



AGENDA

STATE BOARD OF EDUCATION

September 12, 2011

Arkansas Department of Education

Arkansas Department of Education Auditorium, State Education Building

9:00 AM

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Reports

Report-1 Chair's Report

Presenter: Dr. Ben Mays

Report-2 Commissioner's Report

Presenter: Dr. Tom Kimbrell

Report-3 Arkansas Advanced Initiative for Math and Science Progress Report

This report is given as an update to the State Board on the schools involved in the AAIMS program.

Presenter: Tommie Sue Anthony

Report-4 2010-2011 Home School Report

This summary report reflects the status of home school student registration for the 2010-2011 school year.

Presenter: Lisa Crook

Report-5 Informational Update on Common Core State Standards and PARCC

This information is provided to keep the State Board of Education apprised of the Department's work and activities associated with college and career readiness.

Presenter: Dr. Laura Bednar

Report-6 School Improvement Grants Report

This report provides a summary of the progress of schools receiving 1003(g) School Improvement Grants (SIG).

Presenter: Dr. Laura Bednar

Consent Agenda

C-1 Minutes - August 8, 2011

Presenter: Phyllis Stewart

C-2 Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan

By the Court Order of December 1, 1993, the Arkansas Department of Education (ADE) is required to file a monthly Project Management Tool (PMT) to the court and the parties to assure its commitment to the Desegregation Plan. This report describes the progress the ADE has made since March 15, 1994, in complying with the provisions of the Implementation Plan (Plan) and itemizes the ADE's progress against the timelines presented in the Plan. The September report summarizes the PMT for August.

Presenter: John Hoy and Willie Morris

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: Dr. Karen Cushman 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 school districts to secure a waiver when classrooms are staffed with unlicensed teachers for longer than 30 days. Waiver requests were received from 116 school districts covering a total of 322 teaching positions. Seven school districts requested waivers for seven long-term substitutes. These requests have been reviewed, either approved or denied by Department Staff, and are consistent with program guidelines.

Presenter: Dr. Karen Cushman

C-5 Arkansas Better Chance Funding Recommendations

Pursuant to the authority granted the State Board of Education, DHS/Division of Child Care and Early Childhood Education requests approval of the attached funding recommendations under the Arkansas Better Chance program.

Presenter: Tonya Russell, DCCECE Director

C-6 Consideration of Recommendation of the Professional Licensure Standards Board for Suspension of License for Two (2) Years and a Fine of \$100 as well as recommending additional training for Case #T-11-004 Linda Mae Gray

The Professional Licensure Standards Board's Subcommittee on Ethics is recommending suspension of the teaching license of Linda Gray for two (2) years and a fine of \$100, as well as the training - Alternate Assessment for Special Education Students by Portfolio, for violation of Standard 3: An educator honestly fulfills reporting obligations associated with professional practices. Ms. Gray was notified of the PLSB recommendation by certified and regular mail dated June 21, 2011, but has failed to respond. The timeline for any hearing has now passed.

Presenter: Michael Smith

C-7 Consideration of Recommendation of the Professional Licensure Standards Board for Suspension of License for One (1) Year and a Fine of \$100 for Case #11-053 Lindsay Allison Williams

The Professional Licensure Standards Board's Subcommittee on Ethics is recommending suspension of the teaching license of Lindsay Williams for one (1) year and a fine of \$100 for violation of Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom. Ms. Williams was notified of the PLSB recommendation by certified and regular mail dated May 16, 2011, but has failed to respond. The timeline for any hearing has now passed.

Presenter: Michael Smith

C-8 Consideration of Recommendation of the Professional Licensure Standards Board for Probation of License for Two (2) Years and a Fine of \$75 for Case #11-054 – Michael L. Schleiff

The Professional Licensure Standards Board's Subcommittee on Ethics is recommending probation of the teaching license of Michael Schleiff for two (2) years and a fine of \$75 for violation of Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom. Mr. Schleiff was notified of the PLSB recommendation by certified and regular mail dated June 16, 2011, but has failed to respond. The timeline for any hearing has now passed.

Presenter: Michael Smith

C-9 Consideration of Recommendation of the Professional Licensure Standards Board for a Written Warning for Case #11-069 – Anwar Ha'Juan Fairley

The Professional Licensure Standards Board's Subcommittee on Ethics is recommending a written warning to Anwar Fairley for violation of Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom. Mr. Fairley was notified of the PLSB recommendation by certified and regular mail dated June 21, 2011, but has failed to respond. The timeline for any hearing has now passed.

Presenter: Michael Smith

C-10 Consideration of Recommendation of the Professional Licensure Standards Board for Permanent Revocation of License for Case #11-070 – Steve T. Nelson

The Professional Licensure Standards Board's Subcommittee on Ethics is recommending permanent revocation of the license of Steve Nelson for violation of Standard 3: An educator honestly fulfills reporting obligations associated with professional practices. Mr. Nelson was notified of the PLSB recommendation by certified and regular mail dated June 21, 2011, but has failed to respond. The timeline for any hearing has now passed.

Presenter: Michael Smith

C-11 Consideration of Recommendation of the Professional Licensure Standards Board for Probation of License for Two (2) Years and a Fine of \$75 for Case #11-071 – Maurice Guest

The Professional Licensure Standards Board's Subcommittee on Ethics is recommending probation of the teaching license of Maurice Guest for two (2) years and a fine of \$75 for violation of Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.

Presenter: Michael Smith

Action Agenda

A-1 Consideration of Voluntary Surrender of Teaching License of Christopher Brad Parker

Christopher Parker is voluntarily surrendering his teaching license. There is no provision under current law for the voluntary surrender of a license. Accordingly, Mr. Parker surrenders his license with the understanding that the State Board of Education's acceptance of the surrender of his license will result in permanent revocation of his license.

Presenter: Katherine Donovan

A-2 Hearing on Waiver Request for Certified Teacher's License - Larry Traylor

Larry Traylor has applied for a provisional teaching license and requests that the Board grant him a waiver of his 1996

felony conviction for violation of the Uniform Controlled Substances Act because this criminal offense makes him ineligible for licensure under Ark. Code Ann. § 6-17-410 in the absence of a waiver.

Presenter: Katherine Donovan

A-3 Hearing on PLSB Case #10-126 – Emily Alison

Emily Alison Sullivan requests an evidentiary hearing regarding the Professional Licensure Standards Board Ethics Subcommittee's recommendation that the State Board place her standard license on probation for two years and assess a \$75 fine for her violations of the Code of Ethics. The Ethics Subcommittee held an evidentiary hearing and found that Ms. Sullivan committed five violations of Standard 1 which states that an "educator maintains a professional relationship with each student, both in and outside the classroom." Ms. Sullivan is represented by her attorney, Greg Alagood.

Presenter: Katherine Donovan

A-4 Consideration of Recommendation for New Praxis II Cut Middle School – Multiple Subjects to be Effective November 1, 2011

Recommendation of new Praxis II Assessments and appropriate cut scores are as follows: The Praxis Middle School Multiple Subjects test (5141) is comprised of four, separately-timed subtests measuring core content areas: The recommended cut scores are as follows: English Language Arts (5142) is 150; Mathematics (5143) is 143; Social Studies (5144) is 142; and Science (5145) is 143. Educational Testing Service will begin the administration of these new Praxis II exams fall of 2011. Therefore, the recommended effective date for all five exams is November 1, 2011.

Presenter: Dr. Karen Cushman

A-5 Consideration of Approval for Public Comment: Proposed Rules Governing Instructional Materials

Act 288 of 2011 amended Arkansas law concerning instructional materials. Additionally, several technical corrections should be made to the current rule, last approved by the State Board in July 1995. Arkansas Department of Education staff respectfully requests that the State Board approve and release the proposed revisions for public comment.

Presenter: Jeremy Lasiter and Dr. Laura Bednar

A-6 Consideration of Approval for Public Comment: Proposed Rules Governing the School Worker Defense Program and the School Worker Defense Program Advisory Board

Act 993 of 2011 amended Arkansas law concerning the School Worker Defense Program. Additionally, several technical corrections should be made to the current rule, last approved by the State Board in August 1999. Arkansas Department of Education staff respectfully requests that the State Board approve and release the proposed revisions for public comment.

Presenter: Jeremy Lasiter and Bill Goff

A-7 Consideration of Approval for Public Comment: Arkansas Department of Education Rules Governing the Superintendent Mentoring Program

Act 586 of 2011 created the Superintendent Mentoring Program and required the State Board to establish rules to implement the program. Arkansas Department of Education staff respectfully requests that the State Board approve and release the proposed rule for public comment.

Presenter: Jeremy Lasiter and Dr. Karen Cushman

A-8 Consideration of Approval for Public Comment: Proposed Rules Governing Ethical

Guidelines and Prohibitions for Educational Administrators, Employees, Board Members and Other Parties

Act 878 of 2011 amended Arkansas law concerning ethical guidelines for educational administrators, employees, board members and other parties. Additionally, several technical corrections should be made to the current rule, last approved by the State Board in July 2005. Arkansas Department of Education staff respectfully requests that the State Board approve and release the proposed revisions for public comment.

Presenter: Jeremy Lasiter

A-9 Consideration of Approval for Public Comment: Proposed Rules Governing the Guidelines, Procedures and Enforcement of the Arkansas Opportunity Public School Choice Act

Acts 1124 and 1147 of 2011 amended Arkansas law concerning Opportunity School Choice. Additionally, several technical corrections should be made to the current rule, last approved by the State Board in May 2004. Arkansas Department of Education staff respectfully requests that the State Board approve and release the proposed revisions for public comment.

Presenter: Jeremy Lasiter

A-10 Consideration of Approval for Public Comment: Repeal of Current Arkansas Department of Education Rules Governing Availability Distance Learning

The attached rule duplicates many of the provisions of the Proposed Arkansas Department of Education Rules Governing Distance Learning. For that reason, Arkansas Department of Education recommends this version be repealed and combined, where appropriate, with the Proposed Arkansas Department of Education Rules Governing Distance Learning. Arkansas Department of Education staff respectfully requests that the State Board approve and release for public comment the proposed repeal of these rules.

Presenter: Jeremy Lasiter and Dr. Laura Bednar

A-11 Consideration of Approval for Public Comment: Repeal of Current Arkansas Department of Education Rules Governing Distance Learning (August 11, 2003 version)

The attached rule duplicates many of the provisions of the Proposed Arkansas Department of Education Rules Governing Distance Learning. For that reason, Arkansas Department of Education recommends that this version be repealed and combined, where appropriate, with the Proposed Arkansas Department of Education Rules Governing Distance Learning. Arkansas Department of Education staff respectfully requests that the State Board approve and release for public comment the proposed repeal of these rules.

Presenter: Jeremy Lasiter and Dr. Laura Bednar

A-12 Consideration of Approval for Public Comment: Repeal of Current Arkansas Department of Education Rules Governing Grants for Distance Learning

The attached rule duplicates many of the provisions of the Proposed Arkansas Department of Education Rules Governing Distance Learning. For that reason, Arkansas Department of Education recommends that this version be repealed and combined, where appropriate, with the Proposed Arkansas Department of Education Rules Governing Distance Learning. Arkansas Department of Education staff respectfully requests that the State Board approve and release for public comment the proposed repeal of these rules.

Presenter: Jeremy Lasiter and Dr. Laura Bednar

A-13 Consideration of Approval for Public Comment: Revisions to Arkansas Department

of Education Rules Governing Distance Learning

Act 1075 of 2011 amended Arkansas law concerning distance learning. Additionally, it is necessary to repeal other existing rules concerning distance learning so those rules may be incorporated into the proposed rule. Arkansas Department of Education staff respectfully requests that the State Board approve and release the proposed revisions for public comment.

Presenter: Jeremy Lasiter and Dr. Laura Bednar

A-14 Consideration of Approval for Public Comment: Arkansas Department of Education Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites

This proposed new rule combines the provisions of two current rules governing district personnel policies and salary schedules. The language of the two current rules has been modified for clarity and to incorporate changes made by Act 989 of 2011. The Board is requested to approve and release for public comment these proposed new rules.

Presenter: Bill Goff

A-15 Consideration of Approval for Public Comment: Repeal of Arkansas Department of Education Rules and Regulations Governing School District Filing Requirements of Personnel Policies

The provisions of this rule have been rewritten and incorporated into the proposed new Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites. The Board is requested to approve and release for public comment the repeal of these rules.

Presenter: Bill Goff

A-16 Consideration of Approval for Public Comment: Repeal of Arkansas Department of Education Rules Implementing Ark. Code Ann. 6-17-201(b)(1), 6-17-201(b)(2), 6-17-201(c), 6-20-319(4)(B)

The provisions of this rule have been rewritten and incorporated into the proposed new Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites. The Board is requested to approve and release for public comment the repeal of these rules.

Presenter: Bill Goff

A-17 Consideration of Approval for Public Comment: Repeal of Arkansas Department of Education Rules Governing Expenditure Requirements by Arkansas School Districts

The statutes underlying these Rules, Ark. Code Ann. §§ 6-20-305 & 310, were repealed by the General Assembly in Act 59 of the 2nd Extraordinary Session of 2003. Because the underlying statutory authority for these rules has been repealed, the Board is requested to approve and release for public comment the repeal of these rules.

Presenter: Bill Goff

A-18 Consideration of Approval for Public Comment: Proposed Arkansas Department of Education Rules Governing the Distribution of Supplemental Transportation Funds

Act 1075 of 2011 appropriated \$500,000 to the Department of Education for distribution to school districts as supplemental transportation funds. These proposed new rules prescribe a formula and process for distributing these funds. The Board is requested to approve and release for public comment these proposed rule revisions.

Presenter: Bill Goff

A-19 Consideration of Approval for Public Comment: Revisions to Arkansas Department of Education Rules Governing Loan and Bond Applications

These rules are being amended to clarify and correct the rule language, and to change terminology to reflect changes made by Act 989 of 2011. The Board is requested to approve and release for public comment these proposed rule revisions.

Presenter: Bill Goff

A-20 Consideration of Approval for Public Comment: Revisions to Arkansas Department of Education Rules Governing Publicly Funded Educational Institution Audit Requirements

These rules are being amended to reflect new audit requirements for open-enrollment public charter schools as mandated by Acts 981 and 993 of 2011. The Board is requested to approve and release for public comment these proposed rule revisions.

