2) smaller districts by the per student foundation funding amount, then by the funding factor, where the minimum ADM applicable is one hundred (100) and the maximum ADM applicable is four hundred (400).
- 25.02.5 For those school districts required to be consolidated/annexed in the current school year, if three (3) districts consolidate or two (2) smaller districts are annexed to another school district, multiply the prior year ADM of the smaller district by the per student foundation funding amount, then by the funding factor, where the minimum ADM applicable is one hundred (100) and the maximum ADM applicable three hundred (300).
- 25.02.6 For those school districts not required to be consolidated/annexed in the current school year, if four (4) or more districts consolidate or three (3) or more districts are annexed to another school district, multiply the total prior year ADM of all except the largest district by the per student foundation funding amount, then by the funding factor, where the minimum ADM applicable is one hundred (100) and the maximum ADM applicable is five hundred (500).
- 25.02.7 For those school districts required to be consolidated/annexed in the current school year, if four (4) or more districts consolidate or three (3) or more districts are annexed to another school district, multiply the prior year ADM of the smaller district by per student the foundation funding amount, then by the funding factor, where

the minimum ADM applicable is one hundred (100) and the maximum ADM applicable is three hundred (300).

- 25.02.8 If a district is annexed by multiple school districts, the incentive funding shall be computed as in Sections 25.02.1 through 25.02.7 above. The incentive funding shall then be prorated among the receiving districts based upon the percentage of the annexed district's ADM received by each receiving district.

26.00 GENERAL REQUIREMENTS

- 26.01 Consolidation/annexation incentive funding shall be distributed to either the resulting district(s) established after consolidation or the receiving district(s) after annexation.
- 26.02 Any district that has received consolidation/annexation incentive funds and subsequently dissolves shall be liable to the Department of Education for the full or apportioned amount of incentive funding received if any of the following conditions result due to the dissolution:
- 26.02.1 Districts are formed with substantially the same boundaries as the former districts prior to consolidation or annexation;
- 26.02.2 The ability of any district to desegregate or remain desegregated is inhibited;
- 26.02.3 The ability of the State to ensure that students are provided a quality education in an efficient manner is inhibited.
- 26.03 Any repayment due, as required in Section 26.02 above, shall be paid from the assets of the district prior to dissolution of the district. The Department of Education may withhold, from any state funding due the district, the amount of repayment funds or a portion thereof.
- 26.04 In the event full repayment is not made as required under Section 26.02 above, the Department of Education shall withhold from those districts that are formed as a result of the dissolution, future state funding in the amount of the repayment owed. The repayment shall be apportioned among the districts on a per ADM basis unless the Department of Education determines that such apportionment would be inequitable. In such case, the State Board shall apportion the repayment among the districts upon an equitable basis.

**27.00 STATE BOARD HEARING PROCEDURES – VOLUNTARY
CONSOLIDATIONS AND ANNEXATIONS**

- 27.01 All persons wishing to testify before the State Board shall first be placed under oath by the Chairperson of the State Board.
- 27.02 The spokesperson(s) for the petitioning school districts shall have a total of twenty (20) minutes to present the school districts' remarks. The State Board may allow more than twenty (20) minutes if necessary.
- 27.03 The spokesperson(s) for any individual or group of citizens that opposes the petition shall have a total of twenty (20) minutes to present the remarks of the individual or group of citizens. The State Board may allow more than twenty (20) minutes if necessary.
- 27.04 The spokesperson(s) for the petitioning school districts shall have a total of ten (10) minutes to present closing remarks to the State Board. The State Board may allow more than ten (10) minutes if necessary.
- 27.05 The spokesperson(s) for any individual or group of citizens that opposes the petition shall have a total of ten (10) minutes to present closing remarks to the State Board. The State Board may allow more than ten (10) minutes if necessary.
- 27.06 The State Board shall then discuss, deliberate and vote upon the matter of approving or denying the school districts' petition.
- 27.07 If it deems necessary, the State Board may take the matter under advisement and announce its decision at a later date, provided that all discussions, deliberations and votes upon the matter take place in a public hearing.
- 27.08 The State Board shall issue a written order concerning the matter.

**28.00 STATE BOARD HEARING PROCEDURES – INVOLUNTARY
CONSOLIDATIONS AND ANNEXATIONS**

- 28.01 All persons wishing to testify before the State Board shall first be placed under oath by the Chairperson of the State Board.
- 28.02 The spokesperson(s) for the Department of Education shall have a total of twenty (20) minutes to present the Department of Education's remarks. The State Board may allow more than twenty (20) minutes if necessary.
- 28.03 The spokesperson(s) for any individual or group of citizens that opposes the annexation or consolidation shall have a total of twenty (20) minutes to present the remarks of the individual or group of citizens. The State Board may allow more than twenty (20) minutes if necessary.

- 28.04 The spokesperson(s) for the Department of Education shall have a total of ten (10) minutes to present closing remarks to the State Board. The State Board may allow more than ten (10) minutes if necessary.
- 28.05 The spokesperson(s) for any individual or group of citizens that opposes the annexation or consolidation shall have a total of ten (10) minutes to present closing remarks to the State Board. The State Board may allow more than ten (10) minutes if necessary.
- 28.06 The State Board shall then discuss, deliberate and vote upon the matter of approving or denying the school districts' petition.
- 28.07 If it deems necessary, the State Board may take the matter under advisement and announce its decision at a later date, provided that all discussions, deliberations and votes upon the matter take place in a public hearing.
- 28.08 The State Board shall issue a written order concerning the matter.

**ATTACHMENTS PERTAINING TO ANNEXATIONS AND CONSOLIDATIONS OF
SCHOOL DISTRICTS (NON-ADMINISTRATIVE)**

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

**IN THE MATTER OF THE ANNEXATION OF _____ SCHOOL
DISTRICT(S) OF _____ COUNTY INTO THE _____ SCHOOL
DISTRICT OF _____ COUNTY:**

PETITION FOR ANNEXATION

COMES NOW the _____ School District(s) of _____ County and
the _____ School District of _____ County (Petitioners), acting by and
through their respective Superintendent(s) duly authorized, pursuant to Ark. Code Ann. § 6-13-
1401 et seq., and petition the Arkansas State Board of Education (Board) to approve the
annexation of the petitioning affected school district(s) into the petitioning receiving
_____ School District, and hereby would submit to the Board as follows:

1. Pursuant to Ark. Code Ann. § 6-13-1401 et seq., the Petitioners hereby submit
and incorporate in this petition as Exhibit A attached hereto, proof of legally binding local board
resolutions to annex the _____ School District(s) into the receiving _____ School
District as approved by a majority of the members of the local boards of education of the
respective Petitioners.

2. The Petitioners hereby submit and incorporate in this petition as Exhibit B
attached hereto, proof of public notice of intent to petition this Board to annex the Petitioners
into the receiving _____ School District. Said public notice of intent to annex
(was)(was not) published in the local newspaper(s) of general circulation (or in a state newspaper
of daily circulation if local newspaper does not exist on weekly basis) of the affected districts for
a time period of no less than once a week for two (2) consecutive weeks immediately prior to the
filing of this petition with this Board.

3. The Petitioners submit that at the proper school election following the petitioned annexation, the receiving _____ School District shall elect ____ local board members in compliance with Ark Code Ann. §§ 6-13-1416 and 6-13-1417.

4. The Petitioners submit that their respective school districts are geographically contiguous or that the Board should approve the petitioned non-contiguous annexation because the annexation will result in (a) the overall improvement in the educational benefit to students in all of the school districts involved, or (b) will provide a significant advantage in transportation costs or service to all of the school districts involved based on the following factual reasons:

5. The Petitioners submit that they hereby request through the State Board, an Attorney General Opinion declaring whether the petitioned annexation will or will not hamper, delay or in any manner negatively affect the desegregation of another school district or districts in this state. Upon receipt, the resulting opinion shall be incorporated herein and attached hereto as Exhibit C.

6. Pursuant to Ark. Code Ann. § 6-13-1401 et seq., the Petitioners hereby submit and declare that the effective date of this petitioned annexation shall be July 1, and that there shall be only one local school board and one local superintendent of the receiving _____ School District.

7. The Petitioners hereby submit an affidavit of facts by the superintendent of the affected school district(s), which is incorporated as Exhibit D, concerning the relevant status of any federal court-ordered supervision or jurisdiction of desegregation cases involving the affected districts.

8. The Petitioners hereby submit and incorporate in this petition as Exhibit E attached hereto, the written agreement required by Ark. Code Ann. § 6-13-1416.

WHEREFORE, Petitioners request that the Board approve the annexation of the _____ School District(s) of _____ County into the receiving _____ School District of _____ County; that it issue an Order dissolving the affected school district(s) and establishing the receiving _____ School District; that it issue an Order establishing the boundary lines of the receiving school district; and that it file its Order with the County Clerks of _____ and _____ Counties, Arkansas, with the Secretary of State and with the Arkansas Geographic Information Office.

Respectfully submitted,

_____ School District

_____ County

By: _____
Superintendent Date

President, School Board Date

_____ School District

_____ County

By: _____

Superintendent

Date

President, School Board

Date

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

**IN THE MATTER OF THE CONSOLIDATION OF _____ SCHOOL
DISTRICT(S) OF _____ COUNTY AND THE _____ SCHOOL
DISTRICT OF _____ COUNTY:**

PETITION FOR CONSOLIDATION

COMES NOW the _____ School District(s) of _____ County and
the _____ School District of _____ County (Petitioners), acting by and
through their respective Superintendent(s) duly authorized, pursuant to Ark. Code Ann. § 6-13-
1401 et seq., and petition the Arkansas State Board of Education (Board) to approve the
consolidation of the Petitioners into the resulting _____ School District, and hereby
would submit to the Board as follows:

1. Pursuant to Ark. Code Ann. § 6-13-1401 et seq., the Petitioners hereby submit
and incorporate in this petition as Exhibit A attached hereto, proof of legally binding local board
resolutions to consolidate the _____ and _____ School District(s) into the
resulting _____ School District as approved by a majority of the members of the local
boards of education of the respective Petitioners.

2. The Petitioners hereby submit and incorporate in this petition as Exhibit B
attached hereto, proof of public notice of intent to petition this Board to consolidate the
Petitioners into the resulting _____ School District. Said public notice of intent to
consolidate (was)(was not) published in the local newspaper(s) of general circulation (or in state
newspaper of local daily circulation if local newspaper does not exist on weekly basis) of the

affected districts for a time period of no less than once a week for two (2) consecutive weeks immediately prior to the filing of this petition with this Board.

3. The Petitioners submit that at the proper school election following the petitioned consolidation, the resulting _____ School District shall elect ____ local board members in compliance with Ark. Code Ann. §§ 6-13-1416 and 6-13-1417.

4. The Petitioners submit that their respective school districts are geographically contiguous or that the Board should approve the petitioned non-contiguous consolidation because the consolidation will result in (a) the overall improvement in the educational benefits to students in all of the school districts involved, or (b) will provide a significant advantage in transportation costs or service to all of the school districts involved based on the following factual reasons:

5. The Petitioners submit that they hereby request through the State Board, an Attorney General Opinion declaring whether the petitioned consolidation will or will not hamper, delay or in any manner negatively affect the desegregation of another school district or districts in this state. Upon receipt, the resulting opinion shall be incorporated herein and attached hereto as Exhibit C.

6. Pursuant to Ark. Code Ann. § 6-13-1401 et seq., the Petitioners hereby submit and declare that the effective date of this petitioned consolidation shall be July 1, and that there

shall be only one local school board and one local superintendent of the resulting
 _____ School District.

7. The Petitioners hereby submit an affidavit of facts by the superintendent of the affected school districts, which is incorporated as Exhibit D, concerning the relevant status of any federal court-ordered supervision or jurisdiction of desegregation cases involving the affected districts.

8. The Petitioners hereby submit and incorporate in this petition as Exhibit E attached hereto, the written agreement required by Ark. Code Ann. § 6-13-1416.

WHEREFORE, Petitioners request that the Board approve the consolidation of the _____ School District(s) of _____ County and the _____ School District of _____ County into the resulting _____ School District; that it issue an Order dissolving the affected school districts and establishing the resulting school district; that it issue an Order establishing the boundary lines of the resulting school district; and that it file its Order with the County Clerks of the _____ and _____ Counties, Arkansas, with the Secretary of State and with the Arkansas Geographic Information Office.

Respectfully submitted,

_____ School District

_____ County

By: _____
 Superintendent Date

 President, School Board Date

_____ School District

_____ County

By: _____
Superintendent Date

President, School Board Date

Exhibit A**SCHOOL BOARD RESOLUTION**

COMES NOW the _____ School District Board acting by and through its Superintendent duly authorized and do herein declare:

A special or regular school board meeting was held on _____, 20____, wherein a quorum was present and a majority of the board membership voted to approve the consolidation/annexation of the _____ School District with the _____ School District, and the minutes of said meeting reflect such.

Therefore, this document is to serve as the formal resolution of the _____ School District Board of Directors, pursuant to Arkansas law, that said consolidation/annexation is hereby approved.

_____ School District

of _____ County

By: _____
Superintendent Date

By: _____
President, School Board Date

EXHIBIT D**AFFIDAVIT CONCERNING DESEGREGATION ORDERS**

COMES NOW the _____ School District, acting by and through its Superintendent, and hereby states and represents to the State Board of Education that, to the best of my knowledge, the _____ School District currently (circle one) (is)(is not) involved in desegregation litigation in a United States Federal Court or is under the continuing jurisdiction of a United States Federal Court Order regarding desegregation of a public school or schools (see "*" at bottom of affidavit).

Further the affiant sayeth not.

IN WITNESS WHEREOF, I hereunto set my hand this _____ day of _____, 20____.

Superintendent

COUNTY of _____
STATE OF ARKANSAS

Sworn and subscribed before me, Notary Public, this _____ day of _____, 20____.

Notary Public

My Commission expires:

* = If you answered, "is involved in desegregation litigation, etc." above, please attach a copy of any applicable Court orders or other relevant documentation.

**ATTACHMENTS PERTAINING TO ADMINISTRATIVE ANNEXATIONS AND
CONSOLIDATIONS OF SCHOOL DISTRICTS**

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

**IN THE MATTER OF THE ANNEXATION OF _____ SCHOOL
DISTRICT(S) OF _____ COUNTY INTO THE _____ SCHOOL
DISTRICT OF _____ COUNTY:**

PETITION FOR VOLUNTARY ADMINISTRATIVE ANNEXATION

COMES NOW the _____ School District(s) of _____ County and
the _____ School District of _____ County (Petitioners), acting by and
through their respective Superintendent(s) duly authorized, pursuant to Ark. Code Ann. § 6-13-
1601 et seq., and petition the Arkansas State Board of Education (Board) to approve the
voluntary administrative annexation of the petitioning affected school district(s) into the
petitioning receiving _____ School District, and hereby would submit to the Board as
follows:

1. Pursuant to Ark. Code Ann. § 6-13-1601 et seq., the Petitioners hereby submit
and incorporate in this petition as Exhibit A attached hereto, proof of legally binding local board
resolutions to annex the _____ School District(s) into the receiving _____ School
District as approved by a majority of the members of the local boards of education of the
respective Petitioners.

2. The Petitioners hereby submit and incorporate in this petition as Exhibit B
attached hereto, (submit only if public notice was published in the newspaper) proof of public
notice of intent to petition this Board to annex the Petitioners into the receiving _____
School District. Said public notice of intent to annex (was)(was not) published in the local
newspaper(s) of general circulation (or in a state newspaper of daily circulation if local
newspaper does not exist on weekly basis) of the affected districts for a time period of no less

than once a week for two (2) consecutive weeks immediately prior to the filing of this petition with this Board.

3. The Petitioners submit that the average daily membership in each of the two (2) school years immediately preceding the _____ school year were _____ and _____ for the _____ School District and _____ and _____ for the _____ School District.

4. Pursuant to Ark. Code Ann. § 6-13-1603(b), the Petitioners submit and incorporate an affidavit of proof as Exhibit C that the previous average daily membership of the affected school districts was a combined average daily membership of _____ for the _____ school year, which is an average daily membership meeting or exceeding three hundred fifty (350) total students.

5. The Petitioners submit that at the proper school election following the petitioned annexation, the receiving _____ School District shall elect _____ local board members in compliance with Ark. Code Ann. §§ 6-13-1416 and 6-13-1417.

6. The Petitioners submit that their respective school districts are geographically contiguous or that the Board should approve the petitioned non-contiguous annexation because the annexation will result in (a) the overall improvement in the educational benefit to students in all of the school districts involved, or (b) will provide a significant advantage in transportation costs or service to all of the school districts involved based on the following factual reasons:

7. The Petitioners submit that they hereby request through the State Board, an Attorney General Opinion declaring whether the petitioned annexation will or will not hamper, delay or in any manner negatively affect the desegregation of another school district or districts in this state. Upon receipt, the resulting opinion shall be incorporated herein and attached hereto as Exhibit D.

8. Pursuant to Ark. Code Ann. § 6-13-1601 et seq., the Petitioners hereby submit and declare that the effective date of this petitioned annexation shall be July 1, _____, and that there shall be only one local school board and one local superintendent of the receiving _____ School District.

9. If Petitioners are claiming Isolated School status, Petitioners hereby submit that the _____ School District(s) qualify as an isolated school as certified by the attached affidavit of Isolated School Status incorporated in this petition as Exhibit E attached hereto.

10. The Petitioners hereby submit an affidavit of facts by the superintendent of the affected school district(s), which is incorporated as Exhibit F, concerning the relevant status of any federal court-ordered supervision or jurisdiction of desegregation cases involving the affected districts.

11. The Petitioners hereby submit and incorporate in this petition as Exhibit G attached hereto, the written agreement required by Ark. Code Ann. § 6-13-1416.

WHEREFORE, Petitioners request that the Board approve the annexation of the _____ School District(s) of _____ County into the receiving _____ School District of _____ County; that it issue an Order dissolving the affected school district(s) and establishing the receiving _____ School District; that it issue an Order establishing the boundary lines of the receiving school district; and that it file its

Order with the County Clerks of _____ and _____ Counties, Arkansas, with the
Secretary of State and with the Geographic Information Office.

Respectfully submitted,

_____ School District

_____ County

By: _____
Superintendent Date

President, School Board Date

_____ School District

_____ County

By: _____
Superintendent Date

President, School Board Date

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

IN THE MATTER OF THE CONSOLIDATION OF _____ SCHOOL DISTRICT(S) OF _____ COUNTY AND THE _____ SCHOOL DISTRICT OF _____ COUNTY:

PETITION FOR VOLUNTARY ADMINISTRATIVE CONSOLIDATION

COMES NOW the _____ School District(s) of _____ County and the _____ School District of _____ County (Petitioners), acting by and through their respective Superintendent(s) duly authorized, pursuant to Ark. Code Ann. § 6-13-1601 et seq., and petition the Arkansas State Board of Education (Board) to approve the voluntary administrative consolidation of the Petitioners into the resulting _____ School District, and hereby would submit to the Board as follows:

1. Pursuant to Ark. Code Ann. § 6-13-1601 et seq. , the Petitioners hereby submit and incorporate in this petition as Exhibit A attached hereto, proof of legally binding local board resolutions to consolidate the _____ and _____ School District(s) into the resulting _____ School District as approved by a majority of the members of the local boards of education of the respective Petitioners.

2. The Petitioners hereby submit and incorporate in this petition as Exhibit B attached hereto, (submit only if public notice was published in the newspaper) proof of public notice of intent to petition this Board to consolidate the Petitioners into the resulting _____ School District. Said public notice of intent to consolidate (was)(was not) published in the local newspaper(s) of general circulation (or in state newspaper of local daily circulation if local newspaper does not exist on weekly basis) of the affected districts for a time period of no less than once a week for two (2) consecutive weeks immediately prior to the filing of this petition with this Board.

3. The Petitioners submit that the average daily membership in each of the two (2) school years immediately preceding the _____ school year were _____ and _____ for the _____ School District and _____ and _____ for the _____ School District.

4. Pursuant to Ark. Code Ann. § 6-13-1603(b), the Petitioners submit and incorporate an affidavit of proof as Exhibit C that the previous average daily membership of the affected school districts was a combined average daily membership of _____ for the _____ school year, which is an average daily membership meeting or exceeding three hundred fifty (350) total students.

5. Pursuant to Ark. Code Ann. § 6-13-1416, the Petitioners submit that this petitioned consolidation is pursuant to Ark. Code Ann. § 6-13-1602 and that an interim local board of seven (7) board members in accord with Ark. Code Ann. § 6-13-1416 shall be established by _____, and the interim board shall be made up of board members of the affected former districts in proportion to the student's population in the former affected districts.

6. The Petitioners submit that at the first regular school election following the petitioned consolidation, the resulting _____ School District shall elect _____ local board members by zoned elections in compliance with Ark. Code Ann. §§ 6-13-1416 and 6-13-1417.

7. The Petitioners submit that their respective school districts are geographically contiguous or that the Board should approve the petitioned non-contiguous consolidation because the consolidation will result in (a) the overall improvement in the educational benefits to students in all of the school districts involved, or (b) will provide a significant advantage in transportation costs or service to all of the school districts involved based on the following factual reasons:

8. The Petitioners submit that they hereby request through the State Board, an Attorney General Opinion declaring whether the petitioned consolidation will or will not hamper, delay or in any manner negatively affect the desegregation of another school district or districts in this state. Upon receipt, the resulting opinion shall be incorporated herein and attached hereto as Exhibit D.

9. Pursuant to Ark. Code Ann. § 6-13-1601 et seq., the Petitioners hereby submit and declare that the effective date of this petitioned consolidation shall be July 1, _____, and that there shall be only one local school board and one local superintendent of the resulting _____ School District.

10. If Petitioners are claiming Isolated School status, Petitioners hereby submit that the _____ School District(s) qualify as isolated schools as certified by the attached affidavit of Isolated School Status incorporated in this petition as Exhibit E attached hereto.

11. The Petitioners hereby submit an affidavit of facts by the superintendent of the affected school district, which is incorporated as Exhibit F, concerning the relevant status of any federal court-ordered supervision or jurisdiction of desegregation cases involving the affected districts.

12. The Petitioners hereby submit and incorporate in this petition as Exhibit G attached hereto, the written agreement required by Ark. Code Ann. § 6-13-1416.

WHEREFORE, Petitioners request that the Board approve the consolidation of the _____ School District(s) of _____ County and the _____ School District of _____ County into the resulting _____ School District; that it issue an Order dissolving the affected school districts and establishing the resulting school district; that it issue an Order establishing the boundary lines of the resulting school district; and that it file its Order with the County Clerks of the _____ and _____ Counties, Arkansas, the Secretary of State and the Arkansas Geographic Information Office.

Respectfully submitted,

_____ School District

_____ County

By: _____
Superintendent Date

President, School Board Date

_____ School District

_____ County

By: _____
Superintendent Date

President, School Board Date

Exhibit A**SCHOOL BOARD RESOLUTION**

COMES NOW the _____ School District Board acting by and through its Superintendent duly authorized and do herein declare:

A special or regular school board meeting was held on _____, _____, wherein a quorum was present and a majority of the membership voted to approve the consolidation/annexation of the _____ School District with the _____ School District, and the minutes of said meeting reflect such.

Therefore, this document is to serve as the formal resolution of the _____ School District Board of Directors, pursuant to Arkansas law, that said consolidation/annexation is hereby approved.

_____ School District
of _____ County

By: _____
Superintendent Date

By: _____
President, School Board Date

Exhibit C**AFFIDAVIT OF AVERAGE DAILY MEMBERSHIP**

COMES NOW the affiant, _____, Superintendent of the _____ School District, and having been duly sworn, states under oath as follows:

1. The average daily membership (ADM) of the _____ School District, as that term is defined in Ark. Code Ann. § 6-13-1601(4), was _____ students for the _____ school year and _____ students for the _____ school year.

2. The combined average daily membership of the affected school districts was _____ for the _____ school year, an average daily membership meeting or exceeding three hundred fifty (350) total students.

FURTHER, affiant says not.

IN WITNESS WHEREOF, I hereunto set my hand this _____ day of _____, _____.

Superintendent

County of _____
State of Arkansas

Sworn and subscribed before me, Notary Public, this _____ day of
_____, _____.

Notary Public

My Commission expires:

Exhibit E

AFFIDAVIT OF ISOLATED SCHOOL STATUS

Comes the affiant, _____, Superintendent of the _____ School District, and having been duly sworn, states under oath as follows:

1. My name is _____. I am the Superintendent of the _____ School District.
2. My business address is _____.
3. I am aware that pursuant to Ark. Code Ann. § 6-20-601 a school district must meet four (4) of five (5) criteria to qualify as an isolated school.
4. I am aware that pursuant to Ark. Code Ann. § 6-20-602 an isolated school must qualify as an isolated school district under Ark. Code Ann. § 6-20-601 prior to the administrative consolidation or annexation petitioned for herein.
5. I hereby submit that prior to the effective date of the administrative consolidation or annexation, the _____ School District qualified as an isolated school district and, therefore, is entitled to the rights and privileges conferred on an isolated school pursuant to Ark. Code Ann. § 6-20-602.
6. I hereby declare that the _____ School District qualifies for isolated status because the school district meets the following list of at least four (4) of the five (5) criteria of being an isolated school district: *(circle appropriate responses and provide relevant data in the blanks)*
 - a. There is a distance of twelve (12) miles or more by hard-surfaced highway from the high school of the district to the nearest adjacent high school in an adjoining district. The distance is _____.

b. The density ratio of transported students is less than three (3) students per square mile of area. The density ratio is _____.

c. The total area of the district is ninety-five (95) square miles or greater. The total area is _____ square miles.

d. Less than fifty percent (50%) of bus route miles are on hard-surfaced roads. The percent of bus route miles on hard-surface roads is _____.

e. There are geographic barriers such as lakes, rivers, and mountain ranges which would impede travel to schools that otherwise would be appropriate for consolidation, cooperative programs, and shared services. The geographic barriers are _____.

7. Further the affiant sayeth not.

IN WITNESS WHEREOF, I hereunto set my hand this _____ day of _____, _____.

Superintendent

COUNTY OF _____
STATE OF ARKANSAS

Sworn and subscribed before me, Notary Public, this _____ day of _____, _____.

Notary Public

My Commission expires:

EXHIBIT F

AFFIDAVIT CONCERNING DESEGREGATION ORDERS

COMES NOW the _____ School District, acting by and through its Superintendent, and hereby states and represents to the State Board of Education that, to the best of my knowledge, the _____ School District currently (circle one) (is)(is not) involved in desegregation litigation in a United States Federal Court or is under the continuing jurisdiction of a United States Federal Court Order regarding desegregation of a public school or schools (see "*" at bottom of affidavit).

Further the affiant sayeth not.

IN WITNESS WHEREOF, I hereunto set my hand this _____ day of _____, _____.

Superintendent

COUNTY of _____
STATE OF ARKANSAS

Sworn and subscribed before me, Notary Public, this _____ day of _____, _____.

Notary Public

My Commission expires:

* = If you answered, "is involved in desegregation litigation, etc." above, please attach a copy of any applicable Court orders or other relevant documentation.

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING PROFESSIONAL DEVELOPMENT
_____, 2014

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1.0 Regulatory Authority

- 1.01 These Rules shall be known as the Arkansas Department of Education Rules Governing Professional Development.
- 1.02 Arkansas law requires the following professional development be provided for educators:
 - 1.02.1 School districts shall provide ten (10) professional development days in the basic contract for educators under Ark. Code Ann. § 6-17-2402;
 - 1.02.2 Higher education shall provide professional development within teacher preparation programs on:
 - 1.02.2.1 Child maltreatment, under Ark. Code Ann. § 6-61-133; and
 - 1.02.2.2 Dyslexia, under Ark. Code Ann. § 6-41-609.
- 1.03 The State Board of Education (SBE) enacts these Rules pursuant to its authority as set forth in Ark. Code Ann. §§ 6-10-122, 6-10-123, 6-11-105, 6-15-1004, 6-15-1703, 6-17-701 et seq., 6-17-402, 6-20-2204, 6-20-2305, 6-41-609, 6-61-133, 25-15-201 et seq., and Act 2 of the First Extraordinary Session of 2013.

2.0 Purposes

- 2.01 It is the purpose of these Rules to develop a high quality professional development system for all educators.
- 2.02 The purpose of professional development is to improve knowledge and skills in order to facilitate individual, team, school-wide, and district-wide improvement designed to ensure that all students demonstrate proficiency on the state academic standards.

3.0 Definitions

- 3.01 **ADE** – means the Arkansas Department of Education.
- 3.02 **Approved Professional Development Provider** - means any organization or individual that provides content for professional development credit, whether delivered in a face-to-face or electronic mode of delivery, whose content has been approved by the ADE to meet the annual professional development credit requirements imposed upon educators by Arkansas Statutes and ADE Rules.
 - 3.02.1 The following entities and agencies are not required to obtain approval as an Approved Professional Development Provider:
 - 3.02.1.1 An Arkansas public school district that provides a professional development program solely to its own personnel;
 - 3.02.1.2 An Education Cooperative that provides professional development to districts/schools;
 - 3.02.1.3 The Arkansas Department of Education;
 - 3.02.1.4 The Arkansas Department of Career Education; and
 - 3.02.1.5 The Arkansas Department of Human Services Division of Child Care and Early Childhood Education.
- 3.03 **ArkansasIDEAS** — is Internet Delivered Education for Arkansas Schools, a partnership between the ADE and the Arkansas Educational Television Network (AETN) to provide through the AETN access to high-quality, online professional development for Arkansas licensed educators.
- 3.04 **Arkansas Comprehensive School Improvement Plan (ACSIP)**—a plan developed by a local school team based on an analysis of student performance data and other relevant data that provides a plan of action to address deficiencies

in student performance and any academic achievement gap as evidenced in the Arkansas Comprehensive Assessment Program as defined in ADE rules.

- 3.05 **Educator** – any individual holding a license issued by the State Board of Education, specifically including without limitation teachers, administrators, library media specialists, and counselors.
- 3.06 **Illness** – means disorder of health of an educator or an educator’s immediate family.
- 3.07 **Immediate family** - means the educator’s:
 - 3.07.1 Spouse;
 - 3.07.2 Child;
 - 3.07.3 Parent; or
 - 3.07.4 Any other relative if the other relative lives in the same household as the educator;
- 3.08 **LEADS** – the Leader Excellence and Development System.
- 3.09 **Learning Teams**—a group of educators who meet regularly as a team to identify essential and valued student learning, develop common formative assessments, analyze current levels of achievement, set achievement goals, share strategies, and then create lessons to improve upon those levels.
- 3.10 **Mentoring/coaching** – actions of support and focused feedback designed to increase the capacity for growth of instructional skills and effectiveness of colleagues.
- 3.11 **Professional Development Day** – six (6) hours of professional development equals one (1) professional development day.
- 3.12 **Professional Development Plan** - outlines the professional development program of activities for a district, school, or educator that is based on student data and is aligned to the ACSIP, and incorporates an educator’s professional growth plan.
- 3.13 **Professional Development Program (“Program”)** - means a course of instruction intended to provide content that fulfills the requirement for professional development credit for educators.
- 3.14 **Professional Growth Plan** – is an educator’s plan for professional growth that:
 - 3.14.1 Identifies professional learning outcomes to advance the educator’s professional skills; and

- 3.14.2 Clearly links professional development activities and the educator's individual professional learning needs identified through TESS or LEADS.
- 3.15 **Study Groups** - a group of educators who meet to learn, implement, and reflect on research-based techniques in a focus area(s). Members read and discuss current research, examine and reflect on effective instruction, or examine student work.
- 3.16 **TESS** – the Teacher Excellence and Support System.

4.0 Professional Development Generally

- 4.01 Professional development is a set of coordinated planned learning activities for educators that:
 - 4.01.1 Improves the knowledge, skills, and effectiveness of teachers, including the ability to apply what is learned;
 - 4.01.2 Improves the knowledge and skills of administrators and paraprofessionals concerning effective instructional strategies, methods, and skills, including the ability to apply what is learned;
 - 4.01.3 Leads to improved student academic achievement;
 - 4.01.4 Is research-based and standards-based;
 - 4.01.5 May incorporate educational technology as a component of the professional development, including without limitation taking or teaching an online or blended course; and
 - 4.01.6 May provide educators with knowledge and skills needed to teach:
 - 4.01.6.1 Students with intellectual disabilities, including without limitation Autism Spectrum Disorder;
 - 4.01.6.2 Students with specific learning disorders, including without limitation dyslexia;
 - 4.01.6.3 Culturally and linguistically diverse students; and
 - 4.01.6.4 Gifted students.

- 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.
- 4.03 Approved professional development activities that occur during the instructional day or outside the educator's annual contract days may apply toward the annual minimum professional development requirement.
- 4.04 Any educator who misses any part of regularly scheduled professional development activities for any reason (such as illness) must make up that time in other approved professional development activities so that the hours of professional development required annually are earned during the approved time frame required under Section 4.02 of these Rules, except as provided below:
 - 4.04.1 If the educator is absent because of illness of the educator or the educator's immediate family, the educator shall be allowed to make up the hours missed during the remainder of the current school year or succeeding school year.
 - 4.04.2 An educator shall complete any missed hours of professional development through professional development that is:
 - 4.04.2.1 Substantially similar to the professional development missed and approved by the person responsible for the educator's summative evaluation; and
 - 4.04.2.2 Delivered by any method, online or otherwise, approved by ADE under these Rules.
- 4.05 Any educator who provides approved professional development may count two (2) hours professional development credit for each one (1) hour of time spent in presenting professional development content.
- 4.06 College Courses
 - 4.06.1 A three-hour undergraduate or graduate-level college credit course from an accredited college or university counts as fifteen (15) hours of professional development, if the college credit:
 - 4.06.1.1 Is related to and enhances the educator's knowledge of the subject area in which the educator is currently employed and is related to the educator's professional growth plan;
 - 4.06.1.2 Is part of the requirement for the educator to obtain additional certification in a subject matter that has been

designated by the ADE as having a critical shortage of educators; or

4.06.1.3 Is otherwise approved by the ADE as a course eligible for professional development credit.

4.06.1.4 No more than half of the hours of professional development required annually for licensure may be met through college credit hours.

4.06.2 Graduate level courses in educational leadership are eligible for professional development credit based on approval by the ADE. The focus of the course must specifically relate to the job assignment as approved by the employing educational agency.

4.07 An educator may earn up to twelve (12) hours of professional development credit approved by the school or school district, which may be applied toward the professional development requirement for the time period at the beginning of each school year that is used to plan and prepare curriculum or develop other instructional material, provided the educator spends the time:

4.07.1 In his/her instructional classroom, office or media center at the public school;

4.07.2 Prior to the first student teacher interaction day of the school year; and

4.07.3 In the focus areas listed in Section 8.02 of these Rules, and may include but is not limited to time spent in the following areas:

4.07.3.1 Grade level and/or vertical team planning to integrate subject areas;

4.07.3.2 Team work to analyze student data;

4.07.3.3 Team work to develop academic improvement plans (AIP) or individual educational programs (IEP);

4.07.3.4 Developing and/or revising curriculum, including student-centered units and assessments aligned to state curriculum frameworks;

4.07.3.5 Professional book studies;

4.07.3.6 Developing intervention strategies to support remediation and/or acceleration;

- 4.07.3.7 Developing and/or revising the Arkansas Comprehensive School Improvement Plan (ACSIP);
- 4.07.3.8 Pursuing study as noted in an educator's professional growth plan;
- 4.07.3.9 ArkansasIDEAS on-line professional development related to ACSIP or the educator's professional growth plan.
 - 4.07.3.9.1 An educator who obtains professional development from ArkansasIDEAS for the purpose of this subsection 4.07.3.9 may also use ArkansasIDEAS to obtain other professional development under these Rules.
- 4.07.8 No professional development credit shall be given for activities under Section 4.07 of these Rules unless those activities meet the criteria and standard requirements under Sections 8.01 and 8.02 of these Rules. Specific activities which do not qualify include without limitation:
 - 4.07.8.1 Making and putting up bulletin boards;
 - 4.07.8.2 Clerical work associated with documents such as ACSIP, AIP and IEPs; and
 - 4.07.8.3 Administrative faculty or team administrative meetings.
- 4.07.9 Educators shall be entitled to earn one (1) hour of professional development credit for each hour of approved preparation under this Section 4.07, not to exceed twelve (12) hours.
- 4.08 Educators may count up to two (2) professional development days for attendance at instructional professional development sessions conducted by bona fide professional organizations and approved by ADE (under A.C.A. § 6-17-702.
- 4.09 Nothing in this Section 4 shall prevent or restrict a school district from requiring additional in-service training.

5.0 Minimum Annual Requirements

- 5.01 Each educator shall obtain thirty-six (36) hours of professional development annually for renewal of an educator's license.

- 5.01.1 Of the sixty (60) hours of professional development required by law or by contract annually for an educator employed with a school district, thirty-six (36) of those hours shall be credited toward renewal of the educator's license.
- 5.02 The thirty-six (36) professional development hours under this section shall include, at a minimum:
 - 5.02.1 The professional development required in the educator's professional growth plan under the requirements of TESS or LEADS; and
 - 5.02.2 Professional development required by law or by rule.

6.0 Scheduled Professional Development

- 6.01 The professional development required under this Section 6 shall include content that is provided by:
 - 6.01.1 ADE, including ArkansasIDEAS;
 - 6.01.2 An institution of higher education;
 - 6.01.3 A provider approved by ADE; or
 - 6.01.4 An education service cooperative.
- 6.02 The two (2) hours in each area of professional development required under this Section 6 shall be counted in the school year in which the professional development is taken toward the minimum number of hours of professional development required for educators for that school year.
- 6.03 If an educator obtains additional hours above the minimum requirements of this Section 6, the educator may count those additional hours toward the total minimum hours of professional development required for educators for that school year.
- 6.04 As part of the minimum annual requirement under these Rules, a public school or school district shall make available to the appropriate educator, or an educator not employed by a public school or school district shall obtain, professional development on the following schedule:
 - 6.04.1 Child Maltreatment Mandated Reporter
 - 6.04.1.1 In the 2013-2014 school year and every fourth year thereafter, all educators shall obtain two (2) hours of professional development in:

- 6.04.4.1.1 Recognizing the signs and symptoms of child maltreatment;
 - 6.04.4.1.2 The legal requirements of the Child Maltreatment Act, Ark. Code Ann. § 12-18-101 et seq., and the duties of mandated reporters under the Act;
 - 6.04.4.1.3 Methods for managing disclosures regarding child victims; and
 - 6.04.4.1.4 Methods for connecting a victim of child maltreatment to appropriate in-school services and other agencies, programs, and services needed to provide the child with the emotional and educational support the child needs to continue to be successful in school.
- 6.04.1.2 The child maltreatment professional development required under this section shall be based on curriculum approved by the Arkansas Child Abuse/Rape/Domestic Violence Commission and may be obtained in-person or online.
- 6.04.2 Parent Involvement
- 6.04.2.1 In the 2014-2015 school year and every fourth school year thereafter, each educator shall be required to have two (2) hours of professional development designed to enhance understanding of effective parent involvement strategies.
 - 6.04.2.2 In the 2014-2015 school year and every fourth school year thereafter, each administrator shall be required to have two (2) hours of professional development designed to enhance understanding of effective parent involvement strategies and the importance of administrative leadership in setting expectations and creating a climate conducive to parent participation.
- 6.04.3 Teen Suicide Awareness and Prevention
- 6.04.3.1 In the 2015-2016 school year and every fourth school year thereafter, all educators shall obtain two (2) hours

of professional development in teen suicide awareness and prevention.

- 6.04.3.2 The required professional development under this section may be accomplished by self-review of suitable suicide prevention materials approved by ADE.

6.04.4 Arkansas History

- 6.04.4.1 In the 2016-2017 school year and every fourth school year thereafter, each educator who provides instruction in Arkansas history shall obtain two (2) hours of professional development in Arkansas history.

7.0 Requirements for Specific Licensure Areas

7.01 Administrator

- 7.01.1 For each administrator, the annual professional development requirement shall include training in data disaggregation, instructional leadership, and fiscal management.
- 7.01.2 This training may include without limitation the Initial, Tier 1 (twelve (12) hours) and Tier 2 (four (4) hours) training required for superintendents and district designees by the Arkansas Department of Education Rules Governing the Arkansas Financial Accounting and Reporting System and Annual Training Requirements.
- 7.01.3 An applicant for a building-level administrator license shall successfully complete the teacher evaluation professional development program.
 - 7.01.3.1 An educator who receives an initial building level administrator's license shall complete the credentialing assessment for the teacher evaluation professional development program either before or after receiving the initial building level administrator's license.

7.02 Athletic Coaches

At least once every three (3) years, each person employed as an athletic coach shall obtain training in recognition and management of the following events or conditions that may be encountered by a student during athletic training and physical activities:

- 7.02.1 A concussion, dehydration, or other health emergency;

- 7.02.2 An environmental issue that threatens the health or safety of students; and
- 7.02.3 A communicable disease.
- 7.02.4 The training may include a component on best practices for a coach to educate parents of students involved in athletics on sports safety.

7.03 Advanced Placement

Each hour of approved training received by educators related to teaching an advance placement class for a subject covered by the College Board and Educational Testing Service shall count as professional development up to a maximum of thirty (30) hours annually.

7.04 Adult Education

Educators working solely part time in one of the following settings shall obtain thirty (30) hours of professional development annually for licensure.

- 7.04.1 Adult basic education;
- 7.04.2 General adult education;
- 7.04.3 English as a second language for adults; and
- 7.04.4 General Educational Development Test examiners.

8.0 Professional Development Criteria

- 8.01 All approved professional development shall be aligned to the standards developed by the State Board of Education.
- 8.02 Approved professional development activities shall relate to the following Focus Areas:
 - 8.02.1 Content (K-12);
 - 8.02.2 Instructional strategies;
 - 8.02.3 Assessment/data-driven decision making;
 - 8.02.4 Advocacy/leadership/fiscal management;
 - 8.02.5 Systemic change process;

- 8.02.6 Standards, frameworks, and curriculum alignment;
 - 8.02.7 Supervision;
 - 8.02.8 Mentoring/peer coaching;
 - 8.02.9 Next generation learning/integrated technology;
 - 8.02.10 Principles of learning/developmental stages/diverse learners;
 - 8.02.11 Cognitive research;
 - 8.02.12 Parent involvement/academic planning and scholarship;
 - 8.02.13 Collaborative learning community;
 - 8.02.14 Student health and wellness, which may include but is not limited to:
 - 8.02.14.1 Antibullying policies;
 - 8.02.14.2 Appropriate training for anticipated rescuers in the use of automated external defibrillator or cardiopulmonary resuscitation; and
 - 8.02.15 The Code of Ethics for Arkansas Educators.
- 8.03 Approved professional development takes on many forms and may be earned in the following ways:
- 8.03.1 Conferences/workshops/institutes
 - 8.03.2 Mentoring/peer coaching;
 - 8.03.3 Study groups/learning teams;
 - 8.03.4 National Board for Professional Teaching Standards Certification;
 - 8.03.5 Distance and online learning, to include ArkansasIDEAS;
 - 8.03.6 Internships;
 - 8.03.7 State/district/school programs;
 - 8.03.8 College/university course work;

- 8.03.9 Action research; or
- 8.03.10 Individually-guided, as noted in an educator's individual professional development plan.
- 8.04 Requirements for ArkansasIDEAS include:
 - 8.04.1 The ADE shall determine the content and approve all professional development delivered through the Arkansas On-line Professional Development Initiative that counts toward the annual professional development required under these Rules.
 - 8.04.2 The ADE shall select courses/products, which are research-based and are available from sources, with expertise in technology delivered professional development courses.
 - 8.04.3 Online professional development courses shall include online registration, assessment, course evaluation, and attendance and completion documents.

9.0 School and School District Professional Development Plans

- 9.01 Each school district and school shall develop and implement a professional development plan.
 - 9.01.1 Teachers, administrators, and paraprofessionals shall be involved in the design, implementation and evaluation of their respective professional development offerings under the school and school district professional development plan.
 - 9.01.2 An educator may count toward the annual minimum professional development required under these rules each hour of training included in the professional development plan that is mandated by law or by rule, including without limitation in the following areas:
 - 9.01.2.1 School Fire Marshal Program under A.C.A. § 6-10-110;
 - 9.01.2.2 Tornado safety under A.C.A. § 6-10-121;
 - 9.01.2.3 Literacy assessment and/or mathematics assessment under A.C.A. § 6-15-420;
 - 9.01.2.4 Test security and confidentiality under A.C.A. § 6-15-438;

- 9.01.2.5 Emergency plans for terrorist attacks under A.C.A. § 6-15-1302;
- 9.01.2.6 Anti-bullying policies under A.C.A. § 6-18-514;
- 9.01.2.7 Teacher Excellence and Support System under A.C.A. § 6-17-2804;
- 9.01.2.8 Student discipline training under A.C.A. § 6-18-502;
- 9.01.2.9 Student Services Program under A.C.A. § 6-18-1004;
- 9.01.2.10 Training required by ADE under academic, fiscal, and facilities distress laws and rules; and
- 9.01.2.11 Annual active shooter drills under Act 484 of 2013.

9.02 School Improvement and ACSIP

- 9.02.1 School and district professional development plans shall be included in the Arkansas School Improvement Plan (ACSIP) and shall be reviewed annually by the school/district and the ADE.
- 9.02.2 The ACSIP will include an assurance statement that each educator in the school/district shall have an individual professional development plan that has been developed in cooperation and collaboration with the educator and the school and/or district consistent with the Teacher Effectiveness and Support System.
- 9.02.3 ADE may require specific professional development programs for the district or the school designated in school improvement or academic distress.
- 9.02.4 These requirements may become part of the school district or school improvement plan.

10.0 Provider and Program Approval Process

- 10.01 All professional development providers and programs must be approved by the ADE in order to provide credit toward the annual professional development required under these Rules.
 - 10.01.1 A person whose license has been revoked by the State Board is not eligible to be an approved provider of professional development.

- 10.02 At least thirty (30) days before a program is offered to educators, the professional development provider shall provide a detailed description of the entire program including staff qualifications to the ADE in an electronic format prescribed by ADE.
- 10.03 The ADE shall promptly review the content of the program for compliance with all applicable statutes and ADE rules to determine if any or all of the program content shall be deemed to provide professional development credit and shall establish the time period the professional development provider is approved to offer the program.
- 10.04 Upon notification by the ADE of approval of the program (or a part or parts thereof) for professional development credit, the professional development provider may enroll participants in the program and offer the program for professional development credit for the set time period.
- 10.05 The program provider shall be responsible for the preparation and dissemination of proof of completion of the program (or parts thereof) to all attendees. All such proofs, or copies thereof, shall be submitted by the attendees who are employed by an Arkansas school district to the superintendent of the district.

11.00 Funding

- 11.01 Professional Development Funding provided under Ark. Code Ann. § 6-20-2305 must be directed to activities that meet the conditions described in these Rules and shall not be used for any other purpose unless otherwise allowed by law or rule.

12.00 Reporting, Monitoring, and Evaluation

- 12.01 Each school district shall maintain all documents for its employees that reflect completion of professional development programs, whether such programs were provided by an outside organization or by the district itself.
- 12.02 Each school district shall report the amount of all professional development programs completed by its employees to the ADE at the time and in the manner specified by the ADE.
- 12.03 The ADE may monitor all school districts, and all educators to whom these Rules apply, for compliance with these requirements, and may administer appropriate sanctions specified in statute and Rule, including the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators, to any district or educator whom it finds to be in noncompliance or for dishonesty in reporting under these Rules.
 - 12.03.1 Regular monitoring activities of the professional development requirements within these Rules shall occur when the superintendent of

the school district provides written assurance to the Commissioner of Education as required by law. However, the ADE may directly monitor the professional development activities of any school or school district to determine compliance with the professional development requirements.

- 12.04 The criteria for evaluating the impact of professional development in a public school or school district ACSIP plan shall be the improvement of student achievement on state-mandated assessments, other related indicators as defined by ACTAAP and next generation assessments, and the evaluations of the professional development offerings. These data shall be used to revise ACSIP and the district, school and individual professional development plans associated with the local improvement plan.
- 12.05 All institutions of higher education shall maintain documentation for employees who wish to meet the professional development hours to maintain a license under these rules.

Public Comment Matrix – Proposed Rules Governing Professional Development Public Comment Period Ending: May 31, 2014

Date	Respondent	Comment	ADE Response
5/2/14	Professional Licensure Standards Board	At its May 2, 2014, meeting, the PLSB determined that persons who have had their teaching license revoked by the State Board of Education should not be approved to present ethics presentations.	A provision is added to 10.01.1 that the Department will not approve as a professional development provider any person whose license is revoked by the State Board.
5/6/14	Ron Harder, ARSBA	3.05 This is a faithful reproduction of the statute. ASBA's position is that it defines all contracts that are not for 190 days as not requiring the 10 days of PD. This is very important in relation to 5.01 and 5.02 since it absolves all non-190 contract employees of the need to get 60 hours.	Comment considered, and a change has been made to delete this definition and reword Sections 5.01 and 5.02.
5/6/14	Ron Harder, ARSBA	3.06 This is a neat way to streamline the policy. The only issue is with 6.04.2 which separates out teachers and administrators who are not defined in the rules. Given the problem with defining teachers relative to basic contract and non-basic contracts, it might be easiest to merely add a definition of administrator.	Comment considered, but no change is made.
5/6/14	Ron Harder, ARSBA	3.11 This appears to use the words to define the words. Suggest deleting “for coaching and mentoring others”.	Comment considered and a change has been made to the definition of “mentoring/coaching”.