Presenter: Bill Goff

A-21 Consideration of Approval for Public Comment: Revisions to Arkansas Department of Education Rules Governing the Arkansas Financial Accounting and Reporting System and Annual Training Requirements

These rules are being amended to clarify and update the rule language, and to reflect changes made by Acts 633 and 701 of 2011. Act 633 clarified statutory language concerning collections and distributions related to the uniform rate of tax, while Act 701 imposed new reporting requirements on districts receiving desegregation funds from the state. The Board is requested to approve and release for public comment these proposed rule revisions.

Presenter: Bill Goff

A-22 Consideration of Approval for Public Comment: Revisions to Arkansas Department of Education Rules Governing the Calculation of Miscellaneous Funds

These rules are being amended to reflect changes made by Act 266 of 2011, which clarified definitions related to bonded debt assistance for school districts. The Board is requested to approve and release for public comment these proposed rule revisions.

Presenter: Bill Goff

A-23 Consideration of Approval for Public Comment: Revisions to Arkansas Department of Education Rules Governing the Regulatory Basis of Accounting

These rules are being amended to reflect changes made by Act 871 of 2011, which clarifies the definition of a school district's revenue receipts and eliminates what was known as the "40% Pullback." The Board is requested to approve and release for public comment these proposed rule revisions.

Presenter: Bill Goff

A-24 Consideration of Approval for Public Comment: Revisions to Arkansas Department of Education Rules Governing the Non-Traditional Licensure Program

Act 1178 of 2011 amends the Non-Traditional Licensure program by allowing experienced professionals to obtain a three-year provisional license to teach on a full-time basis, and then allowing those professionals the opportunity to obtain a standard license at the end of the three years. Act 1178 also allows individuals who complete the Teach for America program, or who obtain a master's degree in teaching (MAT, M.Ed., or MTLL), to receive a standard license. These rule revisions accomplish the following: 1) Implement the changes mandated by Act 1178; 2) Clarify language throughout the rule to make it clearer and more consistent with the Department's other licensure rules; and 3) Remove

legally questionable impediments in the current rule affecting individuals receiving degrees from out-of-state colleges and universities.

Presenter: Dr. Karen Cushman and Mark White

A-25 Consideration of Approval for Public Comment: Revisions to Arkansas Department of Education Rules Governing Teacher Licensure by Reciprocity

Act 1178 of 2011 streamlines the licensure reciprocity process by allowing an individual holding a standard license from another state to receive an Arkansas standard or advanced license so long as the individual's license is in good standing with the other state, and the individual meets the educational and background check requirements. These rule revisions accomplish the following: 1) Implement the changes mandated by Act 1178; 2) Clarify language throughout the rule to make it clearer and more consistent with the Department's other licensure rules; and 3) Remove legally questionable impediments in the current rule affecting individuals receiving degrees from out-of-state colleges and universities.

Presenter: Dr. Karen Cushman and Mark White

A-26 Consideration of Final Approval: Repeal of Current Arkansas Department of Education Rules and Regulations Governing Mobile Phone Usage by School Bus Drivers

The State Board adopted these rules in 2001, before the Legislature created the Commission on Public School Academic Facilities and Transportation. Since that time, these rules have been superseded by legislation and by rules adopted by the Commission. A public hearing was held in the ADE Auditorium on August 4, 2011, with no oral or written comments received. Because the rules have been superseded, the Board is requested to give final approval to repeal of these rules.

Presenter: Mark White

A-27 Consideration of Final Approval: Repeal of Current Arkansas Department of Education Rules and Regulations Identifying and Governing Self-Construction Projects by Public Education Entities

The State Board adopted these rules in 2001, before the Legislature created the Commission on Public School Academic Facilities and Transportation. Since that time, these rules have been superseded by rules adopted by the Commission. A public hearing was held in the ADE Auditorium on August 4, 2011, with no oral or written comments received. Because the rules have been superseded, the Board is requested to give final approval to repeal of these rules.

Presenter: Mark White

A-28 Consideration of Final Approval: Repeal of Current Arkansas Department of Education Rules Governing College Preparatory Enrichment Program

Act 879 of 2011 repealed the statutes authorizing the Department to operate the College Preparatory Enrichment Program in its present form. A public hearing was held in the ADE Auditorium on August 4, 2011, with no oral or written comments received. For this reason, the Board is requested to give final approval to repeal of these rules.

Presenter: Mark White and Dr. Gayle Potter

A-29 Consideration of Final Approval: Revisions to Arkansas Department of Education Rules Governing College and Career Readiness Planning Program

Act 879 of 2011 made significant changes to the postsecondary preparatory programs administered by the Department of Education. These proposed rule revisions implement the changes imposed by Act 879 and create the opportunity

for new postsecondary preparatory programs administered by school districts and/or institutions of higher education. A public hearing was held in the ADE Auditorium on August 4, 2011, with no oral or written comments received. The Board is requested to give final approval to these proposed rule revisions.

Presenter: Mark White and Dr. Gayle Potter

A-30

Consideration of Final Approval: Repeal of Current Arkansas Department of Education Rules Governing Waivers of Minimum Salaries for Certified Personnel

The law on which these Rules were based, Ark. Code Ann. § 6-17-1001, was repealed by the Legislature in Act 74 of the 2nd Extraordinary Session of 2003. A public hearing was held in the ADE Auditorium on August 4, 2011, with no oral or written comments received. Because the underlying statute has been repealed, the Board is requested to give final approval to repeal of these rules.

Presenter: Mark White

**Minutes
State Board of Education Meeting
Monday, August 8, 2011**

The State Board of Education met Monday, August 8, 2011, in the auditorium of the Department of Education building. Jim Cooper, Vice Chair, called the meeting to order at 9 a.m.

Present: Jim Cooper, Vice Chair; Joe Black; Brenda Gullett; Sam Ledbetter; Alice Mahony; Toyce Newton; Mireya Reith; Vicki Saviers; and Dr. Tom Kimbrell, Commissioner

Absent: Ben Mays, Chairman; and Kathy Powers, Arkansas Teacher of the Year

Reports

Chair's Report:

No report was given.

Commissioner's Report:

Dr. Kimbrell said there was great concern regarding the federal government's debt ceiling and how it would impact education. He said the government set 10-year caps on discretionary spending, which contribute to almost all federal education and early childhood programs.

The Commissioner reported that as a result of many states' plea for flexibility in the unrealistic requirements of No Child Left Behind, the U.S. Department of Education would consider waivers of adequate yearly progress. The details for application are to be released in September.

Dr. Kimbrell reminded the Board the state's request submitted last spring had been denied. Therefore, the Department was anxious to learn more about the new application process.

Commissioner Kimbrell said the Council of Chief State School Officers had indicated an interest in helping Arkansas develop a new accountability system that would align with the Common Core State Standards and PARCC's next generation assessments.

Presentation Concerning the Employer Support of the Guard and Reserve (ESGR) Program

Members of the Arkansas National Guard thanked Commissioner Kimbrell, the State Board and the Arkansas Department of Education for cooperation and support of guard member and ADE General Counsel Jeremy Lasiter who was deployed to Afghanistan in 2009.

Dr. Kimbrell was presented the Defense Department's Patriot Award, which honors those who support employees of the Guard.

Informational Update on Common Core State Standards and PARCC

In an update on Common Core State Standards, Dr. Laura Bednar, Assistant Commissioner of Learning Services, said the goal was to be ready when PARCC's next generation assessments arrive in 2014-15. Dr. Bednar said school districts across the state were at different levels in readiness for CCSS. She noted the importance for districts to look at their resources and align those to the CCSS and to take advantage of professional development around the common language of CCSS.

Dr. Bednar reported that Dr. Bill Daggett, keynote speaker at the Arkansas Association of Educational Administrators' summer conference, told conference participants Arkansas was positioned well for the CCSS. In his review of the state's current standards, he found Arkansas's problem would not be what to add but what to take away.

Dr. Bednar stated communication efforts were ongoing. She said new brochures for parents had been developed and posted on the website; an Arkansas Common Core State Standards logo was available for use; a meeting was held with print journalists to promote better understanding of CCSS; and staff continued to speak and train at events across the state.

She also announced PARCC had released for public review draft content frameworks in English language arts and mathematics.

Update on Grades 1 and 2 Assessments

Dr. Gayle Potter, Director of Assessment, provided additional information on testing first and second grade students. A survey of states revealed Arkansas was one of a few that required first and second graders to take nationally standardized tests. A listing of states, their assessment directors and contact information, and the assessment/specific instrument was provided.

Dr. Potter said PARCC's working group was trying to develop an appropriate assessment of young children. She said the PARCC assessments would be

designed to meet the widest range of needs and could be used for accountability purposes.

Ms. Mahony suggested eliminating the requirement for a licensed teacher to proctor End of Course exams in order to allow for more time to teach the new standards.

Dr. Potter pointed out that millions of taxpayer dollars were invested in assessing students and that children learned while testing. She said licensed teachers insured security of the tests.

Dr. Kimbrell noted recent accounts of testing improprieties in other states.

Discussion of Academic Distress Rule

General Counsel Jeremy Lasiter gave a summary of mechanisms set forth in Arkansas law to address schools and school districts that fail to meet academic achievement standards. Current Rule defines an academically distressed school district as one in which 75 percent or more students score at below basic on the state Benchmark and End of Course exams.

Mr. Lasiter said state law authorizes the State Board to define and identify academically distressed school districts and then require them to correct deficiencies or face state takeover.

Mr. Ledbetter said academic distress is not a reality and the established threshold would not likely reveal underperforming schools.

Board members agreed that academic distress should be meaningful and not abstract. They noted that actions should be geared to the district's leadership.

Commissioner Kimbrell recommended any academic distress measure take into account achievement growth at a school or district, some of which started behind others. He said he and his staff would work with leaders of the state's education related organizations on early indicators for academic distress and "tipping points" at which a school or district would go into academic distress.

The Board asked that academic distress be the first item for discussion at the work session in September. Dr. Kimbrell said the staff would be ready to present some concepts that could become part of a new rule.

Consent Agenda

Item C-10 (PLSB Case Michael Binns) was pulled from the agenda.

Mr. Ledbetter moved, seconded by Ms. Newton, approval of the Consent Agenda. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes of the July 11, 2011, Board Meeting
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Waivers to Educational Agencies for Teachers Teaching Out of Area for Longer than 30 Days
- Revolving loans totaling \$79,500 (Dierks); 10 second lien bonds for a total of \$19,675,000 (Cossatot River, Elkins, Fort Smith, Greenbrier, Izard County, Jasper, Marion, Prairie Grove, Van Buren and Westside Consolidated) and 13 voted bonds totaling \$65,095,000 (Bay, Clinton, Cutter Morning Star, East End, East Poinsett County, Elkins, Fordyce, Jackson County, Lee County, Midland, Mountain View, Ozark and Western Yell County)
- Qualified Zone Academy Bonds in the amount of \$4,000,000 (Fort Smith)
- Sanction for Teachers as Recommended by the Professional Licensure Standards Board
 - Tim Estes
 - John A. Dawson
 - Karen Sue "Becky" Mathis
 - Gayla Lynette Maxwell

Action Agenda

(Complete records of the hearings are available in the State Board office.)

ABC Funding Recommendations 2011-12

Jamie Morrison, ABC Program Administrator, presented funding recommendations reviewed by the ABC staff and found to meet established guidelines.

Ms. Mahony moved, seconded by Mr. Ledbetter, approval of the recommendations. The motion carried unanimously.

Nineteen proposals were approved totaling \$5,886,525.

Approval of Public School Fund Budget FY11

Commissioner Kimbrell noted the Public School Fund Budget was actually part of the Executive Branch budget. He said the budget was typically brought to the State Board to keep members informed on how the funds were expended.

As reported by John Kunkel, Director of Agency Finance, there was \$1.3 million in net adjustments to the FY11 budget making the year-end balance approximately \$56 million. Mr. Kunkel said the balance was carried forward into FY12. About half of the carry forward will be used to make the FY12 budget.

Mr. Ledbetter moved, seconded by Ms. Gullett, approval of Public School Fund Budget FY11 as adjusted. The motion carried unanimously.

Initial Approval of Public School Fund Budget FY12

Mr. Kunkel presented the FY12 budget of \$2.6 billion. The state foundation aid funding, the largest line item in the budget, is projected to be \$1.84 billion. Foundation aid is distributed to school districts to help ensure each will have at least \$6,144 per student.

Ms. Newton moved, seconded by Ms. Gullett, approval of the Public School Fund Budget FY12. The motion carried unanimously.

Consideration of Final Approval: Repeal of Rules Governing Use of Net Athletic Event Gate Receipts by Public Schools

In this presentation, staff attorney Mark White said the provisions of the rule were transferred to the proposed amendments to the Rules Governing Athletic Expenditures by Public Schools. He said a public hearing was held June 20, 2011, with no oral comments and no written public comments.

Ms. Newton moved, seconded by Ms. Reith, final approval of the Rules Governing Use of Net Athletic Gate Receipts by Public Schools. The motion carried unanimously.

Consideration of Final Approval: Proposed Open-Enrollment Public Charter School New Application and District Conversion or Limited Public Charter School New Application

Mr. White stated that on June 13 the Board adopted the rules on an emergency basis and released them for public comment. Since that time, no public comments have been received.

Ms. Saviers moved, seconded by Ms. Newton, final approval of the Proposed Open-Enrollment Public Charter School New Application and District Conversion or Limited Public Charter School New Application. The motion carried unanimously.

Consideration of Emergency Adoption: Revisions to Arkansas Department of Education Rules Governing Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade

General Counsel Jeremy Lasiter reported that on July 11, 2011, the Arkansas Department of Higher Education recommended the 2010-2011 concurrent credit pilot program be extended for the 2011-2012 school year in order for additional information to be gathered concerning the effectiveness of the pilot program.

Mr. Lasiter said many Arkansas public school districts would begin the 2011-2012 school year August 15, and students who wish to participate in the pilot program may have to decide whether to do so by that date. Mr. Lasiter requested emergency adoption of the rules in order to extend the pilot program for the 2011-2012 school year.

Ms. Newton moved, seconded by Ms. Gullett, emergency adoption of revisions to Arkansas Department of Education Rules Governing Concurrent College and High School Credit for Students Who have Completed the Eighth Grade. The motion carried unanimously.