Date	Respondent	Comment	ADE Response
5/12/14	Tripp Walter, APSRC	4.01.5 This section could be improved by the additional of “or delivery method for” after the word “component”.	Comment considered but no change is made. The phrase “including without limitation taking or teaching an online or blended course” is sufficient to convey this.
5/6/14	Ron Harder, ARSBA	4.02 We understand the desire to lessen the need for documentation, but we thought most schools used the June 1 through May 31 option. If so, it would seem to make sense to have it be the default; if not then leave it as is.	Comment considered, but no change is made. This has been utilized effectively as written.
5/6/14	Ron Harder, ARSBA	4.03 We agree with this entry, but cannot find a statutory basis for it. It raises the issue of double dipping. There are many ways listed in Section 8 that could be accomplished during the instructional day. If an educator gets 30 hours of PD in such activities, it would seem those days would count toward both student contact days and PD days (five of the required ten). Under this scenario, we don't see how a district could require educator's attendance for more than 185 days without having to pay for the additional days since the ten days of PD would have been met within the 185 days. This is not new Rules language (it's 4.06 in the 2012 rules), but we are seeing it with different eyes	Comment considered but no change is made. The Department has broad statutory authority to regulate professional development for licensure under Ark. Code Ann. § 6-15-1004(c). The Department sees no “double dipping”, as an educator is not paid an additional sum of money for obtaining professional development. Research has shown, and educators have commented frequently, that approved professional development that is embedded in the educator’s instructional day is more beneficial than professional development obtained by sitting in a lecture environment. It is the Department’s intent to encourage embedded professional development.

Date	Respondent	Comment	ADE Response
		<p>this time. We would prefer the language remain, but there either needs to be ADE sponsored legislation to address it or it needs to be addressed in the rules.</p> <p>Suggested fix: "PD activities occurring during the instructional day do not count toward the fulfillment of educators' total contract days."</p>	
4/17/14	Connie Matchell, Siloam Springs	<p>I am concerned that the following section has been deleted:</p> <p>4.04 Educators in positions not directly related to instructional activities shall be responsible for completing sixty (60) hours of professional development each year. However, the focus of their professional development may be prorated among those areas specifically related to their job assignment as approved by the employing education agency.</p> <p>I have read the rules several times and do not see where educators hired by districts for positions such as public relations, human resources, etc. are addressed within the rules. There may not be too many people in these types of positions, but they don't directly work with classroom instruction or students, and they don't fall under TESS or</p>	<p>Comment considered. Based on the reworded Section 5.02., all educators under contract with a school district may be required to obtain 60 hours, but 36 of those hours will be counted toward renewal of the educator's license.</p>

Date	Respondent	Comment	ADE Response
		LEADS. They do however want to keep their licenses current so what is appropriate PD for them?	
5/12/14	Ron Harder, ARSBA	4.06.1 There is no statutory authority for including undergraduate courses. We understand the logic for it, but ADE has had many years to amend A.C.A. § 6-15-1004 to include undergraduate courses and has chosen not to do so. We think it needs to be deleted until it's in statute.	Comment considered, but no change is made. Again, the State Board of Education has approved this provision in the rule under its authority to regulate professional development. The law referenced does not prohibit the inclusion of undergraduate courses. The Department has implemented this as a measure to provide school districts and educators flexibility in meeting their professional development needs.
5/12/14	Ron Harder, ARSBA	4.07.1 This faithfully reflects the statute, but the statute is poorly written. To the extent each educator is restricted to his/her usual working space, how can a group of educators do 4.07.3.1, .2, .3, or .7. We believe ADE needs to address this in its 2015 clean-up bill.	Comment considered, but no change is made.
5/12/14	Ron Harder, ARSBA	4.09 Delete “in this Section 4”. Add the following after “training” , but employees must be compensated at their daily rate of pay for required PD that causes the employee to work more days than under the employee’s contract.	Comment considered, but no change is made.

Date	Respondent	Comment	ADE Response
		<p>We assume this is taken from A.C.A. § 6-15-1004(c)(3) and know of no additional statutory entry for it that would apply to the other components in Section 4. While districts can require additional PD, any required PD that puts employees over their specified number of contract days must be compensated for at their daily rate of pay. A.C.A. § 6-17-807(a).</p>	
5/12/14	Ron Harder, ARSBA	<p>5.01 Two issues: 1) Does the "employing entity" provide the days specified in A.C.A. § 6-17-702.? What does "provide" mean in this context? How about adding "or requires the employee to attain"? 2) The inclusion of "basic contract" restricts the 60 hour requirement to only 190 day employees. This can be a problem for any district that operates on a contract year that is not 190 days and for all teachers who have more than a 190 day contract (e.g. Agri teachers, literacy and math coaches). Suggested fix: "Educators on greater than a 190 day contract remain subject to the directives of their immediate supervisor which may include PD beyond that required by these rules."</p>	<p>Comment considered. Changes have been made to 5.01 and 5.02 to clarify this.</p>

Date	Respondent	Comment	ADE Response
5/12/14	Ron Harder, ARSBA	<p>6.03 Delete “those” and add “approved by their immediate supervisor” after “additional hours”.</p> <p>What if the additional hours were not at the request of the district? Since schools have to pay for required PD over employee's required number, this should be amended to provide that the excess hours had been earned at the district's request. Our basic issue is with the ownership of the 36 or 60 hours. While educators can take/get as many hours of PD as they choose, other than the statutorily scheduled PD, districts need to be able to control which hours count toward the required number. Please consider our suggested change.</p>	<p>Comment considered, but no change is made. An educator’s professional development plan and professional growth plan are developed with the approval of the school district. The 36 hours incorporate the professional growth plan, and any hours required by law and under Sections 6 and 7 of these rules, and the balance of the 60 hours would be included in the professional development plan.</p>



ARKANSAS DEPARTMENT OF EDUCATION

2013 2014 Application **Open-Enrollment Public Charter School**

Deadline for Receipt of Submission: Tuesday ~~Monday~~, September 3

July 21, 2014, 4:00 p.m.

Applications will not be accepted after this time.



Name of Proposed Charter School:

Any application that is substantially incomplete will not be forwarded to the authorizer for consideration. An application will be considered substantially incomplete if it does not provide enough information to enable staff at the Arkansas Department of Education to provide a meaningful review.

**Arkansas Department of Education
Charter School Office Four Capitol Mall Little Rock,
AR 72201
501.683.5313**

ARKANSAS DEPARTMENT OF EDUCATION ~~2013~~ 2014 APPLICATION OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL

A. GENERAL INFORMATION

Name of Proposed Charter School: _____

Grade Level(s) for the School: _____ Student Enrollment Cap: _____

Name of Sponsoring Entity: _____

The applicant is an "eligible entity" under the following category (check one):

- ☐ a public institution of higher education;
- ☐ a private nonsectarian institution of higher education;
- ☐ a governmental entity; or
- ☐ an organization that is nonsectarian in its programs and operations, and is, or will be, exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. (A copy of the entity's letter from the IRS reflecting tax exempt status or a copy of the entity's application for 501(c)(3) status must be included with the application. Articles of incorporation or a letter acknowledging non-profit status from the Secretary of State will not suffice.) To be eligible, an entity must hold or have applied for 501(c)(3) status at the time this charter application is filed. The entity must receive formal tax exempt status under § 501(c)(3) of the Internal Revenue Code of 1986 prior to the first day of its operation with students.

Non-profit entities without the required Internal Revenue Service documentation are not eligible to be awarded charters; therefore, any applications submitted without the proper documentation will not be reviewed.

Name of Contact Person: _____

Address: _____ City: _____

ZIP: _____ Daytime Phone Number: () _____ FAX: () _____

Email: _____

Charter Site

Address: _____ City: _____

ZIP: _____ Date of Proposed Opening: _____

Chief Operating Officer
of Proposed Charter (if known): _____ Title: _____

Address: _____ City: _____

ZIP: _____ Daytime Phone Number: () _____

The proposed charter will be located in the _____ School District.

Provide a comprehensive list of all individuals, including but not limited to entity board members and charter school board members, involved in the organization and design of the proposed school as well as the proposed application process. Please note that Ark. Code Ann. §6-24-105 prohibits charter school board members from contracting with or being employed by the charter school except in certain limited circumstances.

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

Name: _____ Position: _____ State of Residence: _____

List the current K-12 student enrollment of the district where the proposed public charter school would be located.

_____ (Total District Enrollment)

List the school districts from which the charter school expects to draw students.

_____	_____	_____
_____	_____	_____
_____	_____	_____

B. EXECUTIVE SUMMARY

Provide the mission statement of the proposed school.

Applicant Response:

Applicant response is limited to area provided on this page.

Briefly describe the key programmatic features that the school will implement in order to accomplish the mission.

Applicant Response:

Applicant response is limited to area provided on this page.

C. NARRATIVE DESCRIPTION OF THE PROPOSED CHARTER SCHOOL

The applicant for the proposed charter school, if approved by the authorizer, agrees to operate the educational program described below in accordance with the provisions described within this document, Arkansas Code Annotated §6-23-101 et seq., the State Board of Education Rules Governing Public Charter Schools, and the attached assurances.

Provide a narrative description of the various components of the proposed charter school by responding to the following prompts:

1. Describe the results of the public hearing, which was held for the purpose of assessing support for the establishment of this public charter school. Provide copies of supporting evidence.

Applicant Response:

Applicant response is limited to 7,000 characters/spaces.
The text box will expand once you have clicked out of it.

Attach documentation to demonstrate that each of the following requirements of Arkansas Code Annotated §6-23-302 was met:

- A. The notice of the public hearing was published on a weekly basis for at least three (3) consecutive weeks prior to the date of the hearing in a newspaper having general circulation in the school district in which the school will likely be located.
- B. The notice of the public hearing was not published in the classified or legal notice section of the newspaper.
- C. The last publication date of the notice was no less than seven days prior to the public
- D. Within seven calendar days following the first publication of the notice of the public hearing, emails announcing the public hearing were sent to the superintendent of each of the school districts from which the open-enrollment public charter school is likely to draw students for the purpose of enrollment and the superintendent of any district that is contiguous to the district in which the open-enrollment public charter school will be located.

Applicant Response:

Applicant response is limited to 7,000 characters/spaces.
The text box will expand once you have clicked out of it.

2. Describe the governing structure of the open-enrollment charter school, including board composition, selection process, and responsibilities. Also describe the role of the administrators, faculty, parents, students, and community members in the leadership and decision-making of the school. As part of your response, answer the following specific questions:

- A. Identify what individual, job position(s), or entity(s) will have final decision-making authority for the school in the areas of (1) finance and purchasing; (2) student discipline; (3) hiring and firing of staff; and (4) hiring and firing of the school director or superintendent.
- B. Specify how the final decision-maker(s) identified in response to (A)(3) will be selected or elected, including (1) length of term, (2) method of selection or election, and (3) who will have the authority to participate in the selection or election process.
- C. Explain how and to what extent the school's leadership will be accountable to parents.

Applicant Response:

Applicant response is limited to 22,000 characters/spaces.
The text box will expand once you have clicked out of it.

3. Give the mission statement for the proposed charter school.

Applicant Response:

Response generated from Section B.

4. Describe the educational need for the school by responding to the following prompts. Include the innovations that will distinguish the charter from other schools.

Applicant Response:

Applicant response is limited to 18,000 characters/spaces.
The text box will expand once you have clicked out of it.

Complete the following charts to include 2013 literacy and mathematics performance assessment data and graduation rates for the district in which the charter would be located and the schools closest to the proposed charter.

DISTRICT DATA - DISTRICT IN WHICH THE CHARTER WOULD BE LOCATED			
<u>District Name</u>			
<u>District Status</u>			
	<u>LITERACY</u> 2013 ESEA Report Percentage Achieving or Advanced	<u>MATH</u> 2013 ESEA Report Percentage Achieving or Advanced	<u>GRADUATION RATE</u> 2012-2013 2013 Report Card Percent Graduated
<u>All Students (Combined)</u>	-	-	-
<u>Targeted Achievement Gap Group</u>	-	-	-
<u>African American</u>	-	-	-
<u>Hispanic</u>	-	-	-
<u>White/Caucasian</u>	-	-	-
<u>Economically Disadvantaged</u>	-	-	-
<u>English Language Learners/ Limited English Proficient</u>	-	-	-
<u>Students with Disabilities</u>	-	-	-

CAMPUS DATA - ELEMENTARY SCHOOL CLOSEST TO THE PROPOSED CHARTER LOCATION		
<u>District Name</u>		
<u>Campus Name</u>		
<u>Grade Levels</u>		
<u>Campus Status</u>		
	<u>LITERACY</u> 2013 ESEA Report Percentage Achieving or Advanced	<u>MATH</u> 2013 ESEA Report Percentage Achieving or Advanced
<u>All Students (Combined)</u>	-	-
<u>Targeted Achievement Gap Group</u>	-	-
<u>African American</u>	-	-
<u>Hispanic</u>	-	-
<u>White/Caucasian</u>	-	-
<u>Economically Disadvantaged</u>	-	-
<u>English Language Learners/ Limited English Proficient</u>	-	-
<u>Students with Disabilities</u>	-	-

CAMPUS DATA - MIDDLE SCHOOL CLOSEST TO THE PROPOSED CHARTER LOCATION		
<u>District Name</u>	-	
<u>Campus Name</u>	-	
<u>Grade Levels</u>	-	
<u>Campus Status</u>	-	
	LITERACY 2013 ESEA Report Percentage Achieving or Advanced	MATH 2013 ESEA Report Percentage Achieving or Advanced
<u>All Students (Combined)</u>	-	-
<u>Targeted Achievement Gap Group</u>	-	-
<u>African American</u>	-	-
<u>Hispanic</u>	-	-
<u>White/Caucasian</u>	-	-
<u>Economically Disadvantaged</u>	-	-
<u>English Language Learners/ Limited English Proficient</u>	-	-
<u>Students with Disabilities</u>	-	-

CAMPUS DATA - HIGH SCHOOL CLOSEST TO THE PROPOSED CHARTER LOCATION			
<u>District Name</u>	-		
<u>Campus Name</u>	-		
<u>Grade Levels</u>	-		
<u>Campus Status</u>	-		
	LITERACY 2013 ESEA Report Percentage Achieving or Advanced	MATH 2013 ESEA Report Percentage Achieving or Advanced	GRADUATION RATE 2012-2013 2013 Report Card Percent Graduated
<u>All Students (Combined)</u>	-	-	-
<u>Targeted Achievement Gap Group</u>	-	-	-
<u>African American</u>	-	-	-
<u>Hispanic</u>	-	-	-
<u>White/Caucasian</u>	-	-	-
<u>Economically Disadvantaged</u>	-	-	-
<u>English Language Learners/ Limited English Proficient</u>	-	-	-
<u>Students with Disabilities</u>	-	-	-

Explain the educational need for the charter in light of the academic performance by the district in which the charter would be located and at the schools closest to the charter and other significant factors. Be certain to include the source for information presented.

Applicant Response:

Applicant response is limited to 8,500 characters/spaces.
The text box will expand once you have clicked out of it.

If the performance of students at schools and or/districts not noted in the previous charts demonstrate the need for the charter, provide the student performance data and its source and explain.

Applicant Response:

Applicant response is limited to 8,500 characters/spaces.
The text box will expand once you have clicked out of it.

Describe the innovations that will distinguish the charter from other schools.

Applicant Response:

characters/spaces.

Applicant response is limited to 8,500

The text box will expand once you have clicked out of it.

5. 5. 6. Describe the educational program to be offered by the charter school.

Applicant Response:

Applicant response is limited to 18,000 characters/spaces.

The text box will expand once you have clicked out of it.

On the following table, List list the specific measurable goals in reading, reading comprehension, and mathematics, and mathematic reasoning based on the state mandated assessments, and any other assessment tools if used, for improving student academic achievement for each year of the public charter school's initial five-year period. For each goal, include the following

- The tool to be used to measure the academic performance;
- The level of performance that will demonstrate success; and
- The timeframe for the achievement of the goal.

<u>GOAL</u>	<u>Assessment Instrument for Measuring Performance</u>	<u>Performance Level that Demonstrates Achievement</u>	<u>When Attainment of the Goal Will Be Assessed</u>

Explain how the attainment of the goals will demonstrate that the charter is meeting the identified educational need for the school and fulfilling its mission.

Applicant Response:

characters/spaces.

Applicant response is limited to 18,000

The text box will expand once you have clicked out of it.

6. 6.5- Describe the educational program to be offered by the charter school.

Applicant Response:

characters/spaces.

Applicant response is limited to 18,000

The text box will expand once you have clicked out of it.

7. Describe the process that will be used to develop and align the ensure all curriculum materials used in the educational program are aligned with the Arkansas Curriculum Frameworks and the curriculum requirements of the Common Core State Standards as adopted, and periodically revised, by the State Board of Education.

Applicant Response:

this page.

Applicant response is limited to area provided on

8. Describe the manner in which the school will make provisions for the following student services, even in those areas for which a waiver is requested:

- A) Guidance program;

Applicant Response:

characters/spaces.

Applicant response is limited to 4,800

The text box will expand once you have clicked out of it.

- B) Health services;

Applicant Response:

characters/spaces.

Applicant response is limited to 4,800

The text box will expand once you have clicked out of it.

- C) Media center;

Applicant Response:

characters/spaces.

Applicant response is limited to 4,800

The text box will expand once you have clicked out of it.

- D) Special education;

Applicant Response:

characters/spaces.

Applicant response is limited to 4,800

The text box will expand once you have clicked out of it.

- E) Transportation;

Applicant Response:

characters/spaces.

Applicant response is limited to 4,800

The text box will expand once you have clicked out of it.

- F) Alternative education, including Alternative Learning Environments;

Applicant Response:

characters/spaces.

Applicant response is limited to 4,800

The text box will expand once you have clicked out of it.

G) English Language Learner (ELL) instruction;

Applicant Response:

characters/spaces.

Applicant response is limited to 4,800

The text box will expand once you have clicked out of it.

H) Gifted and Talented Program.

Applicant Response:

characters/spaces.

Applicant response is limited to 4,800

The text box will expand once you have clicked out of it.

9. Describe the geographical area to be served by the charter. List all school districts within the geographical area likely to be affected by the open-enrollment public charter school.

Applicant Response:

Applicant response is limited to area provided on this page.

10. Describe the plan for the school officials to provide an annual report to parents, the community, and the authorizer that demonstrates the progress made by the charter school during any previous academic year in meeting its academic performance objectives. (See *ADE Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts*.)

Applicant Response:

Applicant response is limited to area provided on this page.

11. Describe the enrollment criteria and student admission, recruitment and selection processes for, that will provide an equal opportunity for all parents and students to learn about and apply for admission to the proposed public charter school.

Applicant Response:

Applicant response is limited to area provided on this page.

Check which of the following enrollment preferences, as permissible permissible in Arkansas Code Annotated §6-23-306(14)(C), would be allowed at the charter school.

Children of founding members of the charter school

Siblings of enrolled students

No enrollment preferences (No other boxes may be checked in order to select this option.)

It is affirmed that a random, anonymous student selection method will be utilized in the event that more students apply for admission to the open-enrollment public charter school than can be accommodated under the terms of the charter, except as allowed for in Arkansas Code Annotated §6-23-306(14)(C).

Yes
No

Describe procedures for conducting the lottery process, including the timeline for enrolling, the date of the lottery and the way in which students will be placed on waiting lists. Explain how the charter will ensure that the lottery process is transparent to the public.

Applicant Response:

this page.

Applicant response is limited to area provided on

If it is believed that the use of a weighted lottery is required by federal court or administrative order, explain and furnish a copy of the order.

Applicant Response:

characters/spaces.

Applicant response is limited to 8,500

The text box will expand once you have clicked out of it.

12. 12. Name any founders or board members of the proposed charter's sponsoring entity, management company staff, and/or leaders of the proposed charter who have any prior involvement in the operation of one or more other charter schools and complete a Prior Charter Involvement template for each individual listed.

Applicant Response:

this page.

Applicant response is limited to area provided on

13. 13. Summarize the job descriptions of the school director and other key personnel. Specify the qualifications to be met by professional employees (administrators, teachers, counselors, etc.) of the program. List the types of administrative positions, teaching positions, and support positions for the school.

Applicant Response:

characters/spaces.

Applicant response is limited to 10,000

The text box will expand once you have clicked out of it.

14. 14. Explain how the school will conduct its business office. Tell about business office personnel and describe the plan for managing procurement activities, and the process by which the school governance will adopt an annual budget.

Applicant Response:

page

Applicant response is limited to the area provide on this

8,500 characters/spaces.

The text box will expand once you have clicked out of it.

Complete the budget template showing a balanced budget with realistic expectations of revenue and expenditures.

Provide the minimum number of students who must attend the charter in order for the school to be financially viable. Describe the method used to calculate this number. Tell who made the calculations and describe the financial expertise of the individuals who assisted in this assessment.

Describe the contingency plan if fewer students than necessary for financial viability enroll before the first day of school. Provide a detailed explanation of the ways in which the charter leaders will provide the education program outlined in the application to fewer students that determined necessary for financial viability or a date certain by which charter leaders will notify the parents, leaders of surrounding districts and open-enrollment charters, and staff at the Arkansas Department of Education that the school will not open as anticipated.

Explain how charter leaders will provide the education program outlined in the application if enough students for financial viability enroll and are admitted but fail to arrive when school begins.

Describe preparations to pay for any unexpected, but necessary and possibly urgent expenses.

Applicant Response:

characters/spaces.

Applicant response is limited to 8,500

The text box will expand once you have clicked out of it.

15. 14- 15. Describe the manner in which an annual audit of the financial and programmatic operations of the school will be conducted. If the school wishes to request that the authorizer allow a licensed accountant or licensed certified public accountant, rather than the Legislative Auditor, to perform the first-year audit, identify the accountant by name, firm, address, and phone number. The named accountant must meet the requirements of ADE Rules Governing Publicly Funded Educational Institution Audit Requirements, including the prohibition on auditors providing non-audit services (such as accounting or consulting services) to auditees. A school's preference as stated in this application may not be changed without prior approval of the authorizer.

Appli

The text box will expand once you have clicked out of it.

16. 15- 16. It is affirmed that the public charter school will participate in the Arkansas Public School Computer Network, as required by state statute and by State Board of Education rule, for reporting **both education data and financial data**, including grant funds or private donations received directly by the charter school.

Yes

No

17. ~~16.~~ 17. Describe the facilities to be used. Give the present use of the facility. If the facility to be used for the school is a facility of a school district, describe the terms established by the local school board of the district stipulating the relationship between the proposed public charter school and the district pertaining to the use of the facility. Attach a copy of the agreement, signed by the president of the local school board, the chair or president of the governing body of the proposed open-enrollment public charter school, and the chief operating officer of the proposed charter. If the facility is not operated by a school district, attach a copy of the Facilities Utilization Agreement, signed by the entity owning or operating the facility and the chief operating officer of the proposed charter. A proposed lease may also be submitted but is not required. Please note that any lease or other debt must be approved by the Commissioner of Education.

Applicant Response:

characters/spaces.

Applicant response is limited to 8,500

The text box will expand once you have clicked out of it.

Identify the owner(s) of the proposed facility and describe their relationship, if any, with:

- (1) Members of the local board of the public school district where the proposed open-enrollment public charter school will be located,
- (2) Employees of the public school district where the proposed open-enrollment public charter school will be located,
- (3) The eligible entity sponsoring the open-enrollment public charter school, or
- (4) Employees/directors/administrators of the sponsoring entity or proposed open-enrollment public charter school.

Applicant Response:

characters/spaces.

Applicant response is limited to 8,500

The text box will expand once you have clicked out of it.

The facility will comply with all requirements for accessibility in accordance with the Americans with Disabilities Act (ADA) and Individuals with Disabilities Education Act (IDEA) and all other state and federal laws and local zoning ordinances.

Yes

No

If the facility does not currently meet these requirements, provide a list of items that will need to be addressed to bring the facility into compliance. Also include a statement of permissible uses for the facility from the local zoning authority, and whether there are any alcohol sales within 1,000 feet of the facility.

Applicant Response:

characters/spaces.

Applicant response is limited to 8,500

The text box will expand once you have clicked out of it.

18. ~~17.~~ 18. For each and every individual specifically identified by name in Section A of the application (the contact person, chief operating officer, board members, and other individuals), identify any family or financial relationship which may exist between that individual and:

- (A) Any other individual specifically identified by name in Section A of the application;
- (B) Any individual or entity with whom the sponsoring entity or charter school has contracted, or intends to contract, to provide any services or products for the proposed charter school and/or
- (C) The owner(s) of the facilities to be used.

For the purpose of this standard prompt, an individual has a financial relationship with another individual or entity if he or she:

- (1) Receives compensation or benefits directly or indirectly from the entity or individual;
- (2) Is an officer, director, partner, employee, or owner of more than 5% of the shares of an entity that is a corporation, partnership, sole proprietorship, or LLC; and/or
- (3) Has a family member (spouse, sibling, parent or child, or the spouse of a sibling, parent, or child) who is an officer, director, partner, employee, or owner of more than 5% of the shares of an entity that is a corporation, partnership, sole proprietorship, or LLC.

Applicant Response:

characters/spaces.

Applicant response is limited to 8,500

The text box will expand once you have clicked out of it.

Explain the procedures to be followed if a conflict of interest is identified. The procedures must ensure that all actions are in the best interest of the school and the students at the school.

Applicant Response:

characters/spaces.

Applicant response is limited to 11,000

The text box will expand once you have clicked out of it.

19. ~~18.~~ 19. Describe the manner in which the school will make provisions for food services. State whether the proposed charter school will apply to participate in the federal National School Lunch program or other federal nutrition programs.

Applicant Response:

page.

Applicant response is limited to area provided on this

20. ~~19.~~ 20. Describe how the parents or guardians of the enrolled students and other members of the community will be involved with the school to positively impact the charter school's educational programs.

Applicant Response:

page.

Applicant response is limited to area provided on this

21. ~~20.~~ 21. List the provisions of Title 6 of the Arkansas Code Annotated (Education Code), State Board of Education rules, and sections of the *Standards for Accreditation of Arkansas Public Schools and School Districts* from which the public charter school seeks to be exempted in order to meet the goals of the school. Identify the specific statute, rule, or standard requested to be waived by title and section number if applicable. **Provide a brief description of the rationale for each waiver requested that explains the way in which each waiver assists in implementing the educational program of the charter and fulfilling the charter's mission.**

Applicant Response:

characters/spaces.

Applicant response is limited to 22,000

The text box will expand once you have clicked out of it.

22. ~~24.~~ 22. Describe the potential impact of the proposed public charter school on the efforts of affected public school district(s) to comply with court orders and statutory obligations to create and maintain a unitary system of desegregated public schools.

Applicant Response:

page.

Applicant response is limited to area provided on this

23. ~~22.~~ 23. Identify the two or three key individuals responsible for this application. Discuss the experience and qualifications of each. Explain what the charter founders and other leaders are doing or will do to ensure the success of the charter school when others are in leadership roles in perpetuity.

Applicant Response:

characters/spaces.

Applicant response is limited to 8,500

The text box will expand once you have clicked out of it.

Emergency Clause

Whereas, Ark. Code Ann. § 6-23-301 requires the authorizer to adopt an application form to be used for open-enrollment public charter schools.

Whereas, it is necessary to receive and review open-enrollment charter applications with sufficient time for awarded charters to plan and open for the 2015-2016 school year.

THEREFORE, the State Board of Education hereby determines pursuant to Ark. Code Ann. § 25-15-204 that imminent peril to the welfare of Arkansas public school districts, public charter schools, and public school students will result without the immediate promulgation of these rules.

DRAFT

2015-2016
Public Charter School Application
Personnel Salary Schedule

Administrative Positions:		2015-2016	2015-2016	2016-2017	2016-2017
<i>Line#</i>	List Positions	No. FTEs	Salary	No. FTEs	Salary
1					
2					
3					
4					
5					
6					
7	Subtotal:				
8	Fringe Benefits (rate used _____)				
9	Total Administration:				

Regular Classroom Instruction:		2015-2016		2016-2017	
		No. FTEs		No. FTEs	
10	Teachers				
11	Aides				
12	Subtotal:				
13	Teacher Fringe Benefits (rate used _____)				
14	Aide Fringe Benefits (rate used _____)				
15	Total Regular Classroom Instruction:				

Special Education:		2015-2016		2016-2017	
		No. FTEs		No. FTEs	
16	Teachers				
17	Aides				
18	Subtotal:				
19	Teacher Fringe Benefits (rate used _____)				
20	Aide Fringe Benefits (rate used _____)				
21	Total Special Education:				

Gifted and Talented Program:		2015-2016		2016-2017	
		No. FTEs		No. FTEs	
22	Teachers				
23	Aides				
24	Subtotal:				
25	Teacher Fringe Benefits (rate used _____)				
26	Aide Fringe Benefits (rate used _____)				
27	Total Gifted and Talented Program:				

**Alternative Education Program/
Alternative Learning Environments:**

		2015-2016 No. FTEs	2015-2016 Salary	2016-2017 No. FTEs	2016-2017 Salary
28	Teachers				
29	Aides				
30	Subtotal:				
31	Teacher Fringe Benefits (rate used _____)				
32	Aide Fringe Benefits (rate used _____)				
33	Total Alternative Education Program/ Alternative Learning Environments:				

English Language Learner Program:

	List Positions	2015-2016 No. FTEs	2016-2017 No. FTEs
34			
35			
36			
37			
38			
39	Subtotal:		
40	Fringe Benefits (rate used _____)		
41	Total English Language Learner Program:		

Guidance Services:

	List Positions	2015-2016 No. FTEs	2016-2017 No. FTEs
42			
43			
44			
45			
46			
47	Subtotal:		
48	Fringe Benefits (rate used _____)		
49	Total Guidance Services:		

Health Services:

	List Positions	2015-2016 No. FTEs	2016-2017 No. FTEs
50			
51			
52			
53			
54			
55	Subtotal:		
56	Fringe Benefits (rate used _____)		
57	Total Health Services:		

Media Services:

List Positions

2015-2016
No. FTEs2015-2016
Salary2016-2017
No. FTEs2016-2017
Salary

58				
59				
60				
61				
62				
63	Subtotal:			
64	Fringe Benefits (rate used _____)			
65	Total Media Services:			

Fiscal Services:

List Positions

2016-2016
No. FTEs2016-2017
No. FTEs

66				
67				
68				
69				
70				
71	Subtotal:			
72	Fringe Benefits (rate used _____)			
73	Total Fiscal Services:			

Maintenance and Operation:

List Positions

2015-2016
No. FTEs2016-2017
No. FTEs

74				
75				
76				
77				
78				
79	Subtotal:			
80	Fringe Benefits (rate used _____)			
81	Total Maintenance and Operation:			

Pupil Transportation:

List Positions

2015-2016
No. FTEs2016-2017
No. FTEs

82				
83				
84				
85				
86				
87	Subtotal:			
88	Fringe Benefits (rate used _____)			
89	Total Pupil Transportation:			

Food Services:

List Positions

2015-2016
No. FTEs2015-2016
Salary2016-2017
No. FTEs2016-2017
Salary

90				
91				
92				
93				
94				
95	Subtotal:			
96	Fringe Benefits (rate used _____)			
97	Total Food Services:			

Data Processing:

List Positions

2015-2016
No. FTEs2016-2017
No. FTEs

98			
99			
100			
101			
102			
103	Subtotal:		
104	Fringe Benefits (rate used _____)		
105	Total Data Processing:		

Substitute Personnel:2015-2016
No. FTEs2016-2017
No. FTEs

106	Number of Certified Substitutes _____		
107	Number of Classified Substitutes _____		
108	Subtotal:		
109	Certified Fringe Benefits (rate used _____)		
110	Classified Fringe Benefits (rate used _____)		
111	Total Substitute Personnel:		

112 **TOTAL EXPENDITURES FOR SALARIES:**

**Public Charter School Application
Estimated Budget Template**

REVENUES

State Public Charter School Aid:

2015-2016 Amount: 2016-2017 Amount:

Line#	2015-2016					
1	No. of Students	x	\$6,521.00	State Foundation Funding	<u>\$0.00</u>	
2	No. of Students	x	\$26.67	Professional Development	<u>\$0.00</u>	
3	No. of Students	x		eligible rate* NSL Funding		
4	No. of Students	x		Other: <i>Explain Below</i>		
5						
	2016-2017					
6	No. of Students	x	\$6,521.00	State Foundation Funding		<u>\$0.00</u>
7	No. of Students	x	\$26.67	Professional Development		<u>\$0.00</u>
8	No. of Students	x		eligible rate* NSL Funding		
9	No. of Students	x		Other: <i>Explain Below</i>		
10						
11	Total State Charter School Aid:				<u>\$0.00</u>	<u>\$0.00</u>

Other Sources of Revenues:

(MUST UPLOAD DOCUMENTATION VERIFYING ALL AMOUNTS LISTED AS OTHER SOURCES OF REVENUE)

12	Private Donations or Gifts					
13	Federal Grants (List the amount)					
14	Special Grants (List the amount)					
	Other (<i>Specifically Describe</i>)					
15						
16	Total Other Sources of Revenues:					
17	TOTAL REVENUES:				<u>\$0.00</u>	<u>\$0.00</u>

EXPENDITURES

Administration:

2015-2016 Amount: 2016-2017 Amount:

18	Salaries and Benefits			
	Purchased Services - List Vendors Below			
19	V - AD 1			
20	V - AD 2			
21	V - AD 3			
22	V - AD 4			
23	V - AD 5			
24	Supplies and Materials			
25	Equipment			
	Other (List Below)			
26				
27				
28				
29				
30				
31	Total Administration:			

		<u>2015-2016 Amount:</u>	<u>2016-2017 Amount:</u>
	Regular Classroom Instruction:		
32	Salaries and Benefits		
	Purchased Services - List Vendors Below		
33	V - CI 1		
34	V - CI 2		
35	V - CI 3		
36	V - CI 4		
37	V - CI 5		
38	Supplies and Materials		
39	Equipment		
	Other (List Below)		
40			
41			
42			
43			
44			
45	Total Regular Classroom Instruction:		
	Special Education:		
46	Salaries and Benefits		
	Purchased Services - List Vendors Below		
47	V - SE 1		
48	V - SE 2		
49	V - SE 3		
50	V - SE 4		
51	V - SE 5		
52	Supplies and Materials		
53	Equipment		
	Other (List Below)		
54			
55			
56			
57			
58			
59	Total Special Education:		
	Gifted and Talented Program:		
60	Salaries and Benefits		
	Purchased Services - List Vendors Below		
61	V - GT1		
62	V - GT2		
63	V - GT3		
64	V - GT4		
65	V - GT5		
66	Supplies and Materials		
67	Equipment		
	Other (List Below)		
68			
69			
70			
71			
72			
73	Total Gifted and Talented Program:		

Alternative Education Program/ Alternative Learning Environments:**2015-2016 Amount:****2016-2017 Amount:**

74	Salaries and Benefits		
	Purchased Services - List Vendors Below		
75	V - ALE1		
76	V - ALE2		
77	V - ALE3		
78	V - ALE4		
79	V - ALE5		
80	Supplies and Materials		
81	Equipment		
	Other (List Below)		
82			
83			
84			
85			
86			
87	Total Alternative Education Program/ Alternative Learning Environments:		

English Language Learner Program:

88	Salaries and Benefits		
	Purchased Services - List Vendors Below		
89	V - ELL1		
90	V - ELL2		
91	V - ELL3		
92	V - ELL4		
93	V - ELL5		
94	Supplies and Materials		
95	Equipment		
	Other (List Below)		
96			
97			
98			
99			
100			
101	Total English Language Learner Program:		

Guidance Services:

102	Salaries and Benefits		
	Purchased Services - List Vendors Below		
103	V - GS1		
104	V - GS2		
105	V - GS3		
106	V - GS4		
107	V - GS5		
108	Supplies and Materials		
109	Equipment		
	Other (List Below)		
110			
111			
112			
113			
114			
115	Total Guidance Services:		

		<u>2015-2016 Amount:</u>	<u>2016-2017 Amount:</u>
	Health Services:		
116	Salaries and Benefits		
	Purchased Services - List Vendors Below		
117	V - HS1		
118	V - HS2		
119	V - HS3		
120	V - HS4		
121	V - HS5		
122	Supplies and Materials		
123	Equipment		
	Other (List Below)		
124			
125			
126			
127			
128			
129	Total Health Services:		
	Media Services:		
130	Salaries and Benefits		
	Purchased Services - List Vendors Below		
131	V - MS1		
132	V - MS2		
133	V - MS3		
134	V - MS4		
135	V - MS5		
136	Supplies and Materials		
137	Equipment		
	Other (List Below)		
138			
139			
140			
141			
142			
143	Total Media Services:		
	Fiscal Services:		
144	Salaries and Benefits		
	Purchased Services - List Vendors Below		
145	V - FS1		
146	V - FS2		
147	V - FS3		
148	V - FS4		
149	V - FS5		
150	Supplies and Materials		
151	Equipment		
	Other (List Below)		
152			
153			
154			
155			
156			
157	Total Fiscal Services:		

2015-2016 Amount: 2016-2017 Amount:

Maintenance and Operation:

158	Salaries and Benefits		
	Purchased Services - List Vendors Below		
	INCLUDE UTILITIES		
159	V - M01		
160	V - M02		
161	V - M03		
162	V - M04		
163	V - M05		
164	Supplies and Materials		
165	Equipment		
	Other (List Below)		
166			
167			
168			
169			
170			
171	Total Maintenance and Operation:		

Pupil Transportation:

172	Salaries and Benefits		
	Purchased Services - List Vendors Below		
173	V - PT1		
174	V - PT2		
175	V - PT3		
176	V - PT4		
177	V - PT5		
178	Supplies and Materials		
179	Equipment		
	Other (List Below)		
180			
181			
182			
183			
184			
185	Total Pupil Transportation:		

Food Services:

186	Salaries and Benefits		
	Purchased Services - List Vendors Below		
187	V - FD1		
188	V - FD2		
189	V - FD3		
190	V - FD4		
191	V - FD5		
192	Supplies and Materials		
193	Equipment		
	Other (List Below)		
194			
195			
196			
197			
198			
199	Total Food Services:		

		<u>2015-2016 Amount:</u>	<u>2016-2017 Amount:</u>
	Data Processing:		
200	Salaries and Benefits		
	Purchased Services - List Vendors Below		
201	V - DP1		
202	V - DP2		
203	V - DP3		
204	V - DP4		
205	V - DP5		
206	Supplies and Materials		
207	Equipment		
	Other (List Below)		
208			
209			
210			
211			
212			
213	Total Data Processing:		
	Substitute Personnel:		
214	Salaries and Benefits		
	Purchased Services - List Vendors Below		
215	V - SB1		
216	V - SB2		
217	V - SB3		
218	V - SB4		
219	V - SB5		
220	Total Substitute Personnel:		
	Facilities:		
221	Lease/Purchase Contract for One Full Year		
	Facility Upgrades - List Upgrades Below		
222			
223			
224			
225			
226			
227			
228			
229	Property Insurance for One Full Year		
230	Content Insurance for One Full Year		
231	Total Facilities:		

Debt Expenditures:

List Debts Below

2015-2016 Amount:2016-2017 Amount:232
233
234**Total Debts:****Other Expenditures:**

List Other Expenditures Below

235
236
237
238
239
240
241**TOTAL EXPENDITURES:**

242

Net Revenue over Expenditures:\$0.00\$0.00

Note: If any major area is zero, type explanation where items would be listed. Example: No funds budgeted for GT because of waiver.

**OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL
FACILITIES UTILIZATION AGREEMENT**

Lessor(Owner): _____

Lessee(Tenant): _____

Any information regarding affiliation, family ties, or other relationships between the Lessor (Owner) and Lessee (Tenant) must be disclosed with the facilities lease agreement.

Describe the present use of the facility:

Address of Premises:

Square Footage: _____

Terms of Lease: _____

Rental Amount: _____

Contingency: The terms of this agreement are contingent upon

_____ *Sponsoring Entity*
receiving a charter to operate an open-enrollment public charter school approved by
the authorizer by August of 20____

Statutory Language Concerning No Indebtedness:

No indebtedness of any kind incurred or created by the open-enrollment public charter school shall constitute an indebtedness of the State of Arkansas or its political subdivisions, and no indebtedness of the open-enrollment public charter school shall involve or be secured by the faith, credit, or taxing power of the state or its political subdivisions. An open-enrollment public charter school shall not incur any debt, including any lease, without the prior review and approval of the Commissioner of Education.

Lessee: _____

By: _____ Date _____

Lessor: _____

By: _____ Date _____

[illegible]

ARKANSAS DEPARTMENT OF EDUCATION

REQUIREMENTS FOR LETTER OF INTENT

To Apply for an **Open-Enrollment** Public Charter School

Applicants for open-enrollment public charter schools are required to send a one-page **"Letter of Intent to Apply for an Open-Enrollment Public Charter School"** to the Arkansas Department of Education.

Submit the signed letter of intent, via email, to the Arkansas Department of Education at the following email address no later than 4:00 p.m. **on Thursday, May 29, 2014**, in order for the application to be considered by the authorizer during the 2014 application cycle:

ade.charterschools@arkansas.gov

Required format to be followed for the letter of intent:

1. The letter of intent is to be a one-page document;
2. Include the full legal name of the eligible entity which intends to apply for a charter. If the sponsoring entity is a non-profit organization, specify the name exactly as submitted on the Internal Revenue Service (IRS) application for non-profit status through 501(c)(3) of the Internal Revenue Code, and state whether the entity has already received 501(c)(3) status or has applied for 501(c)(3) status.
3. Include a contact person's name, full address, daytime telephone number, and email address;
4. Give a description of the eligible entity that is sponsoring the application;
5. Give the name of the proposed open-enrollment public charter school;
6. Describe the location of the proposed open-enrollment public charter school and state the school district in which the charter school would be located;
7. Identify the grade levels of students intended to be served by the open-enrollment public charter school;
8. Identify the number of students intended to be served by the open-enrollment public charter school; and
9. Provide a one-paragraph description of the purpose or special emphasis of the proposed school.

The designated contact person must sign the letter of intent to apply.

A copy of the letter of intent must be sent, via the same email transmission that the letter is sent to the Arkansas Department of Education, to the superintendent of the public school district where the proposed public charter school will be located.

2014 APPLICATION
OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL
STATEMENT OF ASSURANCES

The signature of the president of the board of directors of the proposed public charter school's sponsoring entity certifies that the following statements are and will be addressed through policies adopted by the sponsoring entity and policies to be adopted by the public charter school; and, if the application is approved, that the sponsoring entity, governing body, administration, and staff of the open-enrollment charter shall abide by them:

1. The information submitted in this application is true to the best of my knowledge and belief, and this application has been sent to the superintendent of all the districts from which we intend to draw students.
2. The open-enrollment public charter school shall be open to all students, on a space-available basis, and shall not discriminate in its admission policy on the basis of gender, national origin, race, ethnicity, religion, disability, or academic or athletic eligibility, except as follows: the open-enrollment public charter school may adopt admissions policies that are consistent with federal law, regulations, or guidelines applicable to charter schools. The charter may provide for the exclusion of a student who has been expelled from another public school district.
3. In accordance with federal and state laws, the open-enrollment public charter school hiring and retention policies of administrators, teachers, and other employees shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, or special need.
4. The open-enrollment public charter school shall operate in accordance with federal laws and rules governing public schools; applicable provisions of the Arkansas Constitution; and state statutes or regulations governing public schools not waived by the approved charter.
5. The open-enrollment public charter school shall not use the moneys that it receives from the state for any sectarian program or activity, or as collateral for debt.

However, open-enrollment public charter schools may enter into lease-purchase agreements for school buildings built by private entities with facilities bonds exempt from federal taxes under 26 USCS 142(a) as allowed by Arkansas Code Annotated § 6-20-402. No indebtedness of an open-enrollment public charter school shall ever become a debt of the state of Arkansas.

6. The open-enrollment public charter school shall not impose taxes or charge students tuition or fees that would not be allowable charges in the public school districts.
7. The open-enrollment public charter school shall not be religious in its operations or programmatic offerings.

8. The open-enrollment public charter school shall ensure that any of its employees who qualify for membership in the Arkansas Teacher Retirement System or the State and Public School Employee Insurance Program shall be covered under those systems to the same extent a qualified employee of a traditional school district is covered.
9. The employees and volunteers of the open-enrollment public charter school are held immune from liability to the same extent as other public school district employees and volunteers under applicable state laws.
10. The open-enrollment public charter school shall be reviewed for its potential impact on the efforts of a public school district or public school districts to comply with court orders and statutory obligations to create and maintain a unitary system of desegregated public schools.
11. The open-enrollment public charter school shall comply with all health and safety laws, rules and regulations of the federal, state, county, region, or community that may apply to the facilities and school property.
12. The applicant confirms the understanding that certain provisions of state law shall not be waived. The open-enrollment public charter school is subject to any prohibition, restriction, or requirement imposed by Title 6 of the Arkansas Code Annotated and any rule and regulation approved by the State Board of Education under this title relating to:
 - (a) Monitoring compliance with Arkansas Code Annotated § 6-23-101 *et seq.* as determined by the Commissioner of the Department of Education;
 - (b) Conducting criminal background checks for employees;
 - (c) High school graduation requirements as established by the State Board of Education;
 - (d) Special education programs as provided by this title;
 - (e) Public school accountability under this title;
 - (f) Ethical guidelines and prohibitions as established by Arkansas Code Annotated § 6-24-101 *et seq.*, and any other controlling state or federal law regarding ethics or conflicts of interest; and
 - (g) Health and safety codes as established by the State Board of Education and local governmental entities.

13. The facilities of the public charter school shall comply with all requirements for accessibility for individuals with disabilities in accordance with the ADA and IDEA and all other state and federal laws.
14. Should the open-enrollment public charter school voluntarily or involuntarily close, the applicant confirms the understanding that any fees associated with the closing of the school including, but not limited to, removal of furniture, equipment, general expenses, etc., are the sole responsibility of the sponsoring entity. No indebtedness of any kind incurred or created by the open-enrollment public charter school shall constitute an indebtedness of the state or its political subdivisions, and no indebtedness of the open-enrollment public charter school shall involve or be secured by the faith, credit, or taxing power of the state or its political subdivisions. Upon dissolution of the open-enrollment public charter school or upon nonrenewal or revocation of the charter, all net assets of the open-enrollment public charter school, including any interest in real property, purchased with public funds shall be deemed the property of the state, unless otherwise specified in the charter of the open-enrollment public charter school. If the open-enrollment public charter school used state or federal funds to purchase or finance personal property, real property or fixtures for use by the open-enrollment public charter school, the authorizer may require that the property be sold. The state has a perfected priority security interest in the net proceeds from the sale or liquidation of the property to the extent of the public funds used in the purchase.

Signature of President of the Sponsoring Entity Board of Directors

Date

Printed Name

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Department of Education
DIVISION Learning Services
PERSON COMPLETING THIS STATEMENT Kendra Clay
TELEPHONE NO. 501-682-4227 **FAX NO.** 501-682-4249 **EMAIL:** kendra.clay@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 2014 Open Enrollment Public Charter School New Application

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☐ No ☒
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 ☒ 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 ☒ 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;

- (b) The reason for adoption of the more costly rule;

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

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

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

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

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total 0

Total 0

(b) What is the additional cost of the state rule?

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total 0

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total 0

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.

Current Fiscal Year

\$ 0

Next Fiscal Year

\$ 0

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.

Current Fiscal Year

\$ 0

Next Fiscal Year

\$ 0

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 ☒

If YES, the agency is required by Ark. Code Ann. § 25-15-204(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:

- (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;
- (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.

**ARKANSAS DEPARTMENT OF EDUCATION
EMERGENCY RULES FOR POLICIES GOVERNING PROGRAMS
FOR EDUCATOR LICENSURE OFFERED BY INSTITUTIONS OF
HIGHER EDUCATION IN ARKANSAS**

Effective: September 1, 2014

Expiration: December 29, 2014

1.0 REGULATORY AUTHORITY AND PURPOSE

- 1.01 These rules shall be known as Arkansas Department of Education Policies Governing Programs for Educator Licensure Offered by Institutions of Higher Education in Arkansas.
- 1.02 The State Board of Education enacts these rules pursuant to its authority as set forth in Ark. Code Ann. §§ 6-11-105, 6-17-422, and 25-15-201 et seq.
- 1.03 It is the purpose of these rules to set forth the requirements for Arkansas Department of Education (ADE) approval of educator licensure programs offered by a college or university in Arkansas.

2.0 DEFINITIONS

For these policies the following terms are defined:

- 2.01 **Accreditation** of an institution of higher learning, professional education unit, or program of study is the official recognition granted to the institution of higher learning, professional education unit or program of study that meets the standards of quality established by the accrediting agency.
- 2.02 **ADE** is the Arkansas Department of Education.
- 2.03 **ADHE** is the Arkansas Department of Higher Education.
- 2.04 **CAEP** is the Council for Accreditation of Educator Preparation.
- 2.05 **Candidacy for Accreditation** means the status granted to a professional education unit that has met CAEP's pre-conditions for accreditation.
- 2.06 **Candidate** is an individual who has been admitted into an educator licensure program.
- 2.07 **Data Literacy** means the knowledge and skill in accessing, generating, and analyzing data from a variety of sources to facilitate instruction and decision making.
- 2.08 **Disciplinary Literacy** means the knowledge and skills in reading, writing and reasoning processes that are specific to the intellectual beliefs and methods by which scholarship is created in a content field.

- 2.09 **Disposition for Teaching** means the professional attitudes, values, and beliefs of an individual regarding instruction, student learning and development, including beliefs that all students can learn and all teachers can improve their knowledge and skills.
- 2.10 **Distance Learning Technology** means the electronic media, including the Internet, e-mail, television, and other audio-visual communication devices used to deliver instruction where the teacher and the students are in separate physical settings.
- 2.11 **Educator Licensure** is the official recognition by the State Board that an individual has met state requirements and has been authorized to practice as a professional educator in Arkansas.
- 2.12 **Field Experiences** means the activities for students in professional education that are completed in P-12 school settings. These include observations, tutoring, assisting teachers and administrators, student teaching, pre-service teaching and internships.
- 2.13 **General Studies** means the courses and other learning experiences in the liberal arts and sciences that students in degree programs normally complete during the first two years of their higher education experience.
- 2.14 **Nontraditional Educator Licensure Program** means a graduate-level preparation program designed for individuals seeking licensure as a teacher who did not complete an undergraduate educator preparation program but which, under the Arkansas Department of Education rules for nontraditional licensure, allows them to serve as teacher of record while enrolled in a program of study.
- 2.15 **Preconditions** are fundamental requirements undergirding CAEP standards that must be met before a professional education unit is permitted to advance to candidacy for initial accreditation.
- 2.16 **Professional Education Unit** is a college, school, department, or other administrative entity within an institution of higher education that is primarily responsible for coordinating all programs for the initial and advanced preparation of educators and other professional school personnel; also referred to as “unit”.
- 2.17 **Program or Program of Study** means a planned sequence of courses and experiences that prepares educators or other school professionals for licensure and employment in pre-kindergarten through high school settings.
- 2.18 **Provisional Teaching License** means a temporary license, which is issued by the State Board to an individual who has met certain requirements but not all of the requirements for a standard license, that allows the holder to teach or work in Arkansas public schools.
- 2.19 **Specialized Professional Association (SPA)** means any of the national associations representing educators of specific subject areas, grade levels or student groups; administrators; or other school professionals that establish standards for candidates preparing for educator licensure.

- 2.20 **Standard Teaching License** means a five-year renewable license issued by the State Board that allows the license holder to teach in Arkansas public schools.
- 2.21 **Supervised Clinical Practice** means pre-service teaching or internship in a school setting that provides candidates with extensive opportunities to develop and demonstrate competence in the professional roles for which they are preparing; completed under the guidance and supervision of licensed practicing school personnel and college or university supervisory personnel.
- 2.22 **Teacher Effectiveness Support System (TESS)** is an integrated evaluation, feedback, and support system under the Department of Education Rules Governing The Teacher Effectiveness and Support System that encourages teachers to improve their knowledge and instructional skills in order to improve student learning,
- 2.23 **Teacher of Record** means an individual who has been assigned the lead responsibility for a student's learning in a subject/course with aligned performance measures.
- 2.24 **Traditional Program for Educator Licensure** means an undergraduate program of study or graduate program of study at an institution of higher education that prepares candidates for traditional licensure as a teacher, special education teacher, school counselor, school administrator, or other school professional.
- 2.25 **Universal Design for Learning** means a scientifically valid framework for guiding educational practice that (A) provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and (B) reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and students who are limited English proficient.

3.0 APPROVAL REQUIRED

Any educator licensure program offered by a college or university in Arkansas must be approved by the Arkansas Department of Education (ADE), Office of Educator Licensure (OEL). These policies shall be effective beginning September 1, 2014, and they shall supersede any previous ADE policies pertaining to professional education programs offered by colleges or universities in Arkansas. As often as may be necessary, these policies will be reviewed by the Professional Licensure Standards Board (PLSB) and approved by the Arkansas State Board of Education (State Board).

4.0 POLICIES FOR INSTITUTIONS OF HIGHER EDUCATION PROVIDING PROGRAMS FOR EDUCATOR LICENSURE

- 4.01 Prior to program implementation, public institutions of higher education in Arkansas and any out-of-state institutions of higher education offering programs to students in

Arkansas shall be approved by the Arkansas Higher Education Coordinating Board to offer certificate and degree programs leading to educator licensure in Arkansas.

- 4.02 Institutions of higher education that offer programs in Arkansas leading to educator licensure shall be accredited by a regional accrediting agency that is recognized by the United States Department of Education (USDE) or the Council for Higher Education Accreditation (CHEA).

5.0 POLICIES FOR PROFESSIONAL EDUCATION UNITS PROVIDING PROGRAMS FOR EDUCATOR LICENSURE

- 5.01 A professional education unit accredited by CAEP and in compliance with all other policies set forth in this document is considered eligible by the ADE to provide professional education programs leading to educator licensure in Arkansas.

- 5.01.1 If a unit is not yet accredited by CAEP, it shall meet all other preconditions for CAEP accreditation before the ADE can approve any of its programs for educator licensure.

- 5.01.2 If a unit fails to achieve initial CAEP accreditation, or CAEP accreditation is discontinued, the unit and its individual programs for educator licensure shall forfeit state approval.

- 5.01.3 The unit shall inform current and potential candidates of its standing with regard to CAEP accreditation and state approval of its licensure programs.

6.0 POLICIES FOR ALL PROGRAMS LEADING TO EDUCATOR LICENSURE (TRADITIONAL AND NONTRADITIONAL)

- 6.01 An educator licensure program proposed by a professional education unit that is CAEP accredited may be granted initial state approval upon review by the ADE in accordance with the *Protocol for the Review and Approval of Programs of Study Leading to Educator Licensure or Endorsement in Arkansas*.

- 6.02 An educator licensure program proposed by a professional education unit that has met all other requirements for candidacy for CAEP accreditation, except having a state-approved licensure program, may be granted provisional state approval until accreditation is achieved or for a period of no longer than five (5) years. If accreditation is not achieved within the 5-year period, the unit's professional education programs will forfeit state approval, and no new students may be admitted into the programs.

- 6.03 Continued state approval of an educator licensure program shall be granted if it attains recognition from its affiliated CAEP Specialized Professional Association (SPA), or is accredited by a CAEP recognized organization associated with the field of study, or is recommended for approval based upon results of a CAEP or state review of the program.

- 6.03.1 A program for licensure endorsement requiring less than 18 credit hours shall not be required to prepare individual program reports, but the programs must provide candidate performance data from state-required licensure assessments in the unit's documentation for CAEP accreditation.
- 6.03.2 A program having no completers or enrolled candidates during its most recent three years of operation may be declared to be inactive, and therefore shall not be required to prepare a program report in conjunction with preparation for the unit's CAEP accreditation review.
- 6.04 Any revisions to an ADE-approved program of study for licensure shall be submitted to the ADE Office of Educator Effectiveness in accordance with the *Protocol for the Review and Approval of Programs of Study Leading to Educator Licensure or Endorsement in Arkansas*.

7.0 POLICIES FOR TRADITIONAL EDUCATOR LICENSURE PROGRAMS

- 7.01 All traditional educator licensure programs shall include curriculum that addresses requirements established by Arkansas statutes governing educator preparation and ADE rules governing educator licensure, including without limitation, instruction in:
 - 7.01.1 The *Code of Ethics for Arkansas Educators*.
 - 7.01.2 Data literacy.
 - 7.01.3 The Arkansas Teaching Standards and the appropriate content knowledge and pedagogical competencies for the respective licensure areas;
 - 7.01.4 Disciplinary literacy;
 - 7.01.5 Universal Design for Learning;
 - 7.01.6 Child maltreatment, under Ark. Code Ann. § 6-61-133; and
 - 7.01.7 Information on the identification of students at risk for dyslexia and related disorders, under Ark. Code Ann. § 6-41-609.
- 7.02 All programs that prepare candidates for licensure to teach in grades birth through kindergarten (B-K), kindergarten through grade six (K-6) or grades four through eight (4-8) shall include at least six semester hours of instruction in reading pedagogy. The instruction shall include theories and strategies for teaching reading, diagnosis of reading difficulties, intervention strategies for struggling readers and disciplinary literacy as identified in the competencies for educator licensure.
- 7.03 Traditional programs that prepare candidates for middle childhood licensure to teach in grades four through eight (4-8) shall require concentrations in at least two content areas to be selected by the candidates from English-language arts, mathematics,

science and social studies. The concentrations shall include at least eighteen (18) semester hours of coursework in each of the selected content areas.

- 7.04 Traditional programs that prepare candidates for secondary licensure to teach in grades seven through twelve (7-12) shall require candidates to have content preparation in a teaching field equivalent to the institutional requirements for an academic major (at least 30 semester hours). Degree requirements shall be determined by the institution, but the requirements for a student seeking a teaching degree shall not be substantially different from the requirements for a student seeking a non-teaching degree in the same content field.
- 7.05 Programs that prepare candidates for standard or add-on licensure to teach special education in grades K-12, shall include a curriculum of at least twenty-one (21) semester hours in special education content and pedagogy and shall comply with standards of the Council for Exceptional Children (CEC).
- 7.06 Programs that prepare candidates for licensure as school administrators, grades P-12, shall comply with the *Standards for School Administrators in Arkansas* and Educational Leadership Constituent Council (ELCC) standards.
- 7.07 Professional education programs shall engage candidates in direct, substantial, quality participation in field experiences and supervised clinical practice.
 - 7.07.1 The combination of field experiences and supervised clinical practice shall provide opportunities for a candidate for teacher licensure to teach across the entire grade of the license being sought.
 - 7.07.1.1 Field experiences and supervised clinical practice in a program of study for teacher licensure, Birth – Kindergarten (B-K), shall be divided between prekindergarten and kindergarten, with no less than 40% of the total experiences completed in either area.
 - 7.07.1.2 Field experience and supervised clinical practice in a program of study for teacher licensure, grades K-6, shall be divided between grades K-3 and 4-6, with no less than 25% of the experiences completed in either grade range.
 - 7.07.1.3 Field experiences and supervised clinical practice in a traditional program of study for teacher licensure, grades 4-8, shall be divided between grades 4-6 and 7-8, with no less than 25% of the total experiences completed in either grade range, and shall include teaching in each area of concentration selected by the candidate.
 - 7.07.1.4 Field experiences and supervised clinical practice in a traditional program of study for teacher licensure, grades 7-12, shall be divided between grades 7-9 and 10-12 in the licensure content area(s) with no less than 25% of the total assignment completed in either grade range. If a candidate is seeking licensure in more than one content

area, the field experiences and supervised clinical practice shall be divided among the content areas.

- 7.07.1.5 Field experiences and supervised clinical practice in a traditional program of study for teacher licensure, grades K-12, shall be divided between grades K-6 and 7-12 in the licensure content area with no less than 25% of the total experiences completed in either grade range. If no K-6 settings are available in a K-12 licensure area, candidates may complete their experiences within the 7-12 grade range.
- 7.07.2 Programs of study for the licensure of teachers shall require candidates to be engaged in supervised clinical practice for a minimum of sixty (60) complete school days (approximately 420 contact hours).
- 7.07.3 Programs of study for the licensure of school administrators (principal, curriculum/program administrator, district administrator) and other professional school personnel (counselors, school psychologists, etc.) shall require candidates to complete supervised clinical practice across the grade range for each license being sought by the candidate.
- 7.07.4 Field experiences and supervised clinical practice in traditional undergraduate or graduate programs for teacher licensure areas that involve grades K-12, or in graduate programs for school administration and other non-teaching licensure areas, shall be completed in:
 - 7.07.4.1 Traditional public K-12 school settings that are accredited by the ADE; or
 - 7.07.4.2 Traditional in-state or border-state private or public school settings where Common Core and other content standards adopted by the State Board are taught and faculty are subject to an evaluation system that uses a framework substantially similar to Arkansas' TESS.
- 7.07.5 Field experiences and supervised clinical practice in a B-K licensure program shall be completed in:
 - 7.07.5.1 An early childhood education setting accredited by the Division of Child Care and Early Childhood Education of the Department of Human Services as a Better Beginnings Level 3 or higher program; or
 - 7.07.5.2 A border-state early childhood education setting having state accreditation similar to the Arkansas accreditation for a Better Beginnings Level 3 or higher program.

7.07.6 Field experience and internship placements for candidates in a traditional program of study for educator licensure shall not include priority schools, school districts in academic distress, or school districts under administrative takeover for violations of the Standards for Accreditation of Arkansas Public Schools and School Districts, unless:

7.07.6.1 The candidate is in an administrator licensure program and the state has replaced the administrator in the applicable priority school or school district in academic distress or under administrative takeover; or

7.07.6.2 Under an extreme circumstance, based on a recommendation from the Department of Education Director of Educator Licensure, the Assistant Commissioner for Licensure of the Department of Education approves the field experience or internship placement in the applicable priority school or school district in academic distress or under administrative takeover.

7.07.7 Candidates for educator licensure may complete their supervised clinical practice in instructional settings that employ distance learning technology, but at least 75% of their clinical practice must engage them in face-to-face interaction where the candidate and the students are in the same physical setting.

7.07.8 Professional education faculty, including adjunct faculty, and cooperating teachers who teach and/or supervise teacher candidates must be trained in the domains and criteria of Arkansas' TESS. Candidates shall be placed only with cooperating teachers or mentors who have received at least a *proficient* or equivalent rating in their latest TESS performance review or, if applicable, under 7.07.4.2, an equivalent performance review.

7.08 Programs of study for teacher licensure shall require the following of candidates before completing the program:

7.08.1 Achieve a passing score on each state-approved content assessment for the license.

7.08.2 Take the state-approved pedagogical assessment.

8.0 POLICIES FOR CANDIDATES IN TRADITIONAL PROGRAMS FOR EDUCATOR LICENSURE

8.01 Candidates in programs leading to a baccalaureate degree with educator licensure shall complete, as a minimum, a general studies curriculum similar to that required for other baccalaureate degree programs offered by the institution.

- 8.02 To qualify for admission as a candidate into a traditional program for first-time educator licensure:
 - 8.02.1 An individual shall have earned a cumulative grade point average in non-remedial coursework of no less than 2.5 (4.0 scale) until Fall 2015 and 2.7 (4.0 scale) beginning in Fall 2015.
 - 8.02.2 An individual shall achieve a passing score, as determined by the ADE, for each of the state-approved basic skills assessments, except as noted below.
 - 8.02.2.1 In lieu of the state-approved basic skills assessments, an individual seeking entry into a baccalaureate program for first time licensure for teaching may substitute:
 - 8.02.2.1.1 A minimum composite score of 24 on the ACT with scores of at least 22 in reading and 22 in mathematics, or the equivalent scores on the Scholastic Aptitude Test (SAT) determined by ADE; and
 - 8.02.2.1.2 A passing score on the writing skills in the basic-skills assessments approved by the State Board.
 - 8.02.2.2 An individual seeking entry into a post-baccalaureate program for first time educator licensure may substitute passing scores, determined by the ADE, from the Graduate Record Examination (GRE), the Law School Admission Test (LSAT), or the Medical College Admission Test (MCAT) in lieu of the state-approved basic skills assessments.
- 8.03 A candidate for licensure in teaching shall demonstrate proficiency in oral communications and shall indicate an appropriate disposition for teaching.
 - 8.03.1 A candidate shall demonstrate proficiency in oral communications as determined by requirements in the candidate's program of study.
 - 8.03.2 A candidate shall indicate, via interviews or other means determined by the candidate's program of study, an appropriate disposition for teaching.
- 8.04 Before entering a classroom to complete a supervised clinical practice, a candidate shall apply to the Identification Bureau of the Arkansas State Police for a criminal records check and to the Department of Human Services for a Child Maltreatment Central Registry check and shall successfully complete those background checks in accordance with the Department of Education Rules Governing Background Checks and Licensure Revocation.

9.0 POLICIES FOR NONTRADITIONAL EDUCATOR LICENSURE PROGRAMS

- 9.01 Nontraditional educator licensure programs may be offered at the post-baccalaureate level by institutions of higher education. Such programs may be offered as degree or non-degree programs of study.
- 9.02 A nontraditional educator licensure program may admit and prepare candidates only for ADE-approved teacher licensure areas at the middle childhood (grades 4-8) and secondary (grades 7-12 or K-12) levels, not including special education.
- 9.03 A nontraditional educator licensure program may include two tracks:
 - 9.03.1 Track 1 allows a candidate to be employed as a teacher of record with a provisional teaching license for the duration of the prescribed program of study; a candidate shall teach only in the content area(s) and grade level(s) indicated on the provisional teaching license. Candidates shall be placed only with cooperating teachers or mentors who have received at least a *proficient* or equivalent rating in their latest TESS performance review or, if applicable, under 7.07.4.2, an equivalent performance review.
 - 9.03.2 Track 2 allows a candidate to complete a traditional internship (student teaching) as a culminating experience of the candidate's program of study or obtain a provisional teaching license and be employed as a teacher of record as a culminating experience of the candidate's program of study.
- 9.04 A candidate in a nontraditional educator licensure program shall complete an internship or obtain a provisional license and be employed as a teacher of record only in the area(s) which s/he has passed the state-required content assessment(s).
- 9.05 Nontraditional educator licensure programs shall include curriculum that addresses requirements established by Arkansas statutes governing preparation for nontraditional educator licensure and ADE rules governing nontraditional educator licensure, including without limitation, instruction in:
 - 9.05.1 The Arkansas Teaching Standards and specific pedagogical competencies for the respective licensure areas;
 - 9.05.2 The *Code of Ethics for Arkansas Educators*;
 - 9.05.3 Data literacy;
 - 9.05.4 Disciplinary literacy;
 - 9.05.5 Universal Design for Learning (UDL);
 - 9.05.6 Arkansas' Teacher Excellence Support System (TESS);
 - 9.05.7 Child maltreatment, under Ark. Code Ann. § 6-61-133; and

- 9.05.8 Information on the identification of students at risk for dyslexia and related disorders, under Ark. Code Ann. § 6-41-609.
- 9.06 Nontraditional educator licensure programs that prepare candidates to teach grades four through eight (4-8) shall include at least six semester hours of instruction in reading pedagogy. The instruction shall include theories and strategies for teaching reading, diagnosis of reading difficulties, intervention strategies for struggling readers and disciplinary literacy as identified in the competencies for educator licensure.
- 9.07 Candidates completing a nontraditional educator licensure program in middle childhood, grades 4-8, or secondary social studies, grades 7-12, must complete a three semester hour course in Arkansas history, as required by state law.
- 9.08 Nontraditional educator licensure program shall require internships or teaching service to be completed in:
- 9.08.1 Traditional public K-12 school settings that are accredited by the ADE; or
- 9.08.2 Traditional in-state or border-state private or public school settings where Common Core and other content standards adopted by the State Board are taught and faculty are subject to an evaluation system that uses a framework substantially similar to Arkansas' TESS.
- 9.09 Teaching and internship placements for candidates in nontraditional educator licensure programs shall not include priority schools, school districts in academic distress, or school districts under administrative takeover for violations of the Standards for Accreditation of Arkansas Public Schools and School Districts.
- 9.09.1 Under an extreme circumstance, based on a recommendation from the Department of Education Director of Educator Licensure, the Assistant Commissioner for Licensure of the Department of Education may approve the field experience or internship placement in the applicable priority school or school district in academic distress or under administrative takeover.
- 9.10 Candidates in nontraditional educator licensure programs may complete their teaching or internships in instructional settings that employ distance learning technology, but at least 75% of their clinical practice must engage them in face-to-face interaction where candidates and the students are in the same physical setting.
- 9.11 Professional education faculty in nontraditional educator licensure programs, including adjunct faculty, and cooperating teachers who teach and/or supervise nontraditional teacher candidates must be trained in the domains and criteria of Arkansas' TESS. Candidates shall be paired only with cooperating teachers or mentors who have received at least a *proficient* or equivalent rating in their latest TESS performance review or, if applicable, under 7.07.4.2, an equivalent performance review.

10.0 POLICIES FOR CANDIDATES IN NONTRADITIONAL EDUCATOR LICENSURE PROGRAMS

10.01 Individuals seeking admission into a nontraditional educator licensure program are subject to the following requirements:

10.01.1 An applicant shall provide an official transcript(s) documenting an earned bachelor's degree or higher from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation. An applicant who earned a degree from an out-of-country college or university may provide an official college transcript evaluation from a nationally recognized credential evaluation agency documenting that their degree is equivalent to a four-year degree from an accredited United States institution of higher learning.

10.01.2 An applicant shall have earned a cumulative grade point average in non-remedial coursework of no less than 2.5 (4.0 scale) until Fall 2015 and 2.7 (4.0 scale) beginning in Fall 2015.

10.01.3 An applicant shall have achieved a passing score, as determined by the ADE, for each of the state-approved basic skills assessments, except as noted below:

10.01.3.1 An individual seeking entry into a post-baccalaureate program for first-time educator licensure may substitute passing scores, determined by the ADE, from the Graduate Record Examination (GRE), the Law School Admission Test (LSAT), or the Medical College Admission Test (MCAT) in lieu of the state-approved basic skills assessments.

10.01.4 An applicant seeking licensure in middle childhood, grades 4-8, must achieve passing scores, as determined by the ADE, on at least two of the state-required content assessments required for middle childhood licensure.

10.01.5 An applicant seeking licensure in secondary teaching, grades 7-12 or K-12, must achieve a passing score, as determined by the ADE, on the state-required content assessment(s) for each level and content area in which licensure is sought.

10.02 A candidate for nontraditional licensure in teaching shall demonstrate proficiency in oral communications and shall indicate an appropriate disposition for teaching.

10.02.1 The candidate shall demonstrate proficiency in oral communications as determined by requirements in the candidate's program of study.

- 10.02.2 The candidate shall indicate, via interviews or other means as determined by the candidate's program of study, an appropriate disposition for teaching.
- 10.03 Before entering a classroom to complete a supervised clinical practice, a candidate for nontraditional licensure shall apply to the Identification Bureau of the Arkansas State Police for a criminal records check and to the Department of Human Services for a Child Maltreatment Central Registry check and shall successfully complete those background checks in accordance with the Department of Education Rules Governing Background Checks and Licensure Revocation.

11.0 PROGRAM AND UNIT ACCOUNTABILITY REQUIREMENTS

- 11.01 An educator licensure program having at least ten (10) program completers during its most recent three-year period shall maintain an eighty percent (80%) average candidate pass rate on all assessments required by the state for professional licensure. Programs failing to maintain a three-year average pass rate of at least 80% on the assessments will be placed on probation for a period of no more than three (3) years. The probation shall end if an 80% average pass rate is achieved within the 3-year probationary period. A program that fails to achieve an 80% average pass rate by the end of the 3-year probationary period shall forfeit its state approval.
- 11.02 A professional education unit shall maintain an eighty percent (80%) pass rate on the state-required licensure assessments among all of its candidates for licensure. A unit that fails to maintain an 80% pass rate will be placed on probation for a period of no more than three (3) years. The probation shall end if an 80% pass rate is achieved within the 3-year period. A unit that fails to achieve an 80% pass rate by the end of the 3-year probationary period will forfeit its state approval and will no longer be eligible to offer any programs for educator licensure.
- 11.03 A professional education unit may be designated as "low performing" as defined in the *Plan for Title II Reporting Requirements of the Higher Education Act* published by the ADE. If a unit is designated as low performing for three consecutive years, state approval for the unit and its programs for licensure will be revoked, and the unit will no longer be eligible to recommend candidates for educator licensure.
- 11.04 If a program or unit is designated as "on probation" or "low performing," current and potential candidates must be advised of the program's or unit's standing.

12.0 EMERGENCY AND EFFECTIVE DATE

- 12.01 Whereas, the national accreditation of educator preparation programs and institutions offering those programs has changed beginning in the Fall of 2014; and

Whereas, the policies for program approval developed by the Department of Education were last revised in 1986 and need to be updated for the new

accreditation requirements and requirements of Arkansas law and rules that are designed to increase the number of highly effective teachers for Arkansas public school students; and

Whereas, the Department is required by law to approve educator preparation programs; and

Whereas, educator preparation programs need these policies to be established so that they may develop their programs to seek approval accordingly and advise prospective students; and

Whereas, the Arkansas State Board of Education finds that imminent peril exists to the public educational health, safety and welfare of the school children in Arkansas due to the need for highly effective licensed educators in public schools;

Therefore the Arkansas State Board of Education and the Arkansas Department of Education promulgate these rules as Emergency Rules for Policies Governing Educator Preparation Programs at Institutions of Higher Education in Arkansas pursuant to authority of Ark. Code Ann. § 25-15-204 in order to implement the changes needed for approving educator preparation programs.

12.02 These Emergency Rules shall go into effect on September 1, 2014.

12.03 These Emergency Rules shall expire December 29, 2014.

ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING EDUCATOR LICENSURE _____, 2014

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MARKUP

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING EDUCATOR LICENSURE

CHAPTER 1:
TRADITIONAL LICENSURE

1-1.0 REGULATORY AUTHORITY AND PURPOSE

1-1.01 These Rules shall be known as Arkansas Department of Education Rules Governing Educator Licensure.

1-1.02 The State Board of Education enacts these Rules pursuant to its authority as set forth in Ark. Code Ann. §§ 6-10-122, 6-10-123, 6-11-105, 6-15-1004, 6-15-1703, 6-17-401 et seq., 6-17-2601 et seq., 6-20-2204, 6-20-2305, 6-41-609, 6-61-133, 25-15-201 et seq.

1-1.03 The purposes of these Rules are to:

- 1-1.03.1 Establish requirements and procedures for the issuance, licensure, relicensure, and continuance of licensure of educators in the public schools of this state, as required by Ark. Code Ann. § 6-17-402;
- 1-1.03.2 Provide for the acceptance of educator licenses by reciprocity, as required by Ark. Code Ann. § 6-17-403;
- 1-1.03.3 Implement as a prerequisite to licensure the requirement of basic-skills, pedagogical, and content-area assessments, as required by Ark. Code Ann. §§ 6-17-402, 6-17-601, & 6-15-1004;
- 1-1.03.4 Implement as a prerequisite to licensure the requirement of college-level coursework in Arkansas History for certain educators, as required by Ark. Code Ann. § 6-17-418; and
- 1-1.03.5 Provide for the issuance of provisional licenses, as required by Ark. Code Ann. §§ 6-17-403 & 6-17-418;
- 1-1.03.6 Provide for the issuance of provisional and standard licenses through nontraditional programs, under Ark. Code Ann. § 6-17-409; and
- 1-1.03.7 Provide for a lifetime teaching license, under Ark. Code Ann. § 6-17-2601 et seq.

1-1.04 These Rules implement Arkansas law requiring that school districts provide ten (10) professional development days in the basic contract for teachers under Ark. Code Ann. § 6-17-2402;

1-1.04.1 It is noted here that higher education shall provide professional development within teacher preparation programs on:

1-1.04.1.1 Child maltreatment, under Ark. Code Ann. § 6-61-133; and

1-1.04.1.2 Dyslexia, under Ark. Code Ann. § 6-41-609.

~~1.04~~ These Rules provide three pathways to educator licensure:

~~1.04.1~~ Completion of a bachelor's or higher degree from an accredited teacher preparation program at an accredited college or university;

~~1.04.2~~ Completion of an accredited speech language pathology or school psychology program; and

~~1.04.3~~ Licensure by reciprocity.

~~1.05~~ In addition to the pathways contained in these Rules, the Department's Rules Governing the Non-Traditional Licensure Program provide other pathways to licensure for individuals holding a bachelor's degree or higher from an accredited college or university, including without limitation:

~~1.05.1~~ Completion of the Arkansas Professional Pathway to Educator Licensure (APPEL), formerly known as the Non-Traditional Licensure Program;

~~1.05.2~~ Professional Teaching Permits and Provisional Professional Teaching Licenses for experienced professionals to teach in their areas of expertise;

~~1.05.2~~ Acceptance into an accelerated teaching program, such as Teach For America or the University of Arkansas' Arkansas Teacher Corps; and

~~1.05.3~~ Completion of a master's degree in teaching from an accredited teacher preparation program at an accredited college or university.

1-1.05 In addition to the pathways to licensure contained in these Rules, the Arkansas Department of Career Education Program Policies and

Procedures for Career and Technical Education provide other pathways to licensure for individuals who meet that Department's requirements and who:

- 1-1.05.1 Hold a bachelor's or higher degree in the career or technical area to be taught; or
- 1-1.05.2 Document a minimum of four (4) years of experience in the career or technical area to be taught, and hold a high school diploma or GED credential.

1-2.0 DEFINITIONS

For the purposes of these Rules:

1-2.01 "Accelerated Teaching Program" means a program intended for college graduates that provides intensive training and support for a period of two (2) or more years for teaching and leading in schools, including the Teach for America program, the Arkansas Teacher Corps program offered by the University of Arkansas at Fayetteville, or another accelerated teaching program approved by the Department.

1-2.02 "Accredited College or University" means an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.

1-2.02.1 In addition to any approvals required under these Rules, institutions of higher education may be subject to other applicable laws or regulations, including without limitation Ark. Code Ann. § 6-61-301 *et seq.* and the Policies, Rules, and Regulations of the Arkansas Higher Education Coordinating Board.

1-2.03 "Accredited Speech-Language Pathology or School Psychology Program" means a speech-language pathology or school psychology program that is offered by an accredited college or university, and the program is:

- 1-2.03.1 Nationally accredited by the Council on Academic Accreditation in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association; or
- 1-2.03.2 Nationally accredited in school psychology by the Commission on Accreditation of the American Psychological Association; or

1-2.03.3 Approved by the National Association of School Psychologists; or

1-2.03.4 Nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.

1-2.04 “Accredited Teacher Preparation Program” means a teacher preparation program that is:

1-2.04.1 Nationally accredited by the National Council for Accreditation of Teacher Education (NCATE), Teacher Education Accreditation Council (TEAC), or Council for Accreditation of Educator Preparation (CAEP); or

1-2.04.2 Nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation; or

1-2.04.3 Approved by the licensing authority of a state government.

1-2.05 “Additional Licensure Plan (ALP)” means a plan approved by the Office of Educator Licensure that allows an individual holding a Standard License or Provisional License (by reciprocity only) to accept employment or assignment in an out-of-area position, prior to completion of the requirements for the required endorsement, licensure content area, or level of licensure, for no more than three (3) years dependent on successful progress towards completion.

1-2.06 “Administrator License” means a five (5)-year renewable license, issued by the State Board, which allows the license holder to serve as an administrator in Arkansas public schools. Administrator licenses include:

1-2.06.1 Curriculum/Program Administrator – A school leader who is responsible for program development and administration, and who may be responsible for employment evaluation decisions, in one (1) of the following areas:

1-2.06.1.1 Special Education;

1-2.06.1.2 Gifted and Talented Education;

1-2.06.1.3 Career and Technical Education;

1-2.06.1.4 Content Area Specialist, in a licensure content area;

1-2.06.1.5 Curriculum Specialist; or

1-2.06.1.6 Adult Education;

- 1-2.06.2 Building-Level Administrator – A Principal, Assistant Principal, or Vice Principal in an Arkansas public school or in the Arkansas Correctional Schools;
- 1-2.06.3 District-Level Administrator – A superintendent, assistant/associate superintendent, or deputy superintendent.
- 1-2.07 “Administrator Licensure Completion Plan (ALCP)” means a plan approved by the Office of Educator Licensure that allows an individual holding a Standard License to accept employment as an administrator, prior to completion of the requirements for an Administrator License, for no more than three (3) years dependent on successful progress towards completion.
- 1-2.08 “Affected District” – A public school district that loses territory or students as a result of annexation, consolidation, or detachment.
- 1-2.09 “Ancillary License” means a five (5)-year renewable license, issued by the State Board, that does not require prior classroom teaching experience, and which allows the license holder to practice in Arkansas public schools as a School Psychology Specialist or Speech Language Pathologist.
- 1-2.10 “Applicant” for purposes of Chapter 8 – Background Check Requirements, includes any individual:
- 1-2.10.1 Applying for his or her first license to be issued by the State Board of Education;
- 1-2.10.2 Applying for his or her license renewal;
- 1-2.10.3 Seeking initial employment in a licensed staff position with a public school district or open-enrollment public charter school;
- 1-2.10.4 Seeking initial employment as a Fiscal Officer of a public school district or open-enrollment public charter school; or
- 1-2.10.5 Who is a preservice teacher.
- 1-2.11 “Approved Professional Development” means the continuing learning experiences for educator that meet the standards and focus areas under the Department’s Rules Governing Professional Development.
- 1-2.12 “Arkansas Professional Pathway to Educator Licensure Program (APPEL)” means the program administered by the Arkansas Department of Education, whose participants hold a minimum of a baccalaureate

degree (and have passed the appropriate state-mandated assessments) and are allowed to teach in an Arkansas public school with a Provisional Teaching License. The program requirements consist of two (2) years of teaching and instructional modules, which must be completed within three (3) years.

1-2.13 “Beginning Administrator” means an individual who:

1-2.13.1 Holds an Administrator License and has less than one (1) year of public administrative experience, not including student internship; or

1-2.13.2 Is employed as an administrator under an ALCP and waiver by a public school district, open-enrollment public charter school, or other organization that serves public schools.

1-2.14 “Breach of Fiduciary Trust” – the wrongful misappropriation by a person of any fund or property, which had lawfully been committed to him or her in a fiduciary character.

1-2.15 “Certified mentor” means a person who:

1-2.15.1 Holds a current Arkansas teaching or administrator’s license, unless the person is employed where the requirement for a teaching license is waived by law or in the charter of a public charter school; and

1-2.15.2 Is certified by the Department’s Office of Educator Effectiveness as trained in the state-adopted mentoring model.

1-2.16 “Department” means the Arkansas Department of Education.

1-2.17 “Educational entity” – means a school district, an open-enrollment public charter school, or an education service cooperative.

1-2.18 “Educational Setting” for purposes of a lifetime teaching license, means the employment setting where the licensed employee works, including without limitation: public school, private school, institution of higher education, education service cooperative, Department of Education, adult education setting or other agency/organization that employs licensed teachers for educational purposes.

1-2.19 “Educator” means any individual holding a license issued by the State Board of Education, specifically including, without limitation, teachers, administrators, library media specialists, and counselors.

1-2.20 “Employment” for purposes of Chapter 8 – Background Check Requirements, includes any contract of hire, whether written or oral, whether express or implied, for any type of work on behalf of an educational entity, whether full-time or part-time, and whether permanent or temporary.

1-2.20.1 “Employment” also specifically includes without limitation:

1-2.20.1.1 Service as a substitute teacher, whether paid or unpaid; and

1-2.20.1.2 Student teacher internships, whether paid or unpaid.

1-2.21 “Endorsement” means a teaching or administrative licensure area which may be added only to an existing Standard License and may not be issued as a first-time license.

1-2.22 “Exception Area Endorsement” means an endorsement which may be added to a Standard License only by:

1-2.22.1 The completion of a program of study; or

1-2.22.2 Reciprocity recognition of a license endorsement from another state or country.

1-2.23 “Fiscal Officer” – Any licensed or non-licensed employee of a public school district, open-enrollment public charter school, or education service cooperative who has any right, duty, or responsibility to access funds of a school district in excess of five thousand dollars (\$5,000), specifically including without limitation superintendents, Fiscal Officers and bookkeepers.

1-2.24 “Fraud” – All acts, omissions and concealments involving a breach of a legal or equitable duty and resulting in damage to another.

1-2.25 “Fraudulent Act” – An act:

1-2.25.1 Performed willfully and with the specific intent to deceive or cheat for the purpose of either causing some financial loss to another or bringing about some financial gain to the actor; and

1-2.25.2 For which the actor has pleaded guilty or nolo contendere to or has been found guilty by any court in this state, by a court in another state, or by a federal court.

1-2.26 “Good Standing” means, for the purpose of reciprocity, that:

1-2.26.1 There are no ethics or similar proceedings on criminal offenses for which the license would be subject to sanctions in Arkansas pending against a licensee;

1-2.26.2 The licensee has not been sanctioned for ethics or ~~similar charges against the license~~ criminal offenses for which the license would be subject to sanctions in Arkansas during the two (2) most recent years of teaching experience, if any; and

1-2.26.3 The license ~~is current~~ has not been revoked by or is not currently under suspension in the licensing state or country.

1-2.27 “Highly-Qualified Teacher” means a teacher who is highly qualified as defined by the Department’s Rules Governing Highly Qualified Teachers Promulgated Pursuant to the No Child Left Behind Act of 2001.

1-2.28 “Induction” means the period of time beginning with a teacher’s first employment as the teacher of record in an Arkansas public school, education service cooperative, or organization that requires an Arkansas teaching license. The novice teacher is provided mentoring support and accelerated professional development during the induction period.

1-2.29 “Initial employment” for purposes of Chapter 8 – Background Check Requirements, means the first time that an applicant has been employed by a public school district, open-enrollment public charter school, or education service cooperative.

1-2.30 “Internship” means a practical administrative or curricular experience within a program of study, which provides the candidate with practice in the specific licensure content area, or in the specific administrative area and level sought.

1-2.30.1 Internships must take place in a K-12 public or private school, the Arkansas Correctional Schools, or in another setting as approved by the Department.

1-2.30.2 A separate internship is required for each administrative area and level sought.

1-2.31 “Law enforcement officer” means a state police officer, a city police officer, a sheriff or a deputy sheriff.

1-2.32 “Level of Licensure” means the grade/age level parameter of the teaching license as identified in Appendix A, Areas and Levels of Licensure.

1-2.33 “Licensure Content Area” means a particular content field as recognized by the State Board. Licensure content areas are listed in Appendix A, Areas and Levels of Licensure.

1-2.34 “Lifetime Teaching License” means a standard Arkansas teaching license that is issued without the teacher having to meet the general renewal requirements of professional development and teaching experience. There is no fee for the Lifetime Teaching License.

1-2.34.1 A “Professional Level Lifetime Teaching License” is a lifetime teaching license that is issued without the teacher having to meet the general renewal requirements of professional development and teaching experience that is based upon a documented Master’s Degree with three years of teaching experience or National Board Certification.

1-2.35 “Mentoring” means the acts of a certified mentor providing support and focused feedback to a novice teacher (according to the state-adopted mentoring model) with the goal of enhancing instructional skills, classroom management, and professional behavior.

1-2.36 “Non-continuous reemployment”, for purposes of Chapter 8 – Background Check Requirements, means employment in a public school district, open-enrollment public charter school, or education service cooperative by an applicant who was previously employed by the same entity but not at any point during the immediately preceding school year.

1-2.37 “Nontraditional Licensure Program” means an alternative licensure program under these rules, including the Arkansas Professional Pathway to Educator Licensure program, the Professional Provisional Teaching License, the Accelerated Teaching Program Provisional and Standard Teaching License, and the Master’s Degree in Teaching Provisional and Standard Teaching License.

1-2.38 “Novice Teacher” means a licensed teacher employed under an employment contract with a public school or district who:

1-2.38.1 Has less than one (1) year of public school classroom teaching experience, not including student internship or substitute teaching; and

1-2.38.2 Has been assigned lead responsibility for a student’s learning in a subject/course aligned with Department standards/frameworks.

1-2.39 “Out-of-Area Position” means a licensed position requiring a particular license, endorsement, licensure content area, or level of licensure that the employee filling the position does not currently hold.

1-2.40 “Preservice teacher” means an unlicensed person admitted to a teacher preparation program approved by the Department that is offered by an institution of higher education in this state.

1-2.41 “Professional Development” means a coordinated set of planned, learning development activities for teachers that are based on research, are standards-based and that meet the focus areas for professional development required by the Department of Education.

1-2.42 “Program of Study” means a curriculum that requires a candidate to demonstrate and document competency in the specific knowledge, skills, and dispositions for a particular endorsement, licensure content area, or level of licensure, and is:

1-2.42.1 Provided by one (1) or more accredited colleges or universities;

1-2.42.2 Aligned with Arkansas licensure standards; and

1-2.42.3 Approved by the Department.

1-2.43 “Provisional License”

1-2.43.1 In the traditional licensure context means a temporary one-year license, issued by the State Board, which allows the license holder to teach or work in Arkansas public schools.

1-2.43.2 ~~For the purpose of these Rules, “Provisional License” does not include a provisional license issued pursuant to the Department’s Rules Governing the Non-Traditional Licensure Program~~ In the nontraditional licensure context means a temporary license:

1-2.43.2.1 Available to nontraditional licensure candidates who have not completed all requirements for a Standard Arkansas teaching license; and

1-2.43.2.2 Subject to revocation for failure to complete annual requirements for the applicable nontraditional licensure program.

- 1-2.44 “Provisional Professional Teaching License” means a three-year provisional license issued to an experienced professional for the purpose of teaching on a part-time or full-time basis as teacher-of-record in an Arkansas public school.
- 1-2.45 “Receiving or resulting public school district” – A public school district that is created or gains territory or students as the result of a consolidation, annexation, or detachment.
- 1-2.46 “Reciprocity” means the recognition of a teaching license from another state or country based on these Rules or the terms of the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement for Educator Licensure.
- 1-2.47 “School Psychology Specialist” means an individual holding an Ancillary License in School Psychology. A School Psychology Specialist may add a Curriculum/Program Administrator License in Special Education by meeting the criteria of Section 3-2.0 of these Rules, but is not eligible to add any other licensure content area, endorsement, or level of licensure except by completing a teacher preparation program as required by Section 2-2.02 of these Rules.
- 1-2.48 “Speech Language Pathologist” means an individual holding an Ancillary License in Speech Pathology. A Speech Language Pathologist may add a Curriculum/Program Administrator License in Special Education by meeting the criteria of Section 3-2.0 of these Rules, but is not eligible to add any other licensure content area, endorsement, or level of licensure except by completing a teacher preparation program as required by Section 2-2.02 of these Rules.
- 1-2.49 “Standard License” means a five (5)-year renewable license, issued by the State Board, which allows the license holder to teach in Arkansas public schools.
- 1-2.49.1 “Standard License” includes an Advanced License issued pursuant to the Department’s Rules Governing Initial, Standard/Advanced Level and Provisional Teacher Licensure (eff. July 2010 or July 2007) that may be converted to a Standard License.
- 1-2.50 “Standard License Equivalent” means a current, unrestricted, non-probationary, non-provisional teaching license that allows an individual to work as a teacher, administrator, counselor, or library media specialist in another state’s public schools and is in good standing with the licensing state.

1-2.51 “State Board” means the Arkansas State Board of Education.

1-2.52 “Successful Completion” ~~means~~, solely in relation to post-secondary credit-hours taken to add an endorsement or administrator licensure to a license, means:

1-2.52.1 Maintaining a minimum grade-point average (GPA) of 2.50 for undergraduate-level coursework; and

1-2.52.2 Maintaining a minimum grade-point average (GPA) of 3.00 for graduate-level coursework.

1-2.53 “Teacher of Record” means an individual (or individuals in co-teaching assignments) who has been assigned the lead responsibility for a student’s learning in a subject/course with aligned performance measures.

1-2.54 “Teaching Experience,” for the purpose of a lifetime teaching license, means the experience gained while working in an educational setting as a teacher, librarian, counselor, administrator, educational consultant, substitute teacher or other licensed position.

1-2.55 “Waiver”, for purposes of Chapter 4 – General Provisions for all Licenses, means an approval granted by the Department allowing a public school district or open-enrollment public charter school to employ:

1-2.55.1 A licensed individual in an out-of-area position for more than thirty (30) days during one (1) school year; or

1-2.55.2 An unlicensed or non-degreed substitute teacher in an out-of-area position for more than thirty (30) consecutive days during one (1) semester.

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING EDUCATOR LICENSURE

CHAPTER 2:
TRADITIONAL LICENSURE

2-1.0 INSTRUCTIONAL LICENSE REQUIREMENTS

2-1.01 Standard License – Traditional (Expired or No Previous License)

~~3.0~~The Office of Educator Licensure shall issue a Standard License upon receipt of the following from an applicant who does not hold a current, valid educator license from Arkansas or another state or country:

- 2-1.01.1 A completed application for licensure, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);
- 2-1.01.2 Documentation that the applicant has successfully completed all background checks required by ~~the Department's Rules Governing Background Checks and License Revocation~~ Chapter 8 of these rules.
 - 2-1.01.2.1 An unlicensed person admitted to a teacher education program approved by the Department who is disqualified from licensure or employment in a public school as a result of the background checks required under Ark. Code Ann. § 6-17-410(c) may apply for a waiver of the disqualification under ~~the Rules Governing Background Checks and License Revocation~~ Chapter 8 of these rules;
- 2-1.01.3 An official score report reflecting passing scores, as approved by the State Board, on the appropriate basic-skills, pedagogical, and content-area assessments as mandated by the State Board, except as noted below:
 - 2-1.01.3.1 In lieu of the state-approved basic skills assessment, an applicant may substitute:
 - 2-1.01.3.1.1 A minimum composite score of 24 on the ACT with scores of at least 22 in reading and 22 in mathematics, or the equivalent scores on the

Scholastic Aptitude Test (SAT)
determined by ADE; and

2-1.01.3.1.2 Either a score of 22 in writing on the ACT, an equivalent score in writing on the SAT, or a passing score on the writing skills in the basic-skills assessment approved by the State Board.

2-1.01.4 An official transcript from an accredited college or university documenting an awarded bachelor's degree or higher;

2-1.01.5 Documentation of successful completion of an accredited teacher preparation program;

2-1.01.5.1 An awarded education degree from an institution inside of Arkansas shall be recognized for licensure only if the institution's Licensure Officer signs and verifies the application for licensure;

~~3.01.5.2 An awarded education degree from an institution outside of Arkansas shall be recognized for licensure only if the degree is recognized for licensure in the state where the institution maintains its principal place of business;~~

2-1.01.5.2 An applicant who has never been licensed and whose most recent education degree or teacher preparation program was completed more than ten (10) years before the date of application shall be required to complete a current program of study as determined by an accredited teacher preparation program;

2-1.01.6 For an applicant seeking licensure in Early Childhood (P-4), Elementary Education (K-6), Middle School (4-8), or Secondary Social Studies (7-12), documentation of the successful completion of three (3) college credit-hours in Arkansas History at an accredited college or university;

2-1.01.6.1 The reference to Early Childhood (P-4) here applies only to an applicant who entered a P-4 teacher education program before Fall 2015.

2-1.01.7 For an applicant holding an expired license from another state or country, a copy of the expired license.

2-1.01.7.1 An applicant holding an expired license from another state or country is not required to document completion of the basic-skills assessment required under Section 2-1.01.3; and

2-1.01.7.2 An applicant who is not a U.S. citizen shall provide evidence satisfactory to the Department that the applicant meets the criteria of an exception under U.S.C. § 1261 for the state to issue a professional license.

2-1.01.8 Documentation of the completion of the following professional development, which may be obtained ~~through the on ArkansasIDEAS Portal,~~ the applicant's teacher education program, or other method of delivery approved by the Department under the Rules Governing Professional Development:

2-1.01.8.1 Two (2) hours of parental involvement;

2-1.01.8.2 Two (2) hours of child maltreatment training; ~~and~~

2-1.01.8.3 Two (2) hours of teen suicide awareness and prevention; and

2-1.01.8.4 Dyslexia awareness.

2-1.02 Standard License - Reciprocity

~~3.02~~The Office of Educator Licensure shall issue a Standard License upon receipt of the following from an applicant holding a current, valid educator license from ~~and in good standing with~~ another state or country:

2-1.02.1 A completed application for licensure, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);

2-1.02.2 Documentation that the applicant has successfully completed all background checks required by ~~the Department's Rules Governing Background Checks and License Revocation~~ Chapter 8 of these rules;

2-1.02.3 A copy of the out-of-state or out-of-country license(s) held by the applicant;

2-1.02.4 Certification from the state or country that issued the license that the license has been in good standing for the most recent two (2) years;

2-1.02.5 An official score report: (a) reflecting passing scores on the appropriate basic-skills, pedagogical, and content-area assessments required by the licensing state; or (b) if the licensing state does not require such assessments, reflecting passing scores, as approved by the State Board, on the appropriate basic-skills, pedagogical, and content-area assessments as mandated by the State Board.

2-1.02.5.1 This requirement shall be waived upon the receipt of documentation on school district, agency, or organization letterhead of at least three (3) years of experience in another state as a licensed teacher, administrator, library media specialist, or counselor, or similar licensed experience in a licensure content area or level of licensure.

2-1.01.5.2 In lieu of the state-approved basic skills assessment, an applicant may substitute:

2-1.02.5.2.1 A minimum composite score of 24 on the ACT with scores of at least 22 in reading and 22 in mathematics, or the equivalent scores on the Scholastic Aptitude Test (SAT) determined by ADE; and

2-1.02.5.2.2 Either a score of 22 in writing on the ACT, an equivalent score in writing on the SAT, or a passing score on the writing skills in the basic-skills assessment approved by the State Board;

2-1.02.6 An official transcript documenting an awarded bachelor's degree or higher from an accredited college or university;

2-1.02.7 Documentation of one (1) of the following:

2-1.02.7.1 Successful completion of a program of teacher education at an accredited college or university, but only if the applicant possesses a Standard License Equivalent;

2-1.02.7.2 Successful completion of an accredited teacher preparation program; or

2-1.02.7.3 Current certification from the National Board of Professional Teaching Standards; and

2-1.02.8 For applicants seeking licensure in Early Childhood (P-4), Elementary Education (K-6), Middle School (4-8), or Secondary Social Studies (7-12), documentation of the successful completion of three (3) college credit-hours in Arkansas History at an accredited college or university or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS;

2-1.02.8.1 The reference to Early Childhood (P-4) here applies only to an applicant who entered a P-4 teacher education program before Fall 2015; and

2-1.02.9 Documentation of the completion of the following professional development through the Arkansas IDEAS Portal:

2-1.02.9.1 Two (2) hours of parental involvement;

2-1.02.9.2 Two (2) hours of child maltreatment training; ~~and~~

2-1.02.9.3 Two (2) hours of teen suicide awareness and prevention; and

2-1.02.9.4 Dyslexia awareness.