Consideration of Approval for Public Comment: Revisions to Arkansas Department of Education Rules Governing Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade

Mr. Lasiter said on July 11, 2011, the Arkansas Department of Higher Education recommended that the 2010-2011 concurrent credit pilot program be extended for the 2011-2012 school year in order to gather additional information concerning the effectiveness of the pilot program. He said the Arkansas Department of Education drafted rule revisions to extend the concurrent credit pilot program.

Mr. Black moved, seconded by Mr. Ledbetter, approval for public comment revisions to Arkansas Department of Education Rules Governing Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade. The motion carried unanimously.

Consideration of Approval for Public Comment: Repeal of Current Arkansas Department of Education Rules and Regulations Governing Limited English Proficiency Funding

Mr. White said since the rules were approved in April 2000, the underlying statutes had been repealed and the rules had been superseded by the Department's Rules Governing the Distribution of Student Special Needs Funding. The Board was requested to approve and release for public comment the proposed repeal of these outdated rules.

Ms. Gullett moved, seconded by Ms. Newton, approval for public comment repeal of current Arkansas Department of Education Rules and Regulations Governing Limited English Proficiency Funding. The motion carried unanimously.

Consideration of Approval for Public Comment: Proposed Rules Governing Required Training for School Board Members

Assistant Commissioner Bill Goff said Act 1213 of 2011 created additional requirements in Ark. Code Ann. §6-13-629(a) (1) – (2) concerning training for school district board members. Mr. Goff said the Department drafted changes to the existing rule to reflect the additional requirements.

Mr. Ledbetter moved, seconded by Ms. Saviers, approval for public comment the proposed Rules Governing Required Training for School Board Members. The motion carried unanimously.

Adjournment

The meeting adjourned at 11:00 a.m.

These minutes were recorded by Phyllis Stewart.

ADE'S PROJECT MANAGEMENT TOOL EXECUTIVE SUMMARY
AUGUST 31, 2011

This document summarizes the progress that ADE has made in complying with the provisions of the Implementation Plan during the month of August 2011.

IMPLEMENTATION PHASE ACTIVITY

I. Financial Obligations

- A. As of July 31, 2011, State Foundation Funding payments paid for FY 10/11 totaled \$58,441,252 to LRSD, \$35,784,992 to NLRSD, and \$44,313,364 to PCSSD.
- B. As of July 31, 2011, the Magnet Operational Charge paid for FY 10/11 totaled \$15,001,049. The allotment for FY 10/11 was \$15,001,049.
- C. As of July 31, 2011, the M-to-M incentive checks paid for FY 10/11 totaled \$4,458,463 to LRSD, \$5,564,846 to NLRSD, and \$9,761,876 to PCSSD.
- D. ADE pays districts three equal installments each year for their transportation budgets.
 - 1. In September 2010, General Finance made the last one-third payment to the Districts for their FY 09/10 transportation budget. As of September 30, 2010, transportation payments for FY 09/10 totaled \$4,054,730.00 to LRSD, \$1,471,255.67 to NLRSD, and \$2,544,356.20 to PCSSD.
 - 2. In September 2010, General Finance made the first one-third payment to the Districts for their FY 10/11 transportation budget. As of September 30, 2010, transportation payments for FY 10/11 totaled \$1,354,368.33 to LRSD, \$510,218.13 to NLRSD, and \$905,109.15 to PCSSD.
 - 3. In February 2011, General Finance made the second one-third payment to the Districts for their FY 10/11 transportation budget. As of February 28, 2011, transportation payments for FY 10/11 totaled \$2,708,736.66 to LRSD, \$1,020,436.26 to NLRSD, and \$1,810,218.30 to PCSSD.
- E. Bids were opened on May 7, 2010 for sixteen Magnet and M-to-M buses. The low bid was by Diamond State Bus Sales for a total of \$1,135,960. There are fourteen 65 passenger buses at \$71,210 per unit and two 47 passenger units at \$69,510 per unit. Little Rock will get 8 - 65 passenger buses. Pulaski County Special will get 4 - 65 passenger buses and 2 - 47 passenger buses. North Little Rock will get 2 - 65 passenger buses. In September 2010, 16 new Magnet and M-to-M buses were delivered to the districts in Pulaski County. Finance paid Diamond States Bus Sales \$1,135,960.
- F. In July 2011, Finance paid the Magnet Review Committee \$92,500. This was the total amount due for FY11/12.
- G. In July 2011, Finance paid the Office of Desegregation Monitoring \$200,000. This was the total amount due for FY 11/12.

II. Monitoring Compensatory Education

On July 7, 2011, the ADE Implementation Phase Working Group met to review the Implementation Phase activities for the previous quarter. Mr. Willie Morris, ADE Lead Planner for Desegregation, updated the group on all relevant desegregation issues. Mr. Jeremy Lasiter, ADE General Council for Legal Services, talked about Plan 2000. This is an amended desegregation plan for PCSSD approved in March of 2000. Judge Brian Miller ruled on May 19, 2011 that PCSSD did not successfully meet their plan in the areas of student assignment; advanced placement, gifted and talented and honors programs; discipline; school facilities; scholarships; special education; staff; student achievement; and monitoring. Judge Miller ruled that the NLRSD was in substantial compliance with their desegregation plan except for district staffing. The Attorney General's Office has recommended that the ADE provide more assistance to the PCSSD with the areas of Plan 2000 that have not been fully implemented. The next Implementation Phase Working Group Meeting is scheduled for October 6, 2011 at 1:30 p.m. in room 201-A at the ADE.

III. A Petition for Election for LRSD will be Supported Should a Millage be Required

Ongoing. All court pleadings are monitored monthly.

IV. Repeal Statutes and Regulations that Impede Desegregation

In June 2011, the ADE sent letters to the school districts in Pulaski County asking if there were any new laws or regulations that may impede desegregation. The districts were asked to review laws passed during the 88th Legislative Session, and any new ADE rules or regulations.

V. Commitment to Principles

On August 8, 2011, the Arkansas State Board of Education reviewed and approved the PMT and its executive summary for the month of July.

VI. Remediation - Evaluate the impact of the use of resources for technical assistance

On August 4, 2011, the ADE conducted a compressed interactive videoconference to provide training on Adequate Yearly Progress (AYP) to thirteen Educational Service Cooperatives and eleven schools. Louis Ferren, ADE Systems Analyst for Academic Accountability, presented "Measuring Adequate Yearly Progress in Arkansas". Melody Morgan, Assistant Director, National Office for Research on Measurement and Evaluation Systems (NORMES) presented "Understanding Your AYP Report" and "AYP Corrections Website".

On August 11, 2011, the ADE conducted training for the fall 2011 administration of the Qualls Early Learning Inventory (QELI) through a webinar. The training session was for teachers, principals, district test coordinators, and/or counselors. Each school district must administer the QELI to all entering kindergarten students and to all first grade students who did not attend kindergarten. The QELI is a checklist format that helps teachers observe and record information about cognitive knowledge and classroom behaviors in six key areas: general knowledge, oral communication, written language, math concepts, work habits, and attentive behavior.

VII. Test Validation

On February 12, 2001, the ADE Director provided the State Board of Education with a special update on desegregation activities.

VIII. In-Service Training

On July 18-20, 2011, ADE staff conducted training for Effective Literacy Days 8, 9 and 10 at the North Little Rock High School West Campus Hospitality Room. This discussed using data, the literacy learning developmental continuum, and Common Core State Standards to plan instructional strategies that support self-extending level learners in fluency, word study and vocabulary. Information was provided on supporting comprehension processes for thinking within, beyond and about texts increasing in complexity. ADE staff also talked about organizing informational, narrative, and opinion writing that effectively communicates and supports a specific topic, purpose, and audience as well as using figurative language (similies, metaphors) and descriptive phrases to enhance meaning. The audience for the training was second through fourth grade teachers.

On July 20-22, 2011, ADE staff conducted training for Early Literacy Learning Days 9, 10 and 11 at the PCSSD Administration Building. This professional development was focused on addressing the needs of the transitional learner during the literacy block. The training was aligned to the Common Core State Standards.

On July 25-27, 2011, ADE staff conducted training for Effective Literacy Days 8, 9 and 10 at the PCSSD Professional Development Center. This discussed using data, the literacy learning developmental continuum, and Common Core State Standards to plan instructional strategies that support self-extending level learners in fluency, word study and vocabulary. Information was provided on supporting comprehension processes for thinking within, beyond and about texts increasing in complexity. ADE staff also talked about organizing informational, narrative, and opinion writing that effectively communicates and supports a specific topic, purpose, and audience as well as using figurative language (similies, metaphors) and descriptive phrases to enhance meaning. The audience for the training was second through fourth grade teachers.

On July 25-26, 2011, ADE staff provided training for twenty K-2 teachers at the Fuller Annex in the PCSSD. Staff facilitated and assisted with developing lessons for units of study aligned to the Common Core State Standards for implementation in K-2 classrooms.

On July 25, 2011, ADE staff updated Dr. Linda Remele at the PCSSD Administration Building on the progress made with developing K-2 lessons. Received feedback and guidance for the second day of work in developing units of study aligned to the Common Core State Standards for implementation in K-2 classrooms.

IX. Recruitment of Minority Teachers

In May 2011, the ADE Office of Professional Licensure requested a list of all spring minority graduates from all Arkansas colleges and universities with teacher education programs.

In June 2011, the ADE Office of Professional Licensure sent a request to the three Pulaski County school districts asking for a list of anticipated teacher shortage areas by grade and subject.

In July 2011, ADE Professional Licensure mailed a list of spring 2011 minority teacher graduates from Arkansas colleges and universities to the three Pulaski County school districts and the Fort Smith School District upon their request.

X. Financial Assistance to Minority Teacher Candidates

Ms. Lisa Smith of the Arkansas Department of Higher Education reported minority scholarships for Fiscal Year 2010-2011 on April 11, 2011. These included the State Teacher Assistance Resource (STAR) Program, the Minority Teacher Scholars (MTS) Program, and the Minority Masters Fellows (MMF) Program. The scholarship awards are as follows:

STAR	Male	Male	Female	Female	Total	Total
Race	Count	Award	Count	Award	Count	Award
White	13	60,000	61	232,500	74	292,500
Black	1	3,000	9	28,500	10	31,500
Hispanic			1	3,000	1	3,000
Other			2	9,000	2	9,000
Totals	14	63,000	73	273,000	87	336,000

MTS	Male	Male	Female	Female	Total	Total
Race	Count	Award	Count	Award	Count	Award
Black	3	12,500	7	27,500	10	40,000
Asian			1	5,000	1	5,000
Native Amer			1	5,000	1	5,000
Totals	3	12,500	9	37,500	12	50,000

MMF	Male	Male	Female	Female	Total	Total
Race	Count	Award	Count	Award	Count	Award
Black	1	3,750	8	21,250	9	25,000
Totals	1	3,750	8	21,250	9	25,000

XI. Minority Recruitment of ADE Staff

The MRC met on March 25, 2011 at the ADE. A report was presented at the meeting that showed ADE employees in grades C121 to C129 by race and section for the quarter ending December 31, 2010. A graph was also presented that showed the percentage of black, white and other employees for the ADE as a whole and by division. During the quarter ending December 31, 2010, the following three groups met the Desegregation Agreement target of 25% black: Central Administration, Academic Accountability, and Research & Technology. The ADE as a whole was 19.65% black.

XII. School Construction

This goal is completed. No additional reporting is required.

XIII. Assist PCSSD by communicating with local colleges and universities to facilitate lowering the cost of Black History course offerings to its certified staff

Goal completed as of June 1995.

XIV. Scattered Site Housing

This goal is completed. No additional reporting is required.

XV. Standardized Test Selection to Determine Loan Forgiveness

Goal completed as of March 2001.

XVI. Monitor School Improvement Plans - Follow-up and assist schools that have difficulty realizing their school improvement objectives

On August 5, 2011, ADE staff held a Workshop at the PCSSD Central Office Board Room to discuss the construction of a building's Arkansas Comprehensive School Improvement Plan (ACSIP). Staff discussed data gathering in the Building Leadership Team or ACSIP team. Data such as assessments, behavior, Classroom Walk Through (CWT), attendance, ACT, graduation rate, and various other perceptual data are analyzed and narrowed into data statements or conclusion statements to be placed in the ACSIP data box clearly labeled as 2011-12 Needs Assessment. Goals/Benchmarks, Interventions, Actions and the steps of implementation were also discussed. If actions are no longer needed, they should be removed (by culling). The Response to Intervention (RtI) model can be used to demonstrate programs for Tier I – the Core for every student, Tier II – remediation for some, and Tier III intensive intervention for a few students. Staff emphasized the importance of Program Evaluation using the talking points specifically. Sample Program Evaluation statements were used. Corrective Action, Restructuring, and Scholastic Audit priorities are required in plans when Buildings are in Year 3 and beyond. The importance of the Peer Review process was emphasized.

XVII. Data Collection

The ADE Office of Public School Academic Accountability has released the 2010 Arkansas School Performance Report (Report Card). The purpose of the Arkansas School Performance Report is to generally improve public school accountability, to provide benchmarks for measuring individual school improvement, and to empower parents and guardians of children enrolled in Arkansas public schools by providing them with the information to judge the quality of their schools. The Department of Education annually produces a school performance report for each individual public school in the state.

XVIII. Work with the Parties and ODM to Develop Proposed Revisions to ADE's Monitoring and Reporting Obligations

On July 10, 2002, the ADE held a Desegregation Monitoring and Assistance Plan meeting for the three school districts in Pulaski County. Mr. Willie Morris, ADE Lead Planner for Desegregation, presented information on the No Child Left Behind Act of 2001. A letter from U.S. Secretary of Education, Rod Paige, was discussed. It stated that school districts that are subject to a desegregation plan are not exempt from the public school choice requirements. "If a desegregation plan forbids the school district from offering any transfer option, the school district should secure appropriate changes to the plan to permit compliance with the public school choice requirements". Schools in Arkansas have not yet been designated "Identified for Improvement". After a school has been "Identified for Improvement", it must make "adequate yearly progress". Schools that fail to meet the definition of "adequate yearly progress", for two consecutive years, must provide public school choice and supplemental education services. A court decision regarding the LRSD Unitary Status is expected soon. The LRSD and the NLRSD attended the meeting. The next meeting about the Desegregation Monitoring and Assistance Plan will be held in August, 2002, after school starts.