~~3.02.9 An applicant holding an expired license from another state or country may seek licensure by complying with the requirements of Section 3.01 of these Rules.~~

2-1.02.10 An applicant who is seeking licensure by reciprocity and who is not a United States citizen shall provide evidence satisfactory to the Department that the applicant meets the criteria of an exception under U.S.C. § 1261 for the state to issue a professional license.

2-1.03 Provisional License - Reciprocity

~~3.03~~The Office of Educator Licensure shall issue a non-renewable, one (1) year Provisional License to a licensee who holds a current or expired Standard, ~~Ancillary, or Administrator License~~ License Equivalent, and who:

- 2-1.03.1 Submits a completed application for Provisional licensure, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);
- 2-1.03.2 Submits proof of employment with an Arkansas public school district, open-enrollment public charter school, or other agency or organization in a position that requires an educator license; and
- 2-1.03.3 Meets all of the requirements of Sections 2-1.01 or 2-1.02 of these Rules except for:
 - 2-1.03.3.1 Verification of professional development as required by 2-1.01.8;
 - 2-1.03.3.2 For applicants seeking licensure in Secondary Social Studies (7-12), documentation of the successful completion of Arkansas History coursework required by 3.01.6 or 3.02.7 three (3) college credit-hours in Arkansas History at an accredited college or university or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS; or
 - 2-1.03.3.3 Submission of an official score report reflecting passing scores, as approved by the State Board, on the appropriate pedagogical and content-area assessments as mandated by the State Board, as required by 2-1.01.3 or 2-1.02.5.
- 2-1.03.4 The Provisional License may be converted to a Standard, Ancillary, or Administrator License upon the submission of written verification of completion of the required annual minimum number of hours of approved professional development that was completed during the one-year term of the-Provisional License.

2-2.0 ANCILLARY LICENSE REQUIREMENTS

- 2-2.01 The Office of Educator Licensure shall issue an Ancillary License in Speech- Language Pathology or School Psychology upon receipt of the following from an applicant, whether or not the applicant is licensed in another state:

- 2-2.01.1 A completed application for licensure, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);
- 2-2.01.2 Documentation that the applicant has successfully completed all background checks required by ~~the Department's Rules Governing Background Checks and License Revocation~~ Chapter 8 of these rules;
- 2-2.01.3 An official score report reflecting passing scores, as approved by the State Board, on the specialty area assessment for Speech Pathology or School Psychology as mandated by the State Board; and
- 2-2.01.4 Documentation of one (1) of the following:
 - 2-2.01.4.1 An official transcript documenting an awarded bachelor's and master's or higher degree, from an accredited college or university, in Speech Language Pathology, and either:
 - 2-2.01.4.1.1 Successful completion of a graduate-level, accredited Speech-Language Pathology program; or
 - 2-2.01.4.1.2 Certification of Clinical Competence in Speech-Language Pathology from the American Speech-Language-Hearing Association; or
 - 2-2.01.4.2 An official transcript documenting an awarded master's or higher degree, from an accredited college or university, in School Psychology, Counseling, or Psychology, and successful completion of a graduate-level, accredited School Psychology program.
- 2-2.02 The Office of Educator Licensure shall add a licensure content area, endorsement, or level of licensure to an Ancillary License only upon receipt of the following from an applicant:
 - 2-2.02.1 A completed application for licensure, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);

2-2.02.2 An official transcript documenting the successful completion of:

2-2.02.2.1 A program of study at an accredited teacher preparation program, to include an internship in the licensure content area to be taught; or

2-2.02.2.2 The Arkansas Professional Pathway to ~~Teacher Educator~~ Licensure Program (APPTL) (APPEL), ~~formerly known as the NonTraditional Licensure Program~~ under the Department's Rules pertaining to the Non-traditional Licensure Program; or

2-2.02.2.3 Any other pathway to licensure permitted by the Department's Rules Governing ~~the Non-Traditional~~ Non-traditional Licensure Programs;

2-2.02.3 An official score report reflecting passing scores, as approved by the State Board, on the appropriate basic-skills, pedagogical, and content-area assessment(s) as mandated by the State Board.

2-2.02.3.1 In lieu of the state-approved basic skills assessment, an applicant may substitute:

2-2.02.3.1.1 A minimum composite score of 24 on the ACT with scores of at least 22 in reading and 22 in mathematics, or the equivalent scores on the Scholastic Aptitude Test (SAT) determined by ADE; and

2-2.02.3.1.2 Either a score of 22 in writing on the ACT, an equivalent score in writing on the SAT, or a passing score on the writing skills in the basic-skills assessment approved by the State Board; and

~~4.02.4 Documentation of the licensed experience, if any, required by these Rules for the licensure content area, endorsement, or level of licensure sought.~~

2-2.03 Notwithstanding the requirements of Section 2-2.02, an individual holding an Ancillary License in Speech Language Pathology or School

Psychology may add a Curriculum/Program Administrator License in Special Education by meeting the criteria of 3-2.0 of these Rules.

2-3.0 ENDORSEMENTS, AREAS AND LEVELS OF LICENSURE

2-3.01 Except as otherwise provided herein, a Standard License shall be issued for and shall reflect only those licensure content areas, endorsements, and levels of licensure that are recognized by the State Board.

2-3.01.1 Content areas, levels, and endorsements listed on an out-of-state license shall be recognized for licensure through reciprocity, as follows:

2-3.01.1.1 An applicant from a state with a reciprocity agreement through the National Association of State Directors of Teacher Education and Certification (NASDTEC) shall receive the Arkansas-equivalent licensure content areas, endorsements, or levels of licensure provided all other licensure requirements have been met.

2-3.01.1.2 An applicant whose content area, endorsement, or level is not recognized by Arkansas shall receive the licensure content area, endorsement, or level of licensure that most closely parallels their out-of-state licensure area, endorsement, or level.

~~5.01.1.3 If none of the content areas or endorsements listed on an out-of-state license parallel an Arkansas licensure content area, the Office of Educator Licensure shall issue a license reflecting the same content area or endorsement reflected on the out-of-state license, with a notation that the identified content area or endorsement is by reciprocity and does not conform to an Arkansas-approved licensure content area or endorsement.~~

2-3.01.2 Content areas, levels, and endorsements listed on an out-of-country license may be recognized for reciprocity in accordance with the credential evaluation required in Section 4-3.02 of these Rules. An applicant whose content area, endorsement, or level is not recognized by Arkansas shall receive the licensure content area, endorsement, or level of licensure that most closely parallels their out-of-country licensure area, endorsement, or level.

- 2-3.01.3 For the purpose of reciprocity, the Office of Educator Licensure may reference and utilize any licensure content area, endorsement, or level of licensure that has ever been recognized by the State Board in the past, regardless of whether the area, endorsement or level is current.
- 2-3.01.4 Only the content areas, levels, or endorsements specifically listed on an out-of-state or out-of-country license shall be recognized for licensure through reciprocity.

Addition of Areas and Endorsements

2-3.02 The Office of Educator Licensure shall add an endorsement, licensure content area, or level of license to a Standard License upon receipt of the following from an applicant:

- 2-3.02.1 A completed application for addition of area, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);
- 2-3.02.2 If required by Appendix A or by Section 2-3.03 below, an official transcript from an accredited college or university documenting completion of a Department-approved program of study;
- 2-3.02.3 An official score report reflecting passing scores, as approved by the State Board, on the appropriate pedagogical or specialty-area assessment as mandated by the State Board, or as mandated by the state where the program of study was completed if that state requires an assessment; and
- 2-3.02.4 For applicants seeking addition of Elementary Education (K-6), Middle School (4-8), or Secondary Social Studies (7-12), documentation of the successful completion of three (3) college credit-hours in Arkansas History at an accredited college or university.
- 2-3.02.5 Documentation of successful completion of six (6) hours of instruction in reading that includes at a minimum theories and strategies for teaching reading, diagnosis of reading difficulties, intervention strategies for struggling readers, and disciplinary literacy, and either a 3-hour course in disciplinary literacy or a 45-hour professional development piece in disciplinary literacy through ArkansasIDEAS.

2-3.02.6 All teacher education coursework must be completed at an accredited teacher preparation program.

2-3.03 No licensure content area or level of licensure may be added to a license by testing out if the area or level is more than one level above or below that of the initial license held by the licensee. Specifically, a Department-approved program of study at an accredited college or university is a required pre-requisite for:

2-3.03.1 Adding any exception area endorsement to any license;

2-3.03.2 Adding any K-6 licensure content area to a license with an initial licensure level of 7-12, or K-12;

2-3.03.3 Adding any 4-8 licensure content area to a license with an initial licensure level of B-K;

2-3.03.4 Adding any 4-12 licensure content area to a license with an initial licensure level of B-K, P-4, K-6, or 1-6;

2-3.03.5 Adding any 7-12 licensure content area to a license with an initial licensure level of B-K, P-4, K-6, or 1-6; and

2-3.03.6 Adding any K-12 licensure content area to a license with an initial licensure level of B-K, P-4, K-6, 1-6, 4-8, 4-12, P-8, or 7-12.

2-3.02.3 The reference to an initial licensure level of P-4 here applies only to an applicant who entered a P-4 teacher education program before Fall 2015.

2-3.04 A licensure content area, endorsement, or level of licensure may be transferred by reciprocity to an existing Arkansas license only by following the requirements of Sections 2-3.02 and 2-3.03 above.

2-3.04.1 All coursework and testing completed for the purpose of adding an additional licensure area or areas for reciprocity shall first be applied to the out-of-state license before adding the new area or areas by reciprocity.

2-3.05 The Office of Educator Licensure shall add a licensure content area, endorsement, or level of licensure to an adult education license, a school counselor license issued as an initial licensure area, or career and technical permit that was issued pursuant to regulations established by the Arkansas

Department of Career Education, only upon receipt of the following from an applicant:

- 2-3.05.1 A completed application for licensure, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);
- 2-3.05.2 An official transcript documenting the successful completion of:
 - 2-3.05.2.1 A program of study at an accredited teacher preparation program, to include an internship in the licensure content area to be taught;
 - 2-3.05.2.2 The Arkansas Professional Pathway to Educator Licensure (APPEL), formerly known as the Non-Traditional Licensure Program; or
 - 2-3.05.2.3 Any other pathway to licensure permitted by the Department's Rules Governing Nontraditional Licensure Programs; and
- 2-3.05.3 An official score report reflecting passing scores, as approved by the State Board, on the appropriate basic-skills, pedagogical, and content-area assessment(s) as mandated by the State Board.
- 2-3.05.4 Notwithstanding the requirements of Section 2-3.02, an individual holding school counseling as an initial licensure area may add Building-Level Administrator by meeting the requirements of Section 3-1.0.

Additional Licensure Plans (ALP)

2-3.06 The Office of Educator Licensure shall issue an Additional Licensure Plan (ALP) to an individual holding a Standard License and employed in an out-of-area position, upon the submission of a completed application for an ALP, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C).

- 2-3.06.1 An ALP is valid for a maximum of three (3) years and is not renewable.
- 2-3.06.2 An ALP requiring a Department-approved program of study shall remain valid only so long as the applicant:

- 2-3.06.2.1 Successfully completes ~~in the first year~~ within the three (3) year period of the ALP any specialty-area assessment required to be designated as a highly-qualified teacher; and
- 2-3.06.2.2 Successfully completes a minimum of three (3) hours of program-of-study coursework in the first year of the ALP and a minimum of six (6) hours of Department-approved program-of-study coursework in both the second and third years.
- 2-3.06.3 An ALP requiring testing only shall remain valid only so long as the applicant, by the end of each year of the ALP, either:
 - 2-3.06.3.1 Successfully completes within the three (3) years the content-knowledge portion(s) of the required specialty-area assessment required to be designated as a highly-qualified teacher; or
 - 2-3.06.3.2 Successfully completes a minimum of ~~six (6)~~ three (3) hours of coursework in the content area at an accredited college or university in the first year of the ALP and a minimum of six (6) hours of Department-approved program-of-study coursework in both the second and third years.
- 2-3.06.4 An individual holding a provisional license issued by reciprocity is eligible for an ALP subject to the remaining requirements of this Section 2-3.06.
- 2-3.06.5 Whether or not an ALP is issued, no person shall be employed by a public school in an out-of-area position for more than thirty (30) days without a waiver issued pursuant to Section 4-4.0 of these Rules.

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING EDUCATOR LICENSURE

CHAPTER 3:
ADMINISTRATOR LICENSE REQUIREMENTS

~~6.0~~ ~~Administrator License Requirements~~

3-1.0 **Building-Level Administrator License**

3-1.01 The Office of Educator Licensure shall issue a Building-Level Administrator License upon receipt of the following from an applicant holding a current, Arkansas Standard License in a content teaching area, as a school counselor that was issued as an initial licensure area, or in a career and technical area:

- 3-1.01.1 A completed application for licensure, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);
- 3-1.01.2 Documentation that the applicant has successfully completed any background checks required by ~~the Department's Rules Governing Background Checks and License Revocation~~ Chapter 8 of these rules;
- 3-1.01.3 An official transcript documenting an awarded master's or higher degree from an accredited college or university in education, educational leadership, or a licensure content area;
 - 3-1.01.3.1 An awarded degree from an institution inside of Arkansas shall be recognized for licensure only if the institution's Licensure Officer and Education Leadership Chair sign and verify the application for licensure;
 - ~~6.01.3.2~~ ~~An awarded degree from an institution outside of Arkansas shall be recognized for licensure only if the degree is recognized for licensure in the state where the institution maintains its principal place of business;~~
- 3-1.01.4 If the master's degree is not in Educational Leadership, an official transcript documenting successful completion of a Department-approved, graduate-level program of study reflective of the standards for building-level administrator

licensure, to include an internship with adequate and substantial experiences at both the K-6 and 7-12 levels;

3-1.01.4.1 An applicant who has never received an administrator license and whose program of study in Educational Leadership was completed more than ten (10) years before the date of application shall be required to meet all current licensure requirements as determined by either the Department or an accredited educational leadership program;

3-1.01.5 An official score report reflecting passing scores, as approved by the State Board, on the appropriate administrative licensure assessment as mandated by the State Board;

3-1.01.6 Documentation of at least four (4) years of P-12 experience as a licensed classroom teacher, school counselor, or library media specialist.

3-1.01.6.1 One (1) year of experience is defined as a minimum of one hundred twenty (120) days of full-time work in a single school year, with a minimum of fifty percent (50%) of each day spent as a licensed classroom teacher, school counselor, or library media specialist.

3-1.01.6.2 Experience as an Educational Examiner, Adult Education, Athletic Director/Coaching, School Administrator, Speech Pathologist, or School Psychology Specialist shall not count towards this experience requirement.

3-1.01.6.3 Up to two (2) years of the experience requirement may be satisfied by equivalent working experience, including without limitation employment with an education service cooperative or the Department.

3-1.01.6.4 Teaching experience in a career and technical education area as recognized by the State Board may satisfy this requirement only if the educator has obtained a bachelor's degree or higher in:

3-1.01.6.4.1 The career and technical education area taught by the educator; or

3-1.01.6.4.2 Another licensure content area that is related to the career and technical education area taught by the educator; and

3-1.01.7 Documentation that the educator has successfully completed the teacher evaluation professional development program.

3-1.01.7.1 A person who receives ~~an initial~~ a Building-Level Administrator's license shall complete the certification assessment for the teacher evaluation professional development program before or after receiving the ~~initial~~ Building-Level Administrator's license.

3-2.0 Curriculum/Program Administrator License

3-2.01 The Office of Educator Licensure shall issue a Curriculum/Program Administrator License upon receipt of the following from an applicant holding a Standard License in the relevant area, or an Ancillary License in Speech Language Pathology or School Psychology:

3-2.01.1 A completed application for licensure, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);

3-2.01.2 Documentation that the applicant has successfully completed any background checks required by ~~the Department's Rules Governing Background Checks and License Revocation~~ Chapter 8 of these rules;

3-2.01.3 An official transcript documenting an awarded master's or higher degree from an accredited college or university in education, educational leadership, or a licensure content area, or in a Career and Technical Education area recognized by the Arkansas Department of Career Education;

3-2.01.3.1 An awarded degree from an institution inside of Arkansas shall be recognized for licensure only if the institution's Licensure Officer and Education Leadership Chair sign and verify the application for licensure;

~~6.02.3.2~~ ~~An awarded degree from an institution outside of Arkansas shall be recognized for licensure only if~~

~~the degree is recognized for licensure in the state where the institution maintains its principal place of business;~~

3-2.01.4 An official transcript documenting successful completion of a graduate-level program of study reflective of the standards for curriculum/program administrator licensure, to include an internship;

3-2.01.4.1 An applicant who has never received an administrator license and whose program of study for curriculum/program administrator licensure was completed more than ten (10) years before the date of application shall be required to meet all current licensure requirements as determined by either the Department or an accredited educational leadership program;

3-2.01.5 An official score report reflecting passing scores, as approved by the State Board, on the appropriate administrative licensure assessment as mandated by the State Board;

3-2.01.6 Documentation of at least four (4) years of licensed experience in the relevant area as follows:

3-2.01.6.1 Special Education – Classroom teaching experience in special education, or experience in speech language pathology or school psychology, while employed by a public or private school under the terms of an approved teacher employment contract and not under a purchase-service contract;

3-2.01.6.2 Gifted and Talented Education – Classroom teaching experience in the area of gifted and talented education;

3-2.01.6.3 Career and Technical Education – Classroom teaching experience in one (1) or more career and technical education areas as recognized by the State Board, if the educator has obtained a bachelor's degree or higher in:

3-2.01.6.3.1 The career and technical education area taught by the educator; or

3-2.01.6.3.2 Another licensure content area that is related to the career and technical education area taught by the educator, as determined by the Department; and

3-2.01.7 Documentation that the educator has successfully completed the teacher evaluation professional development program.

3-2.01.7.1 A person who receives ~~an initial Building-Level a~~ Curriculum/Program Administrator's license shall complete the certification assessment for the teacher evaluation professional development program before or after receiving the ~~an initial Building-Level Curriculum/Program~~ Administrator's license.

3-2.01.7.2 Content Area Specialist – Classroom teaching experience in a licensure content area;

3-2.01.7.3 Curriculum Specialist – Experience as a school counselor, library media specialist, or classroom teacher in any licensure content area or level of licensure; or

3-2.01.7.4 Adult Education – Classroom teaching experience in the area of adult education.

3-2.01.7.5 One (1) year of experience is defined as a minimum of one hundred twenty (120) days of full-time work in a single school year, with a minimum of fifty percent (50%) of each day spent as a licensed classroom teacher, school counselor, or library media specialist.

2-2.01.7.6 Up to two (2) years of the experience requirement may be satisfied by equivalent working experience, including without limitation employment with an education service cooperative or the Department.

3-3.0 District-Level Administrator License

3-3.01 The Office of Educator Licensure shall issue a District-Level Administrator License upon receipt of the following from an applicant holding a Building-Level or Curriculum/Program Administrator License:

- 3-3.01.1 A completed application for licensure, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);
- 3-3.01.2 Documentation that the applicant has applied for and successfully completed any background checks required by the Department's Rules Governing Background Checks and License Revocation Chapter 8 of these rules within the immediately preceding twelve (12) months;
- 3-3.01.3 An official transcript documenting an awarded master's or higher degree from an accredited college or university in education, educational leadership, or a licensure content area;
 - 3-3.01.3.1 An awarded degree from an institution inside of Arkansas shall be recognized for licensure only if the institution's Licensure Officer and Education Leadership Chair sign and verify the application for licensure;
 - ~~6.03.3.2~~ ~~An awarded degree from an institution outside of Arkansas shall be recognized for licensure only if the degree is recognized for licensure in the state where the institution maintains its principal place of business;~~
- 3-3.01.4 An official transcript documenting successful completion of a Department-approved, graduate-level program of study, above and beyond a master's degree, reflective of the standards for district-level administrator licensure, to include an internship;
 - 3-3.01.4.1 An applicant whose program of study for district-level administrator licensure was completed more than ten (10) years before the date of application shall be required to meet all current licensure requirements as determined by either the Department or an accredited educational leadership program;
- 3-3.01.5 An official score report reflecting passing scores, as approved by the State Board, on the appropriate administrative licensure assessment as mandated by the State Board;

3-3.01.6 Documentation of at least four (4) years of licensed experience as required by Section 3-1.01.6 or 3-2.01.6 above, or four (4) years of building-level administrator experience; and

3-3.01.7 Documentation of at least one (1) year of experience as a building-level or curriculum/program administrator.

3-3.01.7.1 One (1) year of experience is defined as requiring a minimum of one hundred twenty (120) days of full-time work, in a single school year, with a minimum of fifty percent (50%) of each day spent as a building-level or curriculum/program administrator.

3-3.01.7.2 This one-year experience requirement may be satisfied by experience with an education service cooperative or the Department, if the Department determines that the experience is substantially equivalent to building-level administration experience.

3-4.0 Administrator Licensure Completion Plan (ALCP)

3-4.01 The Office of Educator Licensure shall issue an Administrator Licensure Completion Plan (ALCP) to an individual employed in an out-of-area position who:

3-4.01.1 Submits a completed application for an ALCP, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);

3-4.01.1.1 The application must be verified by the Educational Leadership Chair of the accredited college or university where the degree or program of study is offered;

3-4.01.2 Submits proof of employment with an Arkansas public school district, open-enrollment public charter school, or other agency or organization, in a position that requires an Administrator License;

3-4.01.2.1 Employment must be verified by an authorized representative of the public school district, charter school, agency or organization; and

- 3-4.01.3 Meets all of the requirements of Section 3-1.01, 3-2.01, or 3-3.01 of these Rules except for:
- 3-4.01.3.1 Successful completion of an awarded master's or higher degree as required by Section 3-1.01.3, 3-2.01.3, or 3-3.01.3;
 - 3-4.01.3.2 Successful completion of a graduate-level program of study as required by Section 3.1.01.4, 3-2.01.3, or 3-3.01.3; or
 - 3-4.01.3.3 Submission of an official score report reflecting passing scores on the appropriate administrative licensure assessment, as required by 2-1.01.5, 2-2.01.5, or 2-3.01.5.
- 3-4.01.4 An ALCP is valid for a maximum of three (3) years, is not renewable, and shall remain valid so long as the applicant:
- 3-4.01.4.1 Remains employed with an Arkansas public school district, open-enrollment public charter school, or other agency or organization, in a position that requires an Administrator License;
 - 3-4.01.4.2 Holds the degree required by Section 3-1.01.5, 3-2.01.5, or 3-3.01.5, or remains enrolled and actively participates in the appropriate degree program; and
 - 2-2.01.4.3 Has completed, or remains enrolled and actively participates in the appropriate program of study required by Section 3.1.01.4, 3-2.01.3, or 3-3.01.3.
 - 3-4.01.4.4 Active participation in a degree program or program of study means successful completion of a minimum of three (3) hours of graduate-level coursework in the first year of the ALCP, and a minimum of six (6) hours of graduate-level coursework in both the second and third years of the ALCP.
- 3-4.01.5 Whether or not an ALCP is issued, no person shall be employed by a public school in an out-of-area position for more than thirty (30) days without a waiver issued pursuant to Chapter 4, Section 4-4.0 of these Rules.

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING EDUCATOR LICENSURE

CHAPTER 4:
GENERAL PROVISIONS FOR ALL LICENSES

4-1.0 LICENSE EFFECTIVE DATES

4-1.01 A Standard, Ancillary, or Administrator License shall be a renewable license, valid for a period of five (5) years. Except as provided below, a license shall become effective January 1 of the year it is issued and shall expire December 31 of the fifth year.

4-1.01.1 The beginning date of a license renewal shall be January 1 of the year following the expiration date of the old license, unless the old license was expired more than one (1) year.

4-1.01.2 The beginning date of the renewal of a license that had been expired for more than one (1) year shall be January 1 of the year renewed.

4-1.02. Regardless of when it is issued, an Administrator License shall reflect the same beginning and expiration dates as the licensee's Standard License.

4-1.03 Addition of an endorsement, licensure content area, or level of licensure to a license shall not affect the beginning and expiration dates of the license.

4-1.04 A Provisional License shall become effective on the licensee's first contracted day with the public school district, open-enrollment public charter school, or other agency or organization.

4-2.0 LICENSE RENEWAL

4-2.01 Applications for license renewal may be submitted to the Office of Educator Licensure no earlier than January 1 of the year of expiration of the license.

Professional Development Requirements for License Renewal

4-2.02 Except as specifically provided ~~herein~~ in these Rules for Educator Licensure, no license issued by the State Board may be renewed unless the following requirements of this Section 4-2.0 are met.

- 4-2.02.1 Every individual holding a license issued by the State Board shall document completion of ~~sixty (60) or more hours of the~~ minimum hours of approved professional development required annually each school year under 4-2.03 of these Rules approved professional development each year, as required by the Department's Rules Governing Professional Development.
- 4-2.02.2 Professional development completion may be documented by:
- 4-2.02.2.1 Submitting verification, by an authorized representative of the school, district, or organization employing the licensee, that the licensee has completed all professional development required during the term of the license; or
- 4-2.02.2.2 Submitting proof of completion of professional development hours attended.
- 4-2.02.3 Professional development completion shall be waived for a teacher who is retired, as verified by the Arkansas Teacher Retirement System (ATRS).
- 4-2.02.4 A retired teacher who returns to licensed employment shall complete the professional development required for the year in which the person applies for license renewal and in each year thereafter while employed in a licensed position.

Minimum Annual Professional Development Requirements

- 4-2.03 Each educator shall obtain thirty-six (36) hours of professional development annually for renewal of an educator's license.
- 4-2.03.1 Of the sixty (60) hours of professional development required by law or by contract annually for an educator employed with a school district, thirty-six (36) of those hours shall be credited toward renewal of the educator's license.
- 4-2.03.2 The thirty-six (36) professional development hours under this section shall include, at a minimum:
- 4-2.03.2.1 The professional development required in the educator's professional growth plan under the requirements of TESS or LEADS; and

4-2.03.2.2 Professional development required by law or by rule.

Scheduled Professional Development

4-2.04 The professional development required under this Section 4-2.07 shall include content that is provided by:

4-2.04.1 The Department, including ArkansasIDEAS;

4-2.04.2 An institution of higher education; ~~or~~

4-2.04.3 A provider approved by the Department;

4-2.04.4 An education service cooperative.

4-2.05 The two (2) hours in each area of professional development required under this Section 4-2.0 shall be counted in the school year in which the professional development is taken toward the minimum number of hours of professional development required for educators for that school year.

4-2.06 If an educator obtains additional hours above the minimum requirements of this Section 4-2.0, the educator may count those additional hours toward the total minimum hours of professional development required for educators for that school year.

4-2.07 As part of the minimum annual requirement under these Rules, a public school or school district shall make available to the appropriate educator, or an educator not employed by a public school or school district shall obtain, professional development on the following schedule:

4-2.07.1 Child Maltreatment Mandated Reporter

4-2.07.1.1 In the 2013-2014 school year and every fourth year thereafter, all educators shall obtain two (2) hours of professional development in:

(a) Recognizing the signs and symptoms of child maltreatment;

(b) The legal requirements of the Child Maltreatment Act, Ark. Code Ann. § 12-18-101 et seq., and the duties of mandated reporters under the Act;

(c) Methods for managing disclosures regarding child victims; and

(d) Methods for connecting a victim of child maltreatment to appropriate in-school services and other agencies, programs, and services needed to provide the child with the emotional and educational support the child needs to continue to be successful in school.

4-2.07.1.2 The child maltreatment professional development required under this section shall be based on curriculum approved by the Arkansas Child Abuse/Rape/Domestic Violence Commission and may be obtained in-person or online.

4-2.07.2 Parent Involvement

4-2.07.2.1 In the 2014-2015 school year and every fourth school year thereafter, each educator shall be required to have two (2) hours of professional development designed to enhance understanding of effective parent involvement strategies.

4-2.07.2.2 In the 2014-2015 school year and every fourth school year thereafter, each administrator shall be required to have two (2) hours of professional development designed to enhance understanding of effective parent involvement strategies and the importance of administrative leadership in setting expectations and creating a climate conducive to parent participation.

4-2.07.3 Teen Suicide Awareness and Prevention

4-2.07.3.1 In the 2015-2016 school year and every fourth school year thereafter, all educators shall obtain two (2) hours of professional development in teen suicide awareness and prevention.

4-2.07.3.2 The required professional development under this section may be accomplished by self-review of suitable suicide prevention materials approved by the Department.

4-2.07.4 Arkansas History

4-2.07.4.1 In the 2016-2017 school year and every fourth school year thereafter, each educator who provides instruction in Arkansas history shall obtain two (2) hours of professional development in Arkansas history.

4-2.08 Professional Development Requirements for Specific Licensure Areas

4-2.08.1 Administrator

4-2.08.1.1 For each administrator, the annual professional development requirement shall include training in data disaggregation, instructional leadership, and fiscal management.

4-2.08.1.2 This training may include without limitation the Initial, Tier 1 (twelve (12) hours) and Tier 2 (four (4) hours) training required for superintendents and district designees by the Arkansas Department of Education Rules Governing the Arkansas Financial Accounting and Reporting System and Annual Training Requirements.

4-2.08.1.3 An applicant for a building-level administrator license shall successfully complete the teacher evaluation professional development program.

4-2.08.1.3.1 An educator who receives an initial building level administrator's license shall complete the credentialing assessment for the teacher evaluation professional development program either before or after receiving the initial building level administrator's license.

4-2.08.2 Athletic Coaches

At least once every three (3) years, each person employed as an athletic coach shall obtain training in recognition and management of the following events or conditions that may be

encountered by a student during athletic training and physical activities;

4-2.08.2.1 A concussion, dehydration, or other health emergency;

4-2.08.2.2 An environmental issue that threatens the health or safety of students; and

4-2.08.2.3 A communicable disease.

4-2.08.2.4 The training may include a component on best practices for a coach to educate parents of students involved in athletics on sports safety.

4-2.08.3 Advanced Placement

Each hour of approved training received by educators related to teaching an advance placement class for a subject covered by the College Board and Educational Testing Service shall count as professional development up to a maximum of thirty (30) hours annually.

4-2.08.4 Adult Education

Educators working solely part time in one of the following settings shall obtain thirty (30) hours of professional development annually for licensure.

4-2.08.4 .1 Adult basic education;

4-2.08.4 .2 General adult education;

4-2.08.4 .3 English as a second language for adults; and

4-2.08.4 .4 General Educational Development Test examiners.

4-2.09 Renewal of Current / Recently Expired Licenses

~~7.02~~The Office of Educator Licensure shall renew a Standard, Ancillary, or Administrator License that is current or has been expired for less than one (1) year, upon receipt of the following from a licensee:

- 4-2.09.1 A completed application for renewal, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);
- 4-2.09.2 Documentation that the applicant has successfully completed all background checks required by ~~the Department's Rules Governing Background Checks and License Revocation~~ Chapter 8 of these rules; and
- 4-2.09.3 Documentation of professional development completion, as required by Section 4-2.0.
- 4-2.09.4 An individual unable to document professional development completion may be eligible for a Provisional License by meeting the criteria of Section 2-1.03 of these Rules.
- 4-2.09.5 The Office of Educator Licensure may, in the last effective year of a license, automatically renew a Standard, Ancillary, or Administrator License, if:
 - 4-2.09.5.1 The licensee is employed, during the last effective year of the license, by an Arkansas public school district, open-enrollment public charter school, education service cooperative, or the Department;
 - 4-2.09.5.2 The licensee or the licensee's employer pays any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C); and
 - 4-2.09.5.3 The Office of Educator Licensure is able to document from its records that the licensee has satisfied the background check and professional development requirements of Sections 4-2.09.2 and 4-2.02 through 4-2.07.

4-2.10 Renewal of Licenses Expired More Than One (1) Year

~~7.03~~The Office of Educator Licensure shall renew a Standard, Ancillary, or Administrator License that has been expired for more than one (1) year, upon receipt of the following from a licensee:

- 4-2.10.1 A completed application for renewal, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);

- 4-2.10.2 Documentation that the applicant has successfully completed all background checks required by ~~the Department's Rules Governing Background Checks and License Revocation Chapter 8 of these rules~~; and
- 4-2.10.3 Documentation of completion of sixty (60) or more hours of approved professional development.
- 4-2.10.4 An individual required to take additional professional development may be eligible for a Provisional License by meeting the criteria of Section 2-1.03 of these Rules.

~~7.05~~ — ~~Provisional Licenses~~

~~The Office of Educator Licensure shall issue a non-renewable, one (1) year Provisional License to a licensee who holds a current or expired Standard, Ancillary, or Administrator License, and who:~~

- ~~7.05.1 — Submits a completed application for Provisional licensure, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);~~
- ~~7.05.2 — Submits proof of employment with an Arkansas public school district, open enrollment public charter school, or other agency or organization in a position that requires an educator license; and~~
- ~~7.05.3 — Meets all of the requirements of Sections 7.02 or 7.03 of these Rules except for verification of professional development as required by 7.01.~~
- ~~7.05.4 — The Provisional License may be converted to a Standard, Ancillary, or Administrator License upon the submission of written verification of completion of sixty (60) hours of approved professional development that was completed during the one-year term of the Provisional License.~~

- ~~7.06 — Applications for license renewal may be submitted to the Office of Educator Licensure no earlier than January 1 of the year of expiration of the license.~~

~~8.0~~ — ~~General Provisions for all Licenses~~

~~8.01 A Standard, Ancillary, or Administrator License shall be a renewable license, valid for a period of five (5) years. Except as provided below, a license shall become effective January 1 of the year it is issued and shall expire December 31 of the fifth year.~~

~~8.01.1 Regardless of when it is issued, an Administrator License shall reflect the same beginning and expiration dates as the licensee's Standard License.~~

~~8.01.2 The beginning date of a license renewal shall be January 1 of the year following the expiration date of the old license, unless the old license was expired more than one (1) year.~~

~~8.01.3 The beginning date of the renewal of a license that had been expired for more than one (1) year shall be January 1 of the year renewed.~~

~~8.01.4 Addition of an endorsement, licensure content area, or level of licensure to a license shall not affect the beginning and expiration dates of the license.~~

~~8.02 A Provisional License shall become effective on the licensee's first contracted day with the public school district, open enrollment public charter school, or other agency or organization.~~

4-3.0 MISCELLANEOUS PROVISIONS

4-3.01 A Standard, Ancillary, or Administrator License may reflect the highest earned degree awarded to the licensee in:

4-3.01.1 Education, if the degree was awarded by an accredited teacher education program;

4-3.01.2 Educational Leadership, if the degree was awarded by an accredited college or university;

3-2.05.3 Speech-Language Pathology, if the degree was awarded by an accredited speech-language pathology program;

4-3.01.4 School Psychology, Psychology, or Counseling, if the degree was awarded by an accredited school psychology program; or

4-3.01.5 A licensure content area, if the degree was awarded by an accredited college or university.

4-3.02 Notwithstanding any provision to the contrary, an applicant for licensure who holds a teaching license from outside the United States, or whose post-secondary degree is from a non-accredited college or university outside of the United States, may satisfy degree and accredited program requirements as follows:

4-3.02.1 The applicant shall have his or her credentials evaluated by a Department-approved credential evaluation agency located in the United States.

4-3.02.2 The credential evaluation agency shall:

4-3.02.2.1 Complete a course-by-course evaluation of the applicant's transcript;

4-3.02.2.2 Indicate the applicant's major area of study;

4-3.02.2.3 Document whether the applicant's out-of-country degree is equivalent to one that would have been completed at an accredited college or university;

4-3.02.2.4 Document whether the out-of-country professional preparation program is equivalent to one that would have been completed at an accredited teacher preparation program or accredited speech-language pathology or school psychology program;

4-3.02.2.5 Indicate the areas of licensure represented by the out-of-country license; and

4-3.02.2.6 Document which areas of licensure on the out-of-country license are equivalent to the areas of licensure approved by the State Board.

4-3.02.3 The evaluation performed by the credential evaluation agency shall determine eligibility for licensure in Arkansas.

4-3.02.4 Every individual holding a license issued by the State Board shall successfully complete the child maltreatment recognition training required by Ark. Code Ann. § 6-61-133, Ark. Code Ann. § 6-17-709, and the Department's Rules Governing Professional Development.

4-3.03 An applicant who is not a U.S. citizen shall provide evidence satisfactory to the Department that the applicant meets the criteria of an exception under U.S.C. § 1261 for the state to issue a professional license.

4-3.04 The Office of Educator Licensure may issue a duplicate of a current license upon application of a current license holder, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);

4-3.05 All information and documentation submitted for an Arkansas teaching license must be accurate, authentic, and unaltered. Any license issued as a result of a violation of this Section 4-3.05 will be null and void.

4-3.06 The Office of Educator Licensure, as authorized by the State Board, reserves the right to amend or rescind any license that has been issued in error.

Mentoring Requirements for Novice Teachers and Beginning Administrators

~~8.09 — Every novice teacher and beginning administrator employed in a public school, open enrollment public charter school, or other public educational setting shall participate in mentoring for no less than one (1) year.~~

~~8.09.1 Mentoring for a novice teacher shall consist of a licensed, certified mentor providing support and focused feedback with regard to instructional skills, classroom management, and professional behaviors.~~

~~8.09.2 Mentoring for a beginning administrator shall consist of a certified mentor providing support and focused feedback with regard to skills, management, and professional behaviors.~~

~~8.09.3 Mentors, novice teachers, and beginning administrators shall attend all Department mandated training, orientation, or informational meetings.~~

~~8.09.4 A beginning administrator working under an ALCP shall participate in mentoring for the duration of the ALCP.~~

~~8.09.5 A novice teacher in a licensed pre-kindergarten setting may in the alternative participate in mentoring offered pursuant to rules promulgated by the Arkansas Department of Human Services.~~

~~8.10 — Every Arkansas public school district, open enrollment public charter school, or other public educational setting that employs a novice teacher or beginning administrator shall:~~

- ~~8.10.1 Notify the Office of Educator Effectiveness, no later than September 1 of each year, of the appointment of an induction project director who will act as the liaison for the program to the Department;~~
- ~~8.10.1.1 Induction project directors are responsible for coordination of mentor assignments, oversight of mentor funding appropriations, adherence to state rules and guidelines related to mentoring, and all written and fiscal reporting and communications to the Department;~~
- ~~8.10.1.2 Induction project directors must attend the annual Project Director Update meeting sponsored by the Office of Educator Effectiveness, in order to have access to the Department's online data system and to be qualified to pair a novice teacher or beginning administrator with a certified mentor;~~
- ~~8.10.1.3 As funds are available, induction project directors shall be compensated with a stipend via a sliding scale (not to exceed \$1,000) based on the number of novice teachers and beginning administrators in the school or district;~~
- ~~8.10.2 Submit to the Office of Educator Effectiveness via the Office's online data system:~~
- ~~8.10.2.1 No later than September 30 of each year, a register of all novice teacher/mentor pairs and beginning administrator/mentor pairs employed by the school or district; and~~
- ~~8.10.2.2 No later than September 30 of each year, an assurance statement, signed by the induction project director, district superintendent, or charter school director, that the school or district is in compliance with these Rules regarding mentoring.~~
- ~~8.10.3 Assign to each novice teacher, within three (3) weeks of the novice teacher's first contract day of the school year, a certified, licensed mentor teacher who is located in the same building, and who:~~
- ~~8.10.3.1 Has a compatible background in licensure content area and level of licensure;~~

- ~~8.10.3.2 — Is trained and certified in the state-adopted mentoring model; and~~
- ~~8.10.3.3 — Has at least three (3) years of successful teaching experience under a non-provisional license;~~
- ~~8.10.3.4 — The Office of Educator Effectiveness may grant exceptions to these requirements on a case-by-case basis, including the requirement that the mentor teacher be located in the same building;~~
- ~~8.10.3.5 — Only one (1) novice teacher may be assigned to each mentor teacher, except as allowed by the Office of Educator Effectiveness;~~
- ~~8.10.4 — Assign to each beginning administrator, within three (3) weeks of the beginning administrator's first contract day of the school year, a certified, licensed administrator mentor who has been certified in the state-adopted mentoring model;~~
- ~~8.10.5 — Release the following persons for training, orientation, or informational meetings:~~
 - ~~8.10.5.1 — Mentors and induction project directors to attend the initial mentor training and any mandatory statewide orientation or informational meetings held by the Department; and~~
 - ~~8.10.5.2 — Beginning administrators to attend induction training and any mandatory statewide orientation or informational meetings held by the Department;~~
- ~~8.10.6 — Provide released time during the contract day for a novice teacher and mentor to work together on the mentoring modules;~~
- ~~8.10.7 — Assist a novice teacher and mentor to schedule focused observations and professional development activities, and provide activities for mentors and novice teachers, which engage them in collaborative dialogue, problem solving, and professional development.~~
 - ~~8.10.7.1 — Mentor teachers shall perform a minimum of one(1) formal classroom observation per semester for each novice teacher and shall provide feedback focused on increased professional growth.~~

- ~~8.10.7.2—Novice teachers shall observe the mentor in the mentor’s classroom a minimum of one (1) observation during the first semester;~~
- ~~8.10.8—Notify the Office of Educator Effectiveness, via the Office’s online data system, within fifteen (15) days of any personnel changes that might affect annual mentoring budget allocations (such as hiring of a novice teacher midyear, or a novice teacher resigning midyear and being replaced by an experienced teacher for whom mentoring is not appropriate); and~~
- ~~8.10.9—Submit, via the Office’s online data system, the end-of-year budget report reflecting mentor stipend expenditures, no later than July 15 of each year.~~
 - ~~8.10.9.1—Mentor stipends shall be distributed and disbursed within the parameters established by the Department.~~
- ~~8.11—The Office of Educator Effectiveness will monitor the quality of each public school or district’s mentoring program by reviewing all mentoring documentation.~~
 - ~~8.11.1—All required mentoring and observation documentation shall be uploaded to the Office’s online data system and verified by the induction project director.~~
 - ~~8.11.2—Mentoring observational information shall not be utilized in any way for employment or evaluation decisions unless students are at risk, either physically or emotionally.~~
- ~~8.12—School districts or open-enrollment public charter schools that do not comply with these rules shall be placed in accredited-cited status for licensure deficiencies. Licensure deficiencies for this purpose includes without limitation:~~
 - ~~8.12.1—Failure to register all mentors, novice teachers, and beginning administrators with the Office of Educator Effectiveness;~~
 - ~~8.12.2—Failure to comply with established guidelines for assignment, support, and monitoring of mentors and novice teachers or beginning administrators; and~~
 - ~~8.12.3—Failure to submit all appropriate documentation.~~

4-4.0 WAIVERS FOR PUBLIC SCHOOLS AND SCHOOL DISTRICTS

4-4.01 Contracted Positions (ALP/ALCP)

~~9.01~~ Except as specifically allowed by law or regulation, no person shall be employed by a public school in an out-of-area position for more than thirty (30) days without a waiver issued to the school pursuant to this Section 4-4.0.

- 4-4.01.1 Schools shall aggressively seek to employ in licensed positions individuals who are licensed and highly qualified (when required) for the grade level and licensure content areas assigned.
- 4-4.01.2 When a school cannot employ a qualified individual licensed at the grade level or for the licensure content area being assigned, the school shall actively recruit a licensed individual who will work under an ALP or ALCP towards becoming licensed and highly qualified (when required) for the grade level assigned or for the specific licensure content area assigned.
- 4-4.01.3 Notwithstanding the other provisions of this Section 4-4.0, if the State Board or the Commissioner of Education order the suspension or removal of a superintendent or school board under authority granted under Title 6 of the Arkansas Code, the State Board or Commissioner may appoint, subject to state law and for no more than three (3) consecutive school years, one (1) or more individuals in out-of-area positions as district-level administrators for that public school district.
- 4-4.01.4 This section 4-4.01 shall not apply to:
 - 4-4.01.4.1 Non-degreed vocational-technical teachers; or
 - 4-4.01.4.2 Those persons approved by the Department to teach the grade level or subject matter of the class in the Department' distance learning program.
- 4-4.01.5 The Office of Educator Licensure may grant a public school, agency, or organization a one (1)-year waiver of the requirements of Section 4-4.01 if it imposes an undue hardship in that a school is unable to timely fill a vacant position with a qualified individual licensed in the required licensure content area and level of licensure.

4-4.01.6 A request for waiver shall be submitted by the superintendent of the public school district or director of the open-enrollment public charter school and shall include:

4-4.01.6.1 A listing of all licensed employees employed by the district or charter school, including for each licensed employee:

4-4.01.6.1.1 Social Security number;

4-4.01.6.1.2 Current licensure area(s);

4-4.01.6.1.3 Whether the employee is currently employed in an out-of-area position, and if so, whether the position requires a highly-qualified teacher;

4-4.01.6.1.4 Any prior completed Additional Licensure Plan(s) (ALP); and

4-4.01.6.1.5 All prior school years in which the employee was employed in an out-of-area position;

4-4.01.6.2 A justification for the waiver documenting the efforts of the district or charter school to find a fully licensed, highly qualified employee. Districts will not have to verify re-advertising for the second and third years for a position, as long as the individual holds a valid ALP or ALCP;

4-4.01.6.3 A written plan with timelines for completion of the ALP or ALCP requirements; and

4-4.01.6.4 If a waiver was granted for the same position in the prior school year, evidence that the ALP or ALCP plan timelines are being met in accordance with Sections 2-3.06.2, 2-3.06.3, or 3-4.01.4.4.

4-4.01.7 A school, district, agency, or organization shall annually apply for renewal of the waiver each additional year the employee is working under an approved ALP or ALCP. The one (1)-year waiver may be renewed two (2) times, for a maximum of three (3) years of waiver for the same position, so long as the ALP

or ACLP issued to the employee remains valid and the employee meets the ALP or ALCP plan timelines.

4-4.01.8 The district superintendent or charter school director shall send written notice of the assignment of an employee to an out-of-area position to the parent or guardian of each student in the employee's classroom no later than thirty (30) school days after the date of the assignment.

4-4.01.8.1 Parental notice is not required for the out-of-area assignment of a counselor, library media specialist, or administrator.

4-4.01.9 The final decision regarding the granting of a waiver rests with the State Board.

4-4.02 Substitute Teachers

~~9.07~~ Since it is sometimes necessary to utilize the services of substitute personnel, public schools should select competent individuals who can be entrusted with the instructional responsibilities of the school. As much care should be given to the recruitment, selection and utilization of those who will be used as substitutes as is given to licensed personnel.

4-4.02.1 A person employed as a temporary substitute for a licensed teacher in a public school shall:

4-4.01.1.1 Be a high school graduate; or

4-4.01.1.2 Hold a graduate equivalent degree (G.E.D.).

4-4.02.2 No class of students in any public school shall be under the instruction of a substitute teacher for more than thirty (30) consecutive school days in the same class during a school year unless the substitute teacher instructing the class has:

4-4.02.2.1 A bachelor's or higher degree awarded by an accredited college or university; or

4-4.02.2.2 ~~An educator license~~ A current Standard Teaching License, Ancillary License, Provisional License, Administrator's License, or Lifetime Teaching License issued by the State of Arkansas for areas in which the substitute is employed.

4-4.02.3 A public school shall request a waiver for each semester, not to exceed two (2) consecutive semesters to employ a substitute teacher whenever a class of students will be receiving instructions from ~~a the substitute teacher or teachers~~ for longer than thirty (30) consecutive days unless the substitute is fully licensed in Arkansas for areas in which the substitute is employed.

4-4.02.4 A public school may not avoid a waiver request by:

4-4.02.4.1 Relying on the license of another teacher or administrator in the building who is not assigned substitute teacher and is not actively teaching the class;

4-4.02.4.2 Terminating the services of a substitute teacher(s) prior to the thirty-first (31st) day of instruction;

3-4.02.4.3 Granting the substitute teacher one (1) or more days of personal or administrative leave; or

4-4.02.4.4 Using any other method of circumventing the intent of the law or these rules.

~~9.07.5 A substitute teacher or teachers possessing a bachelor's degree shall continue to teach the class from at least the thirty-first (31st) consecutive day after the regular teacher is absent from the class until the return of the regular teacher to that class.~~

4-4.02.6 The district superintendent or charter school director shall send written notice of the assignment of a substitute teacher to an out-of-area position to the parent or guardian of each student in the teacher's classroom no later than thirty (30) school days after the date of the assignment.

4-4.02.7 This Section 4-4.02 shall not apply to non-degreed vocational-technical teachers.

4-4.02.8 The superintendent of a public school district or director of an open-enrollment public charter school may apply for a waiver from the Arkansas State Board of Education if the requirements set forth in this Section 4-4.02 impose an undue hardship on the school or district.