NEWLY EMPLOYED FOR THE PERIOD OF July 16, 2011– August 19, 2011

Jacque Allen – Public School Program Advisor, Grade C122, Division of Human Resources/Licensure, Teacher Quality, effective 08/08/11.

Janie Hickman – Public School Program Advisor, Grade C122, Division of Learning Services, Curriculum and Instruction, effective 08/01/11.

*Kyron Jones – ADE Assistant to Director, Grade C129, Division of Learning Services, Federal Programs, effective 08/08/11.

Anthony Owen – Public School Program Advisor, Grade C122, Division of Learning Services, Curriculum and Instruction, effective 08/08/11.

Melinda Spurgers – Administrative Specialist III, Grade C112, Division of Learning Services, Federal Programs, effective 08/01/11.

PROMOTIONS/ LATERAL TRANSFERS FOR THE PERIOD OF July 16, 2011– August 19, 2011

Carol Bowman – from Administrative Specialist III, Grade C112, Division of Public School Academic Facilities and Transportation (DPSAFT), to Administrative Analyst, Grade C115, Division of Public School Academic Facilities and Transportation (DPSAFT), effective 08/08/11.

Scott McRae – from Accounting Coordinator, Grade C121, Division of Fiscal and Administrative Services, Fiscal Distress, to Fiscal Support Manager, Grade C123, Division of Fiscal and Administrative Services, Fiscal Distress, effective 08/01/11.

SEPARATIONS FOR THE PERIOD OF July 16, 2011– August 19, 2011

Mark Gipson – Public School Program Advisor, Grade C122, Division of Learning Services, School Improvement, effective 08/05/11. 1 Year, 6 months, 10 days. Code: 01

Cindy Hopkins – Administrative Specialist III, Grade C112, Division of Learning Services, Office of Education Renewal Zone (OERZ), effective 08/05/11. 8 Years, 4 months, 11 days. Code: 01

Titus Lindsay – APSCN Field Analyst, Grade C121, Division Fiscal and Administrative Services, Arkansas Public School Computer Network (APSCN), effective 08/12/11. 4 Years, 5 months, 0 days. Code: 01

*Hope Moore – Administrative Specialist III, Grade C112, Division Learning Services, Assessment, effective 07/29/11. 5 Years, 2 months, 7 days. Code: 01

*Barbara Owens – Administrative Specialist II, Grade C109, Division of Public School Academic Facilities and Transportation (DPSAFT), effective 08/11/11. 3 Years, 4 months, 29 days. Code: 01

Amanda Peebles – Public School Program Coordinator, Grade C123, Division of Learning Services, Gifted and Talented, effective 08/19/11. 4 Years, 0 months, 3 days. Code: 01

Kristi Wilson – Public School Program Advisor, Grade C122, Division of Learning Services, Professional Development, effective 07/22/11. 1 Year, 11 months, 12 days. Code: 01

*Minority

AASIS Code:

01 – Voluntary Termination

Waivers Requested for Teachers Teaching Out of Area
September 2011

LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Academics Plus Charter School	1	Smith, Donna	Elementary 1-6	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
0501	Alpena School District	2	Shields, Sarah	Elementary 1-6	305	Gifted & Talented P-8	11-12	Granted
			Shields, Sarah	Elementary 1-6	306	Gifted & Talented 7-12	11-12	Granted
6092	Ark. School For The Deaf	1	Cox, Sharon	English 7-12	113	Drama Endorsement 7-12	11-12	Granted
	Arkansas River ESC	3	Livingston, Tumiga	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
			Spadoni, Cynthia	Elementary 1-6, MS Social Studies	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
			Stone, Jennifer	Elementary K-6	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
4701	Armored School District	1	Tidwell, Gayla	ECE P-4	107	Grade 5/6 Endorsement (P-4)	10-11, 11-12	Granted
5801	Atkins School District	1	Lewis, Nicole	ECE P-4	299	Guidance & Counseling P-8	11-12	Granted
5401	Barton-Lexa School District	2	Simmons, Amy	Elementary 1-6	295	Library Media Science P-8	10-11, 11-12	Granted
			Simmons, Amy	Elementary 1-6	296	Library Media Science 7-12	10-11, 11-12	Granted
3201	Batesville School District	6	Peugeot, Lilli	Elementary 1-6, English 7-12	307	English As A Second Language P-8	11-12	Granted
			Peugeot, Lilli	Elementary 1-6, English 7-12	308	English As A Second Language 7-12	11-12	Granted
			Rhodes, Lynne	ECE P-4, Elementary K-6, MS Social Studies	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
			Russell, Kim	ECE P-4, Elementary Education K-6	002	English/Language/Social Studies 4-8	11-12	Granted

Waivers Requested for Teachers Teaching Out of Area
September 2011

LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
3201	Batesville School District continued		Russell, Kim	ECE P-4, Elementary Education K-6	168	Science/Mathematics 4-8	11-12	Granted
			Wiles, Kristi	Middle Childhood Education, PE/Wellness/Leisure P-12, coaching	230	Sp Education Instructional Specialist 4-12	11-12	Denied
6301	Bauxite School District	3	Mackey, Mitzi	Elementary 1-6	305	Gifted & Talented P-8	10-11, 11-12	Granted
			Mackey, Mitzi	Elementary 1-6	306	Gifted & Talented 7-12	10-11, 11-12	Granted
			Wray, Shannon	MS Social Studies	299	Guidance & Counseling P-8	11-12	Granted
5201	Bearden School District	1	Goodman, Maria	Middle Childhood Education	200	Mathematics 7-12	11-12	Granted
6302	Benton School District	3	Bradberry, Jeni	Social Studies 7-12	299	Guidance & Counseling P-8	11-12	Granted
			Bradberry, Jeni	Social Studies 7-12	300	Guidance & Counseling 7- 12	11-12	Granted
			Gentry, Jason	PE/Wellness/Leisure	002	English/Language/Social Studies 4-8	11-12	Granted
0401	Bentonville School District	1	Poore, Mike	Bldg. Adm.	311	District Administrator P-12	11-12	Granted
0502	Bergman School District	3	Ponder, Kerry Lou	Elementary K-6, MS Social Studies and English	231	Sp Ed Ech Inst Specialist P- 4	10-11, 11-12	Granted
			Yocham, Tracy	Elementary Ed, MS Science	299	Guidance & Counseling P-8	11-12	Granted
			Yocham, Tracy	Elementary Ed, MS Science	300	Guidance & Counseling 7- 12	11-12	Granted

Waivers Requested for Teachers Teaching Out of Area
September 2011

LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
4702	Blytheville School District	1	Cooke, Sally	Language Arts, Reading	239	Curr/Program/Adm/Curriculum	11-12	Granted
4201	Booneville School District	3	Lewter, Jessica	ECE P-4	107	Grade 5/6 Endorsement (P-4)	11-12	Granted
			Whitaker, Michelle	ECE P-4	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Whitaker, Michelle	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
	C.B. King Memorial School	1	West, Roger	English 7-12	231	Sp Ed Ech Inst Specialist P-4	11-12	Denied
	Carroll County Learning Center	2	Brewer, Carmen	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
			Johnson, Karen	Elementary 1-6, Library Media P-12	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
1702	Cedarville School District	1	Remer, Jarrod	Middle School 5-8; PE/Health 7-12	167	Social Studies 7-12	11-12	Granted
1305	Cleveland County School District	4	Hopson, Amanda	Elementary K-6	201	Art P-8	11-12	Granted
			Young, Cheryl	Elementary 1-6	305	Gifted & Talented P-8	10-11, 11-12	Granted
			Young, Cheryl	Elementary 1-6	306	Gifted & Talented 7-12	10-11, 11-12	Granted
			Young, Gina	Elementary 1-6	295	Library Media Science P-8	11-12	Granted
	Conway Human Development Center	4	Gifford, Paul	ECE P-4	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
			Gifford, Paul	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted

Waivers Requested for Teachers Teaching Out of Area
September 2011

LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Conway Human Development Center Continued		Henderson, Jennifer	ECE P-4, ELS P-12	230	Sp Education Instructional Specialist 4-12	09-10, 10-11, 11-12	Granted
			Henderson, Jennifer	ECE P-4, ELS P-12	231	Sp Ed Ech Inst Specialist P-4	09-10, 10-11, 11-12	Granted
1101	Corning School District	1	Cagle, Josh	Physical Education	169	Physical /Earth Science 7-12	11-12	Granted
1901	Cross County School District	5	Medlin, Susanna	Special Education P-4	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
			Mettler, Melissa	Elementary 1-6; Elem Principal	300	Guidance & Counseling 7-12	11-12	Granted
			Moore, Paula	ECE P-4	168	Science/Mathematics 4-8	10-11, 11-12	Granted
			Prince, Stephen	Middle Level Education	312	Building Administrator P-8	09-10, 10-11, 11-12	Granted
			Prince, Stephen	Middle Level Education	313	Building Administrator 7-12	09-10, 10-11, 11-12	Granted
2601	Cutter-Morning Star School District	4	Ball, Jamie	PE/Wellness/Leisure, Coaching	167	Social Studies 7-12	11-12	Denied
			Gadberry, Sheila	Business Technology	299	Guidance & Counseling P-8	09-10, 10-11, 11-12	Granted
			Gadberry, Sheila	Business Technology	300	Guidance & Counseling 7-12	09-10, 10-11, 11-12	Granted

Waivers Requested for Teachers Teaching Out of Area
September 2011

LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Cutter-Morning Star Continued		Webb, Aimee	English 7-12	230	Sp Education Instructional Specialist 4-12	09-10, 10-11, 11-12	Granted
0901	Dermott School District	1	Ford, Natarsha	Instrumental Music P- 12	204	Vocal Music 7-12	11-12	Granted
5901	Des Arc School District	2	Bagshaw, Brenda	Bld. Adm.; Curriculum Program Adm.; Middle Level Education	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Hill, Nicholas	Mathematics 7-12; PE/Health 7-12	302	Building Level Administrator 5-12	11-12	Granted
0101	DeWitt School District	3	Kirkpatrick, Barbara	ECE P-4, Elementary K-6, Middle Childhood	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Kirkpatrick, Barbara	ECE P-4, Elementary K-6, Middle Childhood	231	Sp Ed Ech Inst Specialist P- 4	11-12	Granted
			McEuen, Deane	PE K-12	230	Sp Education Instructional Specialist 4-12	11-12	Granted
3502	Dollarway School District	5	Edwards, Tabitha	Elementary Education	231	Sp Ed Ech Inst Specialist P- 4	11-12	Granted
			Edwards, Tabitha	Elementary Education	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Moore, Serena	Business Technology	222	Marketing Technology 7-12	11-12	Granted
			Rice, Melissa	Elementary, Business, Coaching	305	Gifted & Talented P-8	09-10, 10-11, 11-12	Granted

Waivers Requested for Teachers Teaching Out of Area
September 2011

LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Dollarway School District Continued		Walker, Delores	MS English/Social Studies	169	Physical /Earth Science 7- 12	09-10, 10-11, 11-12	Granted
5802	Dover School District	1	Collins, Ella	ECE P-4	230	Sp Education Instructional Specialist 4-12	11-12	Granted
5608	East Poinsett County School District	1	Weathers, Payton	Middle Level Education, Elementary, Business Ed, CO	300	Guidance & Counseling 7- 12	10-11, 11-12	Granted
7201	Elkins School District	3	Riley, Chastain	ECE P-4, Reading Specialist	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			VanAmburg, Brandi	English 7-12, Speech/Drama 7-12	299	Guidance & Counseling P-8	10-11, 11-12	Granted
			VanAmburg, Brandi	English 7-12, Speech/Drama 7-12	300	Guidance & Counseling 7- 12	10-11, 11-12	Granted
7202	Farmington School District	5	Fletcher, Erin	ECE P-4	295	Library Media Science P-8	11-12	Granted
			Fletcher, Erin	ECE P-4	296	Library Media Science 7-12	11-12	Granted
			Fulcher, Rachel	Business Ed 7-12	299	Guidance & Counseling P-8	11-12	Granted
			Fulcher, Rachel	Business Ed 7-12	300	Guidance & Counseling 7- 12	11-12	Granted
			McManus, Sarah	Special Ed P-4, ECE P-4	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
	First Step, Inc.	2	Bailey, Ashley	ECE P-4	231	Sp Ed Ech Inst Specialist P- 4	10-11, 11-12	Granted
			Duggan, Mindy	ECE P-4	231	Sp Ed Ech Inst Specialist P- 4	10-11, 11-12	Granted

Waivers Requested for Teachers Teaching Out of Area
September 2011

LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
4501	Flippin School District	1	Mead, Aaron	Social Studies, Coaching, Physical/Earth Science	170	Life/Earth Science 7-12	10-11, 11-12	Granted
4102	Foreman School District	1	Sanders, Jason	Bldg. Level Admin., PE, Coaching, MS Science, Life/Earth Science	311	District Administrator P-12	11-12	Granted
4603	Fouke School District	1	Morman, Matthew	Health, PE	167	Social Studies 7-12	10-11, 11-12	Denied
	Friendship Community Care	2	Holman, Melissa	ECE P-4	231	Sp Ed Ech Inst Specialist P- 4	11-12	Granted
			Howard, Stefanie	ECE P-4	231	Sp Ed Ech Inst Specialist P- 4	09-10, 10-11, 11-12	Denied
0404	Gravette School District	2	Hendrick, Mark	Instrumental Music 7- 12	203	Vocal Music P-8	11-12	Granted
			Hendrick, Mark	Instrumental Music 7- 12	205	Instrumental Music P-8	11-12	Granted
2303	Greenbrier School District	5	McKinney, Katie	Middle Level Education	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Nokes, Teri Beth	ECE P-4	295	Library Media Science P-8	11-12	Granted
			Nokes, Teri Beth	ECE P-4	296	Library Media Science 7-12	11-12	Granted
			Vint, Amber	Elementary 1-6	295	Library Media Science P-8	11-12	Granted
			Vint, Amber	Elementary 1-6	296	Library Media Science 7-12	11-12	Granted