4-4.02.8.1 A written application for waiver shall be submitted to the Department as soon as an undue

hardship is determined by the superintendent or charter school director. The application letter shall include:

- 4-4.02.8.1.1 A justification of need for the waiver;
 - 4-4.02.8.1.2 Documentation that a degreed or properly-licensed individual is not available to be employed;
 - 4-4.02.8.1.3 Instructional area that will be assigned to the substitute teacher, and
 - 4-4.02.8.1.4 The length of time the substitute will be employed.
- 4-4.02.8.2 Waivers for use of a substitute teacher for longer than thirty (30) days may be granted for only one (1) semester but may be renewed for a second (2nd) semester. Such waivers are to be submitted immediately once the substitute has been in the classroom for thirty-one (31) days.
- 4-4.02.8.3 Applications for waivers shall be reviewed by the Department and presented to the State Board of Education for its decision.
- 4-4.02.8.4 The final decision regarding the granting of this waiver will rest with the State Board of Education.
- 4-4.02.8.5 Any school district or open-enrollment public charter school granted this waiver will be reported in the Department's annual school district or school report card.

4-5.0 CONVERSION OF EXISTING INITIAL OR PROVISIONAL LICENSES

- 4-5.01 A licensee holding a current or expired Initial Teaching License issued by the State Board pursuant to the Department's Rules Governing Initial, Standard/Advanced Level and Provisional Teacher Licensure (eff. July 2010 or July 2007) may obtain a Standard License upon the submission of the following:

4-5.01.1 A completed application for conversion, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C); and

4-5.01.2 Documentation that the applicant has applied for and successfully completed all background checks required by the Department's Rules Governing Background Checks and License Revocation Chapter 8 of these rules within the immediately preceding twelve (12) months.

~~10.02—A licensee holding an expired Initial Teaching License issued by the State Board pursuant to any of the Department's prior Rules may obtain a Standard License by complying with the provisions of Section 3.01 of these Rules.~~

4-5.02 A licensee holding a current Provisional Teaching License issued by the State Board pursuant to the Department's Rules Governing Initial, Standard/Advanced Level and Provisional Teacher Licensure (eff. July 2010 or July 2007) or pursuant to the Department's Rules Governing Teacher Licensure by Reciprocity (eff. Sept. 2009 or June 2012) may obtain a Standard License upon the submission of the following:

4-5.02.1 A completed application for conversion, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);

4-5.02.2 Documentation that the applicant has applied for and successfully completed all background checks required by the Department's Rules Governing Background Checks and License Revocation Chapter 8 of these rules within the immediately preceding twelve (12) months;

4-5.02.3 An official score report reflecting passing scores, as approved by the State Board, on the appropriate pedagogical or content-area assessments as mandated by the State Board;

4-5.02.4 For applicants seeking licensure in Elementary Education (K-6), Middle School (4-8), or Secondary Social Studies (7-12), documentation of the successful completion of three (3) college credit-hours in Arkansas History at an accredited college or university or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS; and

4-5.02.5 Documentation of the successful completion of any professional development required to meet renewal requirements.

4-5.03 A licensee holding a current Initial Administrator License issued by the State Board pursuant to the Department's Rules Governing Initial and Standard/ Advanced Level Administrator and Administrator – Arkansas Correctional School Licensure (eff. August 2003 or November 2010) may obtain a Standard Administrator License upon the submission of the following:

4-5.03.1 A completed application for conversion, with payment of any applicable fees as established by the State Board pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C);

4-5.03.2 Documentation that the applicant has successfully completed all background checks required by the Department's Rules Governing Background Checks and License Revocation Chapter 8 of these rules within the immediately preceding twelve (12) months; and

4-5.03.3 An official score report reflecting passing scores, as approved by the State Board, on the appropriate administrator licensure assessment as mandated by the State Board.

4-5.04 Any licensee who, as of the effective date of these Rules, is working under a current Additional Licensure Plan (ALP) or Administrator Licensure Completion Plan (ALCP) issued pursuant to any prior Department rules, shall continue under and complete the Plan in accordance with the terms of the Plan as approved by the Department, and in accordance with the prior rules under which the Plan was approved.

4-5.05 If an applicant for first-time licensure or administrator licensure or for the addition of a licensure content area, endorsement, or level of licensure, was enrolled in a program of study prior to July 1, 2014, and meets all other requirements for licensure, the Office of Educator Licensure may reference and utilize the licensure content areas, endorsements, or levels of licensure that were recognized by the State Board immediately prior to the effective date of these Rules.

4-6.0 LICENSE DENIAL, PROBATION, SUSPENSION, REVOCATION OR NON-RENEWAL

4-6.01 Unless a waiver is granted pursuant to Chapter 8 of these rules, the State Board shall not issue a license or license renewal to, and shall revoke, suspend, or place on probation the existing license of, any individual who:

- 4-6.01.1 Has pled guilty, pled nolo contendere to, or been found guilty of any offense that will or may result in license revocation under Ark. Code Ann. § 6-17-410;
 - 4-6.01.2 Has an expunged or a pardoned conviction for any sexual or physical abuse offense committed against a child or any offense that will or may result in license revocation under Ark. Code Ann. § 6-17-410;
 - 4-6.01.3 Has a true report in the Child Maltreatment Central Registry;
 - 4-6.01.4 Holds a teaching or similar license obtained by fraudulent means;
 - 4-6.01.5 Has had a teaching or similar license revoked in another state;
 - 4-6.01.6 Intentionally compromises the validity or security of any student test or testing program administered by or required by the State Board or the Department of Education;
 - 4-6.01.7 Has the completed examination test score of any testing program required by the State Board for teacher licensure declared invalid by the testing program company and so reported to the Department of Education by the testing company;
 - 4-6.01.8 Fails to establish or maintain the necessary requirements and standards set forth in Arkansas law or State Board rules and regulations for teacher licensure;
 - 4-6.01.9 Knowingly submits or provides false or misleading information or knowingly failing to submit or provide information requested or required by law to the Department of Education, the State Board, or the Division of Legislative Audit; or
 - 4-6.01.10 Knowingly falsifies or directs another to falsify any grade given to a student, whether the grade was given for an individual assignment or examination or at the conclusion of a regular grading period.
- 4-6.02 Before denying an application for licensure or renewal, or taking action against an existing license, the Department shall provide to the Applicant or licensee a written notice of the reason for the action and shall afford the Applicant or licensee the opportunity to request a hearing before the State Board under Section 8-5.0 of these rules.

4-7.0 REPORTING REQUIREMENTS FOR SUPERINTENDENTS AND DIRECTORS OF EDUCATIONAL ENTITIES

4-7.01 The superintendent or director of an educational entity shall report in writing by certified mail to the Department's Office of Legal Services the name of any employee of the educational entity, whether currently employed or previously employed at any time during the two (2) preceding school years, who:

4-7.01.1 Has pled guilty or nolo contendere, or has been found guilty, of any offense listed in Ark. Code Ann. §§ 6-17-410(c) or 6-17-414(b);

4-7.01.2 Holds a teaching or similar license obtained by fraudulent means;

4-7.01.3 Has had a teaching or similar license revoked in another state;

4-7.01.4 Has intentionally compromised the validity or security of any student test or testing program administered or required by the Department;

4-7.01.5 Has knowingly submitted falsified information or failed to submit information requested or required by law to the Department, the State Board, or the Division of Legislative Audit; or

4-7.01.6 Has a true report in the Child Maltreatment Central Registry.

4-7.02 The superintendent or director of an educational entity shall report in writing by certified mail to the Department's Office of Legal Services the name of any Fiscal Officer of the district or school, whether currently employed or previously employed at any time during the two (2) preceding school years, who has pled guilty or nolo contendere to, or has been found guilty of, a fraudulent act.

4-7.03 Failure of a superintendent to report a violation by certified mail within five (5) calendar days of knowledge as listed in Section 4-7.01 may result in sanctions imposed by the State Board, including but not limited to loss of accreditation.

4-8.0 FISCAL OFFICER LICENSURE ACTIONS

- 4-8.01 In addition to the requirements of Section 8-2.0 of these rules, an educational entity shall not employ as a Fiscal Officer any individual who has pled guilty or nolo contendere to, or has been found guilty of, a fraudulent act.
- 4-8.02 A currently-employed Fiscal Officer of an educational entity who has pled guilty or nolo contendere to, or has been found guilty of, a fraudulent act shall be dismissed from employment with the educational entity.
- 4-8.02.1 Within five (5) days of knowledge of the plea or conviction, the educational entity shall serve written notice of termination on the Fiscal Officer in person or by certified mail. The notice shall advise the Fiscal Officer of his or her right to a hearing before the State Board.
- 4-8.02.2 The Fiscal Officer may, within thirty (30) days of service of the written notice of termination, request a hearing before the State Board by sending a written request via certified mail to the Department's Office of Legal Services.
- 4-8.02.3 If the Fiscal Officer does not timely request a hearing before the State Board, termination shall become effective thirty (30) days after the date of service of the written notice of termination.
- 4-8.02.4 Termination of employment pursuant to this subsection shall not be subject to the requirements of the Teacher Fair Dismissal Act, Ark. Code Ann. § 6-17-1501 *et seq.* or the Public School Employee Fair Hearing Act, Ark. Code Ann. § 6-17-1701 *et seq.*
- 4-8.03 Any individual found ineligible for employment or dismissed from employment under this Section 4-8.0 may, within thirty (30) days of service of the written notice of denial of employment or written notice of termination, request a hearing before the State Board by sending a written request via certified mail to the Department's Office of Legal Services.
- 4-8.04 Circumstances for which a waiver may be granted shall include without limitation the following:
- 4-8.04.1 The age of the Fiscal Officer at the time the criminal act occurred;

4-8.04.2 The length of time since the conviction;

4-8.04.3 Whether the Fiscal Officer has pled guilty or nolo contendere to, or has been found guilty of, any other criminal violations since the original conviction;

4-8.04.4 Whether the original conviction was expunged or pardoned; and

4-8.04.5 Any other relevant facts.

4-8.05 The hearing shall follow the procedures set forth in Section 8-6.0 of these Rules.

4-8.06 After making its decision, the State Board shall reduce its decision to writing and shall mail copies of the decision to the Fiscal Officer or Applicant and the Superintendent of the affected school district.

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING EDUCATOR LICENSURE

CHAPTER 5:
NONTRADITIONAL LICENSURE

5-1.0 REQUIREMENTS FOR OBTAINING AN APPEL PROVISIONAL AND STANDARD TEACHING LICENSE

5-1.01 The following is required for admission to the APPEL program:

- 5-1.01.1 A completed APPEL program application with all required accompanying documentation.
- 5-1.01.2 Official transcript(s) documenting an awarded four-year college bachelor's degree or higher from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.
 - 5-1.01.2.1 For out-of-country candidates, an official college transcript evaluation from a private credential evaluation agency documenting that the bachelor's degree is equivalent to a four-year degree from an institution of higher learning in the United States that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation. The evaluation by a private credential evaluation agency must be a course-by-course-evaluation prepared in English indicating the candidate's major course of study to include documentation of the candidate's cumulative Grade Point Average (GPA).
- 5-1.01.3 Documentation of a minimum cumulative undergraduate or graduate grade point average (GPA) of 2.50 on a 4.0 scale for cohorts beginning before Summer 2015 or a minimum GPA of 2.75 for the last 60 credit hours of coursework and beginning with the Summer 2015 cohort a minimum cumulative undergraduate or graduate GPA of 2.70 or a minimum GPA of 2.9 for the last 60 credit hours of coursework.

5-1.01.3.1 Candidates for the APPEL program may be exempt from the standard minimum GPA requirement if all the following conditions are met:

5-1.01.3.1.1 Have at least fifteen (15) years of experience in the field related to the teaching/licensure subject area.

5-1.01.3.1.2 Demonstrate a minimum of a 2.0 undergraduate or graduate grade point average for cohorts beginning before Summer 2015 and 2.25 beginning with the Summer 2015 cohort.

5-1.01.3.1.3 Submit one (1) letter of justification from the applicant expressing the relevance of the applicants' credentials to teach the subject in question.

5-1.01.3.1.4 Have two (2) professional letters of recommendation submitted by references to the Office of Educator Effectiveness.

5-1.01.3.1.5 Complete the regular APPEL program application process.

5-1.01.4 An official score report reflecting passing scores, as approved by the State Board of Education, on the following state required assessments:

5-1.01.4.1 The basic skills assessment (all parts).

5-1.01.4.1.1 If a candidate holds a Master's Degree or above, and has taken the graduate level assessment, and has scored at or above the State Board established cut-score/minimum passing score, that assessment shall be accepted in lieu of the basic skills assessment(s).

5-1.01.4.2 The state required subject-content-area assessment(s) for the specific licensure area(s) sought.

5-1.01.5 Payment of the APPEL Program Fee established by the State Board of Education pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C).

5-1.01.6 Applicable coursework, completed in advance, from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation or through ArkansasIDEAS. Required coursework includes:

5-1.01.6.1 Three (3) college credit-hours of Arkansas History or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS for the licenses of Middle Childhood Education (4-8) and Social Studies (7-12).

5-1.01.6.2 Six (6) college credit-hours of instruction in reading that includes at a minimum theories and strategies for teaching reading, diagnosis of reading difficulties, intervention strategies for struggling readers, and disciplinary literacy (completed with a grade of “B” or better), and either a 3-hour course in disciplinary literacy (completed with a grade of “B” or better) or a 45-hour professional development piece in disciplinary literacy through ArkansasIDEAS, for the Middle Childhood Education (4-8) license.

5-1.01.6.3 Three (3) college credit-hours in disciplinary literacy (completed with a grade of “B” or better) or a 45-hour professional development piece in disciplinary literacy through ArkansasIDEAS for the Secondary Education (7-12) license.

5-1.02 Before an APPEL candidate may enter a public school classroom, the candidate shall successfully complete the required background checks by the Child Maltreatment Central Registry, Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann. § 6-17-410.

5-1.03 To obtain a Provisional Teaching License through APPEL a candidate must:

- 5-1.03.1 Be admitted into the APPEL program;
- 5-1.03.2 Be assigned to an APPEL program satellite site for instructional modules and successfully complete all required APPEL program instructional modules, including the summer instructional modules.
 - 5-1.03.2.1 To maintain the Provisional Teaching License, the candidate must continue and successfully complete the school year instructional modules;
- 5-1.03.3 Document employment as a teacher-of-record, teaching a minimum of three (3) hours per day in the appropriate licensure area(s), with a certified mentor approved by the Department in an Arkansas school, open-enrollment public charter school, or education service cooperative during the provisional licensure period.
 - 5-1.03.3.1 If appropriate employment is not secured by October 1 of the year of admission into the APPEL program, the candidate shall be maintained on “hold” (one year only), until the following year.
 - 5-1.03.3.2 A candidate on “hold” shall not be issued a license and shall be required to teach the following year. (The candidate shall still be required to complete two (2) years of teaching within a three-year period.);
- 5-1.03.4 Be mentored according to the requirements for mentoring of novice teachers under Chapter 6 of these rules;
- 5-1.03.5 Pass the appropriate state-mandated pedagogical assessment;
 - 5-1.03.5.1 If the pedagogical assessment is not successfully completed within the APPEL program period, the Provisional Teaching License will be revoked. The participant will be allowed to attend Department-scheduled remedial sessions for one (1) year, during which time the participant may attempt to pass the assessment and, if successful, will be issued a Standard Teaching License.

5-1.03.5.2 If the pedagogical assessment is not successfully completed within the remedial year as provided under Section 5-1.03.5.1, the participant will be administratively withdrawn from the program.

5-1.03.6 Adhere to and abide by all the policies and procedures as outlined in the published APPEL Program Handbook for the year of admission.

5-1.04 A Provisional Teaching License is issued to an APPEL program participant at the beginning of the first year of participation in the program for:

5-1.04.1 One (1) year if the participant is in a one-year program; and

5-1.04.2 Two (2) years, if the participant is in a two-year program.

5-1.05 A Provisional Teaching License under the APPEL program is issued to a participant in one (1) license area (except as follows) based upon the areas and levels of teaching assignment approved by the State Board of Education.

5-1.05.1 A Middle School APPEL participant must be licensed in two (2) or more of the four (4) middle school content areas of math, science, social studies, and language arts, and may have one (1) or more endorsements approved by the State Board of Education.

5-1.05.2 A Secondary APPEL participant may be issued a Provisional Teaching License in one (1) secondary licensure content area or in one (1) license content area with one (1) endorsement added.

5-1.05.2.1 To be licensed in two (2) areas, a Secondary participant must have successfully completed all state-mandated content specific licensure assessments for both areas, and have a teaching assignment in both licensure areas.

5-1.05.2.2 A participant wishing to add social studies must also complete the required three (3) college credit-hours of Arkansas History at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation

or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS, in advance of licensure.

5-1.05.2.3 A Secondary participant with one (1) licensure area may add one (1) endorsement if the participant completes the required program of study, if applicable for the endorsement, successfully completes the state-mandated assessment for the endorsement, and has a teaching assignment in the endorsement area.

5-1.06 An APPEL participant may not file an ALP or teach in an out-of-licensure area while enrolled in the APPEL program.

5-1.07 There are two (2) tracks in the APPEL program: a one-year program or a two-year program.

5-1.07.1 Candidates with a four-year degree who have completed a program of study in the field of Education (all coursework with the exception of Student Teaching) may be eligible to complete a one-year program if their degree was awarded within five (5) years of the date of application.

5-1.07.2 Candidates with a four-year degree, who have not completed a program of study in the field of Education, or those whose Education degree was awarded more than five (5) years before the date of application, must complete a two-year program.

5-1.08 A Standard Teaching License will be issued to an APPEL participant upon the participant's successful completion of the APPEL program.

5-1.09 An applicant who is not a U.S. citizen shall provide evidence satisfactory to the Department that the applicant meets the criteria of an exception under U.S.C. § 1261 for the state to issue a professional license.

5-1.10 Annual enrollment in the APPEL program may be limited by:

5-1.10.1 Licensure requirements.

5-1.10.2 Licensure area and level of candidates (shortage areas may be given preference).

5-1.09.3 Program capacity (in which case applications will not be accepted after capacity is reached).

5-2.0 PROVISIONAL PROFESSIONAL TEACHING LICENSE

5-2.01 A Provisional Professional Teaching License (PPTL) is:

5-2.01.1 A nonrenewable three-year provisional license issued to an experienced professional for the purpose of teaching on a part-time or full-time basis as teacher-of-record in an Arkansas public school.

5-2.01.2 Issued for one (1) or more licensure content areas.

5-2.02 To obtain a Provisional Professional Teaching License a candidate must:

5-2.02.1 Hold a bachelor's degree from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.

5-2.02.1.1 The candidate must provide documentation of a minimum cumulative undergraduate or graduate grade point average (GPA) of 2.50 or a minimum GPA of 2.75 for the last 60 credit hours of coursework.

5-2.02.2 Have a minimum of three (3) years of working experience in the content area of the class to be taught.

5-2.02.3 Be offered employment to teach classes for credit in an Arkansas public school.

5-2.02.4 Submit one (1) letter of justification from the applicant expressing the relevance of the applicant's credentials to teach the subject in question.

5-2.02.5 Have two (2) professional letters of recommendation submitted by references to the Office of Educator Licensure.

5-2.02.6 Pass all appropriate state-mandated basic skills and content-knowledge assessment(s) for the specific licensure area(s) sought.

5-2.02.7 Apply for and successfully complete all criminal background checks and Child Maltreatment Central Registry check within the immediately preceding twelve (12) months.

5-2.02.8 For applicants seeking licensure in Middle School (4-8), or Secondary Social Studies (7-12), document the successful completion of three (3) college credit-hours in Arkansas History at an accredited college or university or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS.

5-2.02.9 Document the completion of the following professional development through the Arkansas IDEAS Portal:

5-2.02.9.1 Two (2) hours of parental involvement;

5-2.02.9.2 Two (2) hours of child maltreatment training; and

5-2.02.9.3 Two (2) hours of teen suicide awareness and prevention; and

5-2.02.9.4 Dyslexia awareness.

5-2.03 An individual who receives a three-year Provisional Professional Teaching License shall complete, in the first year of provisional licensure, twenty-four (24) hours of training in pedagogy as determined by the Department of Education.

5-2.03.1 The twenty-four (24) hours of training in pedagogy are in addition to and not considered a part of the annual professional development required for a Standard Teaching License.

5-2.04 To obtain a Standard Teaching License, an individual holding a Provisional Professional Teaching License must:

5-2.04.1 Undergo a summative evaluation at the end of three (3) years of provisional licensure;

5-2.04.1.1 The applicant must have been identified by the employing school district as proficient or above on the summative evaluation.

5-2.04.2 Submit passing scores on the state-required pedagogical assessment or its substantial equivalent for the content area in which the applicant seeks to teach;

5-2.04.2.1 The assessment shall be taken and passed before the expiration of the three-year provisional license.

5-2.04.3 Provide a recommendation from the superintendent of the employing school district for full licensure; and

5-2.04.4 Pay applicable licensure fees as established by the State Board of Education pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C).

5-2.04-5 An applicant who is not a U.S. citizen shall provide evidence satisfactory to the Department that the applicant meets the criteria of an exception under U.S.C. § 1261 for the state to issue a professional license.

5-3.0 ACCELERATED TEACHING PROGRAM PROVISIONAL AND STANDARD LICENSURE

5-3.01 An Accelerated Teaching Program Provisional License is a nonrenewable provisional teaching license valid for the term of the accelerated teaching program issued to a participant in an accelerated teaching program who meets the following criteria:

5-3.01.1 Is a participant in an accelerated teaching program;

5-3.01.2 Passes a criminal background check and Child Maltreatment Central Registry check;

5-3.01.3 Submits an official score report reflecting passing scores, as approved by the State Board of Education, on all appropriate state-mandated content knowledge assessment(s) for the specific licensure area(s) sought;

5-3.01.4 Is teaching in an Arkansas public school; and

5-3.01.5 If required by the grade level or content area in which the participant is teaching, within one (1) year of the issuance of the provisional license successfully completes three (3) college credit-hours of Arkansas History at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS.

5-3.02 So long as an individual possesses an Accelerated Teaching Program Provisional License, the individual must participate in mentoring as required for novice teachers under Chapter 6 of these rules or a substantial equivalent offered by the accelerated teaching program and approved by the Department.

5-3.03 To obtain a Standard Teaching License, an individual who has completed an accelerated teaching program must:

5-3.03.1 Submit an application for licensure;

5-3.03.2 Furnish evidence of successful completion of the accelerated teaching program;

5-3.03.3 Apply for and successfully complete a criminal background check and Child Maltreatment Central Registry check within twelve (12) months;

5-3.03.4 Submit an official score report reflecting passing scores, as approved by the State Board of Education, on all appropriate state-mandated pedagogical and content-area assessment(s); and

5-3.03.5 If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of three (3) college credit-hours of Arkansas History at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS.

5-3.03.6 Applies for and successfully completed a criminal background check and Child Maltreatment Central Registry check within twelve (12) months as required by Chapter 8 of these rules;

5-3.03.7 An applicant who is not a U.S. citizen shall provide evidence satisfactory to the Department that the applicant meets the criteria of an exception under U.S.C. § 1261 for the state to issue a professional license.

5-3.04 An applicant who meets all requirements of Section 5-3.03 except completion of the Arkansas History requirement and who has not previously held an Accelerated Teaching Program Provisional License may complete the Arkansas History requirement under a one-year nonrenewable Provisional Teaching License. If the Arkansas History requirement is completed during the one-year provisional licensure period, the applicant may be issued a Standard Teaching License.

5-4.0 MASTER'S DEGREE IN TEACHING PROVISIONAL AND STANDARD LICENSURE

5-4.01 An individual enrolled in a master's degree in teaching program (MAT, M.Ed., or MTLL) may obtain a Provisional Teaching License if the individual:

5-4.01.1 Submits evidence of enrollment in a master's degree in teaching program that:

5-4.01.1.1 Is from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation; and

5-4.01.1.2 Either has attained recognition from its affiliated Council for Accreditation of Educator Preparation (CAEP) Specialized Professional Association (SPA), is accredited by a CAEP recognized organization associated with the field of study, or is recommended for approval based upon results of a CAEP or state review of the program;

5-4.01.2 Maintains a cumulative grade point average in the master's degree in teaching program of no less than 2.5 (4.0 scale) until Fall 2015 and 2.7 (4.0 scale) beginning Fall 2015;

5-4.01.3 Applies for and successfully completed a criminal background check and Child Maltreatment Central Registry check;

5-4.01.4 Documents employment as a teacher-of-record, teaching a minimum of three (3) hours per day in the appropriate licensure area(s), and if employed in a public school, with a certified mentor during the provisional licensure period.

5-4.02 A Provisional Teaching License under this Section 5-4.0 is issued in one (1) license area (except as follows) based upon the areas and levels of teaching assignment approved by the State Board of Education.

5-4.02.1 A Provisional Teaching License under this Section 5-4.0 may be issued in two (2) secondary licensure content areas or in one (1) license content area with one (1) endorsement added.

5-4.02.2 An applicant for a provisional license in two (2) areas must successfully complete all state-mandated content specific

licensure assessments for both areas, and have a teaching assignment, in both licensure areas.

5-4.02.3 An applicant for a provisional license in one (1) licensure area may add one (1) endorsement if the applicant completes the required program of study, if applicable for the endorsement, successfully completes the state-mandated assessment for the endorsement, and has a teaching assignment in the endorsement area.

5-4.03 To obtain a Standard Teaching License under these Rules, an individual holding a master's degree in teaching (MAT, M.Ed., or MTLL) must:

5-4.03.1 Submit official transcript(s) documenting an awarded master's degree in teaching from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation, and whose teacher preparation program is:

5-4.03.1.1 Nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation;

5-4.03.1.2 Accredited by the Teacher Education Accreditation Council (TEAC) or Council for Accreditation of Educator Preparation (CAEP); or

5-4.03.1.3 Approved by a member entity of the National Association of State Directors of Teacher Education and Certification (NASDTEC);

5-4.03.2 Applies for and successfully completed a criminal background check and Child Maltreatment Central Registry check within twelve (12) months;

5-4.03.3 Submit an official score report reflecting passing scores, as approved by the State Board of Education, on the appropriate state-mandated pedagogical and content-area assessment(s);

5-4.03.4 If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of three (3) college credit-hours in Arkansas History at an institution of higher education that is regionally or nationally accredited by an accrediting organization

recognized by the U.S. Department of Education or the Council for Higher Education Accreditation or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS; and

5-4.03.5 If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of six (6) college credit-hours of instruction in reading that includes at a minimum theories and strategies for teaching reading, diagnosis of reading difficulties, intervention strategies for struggling readers, and disciplinary literacy, and either a 3-hour course in disciplinary literacy at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation (completed with a grade of “B” or better) or a 45-hour professional development piece in disciplinary literacy through ArkansasIDEAS.

5-4.03.6 Submit documentation of the completion of the following professional development, which may be obtained through the ArkansasIDEAS Portal, the applicant’s teacher education program, or other method of delivery approved by the Department under the Rules Governing Professional Development:

5-4.03.6.1 Two (2) hours of parental involvement;

5-4.03.6.2 Two (2) hours of child maltreatment training;

5-4.03.6.3 Two (2) hours of teen suicide awareness and prevention; and

5-4.03.6.4 Dyslexia awareness.

5-4.04 For an applicant who was not employed as a teacher-of-record and did not hold a Master’s Degree in Teaching Provisional License under this section, a one-year, non-renewable provisional teaching license shall be available for an applicant who holds a master’s degree in teaching if the applicant has completed all other requirements under Section 5-4.03 but has not successfully completed:

5-4.04.1 The Arkansas History requirement under 5-4.03.4; or

5-4.04.2 The instruction in reading and disciplinary literacy required under Section 5-4.03.5.

5-4.05 An individual receiving a Standard Teaching License under this Section 5-4.0 who was not employed in a public school while in a Master’s Degree

in Teaching program shall upon employment in a public school participate in mentoring as required for novice teachers by Chapter 6 of these rules, unless the individual has completed mentoring or a substantial equivalent in an in-state private school or border-state private or public school settings where Common Core and other content standards adopted by the State Board are taught and faculty are subject to an evaluation system that uses a framework substantially similar to Arkansas' TESS.

MARKUP

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING EDUCATOR LICENSURE

CHAPTER 6:
MENTORING

6-1.0 MENTORING REQUIREMENTS FOR NOVICE TEACHERS AND BEGINNING ADMINISTRATORS

6-1.01 Every novice teacher and beginning administrator employed in a public school, open-enrollment public charter school, or other public educational setting shall participate in mentoring for no less than one (1) year.

6-1.01.1 Mentoring for a novice teacher shall consist of a certified mentor providing support and focused feedback with regard to instructional skills, classroom management, and professional behaviors.

6-1.01.2 Mentoring for a beginning administrator shall consist of a certified mentor providing support and focused feedback with regard to skills, management, and professional behaviors.

6-1.01.3 Mentors, novice teachers, and beginning administrators shall attend all Department-mandated training, orientation, or informational meetings.

6-1.01.4 A beginning administrator working under an ALCP shall participate in mentoring for the duration of the ALCP.

6-1.01.5 A novice teacher in a licensed pre-kindergarten setting may in the alternative participate in mentoring offered pursuant to rules promulgated by the Arkansas Department of Human Services.

6-1.02 Every Arkansas public school district, open-enrollment public charter school, or other public educational setting that employs a novice teacher or beginning administrator shall:

6-1.02.1 Notify the Office of Educator Effectiveness (OEE), no later than September 1 of each year, of the appointment of an induction project director who will act as the liaison for the program to the Department;

6-1.02.1.1 Induction project directors are responsible for coordination of mentor assignments, oversight of mentor funding appropriations, adherence to state

rules and guidelines related to mentoring, and all written and fiscal reporting and communications to the Department;

6-1.02.1.2 Induction project directors must attend the annual Project Director Update meeting sponsored by the OEE, in order to have access to the Department's online data system and to be qualified to pair a novice teacher or beginning administrator with a certified mentor;

6-1.02.1.3 As funds are available, induction project directors shall be compensated with a stipend via a sliding scale (not to exceed \$1,000) based on the number of novice teachers and beginning administrators in the school or district;

6-1.02.2 Submit to the OEE via the OEE's online data system:

6-1.02.2.1 No later than September 30 of each year, a register of all novice teacher/mentor pairs and beginning administrator/ mentor pairs employed by the school or district; and

6-1.02.2.2 No later than September 30 of each year, an assurance statement, signed by the induction project director, district superintendent, or charter-school director, that the school or district is in compliance with these Rules regarding mentoring.

6-1.02.3 Assign to each novice teacher, within three (3) weeks of the novice teacher's first contract day of the school year, a certified mentor teacher who is located in the same building, and who:

6-1.02.3.1 Has a compatible background in licensure content area and level of licensure;

5-1.02.3.2 Is trained and certified in the state-adopted mentoring model; and

6-1.02.3.3 Has at least three (3) years of successful teaching experience.

6-1.02.3.3.1 A teacher employed by a public charter school with only one (1)

year of teaching experience may mentor if the public charter school obtains a waiver from the Department;

6-1.02.3.4 The OEE may grant exceptions to these requirements on a case-by-case basis, including the requirement that the mentor teacher be located in the same building;

6-1.02.3.5 Only one (1) novice teacher may be assigned to each mentor teacher, except as allowed by the OEE;

6-1.02.4 Assign to each beginning administrator, within three (3) weeks of the beginning administrator's first contract day of the school year, a certified administrator mentor who has been certified in the state-adopted mentoring model.

6-1.02.4.1 The certified mentor for a beginning administrator shall have a minimum of one (1) year of experience in the area in which the beginning administrator is licensing.

6-1.02.5 Release the following persons for training, orientation, or informational meetings:

6-1.02.5.1 Mentors to attend the initial mentor training and any statewide informational meetings held by the Department;

6-1.02.5.2 Project directors to attend mandatory annual update meetings; and

6-1.02.5.3 Beginning administrators to attend induction training and any statewide informational meetings held by the Department;

6-1.02.6 Provide released time during the contract day for a novice teacher and mentor to work together on the mentoring modules;

6-1.02.7 Assist a novice teacher and mentor to schedule focused observations and professional development activities, and provide activities for mentors and novice teachers, which

engage them in collaborative dialogue, problem solving, and professional development.

6-1.02.7.1 Mentor teachers shall perform a minimum of one (1) formal classroom observation per semester for each novice teacher and shall provide feedback focused on increased professional growth.

6-1.02.7.2 Novice teachers shall observe the mentor in the mentor's classroom a minimum of one (1) observation during the first semester;

6-1.02.8 Notify OEE, via the OEE's online data system, within fifteen (15) days of any personnel changes that might affect annual mentoring budget allocations (such as hiring of a novice teacher midyear, or a novice teacher resigning midyear and being replaced by an experienced teacher for whom mentoring is not appropriate); and

6-1.02.9 Submit, via the OEE's online data system, the end-of-year budget report reflecting mentor stipend expenditures, no later than July 15 of each year.

6-1.02.9.1 Mentor stipends shall be distributed and disbursed within the parameters established by the Department.

6-1.03 A mentee shall complete all modules, observations, and professional growth targets required by the Department in the state-adopted mentoring system .

6-1.04 The OEE will monitor the quality of each public school or district's mentoring program by reviewing all mentoring documentation.

6-1.04.1 All required mentoring and observation documentation shall be uploaded to the OEE's online data system and verified by the induction project director.

6-1.04.2 Mentoring and observational information shall not be utilized in any way for employment or evaluation decisions unless students are at risk, either physically or emotionally.

6-1.05 School districts or open-enrollment public charter schools that do not comply with these rules shall be placed in accredited-cited status for licensure deficiencies. Licensure deficiencies for this purpose includes without limitation:

6-1.05.1 Failure to register all mentors, novice teachers, and beginning administrators with the OEE;

6-1.05.2 Failure to comply with established guidelines for assignment, support, and monitoring of mentors and novice teachers or beginning administrators; and

6-1.05.3 Failure to submit all appropriate documentation.

6-2.0 MENTORING REQUIREMENTS FOR SUPERINTENDENTS

6-2.01 General Provisions

6-2.01.1 These rules apply to a first-year Arkansas superintendent, that is, a licensed educator who will become a superintendent in Arkansas for the first time during the 2011-2012 school year or each school year thereafter. The term does not refer to other district level administrators, such as deputy superintendents, assistant superintendents or associate superintendents. The term does not refer to acting superintendents or interim superintendents unless the acting superintendents or interim superintendents become the permanent superintendents of the district.

6-2.01.2 Beginning with the 2011-2012 school year, a first-year Arkansas superintendent shall complete the superintendent mentoring program within twelve (12) months of obtaining or maintaining employment as a superintendent to maintain his or her superintendent's license.

6-2.01.2.1 Except as noted in subsection 5-2.01.2.2 below, the twelve (12) month superintendent mentoring program period shall begin upon the first day that the first-year Arkansas superintendent obtains employment with an Arkansas public school district, as evidenced by the effective date contained in the signed employment contract between the superintendent and an Arkansas public school district.

6-2.01.2.2 For an interim or acting superintendent of a school district who becomes the permanent superintendent of the same school district, the twelve (12) month superintendent mentoring

program period shall begin upon the date the interim or acting superintendent becomes the permanent superintendent pursuant to official action of the school district's board of directors.

6-2.01.3 The Department of Education shall, in conjunction with the Arkansas Association of Educational Administrators, develop all curriculum and training materials for the superintendent mentoring program.

6-2.01.4 Membership in the Arkansas Association of Educational Administrators, or any other organization, is not required in order for a superintendent to successfully complete the requirements of the program.

6-2.01.5 The requirements contained in these rules are in addition to those contained in other areas of Arkansas law or in other rules of the State Board of related to administrator licensure, including without limitation, the Arkansas Department of Education Rules Governing Initial and Standard/Advanced Level Administrator and Administrator – Arkansas Correctional School Licensure.

6-2.02 Program Requirements

6-2.02.1 The superintendent mentoring program shall include the following components:

6-2.02.1.1 Curriculum and instruction;

6-2.02.1.2 Ethics;

6-2.02.1.3 Facilities;

6-2.02.1.4 Human resources;

6-2.02.1.5 Leadership;

6-2.02.1.6 School funding;

6-2.02.1.7 Technology;

6-2.02.1.8 School board relations;

6-2.02.1.9 Standards for Accreditation of Arkansas Public Schools and School Districts;

6-2.02.1.10 Understanding reports and trend data; and

6-2.02.1.11 Legal issues.

6-2.02.2 The required course of study for the superintendent mentoring program shall not consist of less than thirty (30) hours of instruction. Twelve (12) of the thirty (30) hours of instruction shall consist of documented interaction between the mentor and superintendent mentee.

6-2.02.3 A first-year Arkansas superintendent who completes the requirements of the superintendent mentoring program may use the training toward fulfillment of the Initial Tier 1 training set forth by Ark. Code Ann. § 6-20-2204 and the Arkansas Department of Education Rules Governing the Arkansas Financial Accounting and Reporting System and Annual Training Requirements. A first-year Arkansas superintendent who has previously completed Initial Tier 1 training must nevertheless complete the requirements of the superintendent mentoring program.

6-2.02.4 Instruction under the superintendent mentoring program may take place in person, through distance learning, through Compressed Interactive Video (CIV), or a combination thereof.

6-2.02.5 The superintendent mentor and superintendent mentee shall keep a signed, written record of progress that includes a description of:

6-2.02.5.1 The subject of instruction and areas covered;

6-2.02.5.2 Whether the instruction took place in person, through distance learning, through Compressed Interactive Video (CIV), or a combination thereof; and

6-2.02.5.3 The amount of time of instruction during each session.

6-2.02.6 In order to successfully complete the superintendent mentoring program, a superintendent must:

6-2.02.6.1 Take and pass an assessment for each of the program components described in Section 6-2.02.1 of these rules; and

6-2.02.6.2 Complete a final assessment or project covering the entire program.

6-2.02.3 Upon proof of successful completion of the superintendent mentoring program, a superintendent will receive a certificate of program completion from the Department of Education.

6-2.03 Sanctions

6-2.03.1 A first-year Arkansas superintendent who does not complete the requirements of the superintendent mentoring program within twelve (12) months of obtaining or maintaining employment as a superintendent shall be ineligible to maintain his or her superintendent's license.

6-2.03.2 If, due to the physical or mental disability of the superintendent or other extenuating circumstances as may be recognized by the State Board, a superintendent does not complete the requirements of the superintendent mentoring program within twelve (12) months of obtaining or maintaining employment as a superintendent, the State Board may permit the superintendent up to an additional twelve (12) months to complete the program.

6-2.04 Mentor Qualifications

6-2.04.1 For the purposes of these rules, a mentor shall meet the following basic qualifications:

6-2.04.1.1 A practicing Arkansas superintendent or retired Arkansas superintendent;

6-2.04.1.2 Successfully completes an application and screening process as set forth by the Department of Education; and

6-2.04.1.3 Successfully completes a mentor training program as set forth by the Department of Education.

6-2.04.2 The Department of Education will certify mentors who meet the qualifications outlined in Section 6-2.04.1 of these rules.

6-2.05 Funding

6-2.05.1 This Section 6-2.0 is subject to the appropriation and availability of funding.

6-2.05.2 The Department of Education may, through the use of contracts, grants, or sub-grants, coordinate with qualified entities to provide training under the superintendent mentoring program to superintendents in Arkansas.

MARKUP

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING EDUCATOR LICENSURE

CHAPTER 7:
LIFETIME TEACHING LICENSE

7-1.0 ELIGIBILITY REQUIREMENTS FOR OBTAINING THE LIFETIME TEACHING LICENSE

7-1.01 Applicants for the Standard Lifetime shall meet the following eligibility requirements:

7-1.01.1 Hold a current, or expired standard Arkansas teaching license;

7-1.01.2 Be at least (62) years of age; and

7-1.01.3 Either:

7-1.01.3.1 Have worked in an educational setting while maintaining an Arkansas teaching license, or

7-1.01.3.2 Have made significant contributions to education, educational research, or the profession of teaching through scholarly endeavors, teaching experience, excellence in teaching or educational innovation;

7-1.02 Applicants shall apply for and successfully complete the criminal background checks and Child Maltreatment Central Registry check required under Chapter 8 of these rules upon application for the Lifetime Teaching License.

7-1.02.1 The required background check or Child Maltreatment Central Registry check cannot be older than one year at the time of application.

7-2.0 GENERAL POLICIES AND PROCEDURES RELATING TO THE LIFETIME TEACHING LICENSE

7-2.01 The Department shall issue a Lifetime Teaching License upon:

7-2.01.1 The applicant submitting to the Office of Educator Licensure at the Department a completed application requesting the Lifetime Teaching License, using the application form developed by the Department;

7-2.01.2 The applicant meeting the eligibility requirements in Section 7-1.0 of these rules; and

7-2.01.3 The application being approved by the State Board.

7-2.02 The Lifetime Teaching License shall reflect the applicant's licensure areas at the time of the application.

7-2.03 A teacher holding a Lifetime Teaching License is not required to renew his or her teaching license.

7-2.04 A Lifetime Teaching License is subject to the same laws for revocation as any Arkansas teaching license.

7-2.05 A lifetime teaching license holder is not subject to the requirements for annual professional development unless employed pursuant to subsection 7-3.02 of this rule.

7-2.06 The lifetime teaching license shall terminate upon the death or legal incapacity of the license holder.

7-3.0 EMPLOYMENT OF LIFETIME TEACHING LICENSE HOLDERS

7-3.01 A lifetime teaching license holder is eligible to serve a school district, educational services cooperative or the Department in the following capacities:

7-3.01.1 Substitute teacher

7-3.01.2 Tutor

7-3.01.3 Mentor

7-3.01.4 Test Investigator

7-3.01.5 Scholastic Audit Consultant

7-3.01.6 Others as defined by the Department

7-3.02 A lifetime teaching license holder who becomes employed full-time or part-time by a school district, education service cooperative as a licensed educator, or by the Department in a position that requires a current license issued by the State Board shall:

7-3.02.1 Apply for and successfully complete the criminal background checks and Child Maltreatment Central Registry check required under Chapter 8 of these rules; and

7-3.02.2 Participate in the professional development programs as required by the employing school district, cooperative or Department.

7-3.02.2.1 A lifetime teaching license holder who has not taught or been employed in an educational setting for which a license is required for one (1) or more years shall be required to provide the Department verification of twenty (20) hours of relevant professional development prior to reentering the educational setting.

7-3.02.3 A school district that hires a lifetime teaching license holder shall notify the Department of the within thirty (30) days of the employment of the lifetime teaching license holder.

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING EDUCATOR LICENSURE

CHAPTER 8:
BACKGROUND CHECK REQUIREMENTS

8-1.0 REGULATORY PURPOSE

8-1.01 It is the purpose of these rules to set forth the requirements for a criminal background check and a Child Maltreatment Central Registry check for:

8-1.01.1 Each first-time applicant for a license issued by the State Board of Education;

8-1.01.2 Each applicant for his or her license renewal;

8-1.01.3 Each applicant for initial employment in a licensed staff position with an educational entity; and

8-1.01.4 Each preservice teacher.

8-1.02 It is further the purpose of these rules to:

8-1.02.1 Prescribe the procedure for revocation, suspension, or placing on probation of an educational license.

8-1.02.2 Clarify that superintendents and charter school directors shall have the responsibility of reporting licensure violations of teachers and fraudulent acts by Fiscal Officers to the State Board; and

8-1.02.3 Provide a procedure for applying to the State Board for a waiver of a disqualifying offense.

8-2.0 REQUIREMENTS FOR LICENSURE

8-2.01 Except as otherwise provided herein, an Applicant may not be issued a first-time license or license renewal without the successful completion of a criminal records check and the successful completion of a Child Maltreatment Central Registry check as required by these Rules.

8-2.02 The background check must be obtained during the twelve (12) months before the license is issued.

8-2.03 The Applicant shall be responsible for the payment of any fees associated with the criminal records check and Child Maltreatment Central Registry check.

8-2.04 Applicants for a first-time license or renewal of a license issued by the State Board

8-2.04.1 Each first-time Applicant for a license and each Applicant for renewal of a license issued by the State Board shall be required to apply to:

8-2.04.1.1 The Identification Bureau of the Department of Arkansas State Police for a criminal records check; and

8-2.04.1.2 The Department of Human Services for a Child Maltreatment Central Registry check.

8-2.04.2 The Applicant should begin the process of obtaining the criminal records check and Child Maltreatment Central Registry check by July 1 of the year in which the Applicant's license expires.

8-2.04.3 The Applicant shall be responsible for the payment of any fees associated with the criminal records check and Child Maltreatment Central Registry check.

8-2.05 Preservice teachers

8-2.05.1 Each Applicant who is a preservice teacher shall apply to:

8-2.05.1.1 The Identification Bureau of the Department of Arkansas State Police for a criminal records check; and

8-2.05.1.2 The Department of Human Services for a Child Maltreatment Central Registry check.

8-2.05.2 The Applicant shall be responsible for the payment of any fees associated with the criminal records check and Child Maltreatment Central Registry check.

8-2.05.3 These rules do not require an institution of higher education to bar a student from enrollment due to a disqualifying criminal

conviction or a true report in the Child Maltreatment Central Registry.

8-3.0 REQUIREMENTS FOR EMPLOYMENT

8-3.01 Each Applicant for initial employment or non-continuous reemployment in a licensed staff position for an educational entity shall be required as a condition of employment to apply to:

8-3.01.1 The Identification Bureau of the Department of Arkansas State Police for a criminal records check; and

8-3.01.2 The Department of Human Services for a Child Maltreatment Central Registry check.

8-3.02 The board of directors of a receiving or resulting public school district in a consolidation, annexation, or detachment may waive the requirements of this Section 8-3.0 for personnel who were employed by an affected district immediately prior to the annexation, consolidation, or detachment and who had a complete criminal records check conducted as a condition of the person's most recent employment with the affected district as required under this section.

8-3.03 An educational entity shall not employ in a licensed staff position any individual who has a true report in the Child Maltreatment Central Registry, unless the State Board granted a waiver by awarding a license or renewal under Section 8-5.0 herein.

8-3.04 An educational entity shall not employ in a licensed staff position any individual who has pled guilty, pled nolo contendere to, or been found guilty of any offense that will or may result in license revocation under Ark. Code Ann. § 6-17-410, unless the State Board granted a waiver by awarding a license or renewal under Section 8-5.0 herein.

8-3.05 An educational entity may offer provisional employment to an affected Applicant pending receipt of the results of the nationwide criminal records or Child Maltreatment Central Registry checks.

8-3.06 The Applicant shall be responsible for the payment of any fees associated with the criminal records check and Child Maltreatment Central Registry check, unless the board of directors of the employing educational entity chooses to pay the fees.

8-4.0 BACKGROUND CHECK PROCEDURES

- 8-4.01 The criminal records check and Child Maltreatment Central Registry check required by these Rules shall be initiated by the submission to the educational entity of a release of information to the Department signed by the Applicant.
- 8-4.01.1 For the purposes of these Rules, a criminal records check shall consist of a statewide criminal records check to be conducted by the Department of Arkansas State Police and a nationwide criminal records check to be conducted by the Federal Bureau of Investigation.
- 8-4.01.2 Criminal records checks shall conform to the applicable federal or state standards and shall include the taking of fingerprints.
- 8-4.01.3 Each applicant shall provide fingerprints by completing the State Police fingerprint card in the presence of a law enforcement officer, and shall have the law enforcement officer sign the fingerprint card and give his/her jurisdiction, the date and his/her badge number, or by any other method approved by the Department of Education.
- 8-4.01.4 If a legible set of fingerprints, as determined by the Identification Bureau of the Department of Arkansas State Police, cannot be obtained after a minimum of three (3) attempts, the Department of Education shall determine eligibility for licensure or employment based upon a name check by the Identification Bureau of the Department of Arkansas State Police and the Federal Bureau of Investigation.
- 8-4.01.5 To be valid for consideration, a criminal records check or Child Maltreatment Central Registry check must have been completed no earlier than twelve (12) months prior to the application for licensure, renewal, student teaching internship, or employment.
- 8-4.02 Any information received by the Department from the Department of Arkansas State Police, the Department of Human Services, or the Federal Bureau of Investigation pursuant to these Rules shall not be available for examination except by the affected applicant or his or her duly authorized representative, and no record, file, or document shall be removed from the custody of the Department of Education.

8-4.02.1 Any information made available to the affected applicant for licensure or the person whose license is subject to revocation shall be information pertaining to that applicant only.

8-4.02.2 Rights of privilege and confidentiality established under this section shall not extend to any document created for purposes other than this background check.

8-4.03 New or existing employees of an educational entity who have a contract with or work for more than one (1) educational entity in one (1) school year shall be required to have only one (1) criminal records check and one (1) Child Maltreatment Central Registry check to satisfy the requirements of all employing educational entities for that year.

8-5.0 NOTICE; WAIVER

8-5.01 Before denying an application for licensure or renewal, or taking action against an existing license, the Department shall provide to the Applicant or licensee a written notice of the reason for the action and shall afford the Applicant or licensee the opportunity to request a hearing before the State Board under this Section 8-5.0.

8-5.02 Upon receiving the written notice required by Section 8-5.01 a person may:

8-5.02.1 Decline to answer the notice, in which case the State Board shall hold a hearing to establish by a preponderance of the evidence that cause for the proposed action exists;

8-5.02.2 Contest the allegations of fact and request a hearing in writing, in which case the person shall be given an evidentiary hearing before the State Board if one is requested;

8-5.02.3 Admit the allegations of fact and request a hearing before the State Board to request a waiver; or

8-5.02.4 Stipulate or reach a negotiated agreement, which must be approved by the State Board.

8-5.03 A preservice teacher who receives notice under this section and who desires to request a hearing before applying for licensure shall submit to the Department the following items with the written request for a hearing:

8-5.03.1 Proof of acceptance or enrollment in a teacher preparation program approved by the Department; and

8-5.03.2 A written recommendation from the teacher preparation program.