Waivers Requested for Teachers Teaching Out of Area
September 2011

LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
7204	Greenland School District	3	January, Kem	Elementary	305	Gifted & Talented P-8	11-12	Granted
			January, Kem	Elementary	306	Gifted & Talented 7-12	11-12	Granted
			Wheeler, Camille	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
0203	Hamburg School District	1	Lassiter, Sherry	Middle Level Education	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
6304	Harmony Grove School District	1	Mynhier, Casey	ECE P-4	107	Grade 5/6 Endorsement (P-4)	11-12	Denied
5602	Harrisburg School District	1	Parris, Gina	ECE P-4, Business ED	168	Science/Mathematics 4-8	11-12	Granted
0503	Harrison School District	6	Bright, Tammie	Elementary 1-6	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
			Campbell, Jeannie	Spanish, French, English	307	English As A Second Language P-8	11-12	Granted
			Campbell, Jeannie	Spanish, French, English	308	English As A Second Language 7-12	11-12	Granted
			Keener, Teresa	Middle Childhood Education	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
			Mallett, Kyle	Middle Childhood Education, Social Studies, PE	411	Career Orientation Endorsement 7-12	11-12	Granted
			Peck, Melissa	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	09-10, 10-11, 11-12	Granted
6604	Hartford School District	1	Geren, Samantha	English 7-12	114	Speech Endorsement 7-12	11-12	Granted
1202	Heber Springs School District	2	Brogdon, Amanda	Business Ed 7-12	305	Gifted & Talented P-8	09-10, 10-11, 11-12	Granted

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Heber Springs School District Continued		Richardson, John	Guidance P-8	300	Guidance & Counseling 7-12	11-12	Denied
6804	Highland School District	1	Churchman, Dianne	Elementary 1-6, Reading Specialist P-12	001	Early Childhood P-4	11-12	Granted
2903	Hope School District	1	Cox, Dana	ECE P-4, Elementary Education K-6, Reading	201	Art P-8	11-12	Granted
2603	Hot Springs School District	15	Achor, Roger	Elem 1-6, MS English/Social Studies, Journalism	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
			Aitken, Nikki	Life/Earth Science	295	Library Media Science P-8	10-11, 11-12	Granted
			Aitken, Nikki	Life/Earth Science	296	Library Media Science 7-12	10-11, 11-12	Granted
			Bales, Janette	Science 7-12, Life/Earth Science, Career Orientation	169	Physical /Earth Science 7-12	11-12	Granted
			Counts, Rebecca	MS Math, MS Social Studies, Elementary 1-6	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Files, Jonathan	English 7-12	114	Speech Endorsement 7-12	11-12	Denied
			Hall, Susan	Middle Level Education	230	Sp Education Instructional Specialist 4-12	09-10, 10-11, 11-12	Granted
			Irwin, Karrie	ECE P-4, Middle Childhood Education	230	Sp Education Instructional Specialist 4-12	11-12	Denied
			Kelloms, Sean	PE/Wellness/Leisure, Coaching	167	Social Studies 7-12	10-11, 11-12	Denied

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
Hot Springs School District Continued			Sims, Alicia	Social Studies 7-12	230	Sp Education Instructional Specialist 4-12	09-10, 10-11, 11-12	Granted
			Snider, Amy	Elementary 1-6	299	Guidance & Counseling P-8	09-10, 10-11, 11-12	Granted
			Snider, Amy	Elementary 1-6	300	Guidance & Counseling 7- 12	09-10, 10-11, 11-12	Granted
			Wingfield, Suanna	English 7-12	299	Guidance & Counseling P-8	09-10, 10-11, 11-12	Granted
			Wingfield, Suanna	English 7-12	300	Guidance & Counseling 7- 12	09-10, 10-11, 11-12	Granted
			Yarberry, James	Social Studies, PE/Wellness/Leisure, Driver's Ed	106	Grade 5/6 Endorsement	10-11, 11-12	Granted
3804	Hoxie School District	3	Compton, Katie	ECE P-4	299	Guidance & Counseling P-8	11-12	Granted
			Vancil, Andrea	PE/Health	299	Guidance & Counseling P-8	11-12	Granted
			Vancil, Andrea	PE/Health	300	Guidance & Counseling 7- 12	11-12	Granted
3306	Izard Co. Cons. School Dist.	2	Holland, Randi	ECE P-4	231	Sp Ed Ech Inst Specialist P- 4	11-12	Granted
			March, Carl	Middle Childhood Education	230	Sp Education Instructional Specialist 4-12	11-12	Granted
5102	Jasper School District	15	Brasel, Whitney	Social Studies 7-12	305	Gifted & Talented P-8	11-12	Granted
			Brasel, Whitney	Social Studies 7-12	306	Gifted & Talented 7-12	11-12	Granted

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
Jasper School District Continued			Cantrell, Jeff	Bldg. Level Adm. P-12	311	District Administrator P-12	11-12	Granted
			Davidson, Casey	ECE P-4	200	Mathematics 7-12	09-10, 10-11, 11-12	Denied
			Eddings, Vanessa	Middle Level Education	169	Physical /Earth Science 7-12	11-12	Granted
			Faught, Johanna	ECE P-4	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
			Hawkins, Kaela	ECE P-4, MS English/SS	295	Library Media Science P-8	11-12	Granted
			Hawkins, Kaela	ECE P-4, MS English/SS	296	Library Media Science 7-12	11-12	Granted
			Mann, Wanda	Bldg Level Adm. P-12, Curriculum Program Adm. P-12	311	District Administrator P-12	11-12	Granted
			McCoy, Delene	Middle Level Education	203	Vocal Music P-8	11-12	Granted
			McCoy, Delene	Middle Level Education	204	Vocal Music 7-12	11-12	Granted
			Moss, Steven	PE/Wellness/Leisure	305	Gifted & Talented P-8	11-12	Granted
			Moss, Steven	PE/Wellness/Leisure	306	Gifted & Talented 7-12	11-12	Granted
			Rodden, Tiffany	ECE P-4	215	Family & Consumer Sciences 7-12	11-12	Granted
			Welch, Tom	Middle Level Education	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Davis, Terrell	Agricultural Science	299	Guidance & Counseling P-8	10-11, 11-12	Granted
			Davis, Terrell	Agricultural Science	300	Guidance & Counseling 7-12	10-11, 11-12	Granted
5503	Kirby School District	2						

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
3704	Lafayette County School District	3	Bell, Brian	Agri Science, Career Academy	411	Career Orientation Endorsement 7-12	11-12	Granted
			Downs, David	PE/Wellness/Leisure, MS Social Studies, Social Studies 7-12	302	Building Level Administrator 5-12	11-12	Granted
			Gatlin, Kimberly	ECE P-4	107	Grade 5/6 Endorsement (P-4)	09-10, 10-11, 11-12	Granted
3604	Lamar School District	1	Maddox, Lara	ECE P-4	230	Sp Education Instructional Specialist 4-12	11-12	Granted
6605	Lavaca School District	4	Clemmer, Joshua	Social Studies/Library Media	108	Journalism 7-12	10-11, 11-12	Granted
3810	Lawrence County School District	3	Delp, Amanda	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
			Dooly, Jessica	Instrumental Music P-12	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
			Dooly, Jessica	Instrumental Music P-12	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Huffine, Andrea	Social Studies	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Kerchevas, Michelle	ECE P-4	305	Gifted & Talented P-8	11-12	Granted
0506	Lead Hill School District	7	Kerchevas, Michelle	ECE P-4	306	Gifted & Talented 7-12	11-12	Granted
			Brown, Regina	Bldg. Adm. P-8	311	District Administrator P-12	09-10, 10-11, 11-12	Granted
			Duffy, Janice	Social Studies 7-12	299	Guidance & Counseling P-8	10-11, 11-12	Granted

Waivers Requested for Teachers Teaching Out of Area
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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
Lead Hill School District Continued			Duffy, Janice	Social Studies 7-12	300	Guidance & Counseling 7-12	10-11, 11-12	Granted
			Huddleston, Stephanie	MS Math	200	Mathematics 7-12	11-12	Granted
			Hudson, Shay	ECE P-4	168	Science/Mathematics 4-8	11-12	Denied
			Lee, Teresa Beth	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Denied
			Richardson, Debbie	Elementary P-6	312	Building Administrator P-8	10-11, 11-12	Granted
3904	Lee County School District	1	Tinzle, Tracia	FACS, Career Services, Vocational Ed.	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
7205	Lincoln School District	5	Geurian, Melissa	Family & Consumer Science	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Mooney, Ronald	Spanish 7-12	166	English/ Language/ Arts 7-12	10-11, 11-12	Granted
			Vowell, Alison	English	108	Journalism 7-12	11-12	Granted
			Wilson, Jennifer	ECE P-4, Middle Childhood Education	295	Library Media Science P-8	11-12	Granted
			Wilson, Jennifer	ECE P-4, Middle Childhood Education	296	Library Media Science 7-12	11-12	Granted
	LISA Academy	2	Dean, Matthew	Social Studies	305	Gifted & Talented P-8	11-12	Granted
			Dean, Matthew	Social Studies	306	Gifted & Talented 7-12	11-12	Granted
4301	Lonoke School District	14	Buffalo, Linda	MS English, English 7-12	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
			Huffer, Sherri	ECE P-4, Elementary K-6, MS Social Studies	002	English/Language/Social Studies 4-8	11-12	Granted
			Kelleybrew, Rosalynd	ECE P-4	312	Building Administrator P-8	10-11, 11-12	Granted

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
Lonoke School District Continued			Mason, Cy Michael	MS Math	200	Mathematics 7-12	11-12	Granted
			Meacham, Grant	Instrumental Music P-12	295	Library Media Science P-8	11-12	Granted
			Meacham, Grant	Instrumental Music P-12	296	Library Media Science 7-12	11-12	Granted
			Platt, Amanda	English 7-12	113	Drama Endorsement 7-12	11-12	Granted
			Rowton, Calista	Special Education	002	English/Language/Social Studies 4-8	10-11, 11-12	Denied
			Tash, Melissa	Bldg. Adm., ECE P-4	311	District Administrator P-12	10-11, 11-12	Granted
			Walker, Maria	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
			Webb-Stivers, Nicole	ECE P-4	230	Sp Education Instructional Specialist 4-12	09-10, 10-11, 11-12	Denied
			Webb-Stivers, Nicole	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	09-10, 10-11, 11-12	Denied
			Wilson, Lindy	ECE P-4	230	Sp Education Instructional Specialist 4-12	11-12	Granted
4202 Magazine School District	1		Yamber, Kari	Elementary 1-6	002	English/Language/Social Studies 4-8	10-11, 11-12	Denied
			Powell, Wayne	Mathematics 7-12	235	Physical Education, Wellness & Leisure P-8	11-12	Granted
2501 Mammoth Spring School District	2		Brown, Kristy	Elementary 1-6	305	Gifted & Talented P-8	11-12	Granted
			Brown, Kristy	Elementary 1-6	306	Gifted & Talented 7-12	11-12	Granted
4712 Manila School District	1		Helms, Stephanie LeAnn	Social Studies, FACS	302	Building Level Administrator 5-12	11-12	Granted

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
6606	Mansfield School District	1	Reeves, Brent	Secondary PE	235	Physical Education, Wellness & Leisure P-8	11-12	Granted
5604	Marked Tree School District	1	Garland, Sara	Instrumental Music P- 12	2010	Survey of Fine Arts	11-12	Granted
6102	Maynard School District	1	Bindea, Cassandra	ECE P-4	170	Life/Earth Science 7-12	11-12	Granted
	Methodist Day Treatment	1	Bunner, Joe	PE; Health	230	Sp Education Instructional Specialist 4-12	09-10, 10-11, 11-12	Granted
	Methodist Family Health	1	Binkley (Hudson), Elizabeth	Family & Consumer Science	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
	MiChild Friendship Community Care	2	Collins, Kerri	ECE P-4	231	Sp Ed Ech Inst Specialist P- 4	09-10, 10-11, 11-12	Granted
			Harrington, Kayla	ECE P-4	231	Sp Ed Ech Inst Specialist P- 4	11-12	Granted
	Millcreek of Arkansas	3	Booker, Amy	English, Elementary 1- 6, MS Social Studies	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Hendryx, Timothy	Middle Level Education	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
			McElroy, Macy	Middle Level Education, Social Studies	230	Sp Education Instructional Specialist 4-12	11-12	Granted
2203	Monticello School District	3	Jarrett, Stephanie	Middle Level Education	209	Algebra I Endorsement 8	11-12	Granted

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Monticello School District Continued		Lay, Randall	Middle Level Education, Elementary 1-6, Special Education P-12	302	Building Level Administrator 5-12	10-11, 11-12	Granted
			Lay, Randall	Middle Level Education, Elementary 1-6, Special Education P-12	312	Building Administrator P-8	10-11, 11-12	Granted
6901	Mountain View School District	9	Beck, Eddie	PE/Wellness/Leisure P-12, Coaching	169	Physical /Earth Science 7- 12	10-11, 11-12	Granted
			Beck, Eddie	PE/Wellness/Leisure P-12, Coaching	170	Life/Earth Science 7-12	10-11, 11-12	Granted
			Hinesley, Jamela	ECE P-4	215	Family & Consumer Sciences 7-12	11-12	Granted
			Lucas, George Steven	Secondary Principal, District Administrator	312	Building Administrator P-8	11-12	Granted
			McElroy, Mandi	Middle Childhood Education	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Rutledge, Heidi	Middle Level Education	166	English/ Language/ Arts 7- 12	11-12	Denied
			Rutledge, Heidi	Middle Level Education	114	Speech Endorsement 7-12	11-12	Denied
			Thomson, Joan	Mathematics, English	167	Social Studies 7-12	11-12	Granted
			Thomson, Joan	Mathematics, English	411	Career Orientation Endorsement 7-12	11-12	Granted
1704	Mulberry School District	1	Higdon, Dana	ECE P-4, Special Ed, Bldg Adm.	311	District Administrator P-12	11-12	Granted