8-5.04 A written request for hearing by the Applicant, licensee, or board of directors of a school district or open-enrollment public charter school must be received by the Department's Office of Legal Services no more than thirty (30) days after the receipt of the notice of denial, nonrenewal, or other action by the Applicant or licensee.

8-5.04.1 If the person requesting a hearing fails to appear at the hearing, the hearing shall proceed in the manner described in Section 8.5.01.1 above.

8-5.05 Any hearing shall comply with the procedures set forth in Section 8-6.0 herein.

8-5.06 Circumstances for which a waiver may be granted after a hearing pursuant to this Section 8-5.0 shall include without limitation the following:

8-5.06.1 The age at which the crime or incident was committed;

8-5.06.2 The circumstances surrounding the crime or incident;

8-5.06.3 The length of time since the crime or incident;

8-5.06.4 Subsequent work history;

8-5.06.5 Employment references;

8-5.06.6 Character references; and

8-5.06.7 Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.

8-5.07 After a hearing, the State Board may take one (1) or more of the following actions:

8-5.07.1 Revoke a license permanently;

8-5.07.2 Suspend a license for a terminable period of time or indefinitely;

- 8-5.07.3 Place or grant a license on probationary status for a terminable period of time with the license to be revoked or suspended if the probationary period is not successfully completed;
- 8-5.07.4 Impose a monetary penalty not to exceed five hundred dollars (\$500.00) for each violation;
- 8-5.07.5 Require a licensee to complete appropriate professional development programs, education courses, or both;
- 8-5.07.6 Require a licensee to successfully complete a licensing examination, credentialing examination, or any other examination required by law or rule to obtain a permit, license, endorsement, or licensure area;
- 8-5.07.7 Impose conditions or restrictions on the teaching or educational activities of the licensee;
- 8-5.07.8 Impose any other requirement or penalty as may be appropriate under the circumstances of the case and which would achieve the Board's desired disciplinary purposes, but which would not impair the public health or welfare; or
- 8-5.07.9 Take no action against a license.
- 8-5.08 If, after a hearing, the State Board approves a waiver for a preservice teacher:
 - 8-5.08.1 The individual may obtain a license only upon:
 - 8-5.08.1.1 Successful completion of the teacher preparation program for which the preservice teacher has provided proof of acceptance or enrollment under Section 8-5.03.1; and
 - 8-5.08.1.2 Fulfillment of all other requirements for licensure.
 - 8-5.08.2 A waiver granted under this Section 8-5.08 shall also operate as a waiver under Ark. Code Ann. § 6-17-414 for the preservice teacher to work for a school district as a student teacher.

8-6.0 STATE BOARD HEARING PROCEDURES

- 8-6.01 Each party shall exchange exhibits and witness lists thirty (30) calendar days before the scheduled hearing date, unless both parties agree to a shorter period of time.
- 8-6.02 Requests for subpoenas must be received in the Office of Legal Counsel not less than ten (10) calendar days before the hearing date.
- 8-6.03 Each party will have the opportunity to present an opening statement of no longer than five (5) minutes, beginning with the representative of the Department of Education. The Chair of the State Board may, only for good cause shown and upon the request of either party, allow either party additional time to present their opening statements.
- 8-6.04 Each party will be given twenty (20) minutes to present their cases, beginning with the representative of the Department of Education. The Chair of the State Board may, only for good cause shown and upon the request of either party, allow either party additional time to present their cases.
- 8-6.05 Every witness giving oral testimony must be sworn under oath by the court reporter and shall be subject to direct examination, cross examination, and questioning by the State Board.
- 8-6.06 For the purposes of the record, documents offered during the hearing by the Department of Education shall be clearly marked in sequential, numeric order (1, 2, 3).
- 8-6.07 For the purposes of the record, documents offered during the hearing by the appealing Applicant or licensee shall be clearly marked in sequential, alphabetic letters (A, B, C).
- 8-6.08 The Department of Education shall have the burden of proving, by a preponderance of the evidence, that cause for the proposed licensure action exists, and that the recommended disposition from the Department be adopted.
- 8-6.09 While the scope of each party's presentation ultimately lies within the State Board Chair's discretion, case presentation should be arranged in such a way as to avoid redundant testimony.
- 8-6.10 After both parties have presented their cases, the State Board may allow each party to present limited rebuttal testimony.

8-6.11 After making its decision, the State Board shall reduce its decision to writing and shall mail copies of the decision to each party, each party's attorney, and the superintendent or director of any interested educational entity.

8-6.12 The State Board's written decision shall constitute the final agency action for purposes of judicial review pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-201 *et seq.*

MARKUP

Appendix A: LEVELS AND AREAS OF LICENSURE

CHART FOR TESTING OUT

INITIAL LICENSURE LEVEL	LICENSURE LEVEL TO TEST OUT OF					
	B-K	K-6	4-8	4-12	7-12	K-12
B-K		X				
P-4*		X	X			
K-6		X	X			
1-6		X	X			
4-8		X	X	X	X	
4-12		X	X	X	X	
7-12			X	X	X	
P-8		X	X	X	X	
K-12			X	X	X	X

* The reference to P-4 here applies only to an applicant who entered a P-4 teacher education program before Fall 2015.

EDUCATORS WITH AN INITIAL LEVEL OF LICENSURE IDENTIFIED UNDER INITIAL LICENSURE LEVEL MAY TEST OUT OF OTHER STANDARD AREAS AND LEVELS OF LICENSURE MARKED WITH THE "X".

EDUCATORS MAY TEST OUT OF LICENSURE AREAS THAT ARE ONE GRADE LEVEL ABOVE OR BELOW THEIR INITIAL LICENSURE AREA AND LEVEL. AREAS OF LICENSURE BEING ADDED BY TESTING OUT SHALL HAVE A SUBJECT SPECIFIC ASSESSMENT TO BE ELIGIBLE FOR TESTING OUT. AREAS OF LICENSURE TO THE INITIAL LICENSURE AREA CANNOT BE USED TO EXPAND THE LEVELS OF LICENSURE THAT CAN BE ADDED BY TESTING OUT. EDUCATOR LICENSURE WILL ADD THE NEW AREA OF LICENSURE ONCE IT HAS RECEIVED A COMPLETED APPLICATION WITH A COPY OF THE PRAXIS SCORE REPORT REFLECTING A PASSING SCORE.

EXCEPTION AREA ENDORSEMENTS, SPECIAL EDUCATION, EDUCATIONAL LEADERSHIP & SUPERVISION, ANCILLARY LICENSES, AND CAREER AND TECHNICAL AND ADULT EDUCATION CANNOT BE ADDED BY TESTING OUT. THEY CAN BE ADDED ONLY BY COMPLETING COURSEWORK AND THE REQUIRED PRAXIS ASSESSMENT.

EDUCATORS INTERESTED IN ADDING AN ADDITIONAL AREA OF LICENSURE ARE ENCOURAGED TO REFER TO THE RULES GOVERNING EDUCATOR LICENSURE AS ADOPTED BY THE STATE BOARD OF EDUCATION.

WHEN TESTING OUT OF ELEMENTARY K-6 THE EDUCATOR SHALL DOCUMENT SIX (6) HOURS OF INSTRUCTION IN READING THAT INCLUDES AT A MINIMUM THEORIES AND STRATEGIES FOR TEACHING READING, DIAGNOSIS OF READING DIFFICULTIES, INTERVENTION STRATEGIES FOR STRUGGLING READERS, AND DISCIPLINARY LITERACY, AND EITHER A 3-HOUR COURSE IN DISCIPLINARY LITERACY OR A 45-HOUR PROFESSIONAL DEVELOPMENT PIECE IN DISCIPLINARY LITERACY THROUGH ARKANSAS IDEAS.

WHEN TESTING OUT OF MIDDLE CHILDHOOD 4-8, THE EDUCATOR SHALL DOCUMENT THE COMPLETION OF EITHER A 3-HOUR COURSE IN DISCIPLINARY LITERACY OR A 45-HOUR PROFESSIONAL DEVELOPMENT PIECE IN DISCIPLINARY LITERACY THROUGH ARKANSAS IDEAS.

WHEN TESTING OUT OF A LICENSURE AREA BELOW 7-12, AN EDUCATOR WHO IS LICENSED IN THE 7-12 LICENSURE LEVEL SHALL DOCUMENT SIX (6) HOURS OF INSTRUCTION IN READING THAT INCLUDES AT A MINIMUM THEORIES AND STRATEGIES FOR TEACHING READING, DIAGNOSIS OF READING DIFFICULTIES, INTERVENTION STRATEGIES FOR STRUGGLING READERS, AND DISCIPLINARY LITERACY, AND EITHER A 3-HOUR COURSE IN DISCIPLINARY LITERACY OR A 45-HOUR PROFESSIONAL DEVELOPMENT PIECE IN DISCIPLINARY LITERACY THROUGH ARKANSAS IDEAS.

NOTE: PROGRAMS OF STUDY RELATED TO NEW/REVISED LEVELS AND AREAS OF LICENSURE WILL BE IMPLEMENTED BEGINNING FALL 2014.

Appendix A: LEVELS AND AREAS OF LICENSURE

EXCEPTION AREA ENDORSEMENTS	ADD-ON TO A STANDARD LICENSE				
	Pre-K	K-6	5-6	8	K-12
LIBRARY MEDIA SPECIALIST					X
READING SPECIALIST					X
GUIDANCE & COUNSELING					X
GIFTED & TALENTED					X
ENGLISH AS A SECOND LANGUAGE					X
EDUCATIONAL EXAMINER					X
COACHING					X
INSTRUCTIONAL FACILITATOR					X
GRADE 5-6 ENDORSEMENT (FOR 7-12 TEACHER LICENSED IN A CORE CONTENT AREA(S) OF MATH, SCIENCE, LANG ARTS OR SOCIAL STUDIES)			X		
AGE 3-4 ENDORSEMENT (FOR TEACHERS HOLDING AN ELEMENTARY K-6 LICENSE)	X				
CONTENT SPECIALIST (FOR MATH, SCIENCE AND LITERACY FOR TEACHERS HOLDING A K-6 LICENSE)		X			

EXCEPTION AREA ENDORSEMENTS CANNOT BE ADDED TO A STANDARD TEACHING LICENSE BY TESTING OUT. THESE AREAS OF LICENSURE SHALL BE ADDED TO A STANDARD TEACHING LICENSE BY MEETNIG ALL REQUIREMENTS AS IDENTIFIED ON THE ADDITIONAL LICENSURE PLAN AND IN THESE RULES FOR THE AREA BEING ADDED. ENDORSEMENTS CANNOT BE USED AS PLATFORMS FOR TESTING OUT OF OTHER AREAS AND LEVELS OF LICENSURE. EDUCATORS ADDING THE GRADE 5-6 ENDORSEMENT TO A 7-12 LICENSURE CONTENT AREA OF MATH, SCIENCE, ENGLISH, OR SOCIAL STUDIES SHALL DOCUMENT SUCCESSFUL COMPLETION OF EITHER A 3-HOUR COURSE IN DISCIPLINARY LITERACY OR A 45-HOUR PROFESSIONAL DEVELOPMENT PIECE IN DISCIPLINARY LITERACY THROUGH ARKANSAS IDEAS.

EDUCATIONAL LEADERSHIP & SUPERVISION	P-12
DISTRICT ADMINISTRATOR	X
BUILDING ADMINISTRATOR	X
CURRICULUM PROGRAM ADMINISTRATOR	X

THESE AREAS OF LICENSURE CANNOT BE ADDED TO A STANDARD LICENSE BY TESTING OUT. THESE AREAS OF LICENSE SHALL BE ADDED TO A STANDARD LICENSE BY MEETING ALL REQUIREMENTS AS IDENTIFIED IN THESE RULES AND ON THE ADDITIONAL LICENSURE PLAN FOR THE AREA BEING ADDED.

	INITIAL AREA OF LICENSURE OR ADD-ON TO A STANDARD LICENSE
ANCILLARY STUDENT SERVICES	K-12
SCHOOL PSYCHOLOGY SPECIALIST	X
SPEECH LANGUAGE PATHOLOGY	X

AN ANCILLARY LICENSE MAY BE OBTAINED AS AN INITIAL AREA OF LICENSURE OR MAY BE OBTAINED AS AN ADD-ON TO A STANDARD LICENSE. THESE AREAS OF LICENSURE CANNOT BE ADDED TO A STANDARD LICENSE BY TESTING OUT.

NO OTHER AREA OF LEVEL OF LICENSURE CAN BE ADDED TO AN ANCILLARY LICENSE BY TESTING OUT.

REQUIREMENTS FOR ANCILLARY LICENSURE CAN BE FOUND IN THE RULES GOVERNING EDUCATOR LICENSURE.

Appendix A: LEVELS AND AREAS OF LICENSURE

LICENSURE CONTENT AREA	AS AN INITIAL LICENSURE AREA							AS AN ADD-ON TO STANDARD LICENSE						
	B-K	K-6	4-8	7-12	K-12	4-12	PS	B-K	K-6	4-8	7-12	K-12	4-12	PS
*ECH/SP.ED INTEGRATED	X							X						
ELEMENTARY		X							X					
MIDDLE CHILDHOOD (MATH, SCIENCE, LANG ARTS, SOCIAL STUDIES) MUST CHOOSE ANY TWO OF THE FOUR CONTENT AREAS LISTED FOR INITIAL LICENSURE. ANY AREA MAY BE ADDED INDIVIDUALLY TO A STANDARD LICENSE.			X							X				
LIFE SCIENCE				X							X			
PHYSICAL SCIENCE				X							X			
EARTH SCIENCE											X			
ENGLISH LANG ARTS				X							X			
SOCIAL STUDIES				X							X			
PHYSICS/MATHEMATICS				X							X			
MATHEMATICS				X							X			
BUSINESS TECHNOLOGY						X							X	
MARKETING TECHNOLOGY				X							X			
AGRICULTURE SCIENCE & TECH				X							X			
FAMILY & CONSUMER SCIENCE				X							X			
INDUSTRIAL TECHNOLOGY				X							X			
DRAMA				X							X			
SPEECH				X							X			
JOURNALISM											X			
ART					X				X		X			
VOCAL MUSIC					X				X		X			
INSTRUMENTAL MUSIC					X				X		X			
DRAMA / SPEECH					X							X		
PHYSICAL EDU / HEALTH					X				X		X			
* SPECIAL EDUCATION					X							X		
* VISUAL SPECIALIST					X							X		
* HEARING SPECIALIST					X							X		
FOREIGN LANGUAGES					X				X		X			
* GUIDANCE & COUNSELING					X							X		
*ADULT EDUCATION							X							X

* THESE AREAS OF LICENSURE CANNOT BE ADDED TO A STANDARD LICENSE BY TESTING OUT.

NOTE: B-K=BIRTH TO KINDERGARTEN; ECH=EARLY CHILDHOOD; SP.ED=SPECIAL EDUCATION; PS=POST-SECONDARY

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING
BACKGROUND CHECKS ~~AND LICENSE REVOCATION~~ FOR CLASSIFIED
SCHOOL EMPLOYEES
~~December 2013~~ _____, 2014

1.00 REGULATORY AUTHORITY AND PURPOSE

- 1.01 These rules shall be known as Arkansas Department of Education Rules Governing Background Checks ~~and License Revocation~~ for Classified School Employees.
- 1.02 The State Board of Education enacts these Rules pursuant to its authority as set forth in Ark. Code Ann. §§ 6-11-105, ~~6-17-410, 6-17-411, 6-17-414, and 6-17-421~~, 25-15-201 *et seq.*, ~~and Act 455 of 2013~~.
- 1.03 It is the purpose of these rules to set forth the requirements for a criminal background check and a Child Maltreatment Central Registry check for:
- 1.03.1 ~~Each first time applicant for a license issued by the State Board of Education;~~
- 1.03.2 ~~Each applicant for his or her license renewal;~~
- 1.03.3 ~~Each applicant for initial employment in a licensed staff position with a public school district or open enrollment public charter school;~~
- 1.03.4 ~~Each each applicant for initial employment or non-continuous reemployment in a classified or non-licensed staff position with a public school district, open enrollment public charter school, or education service cooperative; and an educational entity.~~
- 1.03.5 ~~Each preservice teacher.~~
- 1.04 ~~It is further the purpose of these rules to prescribe the procedure for revocation, suspension, or placing on probation of an educational license.~~
- 1.05 ~~It is further the purpose of these rules to clarify whose criminal records check and Child Maltreatment Central Registry check fees shall be paid by the Department of Education.~~
- 1.06 ~~It is further the purpose of these rules to clarify that superintendents and charter school directors shall have the responsibility of reporting licensure violations of teachers and fraudulent acts by Fiscal Officers to the State Board.~~

2.00 DEFINITIONS

For the purposes of these rules:

- 2.01 “Affected District” – A public school district that loses territory or students as a result of annexation, consolidation, or detachment.
- 2.02 “Applicant” – Includes any individual:
- ~~2.02.1 Applying for his or her first license to be issued by the State Board of Education;~~
 - ~~2.02.2 Applying for his or her license renewal;~~
 - ~~2.02.3 Seeking initial employment in a licensed staff position with a public school district or open enrollment public charter school;~~
 - 2.02.1 Seeking initial employment or non-continuous reemployment in a non-licensed staff position with a public school district, open-enrollment public charter school, or education service cooperative; or
 - ~~2.02.5 Seeking initial employment as a Fiscal Officer of a public school district or open enrollment public charter school;~~
 - 2.02.6 Seeking registered volunteer status pursuant to the Arkansas Registered Volunteers Program Act, Ark. Code Ann. § 6-22-101 *et seq.*; ~~or~~
 - ~~2.02.7 Who is a preservice teacher.~~
- 2.03 ~~“Breach of Fiduciary Trust” the wrongful misappropriation by a person of any fund or property, which had lawfully been committed to him or her in a fiduciary character.~~
- 2.03 “Department” – Arkansas Department of Education.
- 2.04 “Educational entity” – means a school district, an open-enrollment public charter school, ~~or~~ an education service cooperative, or the Department.
- 2.05 “Employment” – Includes any contract of hire, whether written or oral, whether express or implied, for any type of work on behalf of an

educational entity, whether full-time or part-time, and whether permanent or temporary.

2.05.1 “Employment” also specifically includes without limitation:

2.05.1.1 Service as a substitute teacher, whether paid or unpaid; and

~~2.06.1.2 Student teacher internships, whether paid or unpaid; and~~

2.05.1.2 Volunteer work pursuant to the Arkansas Registered Volunteers Program Act, Ark. Code Ann. § 6-22-101 *et seq.*

~~2.07 “Fiscal Officer” Any licensed or non-licensed employee of a public school district, open-enrollment public charter school, or education service cooperative who has any right, duty, or responsibility to access funds of a school district in excess of five thousand dollars (\$5,000), specifically including without limitation superintendents, Fiscal Officers and bookkeepers.~~

2.06 “Fraud” – All acts, omissions and concealments involving a breach of a legal or equitable duty and resulting in damage to another.

2.07 “Fraudulent Act” – An act:

2.07.1 Performed willfully and with the specific intent to deceive or cheat for the purpose of either causing some financial loss to another or bringing about some financial gain to the actor; and

2.07.2 For which the actor has pleaded guilty or nolo contendere to or has been found guilty by any court in this state, by a court in another state, or by a federal court.

2.08 “Initial employment” means the first time that an applicant has been employed by a public school district, open-enrollment public charter school, or education service cooperative.

2.09 “Law enforcement officer” – A state police officer, a city police officer, a sheriff or a deputy sheriff.

~~2.12 “Letter of provisional eligibility” A six-month, non-renewable letter of provisional eligibility for licensure issued by the State Board of Education to an applicant for first-time licensure during the period that a criminal~~

~~records check and Child Maltreatment Central Registry check are being conducted.~~

- 2.10 “Non-continuous reemployment” means employment in a public school district, open-enrollment public charter school, or education service cooperative by an applicant who was previously employed by the same entity but not at any point during the immediately preceding school year.
- 2.11 “Non-licensed staff position” means a position with a public school district, open-enrollment public charter school, or education service cooperative, which position does not require the holder of the position to possess an Arkansas teacher’s license. “Non-licensed staff position” includes a parental monitor on a school bus as permitted under A.C.A. § 6-19-127.
- 2.15 ~~“Preservice teacher” means an unlicensed person admitted to a teacher preparation program approved by the Department that is offered by an institution of higher education in this state.~~
- 2.12 “Receiving or resulting public school district” – A public school district that is created or gains territory or students as the result of a consolidation, annexation, or detachment.
- 2.13 “State Board” – Arkansas State Board of Education.

~~3.00 LICENSURE, LICENSE RENEWALS, AND LICENSE REVOCATION~~

- 3.01 ~~Unless a waiver is granted pursuant to this Section 3.0, the State Board shall not issue a license or license renewal to, and shall revoke, suspend, or place on probation the existing license of, any individual who:~~
 - 3.01.1 ~~Has pled guilty, pled nolo contendere to, or been found guilty of any offense that will or may result in license revocation under Ark. Code Ann. § 6-17-410;~~
 - 3.01.2 ~~Has an expunged or a pardoned conviction for any sexual or physical abuse offense committed against a child or any offense that will or may result in license revocation under Ark. Code Ann. § 6-17-410;~~
 - 3.01.3 ~~Has a true report in the Child Maltreatment Central Registry;~~
 - 3.01.4 ~~Holds a teaching or similar license obtained by fraudulent means;~~

- ~~3.01.5 — Has had a teaching or similar license revoked in another state;~~
- ~~3.01.6 — Intentionally compromises the validity or security of any student test or testing program administered by or required by the State Board or the Department of Education;~~
- ~~3.01.7 — Has the completed examination test score of any testing program required by the State Board for teacher licensure declared invalid by the testing program company and so reported to the Department of Education by the testing company;~~
- ~~3.01.8 — Fails to establish or maintain the necessary requirements and standards set forth in Arkansas law or State Board rules and regulations for teacher licensure;~~
- ~~3.01.9 — Knowingly submits or provides false or misleading information or knowingly failing to submit or provide information requested or required by law to the Department of Education, the State Board, or the Division of Legislative Audit; or~~
- ~~3.01.10 — Knowingly falsifies or directs another to falsify any grade given to a student, whether the grade was given for an individual assignment or examination or at the conclusion of a regular grading period.~~
- ~~3.02 — Before denying an application for licensure or renewal, or taking action against an existing license, the Department shall provide to the Applicant or licensee a written notice of the reason for the action and shall afford the Applicant or licensee the opportunity to request a hearing before the State Board.~~
 - ~~3.02.1 — Upon receiving the written notice required by this section a person may:~~
 - ~~3.02.1.1 — Decline to answer the notice, in which case the State Board shall hold a hearing to establish by a preponderance of the evidence that cause for the proposed action exists;~~
 - ~~3.02.1.2 — Contest the allegations of fact and request a hearing in writing, in which case the person shall be given an evidentiary hearing before the State Board if one is requested;~~

~~3.02.1.3 — Admit the allegations of fact and request a hearing before the State Board to request a waiver; or~~

~~3.02.1.4 — Stipulate or reach a negotiated agreement, which must be approved by the State Board.~~

~~3.02.2 — A preservice teacher who receives notice under this section and who desires to request a hearing before applying for licensure shall submit to the Department the following items with the written request for a hearing:~~

~~3.02.2.1 — Proof of acceptance or enrollment in a teacher preparation program approved by the Department; and~~

~~3.02.2.2 — A written recommendation from the teacher preparation program.~~

~~3.02.3 — A written request for hearing by the Applicant, licensee, or board of directors of a school district or open enrollment public charter school must be received by the Department's Office of Legal Services no more than thirty (30) days after the receipt of the notice of denial, nonrenewal, or other action by the Applicant or licensee.~~

~~3.02.3.1 — If the person requesting a hearing fails to appear at the hearing, the hearing shall proceed in the manner described in Section 3.02.1.1 above.~~

~~3.03 — Any hearing shall comply with the procedures set forth in Section 8.00 herein.~~

~~3.04 — Circumstances for which a waiver may be granted after a hearing pursuant to Sections 3.02 or 3.03 shall include without limitation the following:~~

~~3.04.1 — The age at which the crime or incident was committed;~~

~~3.04.2 — The circumstances surrounding the crime or incident;~~

~~3.04.3 — The length of time since the crime or incident;~~

~~3.04.4 — Subsequent work history;~~

~~3.04.5 — Employment references;~~

~~3.04.6 — Character references; and~~

~~3.04.7 — Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.~~

~~3.05 — After a hearing, the State Board may take one (1) or more of the following actions:~~

~~3.05.1 — Revoke a license permanently;~~

~~3.05.2 — Suspend a license for a terminable period of time or indefinitely;~~

~~3.05.3 — Place or grant a license on probationary status for a terminable period of time with the license to be revoked or suspended if the probationary period is not successfully completed;~~

~~3.05.4 — Impose a monetary penalty not to exceed five hundred dollars (\$500.00) for each violation;~~

~~3.05.5 — Require a licensee to complete appropriate professional development programs, education courses, or both;~~

~~3.05.6 — Require a licensee to successfully complete a licensing examination, credentialing examination, or any other examination required by law or rule to obtain a permit, license, endorsement, or licensure area;~~

~~3.05.7 — Impose conditions or restrictions on the teaching or educational activities of the licensee;~~

~~3.05.8 — Impose any other requirement or penalty as may be appropriate under the circumstances of the case and which would achieve the Board's desired disciplinary purposes, but which would not impair the public health or welfare; or~~

~~3.05.9 — Take no action against a license.~~

~~3.06 — If, after a hearing, the State Board approves a waiver for a preservice teacher:~~

~~3.06.1 — The individual may obtain a license only upon:~~

~~3.06.1.1 — Successful completion of the teacher preparation program for which the preservice~~

~~teacher has provided proof of acceptance or enrollment under Section 3.02.2.1; and~~

~~3.06.1.2 — Fulfillment of all other requirements for licensure.~~

~~3.06.2 — A waiver granted under this Section 3.06 shall also operate as a waiver under Ark. Code Ann. § 6-17-414 for the preservice teacher to work for a school district as a student teacher.~~

~~4.00 — BACKGROUND CHECKS REQUIRED FOR LICENSURE AND SCHOOL EMPLOYMENT~~

~~4.01 — Except as otherwise provided herein, an Applicant may not be issued a first-time license or license renewal, nor may an Applicant be employed by a public school district or open-enrollment public charter school, without the successful completion of a criminal records check and the successful completion of a Child Maltreatment Central Registry check as required by these Rules.~~

~~4.02 — Applicants for a first time license issued by the State Board:~~

~~4.02.1 — Each first time Applicant for a license issued by the State Board shall be required to apply to:~~

~~4.02.1.1 — The Identification Bureau of the Department of Arkansas State Police for a criminal records check; and~~

~~4.02.1.2 — The Department of Human Services for a Child Maltreatment Central Registry check.~~

~~4.02.2 — A background check for a first time Applicant for a license obtained during the twelve (12) months before the license is issued meets the requirement under 4.02.1 for the first time Applicant.~~

~~4.02.3 — The State Board may issue a six-month, non-renewable letter of provisional eligibility for licensure to a first-time Applicant if the Applicant meets all other qualifications, pending the results of the nationwide criminal records and Child Maltreatment Central Registry checks.~~

~~4.02.4 — The Commissioner of Education may extend the period of provisional eligibility to the end of the contract year if:~~

~~4.02.4.1 — The Applicant is employed by a public school district or open-enrollment public charter school; and~~

~~4.02.4.2 — Results of the criminal records check or Child Maltreatment Central Registry check are delayed.~~

~~4.02.5 — The letter of provisional eligibility will immediately become invalid upon receipt of information that the Applicant has a true report on the Child Maltreatment Central Registry or information obtained from the criminal records check from the Arkansas State Police or the FBI, or other eligibility information, indicating that the applicant has pled guilty or nolo contendere to, or has been found guilty of, any offense that will or may result in license revocation under Ark. Code Ann. § 6-17-410.~~

~~4.02.6 — The Applicant shall be responsible for the payment of any fees associated with the criminal records check and Child Maltreatment Central Registry check.~~

4.03 — Applicants for a license renewal:

~~4.03.1 — Each Applicant for license renewal shall be required to apply to:~~

~~4.03.1.1 — The Identification Bureau of the Department of Arkansas State Police for a criminal records check; and~~

~~4.03.1.2 — The Department of Human Services for a Child Maltreatment Central Registry check.~~

~~4.03.2 — The Applicant should begin the process of obtaining the criminal records check and Child Maltreatment Central Registry check by July 1 of the year in which the Applicant's license expires.~~

~~4.03.3 — The State Board may issue a six-month, non-renewable letter of provisional eligibility for licensure to a first-time Applicant if the Applicant meets all other qualifications, pending the results of the nationwide criminal records and Child Maltreatment Central Registry checks.~~

~~4.03.4 The Commissioner of Education may extend the period of provisional eligibility to the end of the contract year if:~~

~~4.03.4.1 The Applicant is employed by a public school district or open-enrollment public charter school; and~~

~~4.03.4.2 Results of the criminal records check or Child Maltreatment Central Registry check are delayed.~~

~~4.03.5 The letter of provisional eligibility will immediately become invalid upon receipt of information that the Applicant has a true report on the Child Maltreatment Central Registry or information obtained from the criminal records check from the Arkansas State Police or the FBI, or other eligibility information, indicating that the applicant has pled guilty or nolo contendere to, or has been found guilty of, any offense that will or may result in license revocation under Ark. Code Ann. § 6-17-410.~~

~~4.03.3 This Applicant shall be responsible for the payment of any fees associated with the criminal records check and Child Maltreatment Central Registry check.~~

4.04 Preservice teachers:

~~4.04.1 Each Applicant who is a preservice teacher shall apply to:~~

~~4.04.1.1 The Identification Bureau of the Department of Arkansas State Police for a criminal records check; and~~

~~4.04.1.2 The Department of Human Services for a Child Maltreatment Central Registry check.~~

~~4.04.2 The Applicant shall be responsible for the payment of any fees associated with the criminal records check and Child Maltreatment Central Registry check.~~

~~4.04.3 These rules do not require an institution of higher education to bar a student from enrollment due to a disqualifying criminal conviction or a true report in the Child Maltreatment Central Registry.~~

4.05 — Applicants for employment in a licensed staff position:

4.05.1 — Each Applicant for initial employment or non-continuous reemployment in a licensed staff position for an educational entity shall be required as a condition of employment to apply to:

4.05.1.1 — The Identification Bureau of the Department of Arkansas State Police for a criminal records check; and

4.05.1.2 — The Department of Human Services for a Child Maltreatment Central Registry check.

4.05.2 — The board of directors of a receiving or resulting public school district in a consolidation, annexation, or detachment may waive the requirements of this Section 4.05 for personnel who were employed by an affected district immediately prior to the annexation, consolidation, or detachment and who had a complete criminal records check conducted as a condition of the person's most recent employment with the affected district as required under this section.

4.05.3 — An educational entity shall not employ in a licensed staff position any individual who has a true report in the Child Maltreatment Central Registry, unless the State Board granted a waiver by awarding a license or renewal under Section 3.00 herein.

4.05.4 — An educational entity shall not employ in a licensed staff position any individual who has pled guilty, pled nolo contendere to, or been found guilty of any offense that will or may result in license revocation under Ark. Code Ann. § 6-17-410, unless the State Board granted a waiver by awarding a license or renewal under Section 3.00 herein.

4.05.5 — An educational entity may offer provisional employment to an affected Applicant pending receipt of the results of the nationwide criminal records or Child Maltreatment Central Registry checks.

4.05.6 — The Applicant shall be responsible for the payment of any fees associated with the criminal records check and Child Maltreatment Central Registry check, unless the board of directors of the employing educational entity chooses to pay the fees.

3.0 APPLICANTS FOR EMPLOYMENT IN A CLASSIFIED OR NON-LICENSED STAFF POSITION:

- 3.01.1 Each Applicant for initial employment or non-continuous reemployment in a classified or non-licensed staff position for an educational entity, shall be required as a condition of employment to apply to:
- 2.01.1.1 The Identification Bureau of the Department of Arkansas State Police for a criminal records check; and
- 2.01.1.2 The Department of Human Services for a Child Maltreatment Central Registry check.
- 3.01.2 The board of directors of a receiving or resulting public school district in a consolidation, annexation, or detachment may waive the requirements of this Section 3.01 for personnel who were employed by an affected district immediately prior to the annexation, consolidation, or detachment and who had a complete criminal records check conducted as a condition of the person's most recent employment with the affected district as required under this section.
- 3.01.3 An educational entity shall not employ in a non-licensed staff position any individual who has a true report in the Child Maltreatment Central Registry or who has pled guilty or nolo contendere to, or has been found guilty of, any offense identified in Ark. Code Ann. § 6-17-414(b).
- 3.01.4 An educational entity may offer provisional employment to an affected Applicant pending receipt of the results of the nationwide criminal records or Child Maltreatment Central Registry checks.
- 3.01.5 The Applicant shall be responsible for the payment of any fees associated with the criminal records check and Child Maltreatment Central Registry check, unless the board of directors of the employing educational entity chooses to pay the fees.
- 3.01.6 Notwithstanding the provisions of Section 3.01.5, an educational entity may at its discretion require criminal records checks and Child Maltreatment Central Registry checks of existing non-licensed employees in the same manner as set

forth herein, so long as the educational entity pays the full cost of the criminal records checks and Child Maltreatment Central Registry checks.

4.0 NOTICE; WAIVER

4.01 If an applicant for employment has been determined ineligible for employment because the applicant has a true report in the Child Maltreatment Central Registry, or has pled guilty or nolo contendere to, or has been found guilty of, any offense identified in Ark. Code Ann. § 6-17-414(b), the board of directors of the educational entity shall:

4.01.1 Provide a written notice to the applicant advising the applicant of the disqualification; and shall

4.01.2 Afford the applicant the opportunity to request a waiver; and

4.01.3 Afford the applicant the opportunity to correct the record with the Arkansas State Police or the Federal Bureau of Investigation, as applicable.

4.02 The waiver shall be requested no more than thirty (30) days after receipt of the notice of the denial of employment.

4.03 The waiver may be requested by:

4.03.1 The hiring official;

4.03.2 The affected applicant; or

4.03.3 The person subject to dismissal.

4.04 Circumstances for which a waiver may be granted shall include without limitation the following:

4.04.1 The age at which the incident was committed;

4.04.2 The circumstances surrounding the incident;

4.04.3 The length of time since the incident;

4.04.4 Subsequent work history;

4.04.5 Employment references;

4.04.6 Character references; and

4.04.7 Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel.

4.05 The board of directors of the educational entity may grant the waiver by adopting a written resolution identifying the applicant by name and listing the specific facts and circumstances for which the waiver is being granted.

4.05.1 A waiver request may be discussed and acted upon by the board of directors only in an open public meeting and not in an executive session.

4.06 After adopting the resolution, the board of directors shall immediately provide a copy of the resolution and waiver request to the Department.

5.0 BACKGROUND CHECK PROCEDURES

5.01 The criminal records check and Child Maltreatment Central Registry check required by these Rules shall be initiated by the submission to the Department of a release of information signed by the Applicant.

5.01.1 For the purposes of these Rules, a criminal records check shall consist of a statewide criminal records check to be conducted by the Department of Arkansas State Police and a nationwide criminal records check to be conducted by the Federal Bureau of Investigation.

5.01.2 Criminal records checks shall conform to the applicable federal or state standards and shall include the taking of fingerprints. The Identification Bureau of the Department of Arkansas State Police may maintain these fingerprints in the automated fingerprint identification system.

5.01.3 Each applicant shall provide fingerprints by completing the State Police fingerprint card in the presence of a law enforcement officer, and shall have the law enforcement officer sign the fingerprint card and give his/her jurisdiction, the date and his/her badge number, or by any other method approved by the Department of Education.

5.01.4 If a legible set of fingerprints, as determined by the Identification Bureau of the Department of Arkansas State Police, cannot be obtained after a minimum of three (3) attempts, the Department of Education shall determine eligibility for licensure or employment based upon a name

check by the Identification Bureau of the Department of Arkansas State Police and the Federal Bureau of Investigation.

5.01.5 To be valid for consideration, a criminal records check or Child Maltreatment Central Registry check must have been completed no earlier than twelve (12) months prior to the application for ~~licensure, renewal, or employment~~.

5.02 Any information received by the Department from the Department of Arkansas State Police, the Department of Human Services, or the Federal Bureau of Investigation pursuant to these Rules shall not be available for examination except by the affected applicant or his or her duly authorized representative, and no record, file, or document shall be removed from the custody of the Department of Education.

5.02.1 Any information made available to the affected applicant ~~for licensure or the person whose license is subject to revocation~~ shall be information pertaining to that applicant only.

5.02.2 Rights of privilege and confidentiality established under this section shall not extend to any document created for purposes other than this background check.

~~5.02.3 For Applicants seeking employment, the Department may disclose to the employing public school district, open-enrollment public charter school, or education service cooperative only whether the Applicant is eligible for employment.~~

5.03 New or existing employees of an educational entity who have a contract with or work for more than one (1) school district in one (1) school year shall be required to have only one (1) criminal records check and one (1) Child Maltreatment Central Registry check to satisfy the requirements of all employing school districts for that year.

6.0 REPORTING REQUIREMENTS FOR SUPERINTENDENTS AND CHARTER SCHOOL DIRECTORS

6.01 The superintendent or director of each ~~public school district and the director of each open-enrollment public charter school~~ educational entity shall report in writing by certified mail to the Department's Office of Legal Services the name of any employee of the ~~district or school~~ educational entity, whether currently employed or previously employed at any time during the two (2) preceding school years, who:

6.01.1 Has pled guilty or nolo contendere, or has been found guilty, of any offense listed in Ark. Code Ann. §§ 6-17-410(c) or 6-17-414(b);

~~6.01.2 Holds a teaching or similar license obtained by fraudulent means;~~

~~6.01.3 Has had a teaching or similar license revoked in another state;~~

6.01.2 Has intentionally compromised the validity or security of any student test or testing program administered or required by the Department;

6.01.3 Has knowingly submitted falsified information or failed to submit information requested or required by law to the Department, the State Board, or the Division of Legislative Audit; or

6.01.4 Has a true report in the Child Maltreatment Central Registry.

~~6.02 The superintendent of each public school district and the director of each open enrollment public charter school shall report in writing by certified mail to the Department's Office of Legal Services the name of any Fiscal Officer of the district or school, whether currently employed or previously employed at any time during the two (2) preceding school years, who has pled guilty or nolo contendere to, or has been found guilty of, a fraudulent act.~~

6.02 Failure of a superintendent to report a violation by certified mail within five (5) calendar days of knowledge as listed in Section 6.01 may result in sanctions imposed by the State Board, including but not limited to loss of accreditation.

~~7.00 FISCAL OFFICERS~~

~~7.01 In addition to the requirements of Section 4.00, an educational entity shall not employ as a Fiscal Officer any individual who has pled guilty or nolo contendere to, or has been found guilty of, a fraudulent act.~~

~~7.02 A currently employed Fiscal Officer of an educational entity who has pled guilty or nolo contendere to, or has been found guilty of, a fraudulent act shall be dismissed from employment with the educational entity.~~

~~7.02.1 Within five (5) days of knowledge of the plea or conviction, the educational entity shall serve written notice of termination on the Fiscal Officer in person or by certified mail. The notice~~

~~shall advise the Fiscal Officer of his or her right to a hearing before the State Board.~~

~~7.02.2 The Fiscal Officer may, within thirty (30) days of service of the written notice of termination, request a hearing before the State Board by sending a written request via certified mail to the Department's Office of Legal Services.~~

~~7.02.3 If the Fiscal Officer does not timely request a hearing before the State Board, termination shall become effective thirty (30) days after the date of service of the written notice of termination.~~

~~7.02.4 Termination of employment pursuant to this subsection shall not be subject to the requirements of the Teacher Fair Dismissal Act, Ark. Code Ann. § 6-17-1501 *et seq.* or the Public School Employee Fair Hearing Act, Ark. Code Ann. § 6-17-1701 *et seq.*~~

~~7.03 Any individual found ineligible for employment or dismissed from employment under Section 7.00 may, within thirty (30) days of service of the written notice of denial of employment or written notice of termination, request a hearing before the State Board by sending a written request via certified mail to the Department's Office of Legal Services.~~

~~7.04 Circumstances for which a waiver may be granted shall include without limitation the following:~~

~~7.04.1 The age of the Fiscal Officer at the time the criminal act occurred;~~

~~7.04.2 The length of time since the conviction;~~

~~7.04.3 Whether the Fiscal Officer has pled guilty or nolo contendere to, or has been found guilty of, any other criminal violations since the original conviction;~~

~~7.04.4 Whether the original conviction was expunged or pardoned; and~~

~~7.04.5 Any other relevant facts.~~

~~7.05 The hearing shall follow the procedures set forth in Section 8.00 of these Rules.~~

- ~~7.06 — After making its decision, the State Board shall reduce its decision to writing and shall mail copies of the decision to the Fiscal Officer or Applicant and the Superintendent of the affected school district.~~

8.00 — STATE BOARD HEARING PROCEDURES

- ~~8.01 — Each party shall exchange exhibits and witness lists thirty (30) calendar days before the scheduled hearing date, unless both parties agree to a shorter period of time.~~
- ~~8.02 — Requests for subpoenas must be received in the Office of Legal Counsel not less than ten (10) calendar days before the hearing date.~~
- ~~8.03 — Each party will have the opportunity to present an opening statement of no longer than five (5) minutes, beginning with the representative of the Department of Education. The Chairperson of the State Board may, only for good cause shown and upon the request of either party, allow either party additional time to present their opening statements.~~
- ~~8.04 — Each party will be given twenty (20) minutes to present their cases, beginning with the representative of the Department of Education. The Chairperson of the State Board may, only for good cause shown and upon the request of either party, allow either party additional time to present their cases.~~
- ~~8.05 — Every witness giving oral testimony must be sworn under oath by the court reporter and shall be subject to direct examination, cross examination, and questioning by the State Board.~~
- ~~8.06 — For the purposes of the record, documents offered during the hearing by the Department of Education shall be clearly marked in sequential, numeric order (1, 2, 3).~~
- ~~8.07 — For the purposes of the record, documents offered during the hearing by the appealing public school district, open enrollment public charter school, Applicant, or licensee shall be clearly marked in sequential, alphabetic letters (A, B, C).~~
- ~~8.08 — The Department of Education shall have the burden of proving, by a preponderance of the evidence, that cause for the proposed licensure action exists, and that the recommended disposition from the Department be adopted.~~
- ~~8.09 — While the scope of each party's presentation ultimately lies within the Board Chairperson's discretion, case presentation should be arranged in such a way as to avoid redundant testimony.~~

- ~~8.10 After both parties have presented their cases, the State Board may allow each party to present limited rebuttal testimony.~~
- ~~8.11 After making its decision, the State Board shall reduce its decision to writing and shall mail copies of the decision to each party, each party's attorney, and the superintendent or director of any interested public school district or open-enrollment public charter school.~~
- ~~8.12 The Board's written decision shall constitute the final agency action for purposes of judicial review pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-201 *et seq.*~~

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING NONTRADITIONAL LICENSURE
July 2014

~~1.0 — PURPOSE~~

~~1.01 — The purpose of these rules is to establish the requirements and procedures for obtaining teacher licensure through nontraditional licensure programs.~~

~~2.0 — REGULATORY AUTHORITY~~

~~2.01 — These rules shall be known as the Arkansas Department of Education Rules Governing Nontraditional Licensure.~~

~~2.02 — These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-409 and 25-15-204; and Acts 413 and 454 of 2013.~~

~~3.0 — DEFINITIONS~~

~~For the purpose of these Rules the following terms shall be defined to mean:~~

~~3.01 — **Accelerated Teaching Program** — a program intended for college graduates that provides intensive training and support for a period of two (2) or more years for teaching and leading in schools, including the Teach for America program, the Arkansas Teacher Corps program offered by the University of Arkansas at Fayetteville, or another accelerated teaching program approved by the Department.~~

~~3.02 — **Area of Licensure** — a particular content field as approved by the State Board of Education.~~

~~3.03 — **Arkansas Professional Pathway to Educator Licensure Program (APPEL)** — the program administered by the Arkansas Department of Education, whose participants hold a minimum of a baccalaureate degree (and have passed the appropriate state-mandated assessments) and are allowed to teach in an Arkansas public school with a Provisional Teaching License. The program requirements consist of two (2) years of teaching and instructional modules, which must be completed within three (3) years.~~

~~3.04 — **Certified mentor** — a licensed teacher certified by ADE Office of Educator Effectiveness as trained in the state-adopted mentoring model who has:~~

~~3.04.1 — A minimum of three (3) years of successful teaching experience; and~~

- ~~3.04.2~~ Received at least a proficient or equivalent rating in their latest performance review.
- ~~3.05~~ **Induction** the period of time beginning with a teacher's first employment as the teacher of record in an Arkansas public school, education service cooperative, or organization that requires an Arkansas teaching license. The novice teacher is provided mentoring support and accelerated professional development during the induction period.
- ~~3.06~~ **Level of Licensure** the grade/age level and content area of the teaching license as approved by the State Board of Education.
- ~~3.07~~ **Mentoring** the act of a certified mentor providing support and focused feedback to a novice teacher (according to the state adopted mentoring model) with the goal of enhancing instructional skills, classroom management, and professional behavior.
- ~~3.08~~ **Nontraditional Licensure Program** an alternative licensure program under these rules, including the Arkansas Professional Pathway to Educator Licensure program, the Professional Provisional Teaching License, the Accelerated Teaching Program Provisional and Standard Teaching License, and the Master's Degree in Teaching Provisional and Standard Teaching License.
- ~~3.09~~ **Novice Teacher** any licensed teacher of record with less than one (1) year of classroom teaching experience, not including student internship or substitute teaching, in an Arkansas public school, open enrollment public charter school, education service cooperative, or organization that requires an Arkansas teaching license.
- ~~3.10~~ **Program of Study** a curriculum offered at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation. The program requires a candidate to demonstrate and document competency in the specific knowledge, skills and dispositions for a particular licensure area and level.
- ~~3.11~~ **Provisional Professional Teaching License** a three-year provisional license issued to an experienced professional for the purpose of teaching on a part-time or full-time basis as teacher of record in an Arkansas public school.
- ~~3.12~~ **Provisional Teaching License** a temporary teaching license available to candidates who have not completed all requirements for the Standard Arkansas teaching license. A Provisional Teaching License is subject to revocation for failure to complete annual requirements for the applicable nontraditional licensure program.

~~3.13 — **Standard Teaching License**—a five-year renewable license, issued by the State Board of Education, which allows one to teach in Arkansas public schools under these rules and under the Rules Governing Educator Licensure.~~

~~3.14 — **Teacher of Record**—an individual (or individuals in co-teaching assignments) who has been assigned the lead responsibility for a student's learning in a subject/course with aligned performance measures.—~~

~~4.0 — **REQUIREMENTS FOR OBTAINING AN APPEL PROVISIONAL AND STANDARD TEACHING LICENSE**~~

~~4.01 — The following is required for admission to the APPEL program:~~

~~4.01.1 — A completed APPEL program application with all required accompanying documentation.~~

~~4.01.2 — Official transcript(s) documenting an awarded four-year college bachelor's degree or higher from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.~~

~~4.01.2.1 — For out-of-country candidates, an official college transcript evaluation from a private credential evaluation agency documenting that the bachelor's degree is equivalent to a four-year degree from an institution of higher learning in the United States that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation. The evaluation by a private credential evaluation agency must be a course-by-course evaluation prepared in English indicating the candidate's major course of study to include documentation of the candidate's cumulative Grade Point Average (GPA).~~

~~4.01.3 — Documentation of a minimum cumulative undergraduate or graduate grade point average (GPA) of 2.50 on a 4.0 scale for cohorts beginning before Summer 2015 or a minimum GPA of 2.75 for the last 60 credit hours of coursework and beginning with the Summer 2015 cohort a minimum cumulative undergraduate or graduate GPA of 2.70 or a minimum GPA of 2.9 for the last 60 credit hours of coursework.~~

~~4.01.3.1~~ — Candidates for the APPEL program may be exempt from the standard minimum GPA requirement if all the following conditions are met:

~~4.01.3.1.1~~ — Have at least fifteen (15) years of experience in the field related to the teaching/licensure subject area.

~~4.01.3.1.2~~ — Demonstrate a minimum of a 2.0 undergraduate or graduate grade point average for cohorts beginning before Summer 2015 and 2.25 beginning with the Summer 2015 cohort.

~~4.01.3.1.3~~ — Submit one (1) letter of justification from the applicant expressing the relevance of the applicants' credentials to teach the subject in question.

~~4.01.3.1.4~~ — Have two (2) professional letters of recommendation submitted by references to the Office of Educator Effectiveness.

~~4.01.3.1.5~~ — Complete the regular APPEL program application process.

~~4.01.4~~ — An official score report reflecting passing scores, as approved by the State Board of Education, on the following state required assessments:

~~4.01.4.1~~ — The basic skills assessment (all parts).

~~4.01.4.1.1~~ — If a candidate holds a Master's Degree or above, and has taken the graduate level assessment, and has scored at or above the State Board established cut score/minimum passing score, that assessment shall be accepted in lieu of the basic skills assessment(s).

~~4.01.4.2~~ — The state required subject content area assessment(s) for the specific licensure area(s) sought.