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
3105	Nashville School District	4	Bridgeman, Kerry	English 7-12	002	English/Language/Social Studies 4-8	11-12	Granted
			Bridgeman, Kerry	English 7-12	168	Science/Mathematics 4-8	11-12	Granted
			Graham, Douglas	PE/Wellness/Leisure, Coaching	200	Mathematics 7-12	11-12	Granted
			Williams, Lori	Middle Childhood Education	200	Mathematics 7-12	11-12	Granted
1503	Nemo Vista School District	1	Sinsley, Lori	Mathematics 7-12	4546	Transitional College Math	11-12	Granted
5008	Nevada School District	1	Lamb, Rebecca	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	09-10, 10-11, 11-12	Granted
7006	Norphlet School District	1	Buckley, Paula	ECE P-4	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
4713	Osceola School District	3	Collard, Billie	ECE P-4	295	Library Media Science P-8	11-12	Granted
			Collard, Billie	ECE P-4	296	Library Media Science 7-12	11-12	Granted
			Pilcher, Jeaneen	Social Studies	166	English/ Language/ Arts 7-12	11-12	Granted
5706	Ouachita River School District	4	Abernathy, Lisa	MS Social Studies, Elementary 1-6	002	English/Language/Social Studies 4-8	10-11, 11-12	Denied
			Newbolt, Jill	Middle Childhood Education, ESL P-12	305	Gifted & Talented P-8	11-12	Granted
			Newbolt, Jill	Middle Childhood Education, ESL P-12	306	Gifted & Talented 7-12	11-12	Granted
			Sexton, Shane	Social Studies	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Ozark Guidance	3	Bowling, Ryan	English 7-12	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
			Morton, Monica	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
			Stewart, Chelsey	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Denied
6505	Ozark Mountain School District	5	Dover, Tracy	ECE P-4	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Dover, Tracy	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
			Hurt, Justin	Business Technology	200	Mathematics 7-12	10-11, 11-12	Granted
			Pilgrim, Laurel	Middle Level Education	200	Mathematics 7-12	11-12	Granted
			Ricketts, Bob	Elementary 1-6, MS Social Studies	302	Building Level Administrator 5-12	11-12	Granted
2808	Paragould School District	5	Benton, Gwendoline	ECE P-4, Special Ed P-4	320	Curr/Program Adm/Sped P-12	11-12	Granted
			Forkum, Codi	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
			Hinkle, Cori	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
			Rider, Kelly	Elementary 1-6, MS Social Studies, Business Tech	299	Guidance & Counseling P-8	10-11, 11-12	Granted
			Starling, Gina	MS Science, Elementary 1-6	305	Gifted & Talented P-8	11-12	Granted
			Starling, Gina	MS Science, Elementary 1-6	306	Gifted & Talented 7-12	11-12	Granted

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Pattillo Center School, Inc.	2	Turner, Laura	Family & Consumer Science	231	Sp Ed Ech Inst Specialist P-4	09-10, 10-11, 11-12	Denied
			Vansandt, Elizabeth	ECE P-4, Middle Childhood Edcation, English 7-12	231	Sp Ed Ech Inst Specialist P-4	09-10, 10-11, 11-12	Denied
			Harris, Erica	ECE P-4, Elementary K-6, Reading Specailist K-12	312	Building Administrator P-8	11-12	Granted
1104	Piggott School District	1						
			Goodwin, Cortney	Middle Level Education, PE/Wellness/Leisure	230	Sp Education Instructional Specialist 4-12	09-10, 10-11, 11-12	Granted
			Houston, LaDale	Special Ed 5-12	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
5804	Pottsville School District	2	Weikel, Elizabeth	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
			Corbin, Lisa	ECE P-4, Special Ed P-4	230	Sp Education Instructional Specialist 4-12	09-10, 10-11, 11-12	Granted
			Williams, Shawna	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
7206	Prairie Grove School District	4	Cameron, Mitch	PE/Wellness/Leisure	167	Social Studies 7-12	09-10, 10-11, 11-12	Granted
			Seaton, Dustin	Social Studies	305	Gifted & Talented P-8	11-12	Granted
			Seaton, Dustin	Social Studies	306	Gifted & Talented 7-12	11-12	Granted
			Shepard, Tonya	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
5006	Prescott School District	4	Grimes, Kimberly	Elementary Ed K-6	312	Building Administrator P-8	11-12	Granted
			Rucker, Traci	PE	305	Gifted & Talented P-8	10-11, 11-12	Granted
			Rucker, Traci	PE	306	Gifted & Talented 7-12	10-11, 11-12	Granted
			Smith, Judith Kathryn	Elem 1-6, Middle Childhood, Business	230	Sp Education Instructional Specialist 4-12	11-12	Granted
7307	Riverview School District	4	Hill, Mary Kay	English	295	Library Media Science P-8	10-11, 11-12	Granted
			Hill, Mary Kay	English	296	Library Media Science 7-12	10-11, 11-12	Granted
			Scarbrough, Alex	PE/Wellness/Leisure	168	Science/Mathematics 4-8	11-12	Granted
			Scarbrough, Alex	PE/Wellness/Leisure	200	Mathematics 7-12	11-12	Granted
7310	Rose Bud School District	9	Clark, Kelly	ECE P-4	305	Gifted & Talented P-8	09-10, 10-11, 11-12	Granted
			Clark, Kelly	ECE P-4	306	Gifted & Talented 7-12	09-10, 10-11, 11-12	Granted
			Goodwin, Mandy	PE k-12; Health 7-12	201	Art P-8	10-11, 11-12	Denied
			Goodwin, Mandy	PE k-12; Health 7-12	202	Art 7-12	10-11, 11-12	Denied
			Goodwin, Mandy	PE K-12, Health 7-12	201	Art P-8	10-11, 11-12	Granted
			Goodwin, Mandy	PE K-12, Health 7-12	202	Art 7-12	10-11, 11-12	Granted
			Petray, Jennifer	Business Ed 7-12; English 7-12; Journalism	295	Library Media Science P-8	10-11, 11-12	Granted

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Rose Bud School District continued		Petray, Jennifer	Business Ed 7-12; English 7-12; Journalism	296	Library Media Science 7-12	10-11, 11-12	Granted
			Smith, Dennis	Math 7-12; Physical Science	170	Life/Earth Science 7-12	11-12	Granted
4204	Scranton School District	1	Roby, James	Spanish, Social Studies, Coaching	236	Physical Education, Wellness & Leisure 7-12	11-12	Granted
7311	Searcy School District	1	Brock, Channing	Middle Level Education	200	Mathematics 7-12	11-12	Granted
2705	Sheridan School District	4	Ader, Amanda	ECE P-4	107	Grade 5/6 Endorsement (P- 4)	11-12	Granted
			Clanton, Lisa Carol	Bldg. Adm., Special Ed P-12	320	Curr/Program Adm/Sped P- 12	11-12	Granted
			DeSoto, Sherri Lynn	Vocal Music P-12	305	Gifted & Talented P-8	10-11, 11-12	Granted
			DeSoto, Sherri Lynn	Vocal Music P-12	306	Gifted & Talented 7-12	10-11, 11-12	Granted
7008	Smackover School District	5	Corley, Tonya	Spanish, English, ESL	295	Library Media Science P-8	11-12	Granted
			Corley, Tonya	Spanish, English, ESL	296	Library Media Science 7-12	11-12	Granted
			Jameson, Leslie	ECE P-4	107	Grade 5/6 Endorsement (P- 4)	10-11, 11-12	Granted
			Starne, Rebekah	ECE P-4	107	Grade 5/6 Endorsement (P- 4)	10-11, 11-12	Granted
			Zachary, Jeff	Health, PE, Coaching, Science	169	Physical /Earth Science 7- 12	10-11, 11-12	Granted
4706	South Mississippi County School District	1	Tomblin, Kimberly	ECE P-4	299	Guidance & Counseling P-8	10-11, 11-12	Denied

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LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
4003	Star City School District	6	Boyce, Megan	ECE P-4	299	Guidance & Counseling P-8	11-12	Granted
			Boyce, Megan	ECE P-4	300	Guidance & Counseling 7-12	11-12	Granted
			Gay, Spencer	PE/Wellness/Leisure P-12, Coaching	200	Mathematics 7-12	10-11, 11-12	Granted
			McGehee, Jennifer	ECE P-4, Elementary K-6, MS Social Studies	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
			McGhee, Sam	Life/Earth Science	169	Physical /Earth Science 7-12	11-12	Granted
			Merritt, Jill	MS Math, Transition Math	169	Physical /Earth Science 7-12	11-12	Granted
5206	Stephens School District	7	Anderson, Nina	MS Science & Math	200	Mathematics 7-12	09-10, 10-11, 11-12	Granted
			Black, Melinda	ECE P-4	107	Grade 5/6 Endorsement (P-4)	11-12	Denied
			Brown, Bobby Jr.	Principal 5-12; Supt. P-12; Music P-12	312	Building Administrator P-8	11-12	Denied
			Cathey, Paula	ECE P-4	305	Gifted & Talented P-8	11-12	Denied
			Cathey, Paula	ECE P-4	306	Gifted & Talented 7-12	11-12	Denied
			Jones, Roger	PE P-12, Coaching	236	Physical Education, Wellness & Leisure 7-12	10-11, 11-12	Denied
			Turner, Loretta	ECE P-4	107	Grade 5/6 Endorsement (P-4)	10-11, 11-12	Granted
	Stepping Stone -DDTCS	4	Calahan, Crystal	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	09-10, 10-11, 11-12	Granted

Waivers Requested for Teachers Teaching Out of Area
September 2011

LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Stepping Stone -DDTCS Continued		Edwards, Jessica	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
			Hicks, Alana Paxton	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
			Roberts, Patrice	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Denied
4605	Texarkana School District	2	Freeman, Chad	Speech 7-12, PE/Wellness/Leisure	169	Physical /Earth Science 7-12	11-12	Granted
			Warren, Pam	English 7-12	229	Adult Education PS	10-11, 11-12	Granted
	Texarkana Special Education Center	1	McIntosh, Jessica	ECE P-4, 5th/6th Endorsement	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
	Trinity Behavioral Health	1	Marlow, Karen	Vocal Music	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
5605	Trumann School District	1	Pattillo, Rhonda	Elementary K-6, FACS	230	Sp Education Instructional Specialist 4-12	11-12	Granted
7510	Two Rivers School District	1	Kimzey, Patsy	Middle Childhood Education, ESL P-12	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Denied
2307	Vilonia School District	1	Sewell, Matthew	Special Ed, Coaching, Adm	320	Curr/Program Adm/Sped P-12	11-12	Granted
	Vista Health	3	Doby, Tina	Middle Level Education; Elementary 1-6	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Hatton, Jason	PE P-8, Coaching 7-12	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
			Owens, Ashley	Business 7-12	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted

Waivers Requested for Teachers Teaching Out of Area
September 2011

LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
6401	Waldron School District	5	Black, Jessica	ECE P-4	230	Sp Education Instructional Specialist 4-12	11-12	Denied
			Brown, Jessica	ECE P-4	230	Sp Education Instructional Specialist 4-12	11-12	Denied
			Fort, Annecia	Life/Earth Science - NTL P	169	Physical /Earth Science 7-12	11-12	Denied
			Jeffery, Darla	ECE P-4	295	Library Media Science P-8	11-12	Granted
			Jeffery, Darla	ECE P-4	296	Library Media Science 7-12	11-12	Granted
1803	West Memphis School District	2	Crader, Jeannie	PE & Health	299	Guidance & Counseling P-8	11-12	Granted
			Crader, Jeannie	PE & Health	300	Guidance & Counseling 7-12	11-12	Granted
1204	West Side School District	1	Akers, Stacy	MS Social Studies. Elementary 1-6, Special Ed P-4	230	Sp Education Instructional Specialist 4-12	09-10, 10-11, 11-12	Granted
7509	Western Yell Co. School Dist.	2	Lawrence, Lisa	ELL K-12, Middle Level Education	299	Guidance & Counseling P-8	11-12	Granted
			Phipps, Daniel	PE/Wellness/Leisure, health, Mathematics	167	Social Studies 7-12	11-12	Granted
3606	Westside School District	3	Caudle, Daniel	Social Studies	114	Speech Endorsement 7-12	11-12	Granted
			Jones, Mary Kathryn	Speech Language Pathology, FACS	320	Curr/Program Adm/Sped P-12	11-12	Granted
			Skaggs, Lucas	Bldg Adm., Mathematics, PE/Wellness/Leisure	311	District Administrator P-12	11-12	Granted
	Wilbur Mills ESC	1	Mote, Kristen	Family & Consumer Science	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted

Waivers Requested for Teachers Teaching Out of Area
September 2011

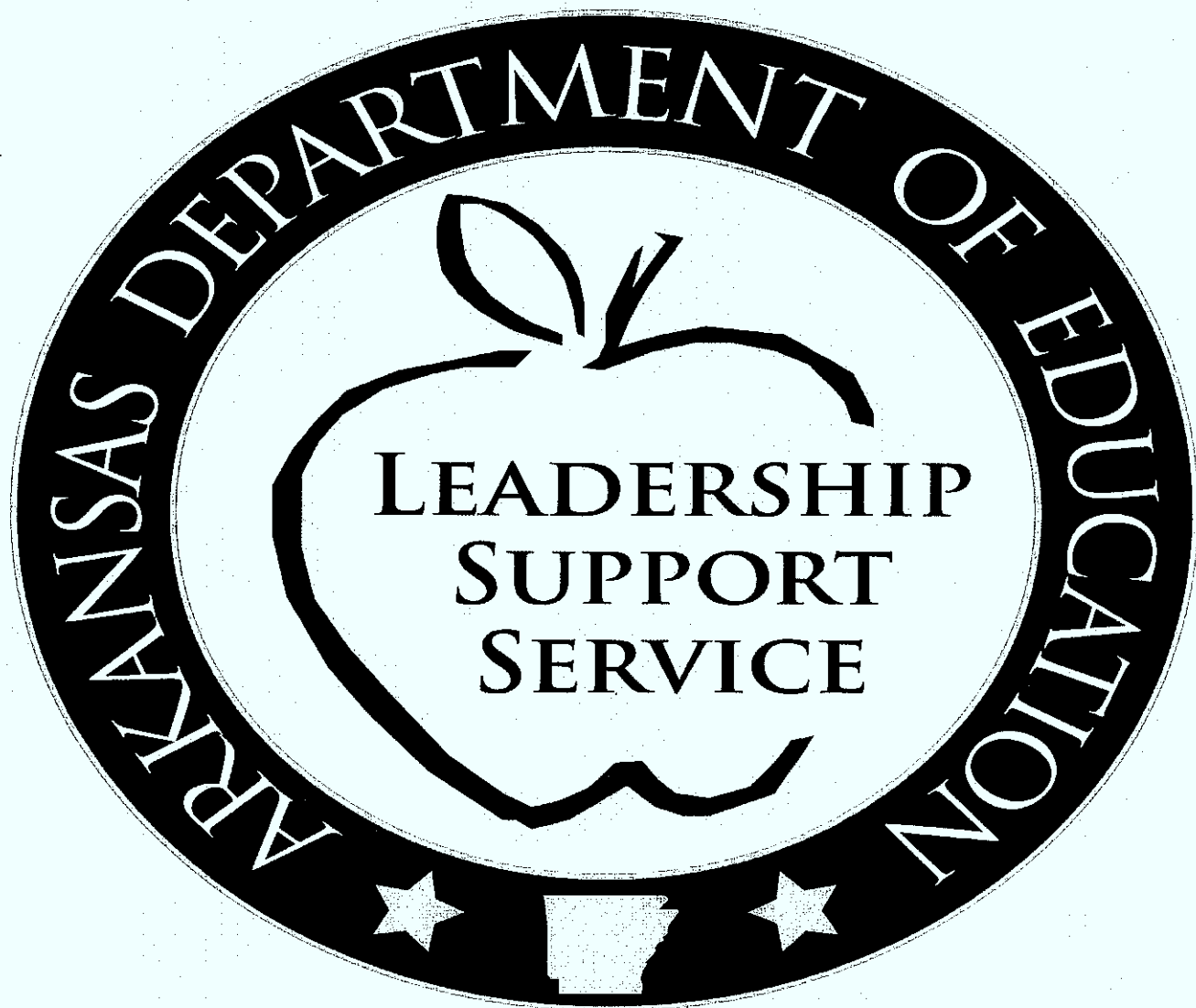
LEA	District	# Waivers	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Youth Bridge, Inc.	1	Kennedy, Craig	Social Studies	230	Sp Education Instructional Specialist 4-12	11-12	Granted
	Youth Home, Inc.	1	Stone-Smith, Veronica	ECE P-4	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
116	Number of School Districts Requesting Waivers	322	Total Waivers Requested this Month			Total Waivers Granted this Month		286
						Total Waivers Denied this Month		36
						Total Waivers Requested this Month		322

Waivers for Substitute Teachers

September 2011

LEA	District	# Waivers	Substitute Name	Subject	Teacher of Record	Granted/ Denied
4101	Ashdown School District	1	Dollarhide, Lonni	Kindergarten	Dinger, Courtney	Granted
5502	Centerpoint School District	1	Kasper, Pamela	Secondary Science	Calhoun, Larry	Granted
7202	Farmington School District	1	Jordan, Leslie	Special Education	Swopes, Crystal	Granted
2602	Fountain Lake School District	1	Fusilier, Paula	7th Grade Literacy, Social Studies	Robertson, LeAnn	Granted
6804	Highland School District	1	Carter, Kasey	Vocational Business	Sharp, Beula	Granted
	Millcreek of Arkansas	1	Thomas, Benjamin	Special Education	Hendryx, Tim	Granted
0406	Siloam Springs School District	1	Felder, Don	Biology/Environmental Science	Gill, Jenna	Granted
7	# Districts Requesting Substitutes	7	Total Substitute Waivers Requested		Total Substitute Waivers Granted this Month	7

<i>Agency</i>	<i>City</i>	<i>Purpose of Grant</i>	<i>Amount</i>
ABC Children's Academy	Russellville	direct services	\$ 5,000.00
Bright Beginnings Childcare	N Little Rock	direct services	\$ 2,500.00
Dawson Education Coop	Glenwood	direct services	\$ 5,000.00
EOA of Washington County	Fayetteville	direct services	\$ 5,000.00
Fort Smith School Distict	Fort Smith	direct services	\$ 2,500.00
Gravette School District	Gravette	direct services	\$ 2,500.00
Hugs-N-Tugs	Hardy	direct services	\$ 3,250.00
In His Image	Little Rock	direct services	\$ 51,100.00
Miss Beth's House	Siloam Springs	direct services	\$ 2,500.00
Miss. County AR Economic Oppor. Commission	East AR	direct services/HIPPY	\$ 63,000.00
Northeast AR Education Coop	Imboden	direct services	\$ 2,500.00
Northeast AR Education Coop	NE AR	direct services/HIPPY	\$ 38,500.00
Ozark Unlimited Resources Educ Coop	north central	direct services/HIPPY	\$ 26,250.00
Rutgers University		longitudinal study	\$ 310,000.00
Siloam Springs School District	Siloam Springs	direct services	\$ 10,000.00
Southside School District	Batesville	direct services	\$ 3,250.00
The Hunny Tree	Siloam Springs	direct services	\$ 2,500.00
UAMS Partners for Inclusive Communities	statewide	NAEYC project	\$ 1,500.00
Total			\$ 536,850.00



Home School Report

2010-2011

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Introduction

In order to promote collaboration between home school parents, public schools, and the Arkansas Department of Education (ADE), a Home School Office has been established and staffed at the ADE.

Questions or requests for assistance should be directed to:

Home School Office
Four Capitol Mall – Room 304-B
Little Rock, AR 72201
(501) 682-1874

<http://arkansased.org/>

<http://arkansased.org/about/schools/home.html>

Data Sources

Parents or legal guardians who choose to provide a home school for their children are required by law to submit current year Notice of Intent to Home School and Waiver forms to the superintendent of their local school district each year within the established deadlines. Meeting this annual requirement maintains legal home school status for the parents or legal guardians.

School districts are required to submit a copy of each form to the Arkansas Department of Education (ADE) for statistical and testing purposes. This report comprises data submitted by the 239 school districts in Arkansas. The accuracy, completeness and timeliness of the data are reliant upon the parents/guardians' compliance with legislation and the school districts' submissions of the information to the ADE.

Estimates of grade level completed are based on date of birth when incomplete information was submitted regarding grade level.

ARKANSAS CODE ANNOTATED
§ 6-15-501 through § 6-15-508
Current through the Regular Session
of the 86th General Assembly
(2007)
Home School Law

6-15-501. Definition.

As used in this subchapter "home school" means a school provided by a parent or legal guardian for his or her own children.

History. Acts 1985(1st Ex. Sess.), No. 40, 2; 1985(1st Ex. Sess.), No. 42, 2; A.S.A. 1947, 80-1503.5.

6-15-502. Rules, regulations, and procedures for monitoring and enforcing provisions.

(a) The provisions of § 6-18-201(a) shall be self-executing, and the State Board of Education shall have no authority to promulgate rules, regulations, or guidelines for the enforcement or administration thereof.

(b) The board is empowered to make such reasonable rules and regulations required for the proper administration of this subchapter which are not inconsistent with the intent of this subchapter.

History. Acts 1985 (1st Ex. Sess.), No. 40, § 7; 1985 (1st Ex. Sess.), No. 42, § 7; A.S.A. 1947, § 80-1503.10; Acts 1995, No. 1296, § 15; 1997, No. 400, § 1.

6-15-503. Prerequisites to home schooling.

(a)(1) Parents or guardians desiring to provide a home school for their children must give written notice to the superintendent of their local school district of their intent to provide a home school for their children and sign a waiver acknowledging that the State of Arkansas is not liable for the education of their children during the time that the parents choose to home school:

(A) At the beginning of each school year but no later than August 15; or

(B) By December 15 for parents who decide to start home schooling at the beginning of the spring semester; or

(C) Subject to the provisions of subsection (d) of this section, fourteen (14) calendar days prior to withdrawing the children from the local school district and at the beginning of each school year thereafter. The superintendent or the local school board may waive the fourteen-day waiting period.

(2) Within thirty (30) calendar days of establishing residency within the district, parents or guardians moving into the school district during the school year must give written notice to the superintendent of their local school district of their intent to provide a home school for their children and sign a waiver acknowledging that the State of Arkansas is not liable for the education of their children during the time that the parents choose to home school.

(3) The notice must include:

(A) The name, date of birth, grade level, and the name and address of the school last attended, if any, of each student involved;

(B) The location of the home school;

(C) The basic core curriculum to be offered;

(D) The proposed schedule of instruction; and

(E) The qualifications of the parent-teacher.

(4) Parents or guardians shall deliver written notice in person to the superintendent of their local school district the first time such notice is given.

(b) This information may be used only for statistical purposes and test administration.

(c) Each local school district shall report the statistical data required by this section to the Department of Education each year.

(d)(1) No public school student shall be eligible for enrollment in a home school if the student is currently under disciplinary action for violation of any written school policy, including, but not limited to, excessive unexcused absences.

(2) Public school students who are under disciplinary action by the local school district shall be eligible for enrollment in a home school if:

(A) The superintendent or local school board chooses to allow the child to enroll in a home school;

(B) The disciplinary action against the student has been completed or the school semester has ended, whichever occurs first; or

(C) The student has been expelled.

History. Acts 1985 (1st Ex. Sess.), No. 40, § 3; 1985 (1st Ex. Sess.), No. 42, § 3; A.S.A. 1947, § 80-1503.6; Acts 1987, No. 260, § 1; 1995, No. 522, § 1; 1997, No. 400, § 2; 1999, No. 1117, §§ 1, 2.

6-15-504. Home-schooled students - Achievement tests - Enrollment or reenrollment in local schools.

(a) Each student enrolled in a home school program who is considered to be at grade level or no more than two (2) years beyond the normal age for the appropriate grade for which the state mandates norm-referenced tests for public school students shall be tested using a nationally recognized norm-referenced achievement test selected by the State Board of Education.

(b)(1)(A) The administration of the tests required of home-schooled students shall be by the directors of the education service cooperatives established under § 6-13-1001 et seq. or as otherwise designated by the Department of Education.

(B) For the purposes of this section, the superintendents of the Little Rock School District, North Little Rock School District, and Pulaski County Special School District shall act in lieu of an education service cooperative director.

(2) The directors of the education service cooperatives shall establish a common set of procedures approved by the Director of the Department of Education for the proper administration of the tests required by this section.

(3) The administration shall include purchasing the test materials, giving the tests, scoring and interpreting the tests, and reporting test results.

(c) The cost of testing required by this section shall be the responsibility of the department when the tests are administered by the directors of the education service cooperatives or other department designees.

(d)(1) Alternate testing procedures may be approved by the director of an education service cooperative after consultation with the parents of a home-schooled student.

(2) However, any costs associated with an alternate testing procedure shall be the responsibility of the parents.

(e)(1)(A) Any student who refuses to participate in the testing program or the alternate testing program required by this section has not met the statutory prerequisites for home schooling and, as any other student, shall be subject to the applicable Arkansas laws regarding truancy.

(B) After a student corrects any refusal to participate in the testing program or the alternate testing program as determined by the department and required by this subsection, the student shall be restored to home school status after his or her parent or guardian has complied with all requirements of § 6-15-503.

(2) This subsection shall not be applicable to any parent who can present written acknowledgement that the child has been enrolled in a public, private, or parochial school within thirty (30) days of the administration of the state-mandated achievement test.

(f)(1) Each local school district may assess any home-schooled student who enrolls or reenrolls in the district in order to determine proper educational placement.

(2) Among other means of assessment, the local school district shall utilize the norm-referenced test approved by the board to assess the student and shall determine placement in the appropriate grade level as indicated by the test results.

(g) Any home-schooled student who enrolls or reenrolls in a local school district must attend classes for at least nine (9) months immediately before graduation before the student can become eligible to receive a high school diploma from the district.

History. Acts 1985 (1st Ex. Sess.), No. 40, § 4; 1985 (1st Ex. Sess.), No. 42, § 4; A.S.A. 1947, § 80-1503.7; Acts 1995, No. 522, § 2; 1997, No. 400, § 3; 1999, No. 1117, § 3; 2003, No. 1793, § 1.

6-15-505. [Repealed.]

Repealed.

6-15-506. [Repealed.]

Repealed.

6-15-507. Ineligibility of home schools for local, state, or federal funds.

(a)(1) Home schools authorized by this subchapter are not entitled to local, state, or federal funds allocated to a public school district.

(2) For purposes of this section, eligible children with disabilities identified under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., in home school settings shall be given the same consideration afforded to students in private school settings for special education services as provided for in that act.

(b) School districts providing services to home school students shall be eligible for local, state, or federal funds allocated or approved for such services.

History. Acts 1985 (1st Ex. Sess.), No. 40, § 8; 1985 (1st Ex. Sess.), No. 42, § 8; A.S.A. 1947, § 80-1503.11; Acts 1997, No. 400, § 6; 2003, No. 1793, § 2.

6-15-508. Home schooling prohibited if a sex offender resides in the home.

(a) No child may be home schooled if any person residing in the home with the child is required to register under the Sex and Child Offender Registration Act of 1997, § 12-12-901 et seq.

(b) Upon petition to the sentencing court from the child's parent or guardian, the sentencing court may enter a written order specifically waiving the restriction in subsection (a) of this section.

(c) This section shall not apply if the child to be home schooled is the person registered under the Sex and Child Offender Registration Act of 1997, § 12-12-901 et seq.

History. Acts 2001, No. 1787, § 1.

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING HOME SCHOOLS**

August 2007

1.00 REGULATORY AUTHORITY

- 1.01 These regulations shall be known as Arkansas Department of Education Rules Governing Home Schools.
- 1.02 These regulations are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. §§ 6-11-105, 6-15-501 et seq., 25-15-201 et seq., and Act 824 of 2007.

2.00 PURPOSE

It is the purpose of these regulations to set reasonable guidelines for the operation of Home Schools.

3.00 DEFINITIONS

For the purpose of these rules and regulations:

- 3.01 A "home school" is a school provided by a parent or legal guardian for his or her own child.
- 3.02 A "testing window" is an established testing calendar as determined by the Arkansas Department of Education.
- 3.03 "Alternate testing procedures" refers to any testing date(s) and/or location(s) within the testing window and approved by the education service cooperatives and Pulaski County school districts for home school students.
- 3.04 "A norm-referenced test (NRT)" is any testing instrument required by state law, rule or regulation to measure the performance/achievement of Arkansas students relative to the performance of the achievement of students who comprise the norming or standardization group for a particular commercial instrument.
- 3.05 An "individualized education program (IEP)" is a written record of decisions reached between parent/guardian and school personnel jointly describing the educational program for a child with a disability.
- 3.06 "Current school year" is the official period of time for pupil/teacher interaction within the school district policy which follows the requirements in Ark. Code Ann. § 6-10-106 (Repl. 1993) (Uniform dates for beginning and ending a school year).