~~4.01.5~~ — Documentation of passing the required background checks by the Child Maltreatment Central Registry, Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann. § 6-17-410.

~~4.01.6~~ — Payment of the APPEL Program Fee established by the State Board of Education pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C).

~~4.01.7~~ Applicable coursework, completed in advance, from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation or through ArkansasIDEAS. Required coursework includes:

~~4.01.7.1~~ — Three (3) college credit hours of Arkansas History or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS for the licenses of Middle Childhood Education (4-8) and Social Studies (7-12).

~~4.01.7.2~~ — Six (6) college credit hours of instruction in reading that includes at a minimum theories and strategies for teaching reading, diagnosis of reading difficulties, intervention strategies for struggling readers, and disciplinary literacy (completed with a grade of “B” or better), and either a 3-hour course in disciplinary literacy (completed with a grade of “B” or better) or a 45-hour professional development piece in disciplinary literacy through ArkansasIDEAS, for the Middle Childhood Education (4-8) license.

~~4.01.7.3~~ — Three (3) college credit hours in disciplinary literacy (completed with a grade of “B” or better) or a 45-hour professional development piece in disciplinary literacy through ArkansasIDEAS for the Secondary Education (7-12) license.

~~4.02~~ — To obtain a Provisional Teaching License through APPEL a candidate must:

~~4.02.1~~ Be admitted into the APPEL program;

~~4.02.1~~ Be assigned to an APPEL program satellite site for instructional modules and successfully complete all required APPEL program instructional modules, including the summer instructional modules.

~~4.02.1.1~~ — To maintain the Provisional Teaching License, the candidate must continue and successfully complete the school year instructional modules;

~~4.02.3~~ Document employment as a teacher of record, teaching a minimum of three (3) hours per day in the appropriate licensure area(s), with a certified mentor approved by the ADE in an Arkansas school, open enrollment public charter school, or education service cooperative during the provisional licensure period.

~~4.02.3.1~~ — If appropriate employment is not secured by October 1 of the year of admission into the APPEL program, the candidate shall be maintained on “hold” (one year only), until the following year.

~~4.02.3.2~~ — A candidate on “hold” shall not be issued a license and shall be required to teach the following year. (The candidate shall still be required to complete two (2) years of teaching within a three year period.);

~~4.02.4~~ Be mentored according to the Arkansas Department of Education Rules Governing Educator Licensure;

~~4.02.5~~ Pass the appropriate state mandated pedagogical assessment;

~~4.02.5.1~~ — If the pedagogical assessment is not successfully completed within the APPEL program period, the Provisional Teaching License will be revoked. The participant will be allowed to attend ADE scheduled remedial sessions for one (1) year, during which time the participant may attempt to pass the assessment and, if successful, will be issued a Standard Teaching License.

~~4.02.5.2~~ — If the pedagogical assessment is not successfully completed within the remedial year as provided under Section 4.02.5.1, the participant will be administratively withdrawn from the program.

~~4.02.6~~ Adhere to and abide by all the policies and procedures as outlined in the published APPEL Program Handbook for the year of admission.

~~4.03~~ — A Provisional Teaching License is issued to an APPEL program participant at the beginning of the first year of participation in the program for:

~~4.03.1~~ One (1) year if the participant is in a one year program; and

~~4.03.2~~ Two (2) years, if the participant is in a two year program.

~~4.04~~ — A Provisional Teaching License under the APPEL program is issued to a participant in one (1) license area (except as follows) based upon the areas and levels of teaching assignment approved by the State Board of Education.

~~4.04.1~~ A Middle School APPEL participant must be licensed in two (2) or more of the four (4) middle school content areas of math, science, social studies, and language arts, and may have one (1) or more endorsements approved by the State Board of Education.

~~4.04.2~~ A Secondary APPEL participant may be issued a Provisional Teaching License in one (1) secondary licensure content area or in one (1) license content area with one (1) endorsement added.

~~4.04.2.1~~ To be licensed in two (2) areas, a Secondary participant must have successfully completed all state-mandated content-specific licensure assessments for both areas, and have a teaching assignment in both licensure areas.

~~4.04.2.2~~ A participant wishing to add social studies must also complete the required three (3) college credit hours of Arkansas History at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS, in advance of licensure.

~~4.04.2.3~~ A Secondary participant with one (1) licensure area may add one (1) endorsement if the participant completes the required program of study, if applicable for the endorsement, successfully completes the state-mandated assessment for the endorsement, and has a teaching assignment in the endorsement area.

~~4.05~~ An APPEL participant may not file an ALP or teach in an out-of-licensure area while enrolled in the APPEL program.

~~4.06~~ There are two (2) tracks in the APPEL program: a one-year program or a two-year program.

~~4.06.1~~ Candidates with a four-year degree who have completed a program of study in the field of Education (all coursework with the exception of Student Teaching) may be eligible to complete a one-year program if their degree was awarded within five (5) years of the date of application.

~~4.06.2~~ Candidates with a four-year degree, who have not completed a program of study in the field of Education, or those whose Education degree was awarded more than five (5) years before the date of application, must complete a two-year program.

~~4.07~~ A Standard Teaching License will be issued to an APPEL participant upon the participant's successful completion of the APPEL program.

~~4.08 Annual enrollment in the APPEL program may be limited by:~~

~~4.08.1 Licensure requirements.~~

~~4.08.2 Licensure area and level of candidates (shortage areas may be given preference).~~

~~4.08.3 Program capacity (in which case applications will not be accepted after capacity is reached).~~

~~5.0 PROVISIONAL PROFESSIONAL TEACHING LICENSE~~

~~5.01 A Provisional Professional Teaching License (PPTL) is:~~

~~5.01.1 A nonrenewable three year provisional license issued to an experienced professional for the purpose of teaching on a part time or full time basis as teacher of record in an Arkansas public school.~~

~~5.01.2 Issued for one (1) or more licensure content areas.~~

~~5.02 To obtain a Provisional Professional Teaching License a candidate must:~~

~~5.02.1 Hold a bachelor's degree from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.~~

~~5.02.1.1 The candidate must provide documentation of a minimum cumulative undergraduate or graduate grade point average (GPA) of 2.50 or a minimum GPA of 2.75 for the last 60 credit hours of coursework.~~

~~5.02.2 Have a minimum of three (3) years of working experience in the content area of the class to be taught.~~

~~5.02.3 Be offered employment to teach classes for credit in an Arkansas public school.~~

~~5.02.4 Submit one (1) letter of justification from the applicant expressing the relevance of the applicant's credentials to teach the subject in question.~~

~~5.02.5 Have two (2) professional letters of recommendation submitted by references to the Office of Educator Licensure.~~

~~5.02.6 Pass all appropriate state mandated basic skills and content knowledge assessment(s) for the specific licensure area(s) sought.~~

~~5.02.7 Pass a criminal background check and Child Maltreatment Central Registry check.~~

~~5.03 An individual who receives a three year Provisional Professional Teaching License shall complete, in the first year of provisional licensure, twenty-four (24) hours of training in pedagogy as determined by the Department of Education.~~

~~5.03.1 The twenty-four (24) hours of training in pedagogy are in addition to and not considered a part of the annual professional development required for a Standard Teaching License.~~

~~5.04 To obtain a Standard Teaching License, an individual holding a Provisional Professional Teaching License must:~~

~~5.04.1 Undergo a summative evaluation at the end of three (3) years of provisional licensure;~~

~~5.04.1.1 The applicant must have been identified by the employing school district as proficient or above on the summative evaluation.~~

~~5.04.2 Submit passing scores on the state-required pedagogical assessment or its substantial equivalent for the content area in which the applicant seeks to teach;~~

~~5.04.2.1 The assessment shall be administered no earlier than the completion of the first academic school year of teaching and before the expiration of the three-year provisional license.~~

~~5.04.3 Provide a recommendation from the superintendent of the employing school district for full licensure; and~~

~~5.04.4 Pay applicable licensure fees as established by the State Board of Education pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C).~~

~~6.0 ACCELERATED TEACHING PROGRAM PROVISIONAL AND STANDARD LICENSURE~~

~~6.01 An Accelerated Teaching Program Provisional License is a nonrenewable provisional teaching license valid for the term of the accelerated teaching program issued to a participant in an accelerated teaching program who meets the following criteria:~~

- ~~6.01.1~~ — ~~Is a participant in an accelerated teaching program;~~
- ~~6.01.2~~ — ~~Passes a criminal background check and Child Maltreatment Central Registry check;~~
- ~~6.01.3~~ — ~~Submits an official score report reflecting passing scores, as approved by the State Board of Education, on all appropriate state-mandated content knowledge assessment(s) for the specific licensure area(s) sought;~~
- ~~6.01.4~~ — ~~Is teaching in an Arkansas public school; and~~
- ~~6.01.5~~ — ~~If required by the grade level or content area in which the participant is teaching, within one (1) year of the issuance of the provisional license successfully completes three (3) college credit hours of Arkansas History at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS.~~
- ~~6.02~~ — ~~So long as an individual possesses an Accelerated Teaching Program Provisional License, the individual must participate in mentoring as provided in the Arkansas Department of Education Rules Governing Educator Licensure, or a substantial equivalent offered by the accelerated teaching program and approved by the Department.~~
- ~~6.03~~ — ~~To obtain a Standard Teaching License, an individual who has completed an accelerated teaching program must:~~
 - ~~6.03.1~~ — ~~Submit an application for licensure;~~
 - ~~6.03.2~~ — ~~Furnish evidence of successful completion of the accelerated teaching program;~~
 - ~~6.03.3~~ — ~~Pass a criminal background check and Child Maltreatment Central Registry check;~~
 - ~~6.03.4~~ — ~~Submit an official score report reflecting passing scores, as approved by the State Board of Education, on all appropriate state-mandated pedagogical and content area assessment(s); and~~
 - ~~6.03.5~~ — ~~If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of three (3) college credit hours of Arkansas History at~~

~~an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS.~~

~~**6.04**—An applicant who meets all requirements of Section 6.03 except completion of the Arkansas History requirement and who has not previously held an Accelerated Teaching Program Provisional License may complete the Arkansas History requirement under a one-year nonrenewable Provisional Teaching License. If the Arkansas History requirement is completed during the one-year provisional licensure period, the applicant may be issued a Standard Teaching License.~~

~~**7.0—MASTER'S DEGREE IN TEACHING PROVISIONAL AND STANDARD LICENSURE**~~

~~**7.01**—An individual enrolled in a master's degree in teaching program (MAT, M.Ed., or MTLL) may obtain a Provisional Teaching License if the individual:~~

~~**7.01.1**——Submits evidence of enrollment in a master's degree in teaching program that:~~

~~**7.01.1.1**——Is from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation; and~~

~~**7.01.1.2**——Either has attained recognition from its affiliated Council for Accreditation of Educator Preparation (CAEP) Specialized Professional Association (SPA), is accredited by a CAEP-recognized organization associated with the field of study, or is recommended for approval based upon results of a CAEP or state review of the program;~~

~~**7.01.2**——Maintains a cumulative grade point average in the master's degree in teaching program of no less than 2.5 (4.0 scale) until Fall 2015 and 2.7 (4.0 scale) beginning Fall 2015;~~

~~**7.01.3**——Passes a criminal background check and Child Maltreatment Central Registry check;~~

~~**7.01.4**——Documents employment as a teacher-of-record, teaching a minimum of three (3) hours per day in the appropriate licensure area(s), and if employed in a public school, with a certified mentor approved by the ADE in the Arkansas public school during the provisional licensure period.~~

~~7.02 — A Provisional Teaching License under this Section 7 is issued in one (1) license area (except as follows) based upon the areas and levels of teaching assignment approved by the State Board of Education.~~

~~7.02.1 — A Provisional Teaching License under this Section 7 may be issued in two (2) secondary licensure content areas or in one (1) license content area with one (1) endorsement added.~~

~~7.02.2 — An applicant for a provisional license in two (2) areas must successfully complete all state-mandated content-specific licensure assessments for both areas, and have a teaching assignment, in both licensure areas.~~

~~7.02.3 — An applicant for a provisional license in one (1) licensure area may add one (1) endorsement if the applicant completes the required program of study, if applicable for the endorsement, successfully completes the state-mandated assessment for the endorsement, and has a teaching assignment in the endorsement area.~~

~~7.03 — To obtain a Standard Teaching License under these Rules, an individual holding a master's degree in teaching (MAT, M.Ed., or MTLL) must:~~

~~7.03.1 — Submit official transcript(s) documenting an awarded master's degree in teaching from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation, and whose teacher preparation program is:~~

~~7.03.1.1 — Nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation;~~

~~7.03.1.2 — Accredited by the Teacher Education Accreditation Council (TEAC) or Council for Accreditation of Educator Preparation (CAEP); or~~

~~7.03.1.3 — Approved by a member entity of the National Association of State Directors of Teacher Education and Certification (NASDTEC);~~

~~7.03.2 — Pass a criminal background check and Child Maltreatment Central Registry check;~~

- ~~7.03.3~~ Submit an official score report reflecting passing scores, as approved by the State Board of Education, on the appropriate state-mandated pedagogical and content area assessment(s);
- ~~7.03.4~~ If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of three (3) college credit hours in Arkansas History at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation or a 45-hour professional development piece in Arkansas History through ArkansasIDEAS; and
- ~~7.03.5~~ If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of six (6) college credit hours of instruction in reading that includes at a minimum theories and strategies for teaching reading, diagnosis of reading difficulties, intervention strategies for struggling readers, and disciplinary literacy, and either a 3-hour course in disciplinary literacy at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation (completed with a grade of "B" or better) or a 45-hour professional development piece in disciplinary literacy through ArkansasIDEAS.
- ~~7.03.6~~ For an applicant who was not employed as a teacher of record and did not hold a Master's Degree in Teaching Provisional License under this section, a one-year, non-renewable provisional teaching license shall be available for an applicant who holds a master's degree in teaching if the applicant has not successfully completed the instruction in reading and disciplinary reading required under Section 7.03.5.
- ~~7.03.7~~ Submit documentation of the completion of the following professional development, which may be obtained through the ArkansasIDEAS Portal, the applicant's teacher education program, or other method of delivery approved by the Department under the Rules Governing Professional Development:
- ~~7.03.7.1~~ Two (2) hours of parental involvement;
 - ~~7.03.7.2~~ Two (2) hours of child maltreatment training; and
 - ~~7.03.7.3~~ Two (2) hours of teen suicide awareness and prevention.
- ~~7.04~~ An individual receiving a Standard Teaching License under this Section 7 who was not employed in a public school while in a Master's Degree in Teaching

~~program shall upon employment in a public school participate in mentoring as required by the Rules Governing Educator Licensure, unless the individual has completed mentoring or a substantial equivalent in an in-state private school or border-state private or public school settings where Common Core and other content standards adopted by the State Board are taught and faculty are subject to an evaluation system that uses a framework substantially similar to Arkansas' TESS.~~

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE LIFETIME TEACHING LICENSE
October 2009

~~1.0 REGULATORY AUTHORITY~~

~~1.01~~ — These rules shall be known as the Arkansas Department of Education Rules Governing the Lifetime Teaching License.

~~1.02~~ — These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann §§6-11-105, 6-17-401 et seq., 25-15-201 et seq., 6-17-2601 et seq., Act 224 of 2009 and Act 1173 of 2009.

~~2.0 PURPOSE~~

~~2.01~~ — The purpose of these rules is to establish the requirements and procedures for obtaining the Lifetime Teaching License from the Arkansas Department of Education.

~~3.0 DEFINITIONS — For the purpose of these Rules, the following definitions shall apply:~~

~~3.01~~ — **Educational Setting** — The employment setting where the licensed employee works, including without limitation: public school, private school, institution of higher education, education service cooperative, Department of Education, adult education setting or other agency/organization that employs licensed teachers for educational purposes.

~~3.02~~ — **Lifetime Teaching License** — A standard/Professional Arkansas teaching license that is issued without the teacher having to meet the general renewal requirements of professional development and teaching experience. There is no fee for the Lifetime Teaching License.

~~3.03~~ — **Professional Development** — A coordinated set of planned, learning development activities for teachers that are based on research, are standards based and that meet the focus areas for professional development required by the Department of Education.

~~3.04~~ — **Teaching Experience** — The experience gained while working in an educational setting as a teacher, librarian, counselor, administrator, educational consultant, substitute teacher or other licensed position.

~~3.05~~ — **Professional Level Lifetime Teaching License** — A standard Arkansas teaching license that is issued without the teacher having to meet the general renewal requirements of professional development and teaching experience that is based upon a documented Master's Degree with three years of teaching experience or National Board Certification.

~~3.06—Central Registry—The Child Maltreatment Central Registry established within the Arkansas Department of Human Services, which contains records of cases on all true investigation determinations of child maltreatment.~~

~~4.0 ELIGIBILITY REQUIREMENTS FOR OBTAINING THE LIFETIME TEACHING LICENSE~~

~~4.01 Applicants for the Standard Lifetime or Professional Lifetime Teaching License shall meet the following eligibility requirements:~~

~~4.01.1 Hold a current, or expired standard Arkansas teaching license;~~

~~4.01.2 Be at least (62) years of age; and~~

~~4.01.3 (a) Have worked in an educational setting while maintaining an Arkansas teaching license, or~~

~~(b) Have made significant contributions to education, educational research, or the profession of teaching through scholarly endeavors, teaching experience, excellence in teaching or educational innovation;~~

~~4.01.4 Applicants for the Professional Lifetime Teaching License shall also document a Master's Degree with three years of teaching experience or current National Board Certification.~~

~~4.02 Applicants are subject to a criminal background check upon application for the Lifetime Teaching License.~~

~~4.02.1 The required background check cannot be older than one year at the time of application.~~

~~4.03 Applicants shall also request and clear a child maltreatment central registry check to be conducted by the Department of Human Services.~~

~~5.0 GENERAL POLICIES AND PROCEDURES RELATING TO THE LIFETIME TEACHING LICENSE~~

~~5.01 The Lifetime Teaching License shall be issued upon:~~

~~5.01.1 The submission of a completed application requesting the Lifetime Teaching License to the Office of Professional Licensure at the Arkansas Department of Education.~~

~~5.01.1.1 Applications for the Lifetime Teaching License shall not be submitted prior to July 1, 2008.~~

~~5.01.1.2 The Arkansas Department of Education shall promulgate and make available the for application form for use by applicants for the Lifetime Teaching License.~~

~~5.01.2 Meeting the eligibility requirements in Section 4.0 of these rules.~~

- ~~5.01.3~~ The application being approved by the Arkansas State Board of Education.
- ~~5.02~~ The Lifetime Teaching License shall reflect the applicant's licensure areas at the time of the application.
- ~~5.03~~ A teacher holding a Lifetime Teaching License is not required to renew his or her teaching license.
- ~~5.04~~ A Lifetime Teaching License is subject to the same laws for revocation as any Arkansas teaching license.
- ~~5.04~~ A lifetime teaching license holder is not subject to the requirements for annual professional development unless employed pursuant to Subsection 6.02 of this rule.
- ~~5.05~~ The lifetime teaching license shall terminate upon the death or legal incapacity of the license holder.

~~6.0 EMPLOYMENT OF LIFETIME TEACHING LICENSE HOLDERS~~

- ~~6.01~~ A lifetime teaching license holder is eligible to serve a school district, educational services cooperative or Arkansas Department of Education (ADE) in the following capacities:
- ~~6.01.1~~ Substitute teacher
 - ~~6.01.2~~ Tutor
 - ~~6.01.3~~ Pathwise Mentor
 - ~~6.01.4~~ Pathwise Monitor
 - ~~6.01.5~~ Praxis III Assessor
 - ~~6.01.6~~ Praxis III Assessor Trainer
 - ~~6.01.7~~ Test Investigator
 - ~~6.01.8~~ Scholastic Audit Consultant
 - ~~6.01.9~~ Others as defined by the Department
- ~~6.02~~ A lifetime teaching license holder who becomes employed full-time or part-time by a school district, educational services cooperative or the Department as a licensed educator in a position for which sixty (60) hours of professional development is required annually, shall participate in the professional development programs as required by the employing school district, cooperative or Department.
- ~~6.02.1~~ A lifetime teaching license holder who has not taught or been employed in an educational setting for which a license is required for one (1) or more years shall be required to provide the Department verification of twenty (20) hours of relevant professional development prior to reentering the educational setting.

ARKANSAS DEPARTMENT OF EDUCATION
~~RULES GOVERNING THE SCHOOL SUPERINTENDENT MENTORING PROGRAM~~
March 1, 2012

~~1.00 — REGULATORY AUTHORITY AND PURPOSE~~

~~1.01 — These rules shall be known as the Arkansas Department of Education Rules Governing the School Superintendent Mentoring Program.~~

~~1.02 — The State Board of Education enacted these rules pursuant to its authority as set forth in Ark. Code Ann. §§ 6-11-105, 6-13-109, Act 586 of 2011, and 25-15-201 et seq.~~

~~2.00 — DEFINITION~~

~~2.01 — “First year Arkansas superintendent” means a licensed educator who will become a superintendent in Arkansas for the first time during the 2011-2012 school year or each school year thereafter. The term does not refer to other district level administrators, such as deputy superintendents, assistant superintendents or associate superintendents. The term does not refer to acting superintendents or interim superintendents unless the acting superintendents or interim superintendents become the permanent superintendents of the district.~~

~~3.00 — GENERAL REQUIREMENTS~~

~~3.01 — Beginning with the 2011-2012 school year, a first year Arkansas superintendent shall complete the superintendent mentoring program within twelve (12) months of obtaining or maintaining employment as a superintendent to maintain his or her superintendent’s license.~~

~~3.01.1 — Except as noted in subsection 3.01.2 below, the twelve (12) month superintendent mentoring program period shall begin upon the first day that the first year Arkansas superintendent obtains employment with an Arkansas public school district, as evidenced by the effective date contained in the signed employment contract between the superintendent and an Arkansas public school district.~~

~~3.01.2 — For an interim or acting superintendent of a school district who becomes the permanent superintendent of the same school district, the twelve (12) month superintendent mentoring program period shall begin upon the date~~

~~the interim or acting superintendent becomes the permanent superintendent pursuant to official action of the school district's board of directors.~~

~~3.02 — The Department of Education shall, in conjunction with the Arkansas Association of Educational Administrators, develop all curriculum and training materials for the superintendent mentoring program.~~

~~3.03 — Membership in the Arkansas Association of Educational Administrators, or any other organization, is not required in order for a superintendent to successfully complete the requirements of the program.~~

~~3.04 — The requirements contained in these rules are in addition to those contained in other areas of Arkansas law or in other rules of the State Board of related to administrator licensure, including without limitation, the Arkansas Department of Education Rules Governing Initial and Standard/Advanced Level Administrator and Administrator — Arkansas Correctional School Licensure.~~

~~4.00 — PROGRAM REQUIREMENTS~~

~~4.01 — The superintendent mentoring program shall include the following components:~~

~~4.01.1 Curriculum and instruction;~~

~~4.01.2 Ethics;~~

~~4.01.3 Facilities;~~

~~4.01.4 Human resources;~~

~~4.01.5 Leadership;~~

~~4.01.6 School funding;~~

~~4.01.7 Technology;~~

~~4.01.8 School board relations;~~

~~4.01.9 Standards for Accreditation of Arkansas Public Schools and School Districts;~~

~~4.01.10 Understanding reports and trend data; and~~

~~4.01.11 Legal issues.~~

~~4.02 The required course of study for the superintendent mentoring program shall not consist of less than thirty (30) hours of instruction. Twelve (12) of the thirty (30) hours of instruction shall consist of documented interaction between the mentor and superintendent mentee.~~

~~4.03 A first year Arkansas superintendent who completes the requirements of the superintendent mentoring program may use the training toward fulfillment of the Initial Tier 1 training set forth by Ark. Code Ann. § 6-20-2204 and the Arkansas Department of Education Rules Governing the Arkansas Financial Accounting and Reporting System and Annual Training Requirements. A first year Arkansas superintendent who has previously completed Initial Tier 1 training must nevertheless complete the requirements of the superintendent mentoring program.~~

~~4.03 Instruction under the superintendent mentoring program may take place in person, through distance learning, through Compressed Interactive Video (CIV), or a combination thereof.~~

~~4.04 The superintendent mentor and superintendent mentee shall keep a signed, written record of progress that includes a description of:~~

~~4.04.1 The subject of instruction and areas covered;~~

~~4.04.2 Whether the instruction took place in person, through distance learning, through Compressed Interactive Video (CIV), or a combination thereof; and~~

~~4.04.3 The amount of time of instruction during each session.~~

~~4.05 In order to successfully complete the superintendent mentoring program, a superintendent must:~~

~~4.05.1 Take and pass an assessment for each of the program components described in Section 4.01 of these rules; and~~

~~4.05.2 Complete a final assessment or project covering the entire program.~~

~~4.06—Upon proof of successful completion of the superintendent mentoring program, a superintendent will receive a certificate of program completion from the Department of Education.~~

~~5.00—SANCTIONS~~

~~5.01—A first year Arkansas superintendent who does not complete the requirements of the superintendent mentoring program within twelve (12) months of obtaining or maintaining employment as a superintendent shall be ineligible to maintain his or her superintendent's license.~~

~~5.02—If, due to the physical or mental disability of the superintendent or other extenuating circumstances as may be recognized by the State Board, a superintendent does not complete the requirements of the superintendent mentoring program within twelve (12) months of obtaining or maintaining employment as a superintendent, the State Board may permit the superintendent up to an additional twelve (12) months to complete the program.~~

~~6.00—MENTOR QUALIFICATIONS~~

~~6.01—For the purposes of these rules, a mentor shall meet the following basic qualifications:~~

~~6.01.1 A practicing Arkansas superintendent or retired Arkansas superintendent;~~

~~6.01.2 Successfully completes an application and screening process as set forth by the Department of Education; and~~

~~6.01.3 Successfully completes a mentor training program as set forth by the Department of Education.~~

~~6.02—The Department of Education will certify mentors who meet the qualifications outlined in Section 6.01 of these rules.~~

~~7.00—FUNDING~~

~~7.01—These rules are subject to the appropriation and availability of funding.~~

~~7.02 The Department of Education may, through the use of contracts, grants, or sub-grants, coordinate with qualified entities to provide training under the superintendent mentoring program to superintendents in Arkansas.~~

**ARKANSAS DEPARTMENT OF EDUCATION
POLICIES GOVERNING PROGRAMS FOR EDUCATOR LICENSURE
OFFERED BY INSTITUTIONS OF HIGHER EDUCATION IN ARKANSAS**

December 30, 2014

1.0 REGULATORY AUTHORITY AND PURPOSE

- 1.01 These rules shall be known as Arkansas Department of Education Policies Governing Programs for Educator Licensure Offered by Institutions of Higher Education in Arkansas.
- 1.02 The State Board of Education enacts these rules pursuant to its authority as set forth in Ark. Code Ann. §§ 6-11-105, 6-17-422, and 25-15-201 et seq.
- 1.03 It is the purpose of these rules to set forth the requirements for Arkansas Department of Education (ADE) approval of educator licensure programs offered by a college or university in Arkansas.

2.0 DEFINITIONS

For these policies the following terms are defined:

- 2.01 **Accreditation** of an institution of higher learning, professional education unit, or program of study is the official recognition granted to the institution of higher learning, professional education unit or program of study that meets the standards of quality established by the accrediting agency.
- 2.02 **ADE** is the Arkansas Department of Education.
- 2.03 **ADHE** is the Arkansas Department of Higher Education.
- 2.04 **CAEP** is the Council for Accreditation of Educator Preparation.
- 2.05 **Candidacy for Accreditation** means the status granted to a professional education unit that has met CAEP's pre-conditions for accreditation.
- 2.06 **Candidate** is an individual who has been admitted into an educator licensure program.
- 2.07 **Data Literacy** means the knowledge and skill in accessing, generating, and analyzing data from a variety of sources to facilitate instruction and decision making.
- 2.08 **Disciplinary Literacy** means the knowledge and skills in reading, writing and reasoning processes that are specific to the intellectual beliefs and methods by which scholarship is created in a content field.

- 2.09 **Disposition for Teaching** means the professional attitudes, values, and beliefs of an individual regarding instruction, student learning and development, including beliefs that all students can learn and all teachers can improve their knowledge and skills.
- 2.10 **Distance Learning Technology** means the electronic media, including the Internet, e-mail, television, and other audio-visual communication devices used to deliver instruction where the teacher and the students are in separate physical settings.
- 2.11 **Educator Licensure** is the official recognition by the State Board that an individual has met state requirements and has been authorized to practice as a professional educator in Arkansas.
- 2.12 **Field Experiences** means the activities for students in professional education that are completed in P-12 school settings. These include observations, tutoring, assisting teachers and administrators, student teaching, pre-service teaching and internships.
- 2.13 **General Studies** means the courses and other learning experiences in the liberal arts and sciences that students in degree programs normally complete during the first two years of their higher education experience.
- 2.14 **Nontraditional Educator Licensure Program** means a graduate-level preparation program designed for individuals seeking licensure as a teacher who did not complete an undergraduate educator preparation program but which, under the Arkansas Department of Education rules for nontraditional licensure, allows them to serve as teacher of record while enrolled in a program of study.
- 2.15 **Preconditions** are fundamental requirements undergirding CAEP standards that must be met before a professional education unit is permitted to advance to candidacy for initial accreditation.
- 2.16 **Professional Education Unit** is a college, school, department, or other administrative entity within an institution of higher education that is primarily responsible for coordinating all programs for the initial and advanced preparation of educators and other professional school personnel; also referred to as “unit”.
- 2.17 **Program or Program of Study** means a planned sequence of courses and experiences that prepares educators or other school professionals for licensure and employment in pre-kindergarten through high school settings.
- 2.18 **Provisional Teaching License** means a temporary license, which is issued by the State Board to an individual who has met certain requirements but not all of the requirements for a standard license, that allows the holder to teach or work in Arkansas public schools.
- 2.19 **Specialized Professional Association (SPA)** means any of the national associations representing educators of specific subject areas, grade levels or student groups; administrators; or other school professionals that establish standards for candidates preparing for educator licensure.

- 2.20 **Standard Teaching License** means a five-year renewable license issued by the State Board that allows the license holder to teach in Arkansas public schools.
- 2.21 **Supervised Clinical Practice** means pre-service teaching or internship in a school setting that provides candidates with extensive opportunities to develop and demonstrate competence in the professional roles for which they are preparing; completed under the guidance and supervision of licensed practicing school personnel and college or university supervisory personnel.
- 2.22 **Teacher Effectiveness Support System (TESS)** is an integrated evaluation, feedback, and support system under the Department of Education Rules Governing The Teacher Effectiveness and Support System that encourages teachers to improve their knowledge and instructional skills in order to improve student learning,
- 2.23 **Teacher of Record** means an individual who has been assigned the lead responsibility for a student's learning in a subject/course with aligned performance measures.
- 2.24 **Traditional Program for Educator Licensure** means an undergraduate program of study or graduate program of study at an institution of higher education that prepares candidates for traditional licensure as a teacher, special education teacher, school counselor, school administrator, or other school professional.
- 2.25 **Universal Design for Learning** means a scientifically valid framework for guiding educational practice that (A) provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and (B) reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and students who are limited English proficient.

3.0 APPROVAL REQUIRED

Any educator licensure program offered by a college or university in Arkansas must be approved by the Arkansas Department of Education (ADE), Office of Educator Licensure (OEL). These policies shall be effective beginning September 1, 2014, and they shall supersede any previous ADE policies pertaining to professional education programs offered by colleges or universities in Arkansas. As often as may be necessary, these policies will be reviewed by the Professional Licensure Standards Board (PLSB) and approved by the Arkansas State Board of Education (State Board).

4.0 POLICIES FOR INSTITUTIONS OF HIGHER EDUCATION PROVIDING PROGRAMS FOR EDUCATOR LICENSURE

- 4.01 Prior to program implementation, public institutions of higher education in Arkansas and any out-of-state institutions of higher education offering programs to students in

Arkansas shall be approved by the Arkansas Higher Education Coordinating Board to offer certificate and degree programs leading to educator licensure in Arkansas.

- 4.02 Institutions of higher education that offer programs in Arkansas leading to educator licensure shall be accredited by a regional accrediting agency that is recognized by the United States Department of Education (USDE) or the Council for Higher Education Accreditation (CHEA).

5.0 POLICIES FOR PROFESSIONAL EDUCATION UNITS PROVIDING PROGRAMS FOR EDUCATOR LICENSURE

- 5.01 A professional education unit accredited by CAEP and in compliance with all other policies set forth in this document is considered eligible by the ADE to provide professional education programs leading to educator licensure in Arkansas.

- 5.01.1 If a unit is not yet accredited by CAEP, it shall meet all other preconditions for CAEP accreditation before the ADE can approve any of its programs for educator licensure.

- 5.01.2 If a unit fails to achieve initial CAEP accreditation, or CAEP accreditation is discontinued, the unit and its individual programs for educator licensure shall forfeit state approval.

- 5.01.3 The unit shall inform current and potential candidates of its standing with regard to CAEP accreditation and state approval of its licensure programs.

6.0 POLICIES FOR ALL PROGRAMS LEADING TO EDUCATOR LICENSURE (TRADITIONAL AND NONTRADITIONAL)

- 6.01 An educator licensure program proposed by a professional education unit that is CAEP accredited may be granted initial state approval upon review by the ADE in accordance with the *Protocol for the Review and Approval of Programs of Study Leading to Educator Licensure or Endorsement in Arkansas*.

- 6.02 An educator licensure program proposed by a professional education unit that has met all other requirements for candidacy for CAEP accreditation, except having a state-approved licensure program, may be granted provisional state approval until accreditation is achieved or for a period of no longer than five (5) years. If accreditation is not achieved within the 5-year period, the unit's professional education programs will forfeit state approval, and no new students may be admitted into the programs.

- 6.03 Continued state approval of an educator licensure program shall be granted if it attains recognition from its affiliated CAEP Specialized Professional Association (SPA), or is accredited by a CAEP recognized organization associated with the field of study, or is recommended for approval based upon results of a CAEP or state review of the program.

- 6.03.1 A program for licensure endorsement requiring less than 18 credit hours shall not be required to prepare individual program reports, but the programs must provide candidate performance data from state-required licensure assessments in the unit's documentation for CAEP accreditation.
- 6.03.2 A program having no completers or enrolled candidates during its most recent three years of operation may be declared to be inactive, and therefore shall not be required to prepare a program report in conjunction with preparation for the unit's CAEP accreditation review.
- 6.04 Any revisions to an ADE-approved program of study for licensure shall be submitted to the ADE Office of Educator Effectiveness in accordance with the *Protocol for the Review and Approval of Programs of Study Leading to Educator Licensure or Endorsement in Arkansas*.

7.0 POLICIES FOR TRADITIONAL EDUCATOR LICENSURE PROGRAMS

- 7.01 All traditional educator licensure programs shall include curriculum that addresses requirements established by Arkansas statutes governing educator preparation and ADE rules governing educator licensure, including without limitation, instruction in:
 - 7.01.1 The *Code of Ethics for Arkansas Educators*.
 - 7.01.2 Data literacy.
 - 7.01.3 The Arkansas Teaching Standards and the appropriate content knowledge and pedagogical competencies for the respective licensure areas;
 - 7.01.4 Disciplinary literacy;
 - 7.01.5 Universal Design for Learning;
 - 7.01.6 Child maltreatment, under Ark. Code Ann. § 6-61-133; and
 - 7.01.7 Information on the identification of students at risk for dyslexia and related disorders, under Ark. Code Ann. § 6-41-609.
- 7.02 All programs that prepare candidates for licensure to teach in grades birth through kindergarten (B-K), kindergarten through grade six (K-6) or grades four through eight (4-8) shall include at least six semester hours of instruction in reading pedagogy. The instruction shall include theories and strategies for teaching reading, diagnosis of reading difficulties, intervention strategies for struggling readers and disciplinary literacy as identified in the competencies for educator licensure.
- 7.03 Traditional programs that prepare candidates for middle childhood licensure to teach in grades four through eight (4-8) shall require concentrations in at least two content areas to be selected by the candidates from English-language arts, mathematics,

science and social studies. The concentrations shall include at least eighteen (18) semester hours of coursework in each of the selected content areas.

- 7.04 Traditional programs that prepare candidates for secondary licensure to teach in grades seven through twelve (7-12) shall require candidates to have content preparation in a teaching field equivalent to the institutional requirements for an academic major (at least 30 semester hours). Degree requirements shall be determined by the institution, but the requirements for a student seeking a teaching degree shall not be substantially different from the requirements for a student seeking a non-teaching degree in the same content field.
- 7.05 Programs that prepare candidates for standard or add-on licensure to teach special education in grades K-12, shall include a curriculum of at least twenty-one (21) semester hours in special education content and pedagogy and shall comply with standards of the Council for Exceptional Children (CEC).
- 7.06 Programs that prepare candidates for licensure as school administrators, grades P-12, shall comply with the *Standards for School Administrators in Arkansas* and Educational Leadership Constituent Council (ELCC) standards.
- 7.07 Professional education programs shall engage candidates in direct, substantial, quality participation in field experiences and supervised clinical practice.
 - 7.07.1 The combination of field experiences and supervised clinical practice shall provide opportunities for a candidate for teacher licensure to teach across the entire grade of the license being sought.
 - 7.07.1.1 Field experiences and supervised clinical practice in a program of study for teacher licensure, Birth – Kindergarten (B-K), shall be divided between prekindergarten and kindergarten, with no less than 40% of the total experiences completed in either area.
 - 7.07.1.2 Field experience and supervised clinical practice in a program of study for teacher licensure, grades K-6, shall be divided between grades K-3 and 4-6, with no less than 25% of the experiences completed in either grade range.
 - 7.07.1.3 Field experiences and supervised clinical practice in a traditional program of study for teacher licensure, grades 4-8, shall be divided between grades 4-6 and 7-8, with no less than 25% of the total experiences completed in either grade range, and shall include teaching in each area of concentration selected by the candidate.
 - 7.07.1.4 Field experiences and supervised clinical practice in a traditional program of study for teacher licensure, grades 7-12, shall be divided between grades 7-9 and 10-12 in the licensure content area(s) with no less than 25% of the total assignment completed in either grade range. If a candidate is seeking licensure in more than one content

area, the field experiences and supervised clinical practice shall be divided among the content areas.

- 7.07.1.5 Field experiences and supervised clinical practice in a traditional program of study for teacher licensure, grades K-12, shall be divided between grades K-6 and 7-12 in the licensure content area with no less than 25% of the total experiences completed in either grade range. If no K-6 settings are available in a K-12 licensure area, candidates may complete their experiences within the 7-12 grade range.
- 7.07.2 Programs of study for the licensure of teachers shall require candidates to be engaged in supervised clinical practice for a minimum of sixty (60) complete school days (approximately 420 contact hours).
- 7.07.3 Programs of study for the licensure of school administrators (principal, curriculum/program administrator, district administrator) and other professional school personnel (counselors, school psychologists, etc.) shall require candidates to complete supervised clinical practice across the grade range for each license being sought by the candidate.
- 7.07.4 Field experiences and supervised clinical practice in traditional undergraduate or graduate programs for teacher licensure areas that involve grades K-12, or in graduate programs for school administration and other non-teaching licensure areas, shall be completed in:
 - 7.07.4.1 Traditional public K-12 school settings that are accredited by the ADE; or
 - 7.07.4.2 Traditional in-state or border-state private or public school settings where Common Core and other content standards adopted by the State Board are taught and faculty are subject to an evaluation system that uses a framework substantially similar to Arkansas' TESS.
- 7.07.5 Field experiences and supervised clinical practice in a B-K licensure program shall be completed in:
 - 7.07.5.1 An early childhood education setting accredited by the Division of Child Care and Early Childhood Education of the Department of Human Services as a Better Beginnings Level 3 or higher program; or
 - 7.07.5.2 A border-state early childhood education setting having state accreditation similar to the Arkansas accreditation for a Better Beginnings Level 3 or higher program.

7.07.6 Field experience and internship placements for candidates in a traditional program of study for educator licensure shall not include priority schools, school districts in academic distress, or school districts under administrative takeover for violations of the Standards for Accreditation of Arkansas Public Schools and School Districts, unless:

7.07.6.1 The candidate is in an administrator licensure program and the state has replaced the administrator in the applicable priority school or school district in academic distress or under administrative takeover; or

7.07.6.2 Under an extreme circumstance, based on a recommendation from the Department of Education Director of Educator Licensure, the Assistant Commissioner for Licensure of the Department of Education approves the field experience or internship placement in the applicable priority school or school district in academic distress or under administrative takeover.

7.07.7 Candidates for educator licensure may complete their supervised clinical practice in instructional settings that employ distance learning technology, but at least 75% of their clinical practice must engage them in face-to-face interaction where the candidate and the students are in the same physical setting.

7.07.8 Professional education faculty, including adjunct faculty, and cooperating teachers who teach and/or supervise teacher candidates must be trained in the domains and criteria of Arkansas' TESS. Candidates shall be placed only with cooperating teachers or mentors who have received at least a *proficient* or equivalent rating in their latest TESS performance review or, if applicable, under 7.07.4.2, an equivalent performance review.

7.08 Programs of study for teacher licensure shall require the following of candidates before completing the program:

7.08.1 Achieve a passing score on each state-approved content assessment for the license.

7.08.2 Take the state-approved pedagogical assessment.

8.0 POLICIES FOR CANDIDATES IN TRADITIONAL PROGRAMS FOR EDUCATOR LICENSURE

8.01 Candidates in programs leading to a baccalaureate degree with educator licensure shall complete, as a minimum, a general studies curriculum similar to that required for other baccalaureate degree programs offered by the institution.

8.02 To qualify for admission as a candidate into a traditional program for first-time educator licensure:

8.02.1 An individual shall have earned a cumulative grade point average in non-remedial coursework of no less than 2.5 (4.0 scale) until Fall 2015 and 2.7 (4.0 scale) beginning in Fall 2015.

8.02.2 An individual shall achieve a passing score, as determined by the ADE, for each of the state-approved basic skills assessments, except as noted below.

8.02.2.1 In lieu of the state-approved basic skills assessments, an individual seeking entry into a baccalaureate program for first time licensure for teaching may substitute:

8.02.2.1.1 A minimum composite score of 24 on the ACT with scores of at least 22 in reading and 22 in mathematics, or the equivalent scores on the Scholastic Aptitude Test (SAT) determined by ADE; and

8.02.2.1.2 A passing score on the writing skills in the basic-skills assessments approved by the State Board.

8.02.2.2 An individual seeking entry into a post-baccalaureate program for first time educator licensure may substitute passing scores, determined by the ADE, from the Graduate Record Examination (GRE), the Law School Admission Test (LSAT), or the Medical College Admission Test (MCAT) in lieu of the state-approved basic skills assessments.

8.03 A candidate for licensure in teaching shall demonstrate proficiency in oral communications and shall indicate an appropriate disposition for teaching.

8.03.1 A candidate shall demonstrate proficiency in oral communications as determined by requirements in the candidate's program of study.

8.03.2 A candidate shall indicate, via interviews or other means determined by the candidate's program of study, an appropriate disposition for teaching.

8.04 Before entering a classroom to complete a supervised clinical practice, a candidate shall apply to the Identification Bureau of the Arkansas State Police for a criminal records check and to the Department of Human Services for a Child Maltreatment Central Registry check and shall successfully complete those background checks in accordance with the Department of Education Rules Governing Background Checks and Licensure Revocation.

9.0 POLICIES FOR NONTRADITIONAL EDUCATOR LICENSURE PROGRAMS

- 9.01 Nontraditional educator licensure programs may be offered at the post-baccalaureate level by institutions of higher education. Such programs may be offered as degree or non-degree programs of study.
- 9.02 A nontraditional educator licensure program may admit and prepare candidates only for ADE-approved teacher licensure areas at the middle childhood (grades 4-8) and secondary (grades 7-12 or K-12) levels, not including special education.
- 9.03 A nontraditional educator licensure program may include two tracks:
 - 9.03.1 Track 1 allows a candidate to be employed as a teacher of record with a provisional teaching license for the duration of the prescribed program of study; a candidate shall teach only in the content area(s) and grade level(s) indicated on the provisional teaching license. Candidates shall be placed only with cooperating teachers or mentors who have received at least a *proficient* or equivalent rating in their latest TESS performance review or, if applicable, under 7.07.4.2, an equivalent performance review.
 - 9.03.2 Track 2 allows a candidate to complete a traditional internship (student teaching) as a culminating experience of the candidate's program of study or obtain a provisional teaching license and be employed as a teacher of record as a culminating experience of the candidate's program of study.
- 9.04 A candidate in a nontraditional educator licensure program shall complete an internship or obtain a provisional license and be employed as a teacher of record only in the area(s) which s/he has passed the state-required content assessment(s).
- 9.05 Nontraditional educator licensure programs shall include curriculum that addresses requirements established by Arkansas statutes governing preparation for nontraditional educator licensure and ADE rules governing nontraditional educator licensure, including without limitation, instruction in:
 - 9.05.1 The Arkansas Teaching Standards and specific pedagogical competencies for the respective licensure areas;
 - 9.05.2 The *Code of Ethics for Arkansas Educators*;
 - 9.05.3 Data literacy;
 - 9.05.4 Disciplinary literacy;
 - 9.05.5 Universal Design for Learning (UDL);
 - 9.05.6 Arkansas' Teacher Excellence Support System (TESS);
 - 9.05.7 Child maltreatment, under Ark. Code Ann. § 6-61-133; and

- 9.05.8 Information on the identification of students at risk for dyslexia and related disorders, under Ark. Code Ann. § 6-41-609.
- 9.06 Nontraditional educator licensure programs that prepare candidates to teach grades four through eight (4-8) shall include at least six semester hours of instruction in reading pedagogy. The instruction shall include theories and strategies for teaching reading, diagnosis of reading difficulties, intervention strategies for struggling readers and disciplinary literacy as identified in the competencies for educator licensure.
- 9.07 Candidates completing a nontraditional educator licensure program in middle childhood, grades 4-8, or secondary social studies, grades 7-12, must complete a three semester hour course in Arkansas history, as required by state law.
- 9.08 Nontraditional educator licensure program shall require internships or teaching service to be completed in:
- 9.08.1 Traditional public K-12 school settings that are accredited by the ADE; or
- 9.08.2 Traditional in-state or border-state private or public school settings where Common Core and other content standards adopted by the State Board are taught and faculty are subject to an evaluation system that uses a framework substantially similar to Arkansas' TESS.
- 9.09 Teaching and internship placements for candidates in nontraditional educator licensure programs shall not include priority schools, school districts in academic distress, or school districts under administrative takeover for violations of the Standards for Accreditation of Arkansas Public Schools and School Districts.
- 9.09.1 Under an extreme circumstance, based on a recommendation from the Department of Education Director of Educator Licensure, the Assistant Commissioner for Licensure of the Department of Education may approve the field experience or internship placement in the applicable priority school or school district in academic distress or under administrative takeover.
- 9.10 Candidates in nontraditional educator licensure programs may complete their teaching or internships in instructional settings that employ distance learning technology, but at least 75% of their clinical practice must engage them in face-to-face interaction where candidates and the students are in the same physical setting.
- 9.11 Professional education faculty in nontraditional educator licensure programs, including adjunct faculty, and cooperating teachers who teach and/or supervise nontraditional teacher candidates must be trained in the domains and criteria of Arkansas' TESS. Candidates shall be paired only with cooperating teachers or mentors who have received at least a *proficient* or equivalent rating in their latest TESS performance review or, if applicable, under 7.07.4.2, an equivalent performance review.

10.0 POLICIES FOR CANDIDATES IN NONTRADITIONAL EDUCATOR LICENSURE PROGRAMS

10.01 Individuals seeking admission into a nontraditional educator licensure program are subject to the following requirements:

10.01.1 An applicant shall provide an official transcript(s) documenting an earned bachelor's degree or higher from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation. An applicant who earned a degree from an out-of-country college or university may provide an official college transcript evaluation from a nationally recognized credential evaluation agency documenting that their degree is equivalent to a four-year degree from an accredited United States institution of higher learning.

10.01.2 An applicant shall have earned a cumulative grade point average in non-remedial coursework of no less than 2.5 (4.0 scale) until Fall 2015 and 2.7 (4.0 scale) beginning in Fall 2015.

10.01.3 An applicant shall have achieved a passing score, as determined by the ADE, for each of the state-approved basic skills assessments, except as noted below:

10.01.3.1 An individual seeking entry into a post-baccalaureate program for first-time educator licensure may substitute passing scores, determined by the ADE, from the Graduate Record Examination (GRE), the Law School Admission Test (LSAT), or the Medical College Admission Test (MCAT) in lieu of the state-approved basic skills assessments.

10.01.4 An applicant seeking licensure in middle childhood, grades 4-8, must achieve passing scores, as determined by the ADE, on at least two of the state-required content assessments required for middle childhood licensure.

10.01.5 An applicant seeking licensure in secondary teaching, grades 7-12 or K-12, must achieve a passing score, as determined by the ADE, on the state-required content assessment(s) for each level and content area in which licensure is sought.

10.02 A candidate for nontraditional licensure in teaching shall demonstrate proficiency in oral communications and shall indicate an appropriate disposition for teaching.

10.02.1 The candidate shall demonstrate proficiency in oral communications as determined by requirements in the candidate's program of study.

- 10.02.2 The candidate shall indicate, via interviews or other means as determined by the candidate's program of study, an appropriate disposition for teaching.
- 10.03 Before entering a classroom to complete a supervised clinical practice, a candidate for nontraditional licensure shall apply to the Identification Bureau of the Arkansas State Police for a criminal records check and to the Department of Human Services for a Child Maltreatment Central Registry check and shall successfully complete those background checks in accordance with the Department of Education Rules Governing Background Checks and Licensure Revocation.

11.0 PROGRAM AND UNIT ACCOUNTABILITY REQUIREMENTS

- 11.01 An educator licensure program having at least ten (10) program completers during its most recent three-year period shall maintain an eighty percent (80%) average candidate pass rate on all assessments required by the state for professional licensure. Programs failing to maintain a three-year average pass rate of at least 80% on the assessments will be placed on probation for a period of no more than three (3) years. The probation shall end if an 80% average pass rate is achieved within the 3-year probationary period. A program that fails to achieve an 80% average pass rate by the end of the 3-year probationary period shall forfeit its state approval.
- 11.02 A professional education unit shall maintain an eighty percent (80%) pass rate on the state-required licensure assessments among all of its candidates for licensure. A unit that fails to maintain an 80% pass rate will be placed on probation for a period of no more than three (3) years. The probation shall end if an 80% pass rate is achieved within the 3-year period. A unit that fails to achieve an 80% pass rate by the end of the 3-year probationary period will forfeit its state approval and will no longer be eligible to offer any programs for educator licensure.
- 11.03 A professional education unit may be designated as "low performing" as defined in the *Plan for Title II Reporting Requirements of the Higher Education Act* published by the ADE. If a unit is designated as low performing for three consecutive years, state approval for the unit and its programs for licensure will be revoked, and the unit will no longer be eligible to recommend candidates for educator licensure.
- 11.04 If a program or unit is designated as "on probation" or "low performing," current and potential candidates must be advised of the program's or unit's standing.

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE CALCULATION OF MISCELLANEOUS FUNDS
NOVEMBER 14, 2011 JULY 2014

1.0 ~~Authority~~ PURPOSE

1.1 ~~The Arkansas State Board of Education's authority for promulgating these Rules is pursuant to Ark. Code Ann. §§ 6-20-2301 et seq., 6-20-2503, and Act 266 of 2011. These rules shall be known as the Arkansas Department of Education Rules Governing the Calculation of Miscellaneous Funds.~~

1.2 ~~These Rules shall be known as the Arkansas Department of Education Rules Governing the Calculation of Miscellaneous Funds (Rules). The purpose of these rules is to provide the process and procedures necessary to calculate the miscellaneous funds used in both state foundation funding aid and bonded debt assistance calculations.~~

2.0 ~~Purpose~~ AUTHORITY

2.1 ~~The purpose of these Rules is to define the procedures for the calculation of miscellaneous funds to be used in calculating both state foundation funding aid and bonded debt assistance. The Arkansas State Board of Education promulgated these rules pursuant to the authority granted to it by Ark. Code Ann. §§ 6-11-105, 6-20-2301 et seq., 6-20-2501 et seq., and Act 322 of 2013.~~

3.0 DEFINITIONS

~~For purposes of these Rules, the following terms mean:~~ As used in these rules:

3.1 ~~"miscellaneous funds" as used in calculating state foundation funding and bonded debt assistance for public school districts is the average of funds collected in the five (5) school years immediately preceding the previous school year, that were received by a school district from federal forest reserves, federal grazing rights, federal mineral rights, federal impact aid, federal flood control, wildlife refuge funds, severance taxes in lieu of taxes, and from local sales and use taxes for capital improvements dedicated to education under § 26-74-201 et seq., § 26-74-301 et seq., § 26-75-301 et seq., and the Local Government Bond Act of 1985, § 14-164-301 et seq., and multiplied by the ratio of the uniform rate of tax to the school district's total millage rate in effect as of January 1 of the fiscal year prior to the current funding year. "Bonded Debt Assistance" means an amount of state financial aid provided to an eligible school district under Ark. Code Ann. § 6-20-2503.~~

3.2 ~~"School year" is the year beginning July 1 of one calendar year and ending June 30 of the next calendar year. "Foundation Funding" means an amount of money specified by the General Assembly for each school year to be expended by school districts for the provision of an adequate education for each student as that amount is established in Ark. Code Ann.~~

§ 6-20-2305.

~~3.3 “State foundation funding aid” is the amount of state financial aid provided to each school district and computed as the difference between the foundation funding amount established by the General Assembly and the sum of ninety-eight percent (98%) of the uniform rate of tax multiplied by the property assessment of the school district plus the miscellaneous funds of the school district. “Miscellaneous Funds” means funds received by a school district from federal forest reserves, federal grazing rights, federal mineral rights, federal impact aid, federal flood control, wildlife refuge funds, severance taxes, in lieu of taxes, and local sales and use taxes dedicated to education under Ark. Code Ann. §§ 26-74-201 et seq., 26-74-301 et seq., 26-75-301 et seq., and the Local Government Bond Act of 1985, 14-164-301 et seq.~~

3.4 “State Foundation Funding Aid” means the amount of state financial aid provided to a school district under Ark. Code Ann. § 6-20-2305(a)(1).

4.0 Procedures for the Calculation of Miscellaneous Funds CALCULATION

~~4.01~~ 4.1 The Calculation of state foundation funding aid for public school districts uses miscellaneous funds listed in 3.01 of these Rules calculated pursuant to § 6-20-2303 (11). For the purpose of making an initial calculation of state foundation funding aid, the Department of Education shall calculate the miscellaneous funds of a school district or open-enrollment public charter school as the aggregate amount of miscellaneous funds a school district or open-enrollment public charter school received in the calendar year immediately preceding the beginning of the current school fiscal year, and for a school district, this amount is multiplied by the ratio of the URT to the school district's total millage rate in effect as of January 1 of the calendar year in which the school district received the miscellaneous funds.

~~4.02~~ 4.2 The calculation of bonded debt assistance for public school districts uses miscellaneous funds listed in 3.01 of these Rules calculated pursuant to § 6-20-2503 (4) as amended by Act 266 of 2011. Prior to the end of the fiscal year, for a school district or open-enrollment public charter school that receives initial state foundation funding aid in the current school fiscal year and receives an aggregate amount of miscellaneous funds during the calendar year in which the current school fiscal year began that is less than the aggregate amount of miscellaneous funds the school district or open-enrollment public charter school received in the calendar year immediately preceding the beginning of the current school fiscal year, the department shall increase state foundation funding aid by an amount equal to the difference between the amount of miscellaneous funds calculated for the calendar year in which the current school fiscal year began and the amount of miscellaneous funds calculated for the calendar year immediately preceding the beginning of the current school fiscal year. The foundation funding amount under Ark. Code Ann. § 6-20-2305(a)(2) shall not be

exceeded by virtue of a school district or open-enrollment public charter school receiving this additional state foundation funding aid.

~~4.03 4.3~~ If a school district did not receive funds from a category of miscellaneous funds listed in 3.01 of these Rules during the most recent school year used to calculate the five-year average, then previous collections from that category of miscellaneous funds shall not be included in the five-year average calculation of miscellaneous funds used in the calculation of state foundation funding aid and bonded debt assistance. Prior to the end of the fiscal year, for a school district or open-enrollment public charter school that receives initial state foundation funding aid in the current school fiscal year and receives an aggregate amount of miscellaneous funds during the calendar year in which the current school fiscal year began that is more than the aggregate amount of miscellaneous funds the school district or open-enrollment public charter school received in the calendar year immediately preceding the beginning of the current school fiscal year, the department shall decrease state foundation funding aid by an amount equal to the difference between the amount of miscellaneous funds calculated for the calendar year in which the current school fiscal year began and the amount of miscellaneous funds calculated for the calendar year immediately preceding the beginning of the current school fiscal year.

~~4.04 4.4~~ The calculation of miscellaneous fund shall be an annual calculation. For the calculation of bonded debt assistance the Department of Education shall calculate the miscellaneous funds of a school district as the aggregate amount of miscellaneous funds a school district received in the calendar year immediately preceding the beginning of the current school fiscal year multiplied by the ratio of the URT to the school district's total millage rate in effect as of January 1 of the calendar year in which the school district received the miscellaneous funds.

5.0 PROCESS AND PROCEDURES

5.1 For the fiscal year 2013-2014 calculation of state foundation funding aid:

5.1.1 In accordance with 4.1 of these rules for the initial calculation of state foundation funding aid, the calendar year immediately preceding the beginning of the current school fiscal year is calendar year 2012 and the school district's total millage rate is the total millage rate effective as of January 1, 2012.

5.1.2 In accordance with 4.2 of these rules, the calendar year in which the current school fiscal year began is 2013 and the school district's total millage rate is the total millage rate effective as of January 1, 2013.

5.2 For the fiscal year 2014-2015 calculation of state foundation funding aid:

5.2.1 In accordance with 4.1 of these rules for the initial calculation of state foundation funding aid, the calendar year immediately preceding the beginning of the current school fiscal year is calendar year 2012 and the school district's total millage rate is the total millage rate effective as of January 1, 2012.

5.2.2 In accordance with 4.2 and 4.3 of these rules, the calendar year in which the current school fiscal year began is 2014 and the school district's total millage rate is the total millage rate effective as of January 1, 2014.

5.3 For fiscal year 2015-2016 and for subsequent fiscal years, the calculation of state foundation funding aid is in accordance with 4.1, 4.2, and 4.3 of these rules.

5.4 In accordance with 4.4 of these rules for the fiscal years 2013-2014 and 2014-2015, in the calculation of bonded debt assistance the calendar year immediately preceding the beginning of the current school fiscal year is calendar year 2012 and the school district's total millage rate is the total millage rate effective as of January 1, 2012.

5.5 For fiscal year 2015-2016 and for subsequent fiscal years, the calculation of bonded debt assistance is in accordance with 4.4 of these rules.

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING
COLLEGE AND CAREER READINESS PLANNING PROGRAMS
~~July 2011~~ July 2014**

1.00 REGULATORY AUTHORITY

- 1.01 These regulations are enacted pursuant to the authority contained in Ark. Code Ann. §§ 6-11-105, 6-15-441, 6-16-601 *et seq.*, 25-15-201 *et seq.*, and ~~Act 879 of 2011~~ Act 1073 of 2013.

2.00 PURPOSE

- 2.01 The purpose of these rules is to establish guidelines for the implementation of:
- 2.01.1 the Arkansas College and Career Readiness Planning Program; and
- 2.01.2 Postsecondary preparatory programs in Arkansas.

3.00 DEFINITIONS

For purposes of these rules, each term below shall be defined as follows:

- 3.01 “ACT” means the American College Test.
- 3.02 “College readiness assessment” means a test of student educational development that measures student readiness for postsecondary learning and is administered pursuant to these Rules or is used by institutions of higher education as part of their admissions, placement, and scholarship processes.
- 3.02.1 “College readiness assessment” includes without limitation the EXPLORE, PLAN, and PSAT assessments.
- 3.03 “College readiness benchmark” means the minimum score on a college readiness assessment in mathematics, English, or reading indicating that a student has a high probability of success in entry level postsecondary education.
- 3.03.1 College readiness benchmarks shall be determined jointly by the Arkansas Higher Education Coordinating Board and the State Board of Education.
- 3.04 “Department” means the Arkansas Department of Education.

- 3.05 “Designated College Readiness Course” means a regular instructional course taken during a student’s senior year of high school that is designated by:
- 3.05.1 Local school officials to assist in the improvement of a student’s placement test scores for mathematics, English language arts, or reading; or
 - 3.05.2 The Department of Education and the Department of Higher Education as an appropriate course for college readiness.
- 3.06 “Eligible student” means a public school student in Arkansas who:
- 3.06.1 Is enrolled in or has completed any of grades eight through eleven (8-11) and has not yet begun grade twelve (12);
 - 3.06.2 Is identified through a college readiness assessment as scoring below a college readiness benchmark in mathematics, English, or reading;
 - 3.06.3 Receives the counseling required under Section 4.05 of these Rules; and
 - 3.06.4 Desires to enroll in postsecondary education.
- 3.07 “EXPLORE” means the pre-ACT assessment designed to help students in grade eight (8) explore a broad range of options for their future and focus not only on high school coursework but also on post-high school choices as well.
- 3.08 “Placement test” means a test for entrance to postsecondary education that is either approved by the State Board of Education, or designated by the Department of Higher Education.
- 3.08.1 For the purpose of these Rules, “Placement test” includes without limitation the ACT.
- 3.09 “PLAN” means the pre-ACT assessment for students in grade ten (10) used to help a student focus attention on improved academic achievement, career preparation, and planning for post-high school years.
- 3.10 “Postsecondary preparatory program” means an intensive program approved under these Rules that is focused on preparing students for entry-level postsecondary work in the areas of mathematics, English, and reading based on identified needs for college enrollment and placement.
- 3.11 “PSAT” means the Preliminary SAT/National Merit Scholarship Qualifying Test that provides practice for the SAT Reasoning Test and gives students

feedback on individual strengths and weaknesses on college readiness skills.

4.00 COLLEGE AND CAREER READINESS PLANNING PROGRAM – IMPLEMENTATION

- 4.01 Each public school that serves students in grade eight (8) shall administer EXPLORE to each student enrolled in grade eight (8) at the public school.
- 4.02 Each public school that serves students in grade ten (10) shall administer PLAN or the PSAT to each student enrolled in grade ten (10) at the public school.
- 4.03 Funding for the college readiness assessments listed in Sections 4.01 and 4.02 of these Rules may be provided by the Department using at-risk funding or other funds appropriated and authorized for this purpose.
- 4.04 Each public school district shall use the college readiness assessments:
 - 4.04.1 To assist students with college and workforce readiness skills, course selection in high school, and improved academic achievement;
 - 4.04.2 To identify students who do not meet the college readiness benchmarks in mathematics, English, or reading; and
 - 4.04.3 To provide the basis for the counseling concerning postsecondary preparatory programs as required by Section 4.05 of these Rules and Ark. Code Ann. § 6-16-603.
- 4.05 Each public school district shall ensure that every student identified under Section 4.04.2 is counseled by a public school counselor and strongly encouraged to enroll in a postsecondary preparatory program approved under these Rules.
- 4.06 The public school district shall make every reasonable effort to involve parents or guardians in student counseling and placement of students.
- 4.07 Each public school shall fully incorporate the results from the college readiness assessments into the college and career planning process for each student. The ADE shall monitor the utilization of these assessments to ensure public school compliance.

5.0 POSTSECONDARY PREPARATORY PROGRAMS – APPROVAL

- 5.01 No later than September 30, 2011, and no later than May 1 of each year thereafter, any of the listed entities may submit to the Department an application for authorization to operate a postsecondary preparatory program in Arkansas:
 - 5.01.1 One or more school districts;
 - 5.01.2 One or more institutions of higher education; or
 - 5.01.3 A partnership of one or more school districts and one or more institutions of higher education.
- 5.02 An application for authorization shall include:
 - 5.02.1 A list of the participating school district[s] or institution[s] of higher education;
 - 5.02.2 The number and location of sites at which postsecondary preparatory programs will be offered;
 - 5.02.3 A program description, including identification of the curriculum, content guides, and instructional materials to be utilized;
 - 5.02.4 Staffing and instructor qualifications;
 - 5.02.5 Program schedules;
 - 5.02.6 Guidelines for admission to the postsecondary program, including program eligibility requirements and selection criteria;
 - 5.02.6.1 Admission guidelines should address whether and how the program will admit 12th grade students under Section 6.03 of these Rules;
 - 5.02.7 Disciplinary policies which will govern participants; and
 - 5.02.8 Attendance requirements for participants.
- 5.03 The Department may approve an application for authorization after:
 - 5.03.1 Determining that the application meets the criteria established by these Rules and Ark. Code Ann. § 6-16-601 *et seq*;
 - 5.03.2 Reviewing evidence of the postsecondary preparatory program's past performance and success, as reported under Section 9.0;

- 5.03.3 Reviewing the postsecondary preparatory program's past compliance with these Rules with Ark. Code Ann. § 6-16-601 *et seq.*, and with other relevant state or federal law; and
- 5.03.4 Giving priority for approval to postsecondary preparatory programs operated by partnerships between one or more school districts and one or more institutions of higher education.
- 5.04 Authorization of an approved postsecondary preparatory program may be for a term defined by the Department of no more than one (1) year.
- 5.05 A postsecondary preparatory program shall not receive authorization under these Rules unless the postsecondary preparatory program files an annual application with the Department and the application is approved.
- 5.06 Content guides utilized by a postsecondary preparatory program must be approved by the Department and must:
 - 5.06.1 Include the curricular goals in each content area; and
 - 5.06.2 State clearly how the program goals will be met.
 - 5.06.3 Postsecondary preparatory programs may utilize content guides developed by outside parties with the Department's approval.

6.0 POSTSECONDARY PREPARATORY PROGRAMS – ENROLLMENT

- 6.01 An eligible student may enroll in and attend a postsecondary preparatory program at any time between:
 - 6.01.1 The first day of school after July 1 of the year in which the student first enters grade eight (8); and
 - 6.01.2 The first day of school after July 1 of the year in which the student first enters grade twelve (12).
- 6.02 An eligible student shall receive priority for enrollment in a postsecondary preparatory program if the eligible student qualifies for free and reduced price meals under the National School Lunch Act, 42 U.S.C. § 1751 *et seq.*, as verified by a signed Free and Reduced Price School Meals Family Application on file with the entity administering the postsecondary preparatory program.
 - 6.02.1 If the postsecondary preparatory program is administered by an entity other than the student's home district, the program shall furnish a Free and Reduced Price School Meals Family

Application to the student solely for the purpose of determining eligibility under this section.

- 6.02.2 No public school district, public school, or charter school may disclose any student's eligibility for free and reduced price meals to any other entity, including a public school district or institution of higher education administering a postsecondary preparatory program.
- 6.02.3 A postsecondary preparatory program may disclose a student's eligibility for free and reduced price meals to the Department.
- 6.03 Notwithstanding the requirements of Section 6.01, if space and funding are available after all eligible students who applied to attend a postsecondary preparatory program are enrolled, the Department may permit a postsecondary preparatory program to enroll a student in grade twelve (12) or a high school graduate if the student or graduate:
 - 6.03.1 Scores below college readiness benchmarks on a college readiness assessment or placement test; and
 - 6.03.2 Will enroll in the postsecondary preparatory program no later than three (3) months after graduating from an Arkansas high school.
- 6.04 An eligible student, or a student enrolled under Section 6.03, may enroll in one (1) or more of the curriculum areas in which the student has scored below the college readiness benchmark as identified by college readiness assessments.

7.0 POSTSECONDARY PREPARATORY PROGRAMS – OPERATION

- 7.01 A postsecondary preparatory program approved under these Rules shall:
 - 7.01.1 Provide advice that will better prepare eligible students for entry-level postsecondary work in the areas of mathematics, English, and reading;
 - 7.01.2 Improve diagnostic efforts, counseling, placement, and instruction for eligible students;
 - 7.01.3 Provide intensive remedial instruction to eligible students enrolled in the postsecondary preparatory program in one (1) or more of the following curriculum areas:
 - 7.01.3.1 Mathematics;

- 7.01.3.2 English; and
 - 7.01.3.3 Reading;
 - 7.01.4 Effectively use college readiness assessments to monitor the progress of participants in the postsecondary preparatory program; and
 - 7.01.5 Use innovative teaching and learning strategies that are designed to be effective with participants in the postsecondary preparatory program.
- 7.02 Remedial instruction provided by an approved postsecondary preparatory program shall:
 - 7.02.1 Consist of a minimum of twenty-five (25) hours or more of instruction for each curriculum area offered;
 - 7.02.2 Conform to content guides as approved by the Department, in consultation with the Department of Higher Education;
 - 7.02.3 Conform to individualized plans developed for each student;
 - 7.02.4 Be offered in classes containing no less than ten (10) students and no more than fifteen (15) students; and
 - 7.02.5 Be offered on one or more days from Monday through Saturday, during any hours that participants are not required to attend public school.
- 7.03 A postsecondary preparatory program approved under these Rules shall use instructors with appropriate content knowledge and specialized training developed by the Department of Education for instructors of developmental education.
 - 7.03.1 A postsecondary preparatory program may use an instructor who does not hold an Arkansas teaching license only if the non-licensed instructor works together with an instructor who holds a current Arkansas teaching license.
 - 7.03.2 Instructors must hold one (1) of the following:
 - 7.03.2.1 A current Arkansas secondary teaching license in the field to be taught;
 - 7.03.2.2 A bachelor's degree with an undergraduate major in the field to be taught; or

7.03.2.3 A graduate degree in the field to be taught.

7.03.3 Instructors who will assist students with diagnosed reading problems must hold or be eligible to hold a current Arkansas teaching license with the Reading Specialist or Reading endorsement.

7.03.4 Instructors shall attend scheduled in-service training administered by the Department.

7.04 An Arkansas public high school shall award one (1) unit of credit as an elective for successfully completing a postsecondary preparatory program under these Rules.

7.04.1 The unit of credit awarded under this section shall not count toward the minimum number of credits required by law for high school graduation.

8.0 POSTSECONDARY PREPARATORY PROGRAMS – FUNDING

8.01 The Department may provide funding for approved postsecondary preparatory programs from at-risk funding or other funds appropriated and authorized for this purpose.

8.01.1 The Department shall give priority for funding to postsecondary preparatory programs operated by partnerships between one or more school districts and one or more institutions of higher education.

8.01.2 Funding provided by the Department may be used by a postsecondary preparatory program only for those costs directly related to the proper administration of the program, including without limitation administrative costs, stipends, instructional materials, and site operational costs.

8.01.3 Funding provided by the Department may not be used to purchase tangible personal property if the property has:

8.01.3.1 A useful life of more than one (1) year; and

8.10.3.2 An acquisition cost of \$300 or more per unit.

8.01.4 Any balance of funds provided by the Department and remaining at the conclusion of the program term shall be returned to the Department.

- 8.02 The opportunity to participate in a postsecondary preparatory program under these Rules shall not be interpreted as mandating the Department to fund postsecondary preparatory programs at a cost in excess of the funds appropriated and authorized in the Public School Fund for this purpose.
- 8.03 An Arkansas public school district may use National School Lunch student categorical funding received under Ark. Code Ann. § 6-20-2305 to operate or support an approved postsecondary preparatory program, subject to the planning and reporting requirements of the Department's Rules Governing the Monitoring of Arkansas Comprehensive School Improvement Plans (ACSIP).
- 8.04 A postsecondary preparatory program shall not receive funding from the Department unless the postsecondary preparatory program files an annual application with the Department and the application is approved.

9.0 POSTSECONDARY PREPARATORY PROGRAMS – EVALUATION

- 9.01 A postsecondary preparatory program approved under these Rules shall document evidence of its performance and the success of its participants.
- 9.02 Within ninety (90) days of the end of the approval term specified under Section 5.04 of these Rules, each approved postsecondary preparatory program shall submit the following data in a form and manner approved by the Department:
 - 9.02.1 The total number of participants and the number of participants in each grade level;
 - 9.02.2 The number of participants who were eligible for free and reduced-price meals under the National School Lunch Act;
 - 9.02.3 The total number of participants in each curriculum area identified in Section 7.01.3;
 - 9.02.4 The progress of participants monitored in the postsecondary preparatory program through the use of college readiness assessments;
 - 9.02.5 The number of participants who enrolled in the postsecondary preparatory programs and:
 - 9.02.5.1 Scored lower than the statewide minimum scores established by the Arkansas Higher Education Coordinating Board for college placement; or

- 9.02.5.2 Scored at or higher than the statewide minimum scores established by the Arkansas Higher Education Coordinating Board for college placement;
- 9.02.6 Student-specific data for each individual participant, including:
 - 9.02.6.1 Name, gender, grade level, identification number, and other identification data specified by the Department;
 - 9.02.6.2 Free and reduced lunch status;
 - 9.02.6.3 Curriculum area(s) in which the student enrolled; and
 - 9.02.6.4 Placement test scores;
- 9.02.7 Daily attendance;
- 9.02.8 The final percentage of participants meeting the attendance requirements contained in the program's application;
- 9.02.9 An itemization of the source and amount of all funds expended to support the approved postsecondary preparatory program; and
- 9.02.10 An itemization of the source, payee, amount, and purpose of all expenditures made from funds provided by the Department or by any Arkansas public school district.
- 9.03 The Department, in collaboration with the Department of Higher Education, shall collect and analyze the data reported by approved postsecondary preparatory programs under Section 9.02.
 - 9.03.1 The Department shall store all student data in the Arkansas Public School Computer Network.
 - 9.03.2 The Department shall present its data analysis in the annual school performance reports required by Ark. Code Ann. § 6-15-1402.
- 9.04 The Department shall annually release to the General Assembly the following data:
 - 9.04.1 The number and type of postsecondary preparatory programs approved;

- 9.04.2 For each approved postsecondary preparatory program, the public school district[s] and/or institution[s] of higher education operating the postsecondary preparatory programs approved;
- 9.04.3 The amount of funding the Department distributed to each postsecondary preparatory program; and
- 9.04.4 The data collected from each approved postsecondary preparatory programs under Section 9.02, after removing any personally identifiable student information as required by the Family Educational Rights and Privacy Act of 1974.
- 9.05 Data collection shall be maintained by the Department for the purpose of:
 - 9.05.1 Increasing college and career readiness skills;
 - 9.05.2 Improving instruction;
 - 9.05.3 Enhancing school improvement plans;
 - 9.05.4 Reducing the college remediation rates of students; and
 - 9.05.5 Developing and implementing postsecondary preparatory programs under these Rules.
- 9.06 The Department shall report to the House Committee on Education and the Senate Committee on Education no later than December 31 of each year on the:
 - 9.06.1 Implementation and effectiveness of the Arkansas College and Career Readiness Planning Program; and
 - 9.06.2 Statistical analysis of postsecondary preparatory programs under these Rules.
 - 9.06.3 The report may be posted on the Department of Education's website with a notification to the Committees.

10.0 PLACEMENT TESTS

- 10.01 An Arkansas public school student enrolled in grade eight (8) or grade ten (10) may take a placement test at no cost to the student at a date, time, and location set by the State Board of Education.
 - 10.01.1 Each public school district shall use the placement test scores to identify every student who scores below the statewide

minimum scores established by the Arkansas Higher Education Coordinating Board for mathematics, English, or reading.

- 10.01.2 Each public school district shall ensure that every student identified pursuant to Section 10.01.1 is counseled by a public school counselor and strongly encouraged to enroll in a Designated College Readiness Course.
- 10.02 Each public school district shall ensure that every Arkansas public school student enrolled in grade eleven (11) is advised by a public school counselor of the opportunity under Section 10.03 to take a placement test during grade twelve (12) at no cost to the student.
- 10.03 An Arkansas public school student enrolled in grade twelve (12) may take a placement test at no cost to the student at a date, time, and location set by the State Board of Education if:
 - 10.03.1 The student successfully completes a postsecondary preparatory program; and
 - 10.03.2 The student is enrolled in a Designated College Readiness Course.
- 10.04 At the request of a student, the student's placement test score will be made available to and will be accepted by and recognized toward meeting enrollment requirements of state-supported colleges, universities, and postsecondary vocational schools in Arkansas.
- 10.05 Availability of placement tests under Sections 10.01 and 10.03 shall be dependent on the availability of funds appropriated and authorized for that purpose.

ARKANSAS DEPARTMENT OF EDUCATION
SPECIAL EDUCATION AND RELATED SERVICES
18.00 REGULATIONS GOVERNING RESIDENTIAL PLACEMENT
~~Rev. January 2013~~ 2014

18.01 REGULATORY AUTHORITY

18.01.1 These regulations shall be known as Arkansas Department of Education ~~regulations allocating public school funds for the education of residentially placed students and defining educational services in such placements~~ Regulations Governing Residential Placement.

18.01.2 These regulations are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. §§ 6-11-105, 6-41-202, 6-18-202, 6-20-104, and 6-20-107.

18.02 PURPOSE

18.02.1 It is the purpose of these regulations to allocate public school funds for the education of residentially placed students.

18.02.2 It is further the purpose of these regulations to define the educational services in such placements.

18.03 DEFINITIONS

18.03.1 In addition to the definitions provided in Section 2.00 of these Regulations, the following definitions apply specifically to this Section 18.00.

~~18.03.2 DHS Department of Human Services~~

18.03.32 Juvenile - a person who is eighteen (18) years old or less younger.

18.03.43 Juvenile Detention Facility (JDF) - Any facility operated by a political subdivision of the State for the temporary care of juveniles alleged to be delinquent or adjudicated delinquent, and awaiting disposition, who require secure custody in a physically restricting facility. Under Ark. Code Ann. § 9-27-330(a)(11), such facility shall afford opportunities for education, recreation, and other rehabilitative services to adjudicated delinquents who may be ordered by the court to remain in the juvenile detention facility for an indeterminate period not to exceed ninety (90) days.

18.03.54 Student without disabilities - For purposes of these regulations, a student who has NOT been identified as disabled in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. (IDEA) and Ark. Code Ann. § 6-41-202 et seq., shall be considered nondisabled, including any student not previously enrolled in an Arkansas public school but who meets the residency requirements of Ark. Code Ann. § 6-18-202 upon entering the residential facility and enrolls in the resident district.

18.03.65 Student with disabilities - For purposes of these regulations, a student with a disability means a student ~~identified pursuant to the IDEA and Ark. Code Ann. § 6-41-202, et seq., as needing special education and related services (inclusive of those presently receiving services)~~ age 3 to 21 who qualifies as disabled under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. and Ark. Code Ann. § 6-41-202 et seq.

18.03.76 Residential placement in state - For purposes of these regulations, ~~such~~ residential placement in state means -

18.03.76.1 One of the following licensed facilities -

- A. Inpatient psychiatric treatment facilities licensed by the Arkansas Department of Human Services (DHS);
- B. Alcohol and drug treatment facilities licensed by the Arkansas Department of Human Services;
- C. Easter Seals of Arkansas ~~in Little Rock~~;
- D. ~~Arkansas Pediatrics Facility in Pulaski County~~;
- E. ~~Millcreek ICF MR in Fordyce~~ Arkansas State Hospital;
- F. ~~Brownwood ICF MR in Fort Smith.~~ Facilities licensed as Intermediate Care Facilities for the Mentally Retarded (ICFMR) by the Arkansas Department of Human Services.

18.03.76.2 ~~The facility~~ That has ~~an approved~~ a special education component; ~~as granted~~ approved by the ADE, Special Education Unit, on an annual basis. Such placement does not include the Arkansas School for the Blind, the Arkansas School for the Deaf, or the Arkansas School for Mathematics, ~~and~~ Sciences and the Arts.

18.03.87 Residential Placement Out-of-State - For purposes of these regulations, when a student with disabilities is placed in a residential treatment facility outside the State of Arkansas, the special education component of such a facility must be approved by the ADE, Special Education Unit, and must be operating under the appropriate licensure of the state in which it is located.

18.03.98 Residency - Ark. Code Ann. § 6-18-202 establishes residency requirements for students attending public schools in the State of Arkansas. Students affected by this statute include both those with and without disabilities.

18.04 RESIDENTIAL PLACEMENT IN STATE - STUDENTS WITHOUT DISABILITIES

18.04.1 Assignment of responsibility.

18.04.1.1 When a nondisabled student is placed for non-educational reasons in a residential treatment facility for treatment, the district where the residential treatment facility is located is the student's resident district. This district is responsible for educating the student.

18.04.1.2 When a nondisabled student who is a ward of the State is placed in a residential treatment facility, the district where the facility is located is responsible for educating the student.

18.04.1.3 When a nondisabled student is placed in a residential treatment facility for educational purposes by a parent or agent other than the school district, the parent or agent remains responsible for the education of the student.

18.04.2 Procedures for educational management.

- 18.04.2.1 Each school district must designate an individual who will be responsible for ensuring compliance with these regulations. This may be the district superintendent or a designee.
- 18.04.2.2 When a nondisabled student is placed in a residential facility, the facility must notify the responsible school district (superintendent or designee) within seven (7) calendar days of the student's admission. ~~The district's superintendent or designee should also be informed.~~
- Failure of the facility to notify the responsible district in a timely fashion may result in loss of ADE approval of the residential treatment facility's special education program.
- 18.04.2.3 The district superintendent or designee shall convene a conference by a review team within seven (7) calendar days of notice by the residential treatment facility that the student is in a residential program. This conference may be conducted face-to-face or via a telephone call.
- 18.04.2.4 The review team shall be composed of, at a minimum, a representative from the district; and a representative from the residential treatment facility; ~~and a~~ A DHS representative shall also be invited if the student is receiving services from one or more DHS Divisions.
- 18.04.2.5 The review team shall review information available on the student and determine whether a referral for consideration of eligibility for special education and related services is warranted.
- 18.04.2.6 When the review team determines the student should be referred for consideration of eligibility for special education, a referral form must be completed and a referral conference conducted following the process in § 4.00 of State Special Education regulations.

- 18.04.2.7 When the review team determines that the student should not be referred for consideration for special education and related services, it must identify the general educational and non-educational needs of the student.
- 18.04.2.8 Based on the identified needs of the nondisabled student, the review team will determine and document where the educational program of the student will be implemented. The inter-linkage of the treatment program needs and educational programming must be discussed in reaching a decision on an appropriate educational setting.
- 18.04.2.9 Should the local review team be unable to agree upon where the educational program of the student will be implemented, a determination must be requested from the state level review panel. Requests for a determination from the state level review panel shall be submitted in writing to the Administrator, ~~Dispute Resolution~~ Associate Director, ADE Special Education Unit.
- 18.04.2.10 From the time of the request for a state level review until a determination is made, the student will remain in his/her present educational setting.
- 18.04.2.11 The state level review panel will be composed of three (3) persons: one (1) from the ADE, one (1) from DHS and ~~the third will be the Coordinator of the Behavior Intervention Consultant Network or other appropriate ADE staff~~ one (1) person selected by the Associate Director of the ADE Special Education Unit.
- 18.04.2.12 Within 30 calendar days of receipt of the written request, the state level review panel shall convene, review all information and render a final decision as to where the education program of the student will be implemented. The panel may extend the process by an additional 15 days should circumstances warrant.
- 18.04.2.13 The state level review panel's decision will be considered final, will be rendered in writing and

will be sent to the local review team for implementation.

18.04.3 Assignment of costs.

- 18.04.3.1 For nondisabled students, “educational costs” are limited to only those costs incurred for direct educational instruction of the student.
- 18.04.3.2 All other services provided for the student are considered non-educational and are not reimbursable under these regulations. Such other costs will be borne by DHS, Medicaid, private insurance, the parent or by any combination thereof.
- 18.04.3.3 Residential treatment facilities must submit a bill to the school district for educational costs only. The invoice must be itemized to reflect the specific services provided. Invoices must be submitted to the school district in a timely manner in order for the district to seek reimbursement from the ADE, Special Education Unit.

18.04.3.4 The State Department of Education, a public school district, or an open-enrollment charter school shall not be liable for any education costs associated with the placement of a juvenile in an in-state residential or inpatient facility for any care and treatment, including psychiatric treatment, unless:

A. The Department authorizes public payment for educational costs based on a determination that the educational program and facilities are appropriate for the juvenile and the Department has approved the facility's education program; and

B. Each program authorization precedes the placement.

C. If the program is not authorized prior to the placement, the Department, public school districts, or open-enrollment charter schools shall not be responsible for education or other related costs, nor shall they be subject

to any order to pay for educational or other related costs.

18.04.3.5 The liability of the Department, a public school district, or an open-enrollment charter school for the educational costs or other related costs shall be limited to -

A. The reimbursement rate established by the Department for a juvenile placed in a residential or inpatient facility.

18.04.4 Funding.

18.04.4.1 A local school district may ~~access funds through~~ request reimbursement from the ADE, Special Education Unit for reimbursement for the educational costs ~~on~~ of nondisabled students placed in residential treatment facilities.

~~18.04.4.2 The maximum amount a district may be reimbursed on a per student basis for actual educational costs will be the Formula Foundation Aid times 2.00.~~

18.04.4.32 The local school district shall not be responsible for educational costs exceeding ~~it's~~ the maximum reimbursement rate for ~~these~~ nondisabled students receiving educational services in a residential treatment facility, as determined by the Department.

18.04.4.43 When the requests for reimbursement exceed the amount of funds available, the reimbursement will be prorated.

18.04.5 Extended School Year Services (ESY).

18.04.5.1 There is no provision for extended school year (educational) services to nondisabled students when schools are not in session. This applies to nondisabled students in residential placements, as well as their nondisabled peers who attend the local public school. Therefore, there is no need for a district to convene a review team during the summer months when school is not in session.

- 18.04.5.2 Residential treatment facilities cannot bill school districts for educational services provided to nondisabled students during the summer months.

18.05 RESIDENTIAL PLACEMENT IN STATE - STUDENTS WITH DISABILITIES

18.05.1 Assignment of responsibility.

- 18.05.1.1 For students with disabilities in state-operated ~~facilities (such as the~~ Human Development Centers), the facility is responsible for procedural safeguards and the provision of FAPE.
- 18.05.1.2 When a student with a disability is placed for non-educational reasons in a residential treatment facility for treatment, the district where the facility is located is the student's resident district. The district shall be responsible for procedural safeguards and the provision of FAPE.
- 18.05.1.3 When a student with a disability who is a ward of the state is placed in a residential treatment facility, the district where the residential treatment facility is located is responsible for educating the student.
- 18.05.1.4 When a student with a disability is placed in a residential treatment facility for educational purposes by a school district, the placing district remains responsible for procedural safeguards and the provision of FAPE.
- 18.05.1.5 When a student with a disability is placed in a residential treatment facility for educational purposes by a parent or agent other than the school district, the parent may petition the district where the student permanently resides (home district, usually that of the student's parent or guardian) for provision of procedural safeguards and FAPE.

18.05.2 Procedural safeguards.

- 18.05.2.1 The procedural safeguards specified in § 9.00 of these regulations shall be followed.

18.05.3 Assignment of costs.

18.05.3.1 The State Department of Education, a public school district, or an open-enrollment charter school shall not be liable for any education costs associated with the placement of a juvenile in an in-state residential or inpatient facility for any care and treatment, including psychiatric treatment, unless:

A. The Department authorizes public payment for educational costs based on a determination that the educational program and facilities are appropriate for the juvenile and the Department has approved the facility's education program; and

B. Each program authorization precedes the placement.

C. If the program is not authorized prior to the placement, the Department, public school districts, or open-enrollment charter schools shall not be responsible for education or other related costs, nor shall they be subject to any order to pay for educational or other related costs.

18.05.3.2 The liability of the Department, a public school district, or an open-enrollment charter school for the educational costs or other related costs shall be limited to -

A. The reimbursement rate established by the Department for a juvenile placed in a residential or inpatient facility.

18.05.3.3 For identified students with disabilities, those costs defined as being educational in accordance with the IDEA will be borne by the district responsible for provision of procedural safeguards and FAPE. For students in state-operated ~~facilities~~ Human Development Centers, the facility assumes those costs.

18.05.3.4 All other costs will be borne by either DHS,

Medicaid, private insurance, the parent, or by any combination thereof.

18.05.4 Funding.

18.05.4.1 ~~A Sschool~~ districts may ~~be reimbursed request~~ reimbursement for the educational costs of students with disabilities, ~~including those in school districts not qualifying for any State Equalization Aid,~~ who have been placed in approved residential treatment facilities, as defined by the ADE, Special Education Unit.

~~18.05.4.2 The maximum amount to be reimbursed to a district on a per student basis is the amount equal to the product of the Formula Foundation Aid times 2.10, regardless of the setting in which the education is provided. (For example, there may be instances where the student resides in a residential treatment facility but attends the public school for educational purposes.)~~

18.05.4.3~~2~~ When the requests for reimbursement exceed the amount of funds available, the reimbursement will be prorated.

18.05.5 Extended School Year Services (ESY).

18.05.5.1 Not all students with disabilities receiving educational services in residential placement will be eligible for or in need of ESY services.

18.05.5.2 Determination of student eligibility for ESY services is made by the resident school district based on the regulations governing ESY in §19.00 of these regulations.

18.05.6 This section shall not apply to a juvenile placed in an Arkansas juvenile detention facility as defined in Ark. Code Ann. §6-20-104.

18.06 RESIDENTIAL PLACEMENT OUT-OF-STATE - CHILDREN WITH DISABILITIES

18.06.1 Assignment of responsibility.

- 18.06.1.1 When a student with a disability is placed in a residential treatment facility for educational purposes by a school district, the placing school district remains responsible for procedural safeguards and the provision of FAPE.
- 18.06.1.2 When a student with a disability is unilaterally placed in a residential facility for educational purposes by a parent or agent other than the school district, the parent may petition the school district where the student permanently resides (home school district, usually that of the student's parent or guardian) for ~~consideration of~~ the provision of procedural safeguards and FAPE.
- 18.06.1.3 In accordance with the Interagency Agreement between the ADE and DHS, when a child with a disability is a ward of the state and is placed in a residential treatment facility outside the boundaries of the State of Arkansas, the ADE is responsible for procedural safeguards and FAPE.

18.06.2 Procedural safeguards.

- 18.06.2.1 The procedural safeguards specified in §9.00 of these regulations shall be followed.

18.06.3 Assignment of costs.

- 18.06.3.1 The Department of Education, a public school district, or an open-enrollment charter school shall not be liable for any educational costs or other related costs associated with the placement of a juvenile in an out-of-state residential or inpatient facility for any care and treatment, including psychiatric treatment, unless:

A. At the time of placement:

- 1. The juvenile qualifies as disabled under the Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.; and

- 2. Payment is required under the

Individuals with Disabilities
Education Act;

B. The Department authorizes public payment for educational costs based on a determination that the educational program and facilities are appropriate for the juvenile and the Department has approved the facility's education program; and

C. Each program authorization precedes the placement.

1. If the program is not authorized prior to placement, the department, public school districts, or open-enrollment charter schools shall not be responsible for education or other related costs, nor shall they be subject to any order to pay for educational or other related costs.

18.06.3.2 Nothing in this section shall be construed to require payment by the Department, a public school district, or an open-enrollment charter school for education costs and other related costs associated with the placement of a juvenile in an out-of-state residential or inpatient facility for any care or treatment, including psychiatric treatment, prior to April 7, 2005.

18.06.3.3 For identified students with disabilities, those costs defined as being educational in accordance with the IDEA will be borne by the district/agency responsible for provision of procedural safeguards and FAPE.

18.06.3.4 All other costs will be borne by either DHS, Medicaid, private insurance, the parent or by any combination thereof.

18.06.3.5 The liability of the Department, a public school district, or an open-enrollment charter school for the educational costs or other IDEA related costs shall be limited to the lesser of -

A. The reimbursement rate established by the Department for a juvenile placed in a residential or inpatient facility; or,

B. The normal and customary educational cost reimbursement rate of the state in which a juvenile is placed in an out-of-state residential or inpatient facility as determined by the Department.

18.06.4 Funding.

18.06.4.1 ~~A~~ School districts may request reimbursement for the educational costs of a student with disabilities placed in an approved residential treatment facility located outside the boundaries of Arkansas. Reimbursement may be used to fund the cost of such placement incurred by a school district.

~~18.06.4.2 Reimbursement for this cost to the district will be calculated on the basis of Ark. Code Ann. §6-20-107(d)(2).~~

18.06.4.3~~2~~ When requests for reimbursement exceed the amount of funds available, the reimbursement will be prorated.

18.06.5 Extended School Year Services (ESY).

18.06.5.1 Not all students with disabilities receiving educational services in residential placement will be eligible for or in need of ESY services.

18.06.5.2 Determination of student eligibility for ESY services is made by the resident school district/agency based on the regulations governing ESY in §19.00 of these regulations.

18.07 JUVENILE DETENTION FACILITIES

18.07.1 General.

18.07.1.1 For the purposes of these regulations, juvenile detention facilities are designated as approved

residential treatment facilities.

18.07.1.2 Students detained in a juvenile detention facility for nine (9) days or less.

- A. The juvenile detention facility and the district where the juvenile detention facility is located are designated as responsible for educating the student consistent with federal and state laws for any period of time the student is being detained in the facility.
- B. The resident district of a student who is being detained in a juvenile detention facility shall work cooperatively with the juvenile detention facility and the district where the juvenile detention facility is located to provide the student with the curriculum, textbooks, or other materials necessary to educate the student for the first nine (9) days that the student is being detained in the facility either awaiting adjudication or pursuant to court order.
- C. The resident district shall keep the student enrolled in the district for the first nine (9) days that the student is being detained in the facility.
- D. The juvenile detention facility must provide the student's resident school district a weekly attendance record for each of that district's students in the facility, regardless of length of stay.

18.07.1.3 Students detained in a juvenile detention facility for ten (10) days or more.

- A. The juvenile detention facility and the district where the juvenile detention facility is located are designated as responsible for educating the student consistent with federal and state laws for any period of time the student is being detained in the facility.

- B. The district where the juvenile detention facility is located shall work cooperatively with the juvenile detention facility to provide the student with the curriculum, textbooks, or other materials necessary to educate the student.
- C. Immediately upon receiving notice that a student has been detained in a juvenile detention facility for ten (10) days or more, the resident district shall drop the student from enrollment.

18.07.1.4 The resident district of a student who is being detained in a juvenile detention facility is designated as responsible for the timely transfer of a student's educational records to the district where the juvenile detention facility is located upon notification by the court or district where the facility is located of the student's placement in a juvenile detention facility.

18.07.2 Educational services for nondisabled students.

18.07.2.1 In order to be eligible for public school funds, each juvenile detention facility must provide the following educational services for nondisabled students -

- A. The teachers employed by the juvenile detention facility must hold a valid teaching license from the Arkansas Department of Education.
- B. The maximum teacher/student caseload must be 1 to 15 without a paraprofessional and 1 to 24 with a full time paraprofessional.
- C. The juvenile detention facility must provide instruction that addresses the State's Curriculum Standards and educational skills needed by students and appropriately address the age ranges and the abilities of the students in the facility.

- D. The juvenile detention facility must provide appropriate instructional and supplemental materials and media as are needed to enhance student instruction. Such materials include, but are not limited to, reference materials, dictionaries, maps, reading materials, and computer enhanced instructional software and/or internet access.
- E. The juvenile detention facility must provide planned instructional time in each school day averaging not less than six (6) hours per day or thirty (30) hours per week.

18.07.2.2 A school district which receives a student after attendance at a juvenile detention facility shall not use absences incurred as a result of detention as a basis for denial of credit.

18.07.3 Educational services for disabled students.

18.07.3.1 In order to be eligible for public school funds, each jurisdictional school district and juvenile detention facility must provide the following educational services for disabled students -

- A. FAPE consistent with the student's IEP.
- B. The teacher, employed by the JDF or local school district, who is implementing the IEP of a student with a disability must either -
 - 1. Hold a valid teaching license as a special education teacher, or
 - 2. Meet the qualifications in §18.07.2.1A above and implement the IEP in collaborative consultation with licensed special education personnel.
- C. The procedural safeguards specified in these regulations shall be followed for those students identified as disabled and for those suspected of being disabled.

18.07.4 Funding for students in juvenile detention facilities.

18.07.4.1 The resident district of a student detained in a juvenile detention facility for nine (9) days or less shall continue to receive funding based on the student's enrollment (average daily membership) in the district for those nine (9) days or less for the costs of providing educational services to students in the facility in cooperation with the juvenile detention facility and the district where the facility is located.

18.07.4.2 The juvenile detention facility may receive reimbursement from the local school district in which the facility is located for the costs of providing educational services to students in the facility, based upon the following -

- A. For nondisabled students, educational costs are costs incurred for direct educational instruction and include salaries and benefits of teachers and paraprofessionals, staff development costs and substitute pay.
- B. For students with disabilities under the IDEA, educational costs include all costs incurred in the provision of FAPE.
- C. For students suspected of having disabilities as defined by the IDEA, educational costs shall include costs incurred in the evaluation process.

18.07.4.3 The juvenile detention facility and the local school district in which the juvenile detention facility is located must jointly determine the education costs incurred by the facility.

18.07.4.4 The local school district in which the juvenile detention facility is located must reimburse the juvenile detention facility for educational costs incurred up to an amount not to exceed the Formula Foundation Aid, times the approved student capacity of the facility.

18.07.4.5 If the juvenile detention facility and the local school district cannot agree on an amount for reimbursement, either entity may appeal to the ADE for a final decision.

18.07.4.6 The ADE must reimburse local school districts which have juvenile detention facilities on a quarterly basis based upon the district requesting such reimbursements.

A. The quarterly reimbursement amount will be determined by dividing the amount identified in §18.07.4.4~~3~~ by four (4).

B. Should costs decrease, the local school district in which the facility is located must notify the ADE, Special Education Unit within thirty (30) days of revised costs.

C. Any adjustments to reimbursements will be made in the fourth (4th) quarter.

18.07.4.7 The jurisdictional local school district may request reimbursement for the costs of educational services provided to students in juvenile detention facilities and incurred by the local school district.

18.07.4.8 The juvenile detention facility must provide the jurisdictional local school district a quarterly attendance record for each student in the facility, regardless of length of stay.

18.08 JUVENILE TREATMENT CENTERS (FORMERLY KNOWN AS SERIOUS OFFENDER PROGRAMS)

18.08.1 It shall be the responsibility of each juvenile treatment center to report the attendance of its students in the education program by providing quarterly attendance reports to the Department of Human Services, Division of Youth Services (DYS). DYS will provide the quarterly attendance information to the Arkansas Department of Education. Funding will be disbursed to DYS in support of education services within DYS juvenile treatment centers based upon a legislative appropriation for this purpose.