4.00 GENERAL

- 4.01 Under Arkansas law children between the ages of five (5) and seventeen (17) on or before September 15 of that year, in accordance with Ark. Code Ann. § 6-18-201 (Supp. 1997), as amended by Act 570 of 1999 must attend school.
- 4.02 A parent/guardian who intends to home school a child in accordance with Ark. Code Ann. § 6-18-201 [as amended] must enroll the child in a home school at the beginning of each school year but no later than August 15 for the fall semester, or by December 15 for the spring semester, or, subject to the provisions of Sections 4.03 and 4.04, fourteen (14) calendar days prior to withdrawing. The superintendent or local school board may waive the fourteen (14) day waiting period.
- 4.03 No public school student shall be eligible for enrollment in a home school if the student is currently under disciplinary action for violation of any written school policy including, but not limited to, excessive unexcused absences. Exceptions to this requirement are outlined in Section 4.04.
- 4.04 Public school students who are under disciplinary action by the local school district shall be eligible for enrollment in a home school if:
 - 4.04.1 The superintendent or local school board chooses to allow the child to enroll in a home school;
 - 4.04.2 The disciplinary action against the student has been completed or at the end of a school semester, whichever occurs first; or
 - 4.04.3 The student has been expelled.
- 4.05 Parent/guardian may elect for a child, who will not be kindergarten age in accordance with Ark. Code Ann. § 6-18-201, [as amended], not to attend kindergarten by filing a Kindergarten Waiver form with the local school district office.
- 4.06 Home school students who enroll in a public, private or parochial school during the time they are home schooling cannot re-enter home schooling until new Notice of Intent and Waiver forms are completed and returned to the local school district.
- 4.07 Home school students who are in the required grade levels for which the state mandates norm-referenced testing and who are no more than two (2) years beyond the normal age for the required grade levels must take a standardized norm-referenced test as identified by the Arkansas Department of Education, and the results will be used for reporting purposes only.

- 4.08 Any student who refuses to participate in the required testing program shall be subject to the applicable Arkansas laws regarding truancy. This Section shall not be applicable to any parent that can present written acknowledgement that their child has been enrolled in a public, private or parochial school within thirty (30) days of the administration of the state-mandated tests.
- 4.09 Books, curricula or materials are not required to be furnished by the Arkansas Department of Education, local school district or education service cooperative. It is the responsibility of the parent/guardian to purchase all books, curricula or materials that they use in home schooling.
- 5.00 NOTICE OF INTENT
- 5.01 Parents or Guardians who plan to home school must file written notice by completing and returning the printed current year Notice of Intent and Waiver forms to the public school superintendent's office of their local school district by August 15 for the beginning of each school year, or by December 15 for the spring semester, or, subject to the provisions of Sections 4.03 and 4.04, fourteen (14) calendar days prior to withdrawing the child from the local school district during the school year. Parents or guardians must sign a waiver acknowledging that the State of Arkansas is not liable for the education of their child(ren) during the time that parent chooses to home school. The Notice of Intent and Waiver forms are valid for the entire school year if filed at the beginning of the school year or for the remainder of the school year if filed during the school year. There are no exceptions to these filing requirements except as outlined in 5.02.
- 5.02 Parents or guardians moving into a school district during the school year must file the current year printed Notice of Intent and Waiver forms with their local public school superintendent's office within thirty (30) calendar days of establishing residency within the district.
- 5.03 The required Notice of Intent and Waiver forms must be the printed current year forms obtained from your local superintendent's office and must include the following information for reporting and test administration purposes only:
- 5.03.1 The name, date of birth and grade level of each child and the name and address of the public, private, home school or parochial school last attended, if any, for each student.
- 5.03.2 The location of the home school (mailing address).
- 5.03.3 A brief description of the basic core curriculum to be used and the subjects to be taught.
- 5.03.4 Schedule of instruction to be followed (hours per day; days per week; number of weeks).

5.03.5 The education qualifications of the parent/guardian/teacher(s).

5.03.6 Parents or guardians shall deliver written notice in person to the superintendent of their local school district the first time such notice is given.

6.00 TESTING REQUIRED – ACHIEVEMENT TESTS

6.01 Test administration of home school students shall be under the direction of the education service cooperatives and the Pulaski County school districts. Achievement testing will be held during the testing window identified by the Arkansas Department of Education.

6.02 The education service cooperatives and Pulaski County school districts will ensure that all test materials are secure before testing, between and following test administration and provide the Arkansas Department of Education, for approval by the Director, with a common set of procedures for test administration of home school students in the required grade levels. These common set of procedures must include security measures to ensure that appropriate testing conditions and protocol have been followed as specified in the test administration materials.

6.03 Each student enrolled in home school who is considered to be in the required grades or no more than two (2) years beyond the age appropriate grade will be tested by using the State identified norm-referenced achievement test.

6.04 Parents/guardians or groups of home school parents/guardians requesting alternate testing procedures, protocols, locations and/or timeframe must be submitted in writing three (3) weeks prior to the testing window to the education service cooperatives or the Pulaski County school districts and testing must remain within the State identified testing dates. If approved, alternate testing procedure costs, other than the testing materials, shall be the responsibility of the parent/guardian.

6.05 Alternate testing procedures and protocol will be arranged by the education service cooperatives and Pulaski County school districts.

6.06 Requests from parent/guardian whose child(ren) cannot test on Saturdays due to religious reasons will be accommodated. Parent/guardians must indicate in the appropriate section at the time they file their Notice of Intent that their child(ren) cannot test on Saturdays due to religious reasons.

7.00 TEST RESULTS

Test results for home school students will be used for reporting purposes only. The parent/guardian will receive the individual student profile. The Arkansas Department of Education will receive the administrative summaries. The administrative summaries will not contain personally identifiable information.

8.00 TRANSFER OF STUDENTS

- 8.01 Students transferring from a home school to a school which is accredited by the Arkansas Department of Education shall be evaluated by the staff of the accredited school to determine proper placement. As part of the ongoing assessment process, a State identified norm-referenced achievement test shall be one of the instruments utilized.
- 8.02 Home Schools are not accredited by the Arkansas Department of Education. There are no grades, credits, transcripts or diploma provided by the Arkansas Department of Education, education service cooperative or by the local school district for students enrolled in home school.
- 8.03 Any home school student who re-enters a local school district must attend classes for at least nine (9) months immediately prior to graduation before the student can become eligible to receive a high school diploma from the local school district.

9.00 STUDENTS WITH DISABILITIES

- 9.01 By way of these regulations, it shall be the policy of the State Board of Education that school districts provide a genuine opportunity (see 34 C.F.R. Sec. 76.651(a)) to students who are home-schooled with disabilities, as defined in state regulations, to access special education and related services from the district where they reside. This policy is not to be construed as conferring the procedural protections and rights under Part B of the Individuals with Disabilities Education Act (IDEA) to such students and their parent/guardians.
- 9.02 Each student with disabilities in the required grades who participates in the norm-referenced testing program shall, upon notification in the application for testing, be eligible for any or all modifications allowed by the test procedures. The use of such modifications will be approved by the educational services cooperative director or his designee.

10.00 DRIVER'S PERMIT/LICENSE

A student enrolled in a home school shall present proof of home schooling in the form of a notarized copy of the Notice of Intent along with an application for an instructional permit or driver's license. The parent/guardian has the responsibility of providing the notarized copy.

Students Withdrawn from Home School 2010-2011

16,974 Students Enrolled in Home School

- 671 *Students Withdrawn for Reasons Unknown

16,303 Final Enrollment for 2010-2011

*The accuracy, completeness and timeliness of the number of students withdrawn are reliant upon the individual notification by home school parents/legal guardians and school districts that a student is no longer enrolled in home school.

Arkansas Home School Student Count by County
School Year 2010-2011

State Total: 16,303

<i>County</i>	<i>Number of Students</i>	<i>County</i>	<i>Number of Students</i>
ARKANSAS	70	LITTLE RIVER	52
ASHLEY	49	LOGAN	105
BAXTER	273	LONOKE	455
BENTON	1,738	MADISON	203
BOONE	309	MARION	122
BRADLEY	39	MILLER	150
CALHOUN	16	MISSISSIPPI	134
CARROLL	218	MONROE	31
CHICOT	33	MONTGOMERY	70
CLARK	74	NEVADA	36
CLAY	95	NEWTON	76
CLEBURNE	204	OUACHITA	87
CLEVELAND	42	PERRY	109
COLUMBIA	101	PHILLIPS	39
CONWAY	105	PIKE	77
CRAIGHEAD	501	POINSETT	107
CRAWFORD	363	POLK	234
CRITTENDEN	113	POPE	307
CROSS	79	PRAIRIE	37
DALLAS	10	PULASKI	1,949
DESHA	26	RANDOLPH	89
DREW	65	SALINE	443
FAULKNER	865	SCOTT	53
FRANKLIN	127	SEARCY	145
FULTON	70	SEBASTIAN	595
GARLAND	444	SEVIER	67
GRANT	190	SHARP	139
GREENE	206	ST FRANCIS	95
HEMPSTEAD	77	STONE	146
HOT SPRING	218	UNION	120
HOWARD	43	VAN BUREN	152
INDEPENDENCE	217	WASHINGTON	1,158
IZARD	54	WHITE	719
JACKSON	68	WOODRUFF	39
JEFFERSON	314	YELL	102
JOHNSON	199		
LAFAYETTE	19		
LAWRENCE	113		
LEE	33		
LINCOLN	81		

Arkansas Home School Student Count by District
School Year 2010-2011

State Total: 16,303

<i>District</i>	<i>Number of Students</i>	<i>District</i>	<i>Number of Students</i>
ALMA SCHOOL DISTRICT	75	COSSATOT RIVER SCHOOL DISTRICT	46
ALPENA SCHOOL DISTRICT	21	COTTER SCHOOL DISTRICT	45
ARKADELPHIA SCHOOL DISTRICT	65	COUNTY LINE SCHOOL DISTRICT	34
ARMOREL SCHOOL DISTRICT	13	CROSS COUNTY SCHOOL DISTRICT	37
ASHDOWN SCHOOL DISTRICT	26	CROSSETT SCHOOL DISTRICT	31
ATKINS SCHOOL DISTRICT	24	CUTTER-MORNING STAR SCH. DIST.	32
AUGUSTA SCHOOL DISTRICT	12	DANVILLE SCHOOL DISTRICT	8
BALD KNOB SCHOOL DISTRICT	65	DARDANELLE SCHOOL DISTRICT	57
BARTON-LEXA SCHOOL DISTRICT	5	DECATUR SCHOOL DISTRICT	17
BATESVILLE SCHOOL DISTRICT	83	DEER/MT. JUDEA SCHOOL DISTRICT	4
BAUXITE SCHOOL DISTRICT	26	DEQUEEN SCHOOL DISTRICT	56
BAY SCHOOL DISTRICT	15	DERMOTT SCHOOL DISTRICT	11
BEARDEN SCHOOL DISTRICT	6	DES ARC SCHOOL DISTRICT	26
BEEBE SCHOOL DISTRICT	140	DEWITT SCHOOL DISTRICT	42
BENTON SCHOOL DISTRICT	111	DIERKS SCHOOL DISTRICT	7
BENTONVILLE SCHOOL DISTRICT	649	DOLLARWAY SCHOOL DISTRICT	16
BERGMAN SCHOOL DISTRICT	36	DOVER SCHOOL DISTRICT	69
BERRYVILLE SCHOOL DISTRICT	137	DREW CENTRAL SCHOOL DISTRICT	30
BISMARCK SCHOOL DISTRICT	45	DUMAS SCHOOL DISTRICT	11
BLEVINS SCHOOL DISTRICT	12	EARLE SCHOOL DISTRICT	3
BLYTHEVILLE SCHOOL DISTRICT	36	EAST END SCHOOL DISTRICT	60
BOONEVILLE SCHOOL DISTRICT	53	EAST POINSETT CO. SCHOOL DIST.	10
BRADFORD SCHOOL DISTRICT	24	EL DORADO SCHOOL DISTRICT	62
BRADLEY SCHOOL DISTRICT	11	ELKINS SCHOOL DISTRICT	45
BRINKLEY SCHOOL DISTRICT	19	EMERSON-TAYLOR SCHOOL DISTRICT	3
BROOKLAND SCHOOL DISTRICT	73	ENGLAND SCHOOL DISTRICT	36
BRYANT SCHOOL DISTRICT	271	EUREKA SPRINGS SCHOOL DISTRICT	26
BUFFALO IS. CENTRAL SCH. DIST.	19	FARMINGTON SCHOOL DISTRICT	105
CABOT SCHOOL DISTRICT	347	FAYETTEVILLE SCHOOL DISTRICT	280
CADDO HILLS SCHOOL DISTRICT	25	FLIPPIN SCHOOL DISTRICT	49
CALICO ROCK SCHOOL DISTRICT	11	FORDYCE SCHOOL DISTRICT	10
CAMDEN FAIRVIEW SCHOOL DIST.	57	FOREMAN SCHOOL DISTRICT	26
CARLISLE SCHOOL DISTRICT	23	FORREST CITY SCHOOL DISTRICT	79
CAVE CITY SCHOOL DISTRICT	58	FORT SMITH SCHOOL DISTRICT	402
CEDAR RIDGE SCHOOL DISTRICT	27	FOUKE SCHOOL DISTRICT	43
CEDARVILLE SCHOOL DISTRICT	49	FOUNTAIN LAKE SCHOOL DISTRICT	56
CENTERPOINT SCHOOL DISTRICT	52	GENOA CENTRAL SCHOOL DISTRICT	21
CHARLESTON SCHOOL DISTRICT	24	GENTRY SCHOOL DISTRICT	76
CLARENDON SCHOOL DISTRICT	12	GLEN ROSE SCHOOL DISTRICT	34
CLARKSVILLE SCHOOL DISTRICT	102	GOSNELL SCHOOL DISTRICT	14
CLEVELAND COUNTY SCHOOL DIST.	30	GRAVETTE SCHOOL DISTRICT	123
CLINTON SCHOOL DISTRICT	84	GREEN FOREST SCHOOL DISTRICT	55
CONCORD SCHOOL DISTRICT	37	GREENBRIER SCHOOL DISTRICT	140
CONWAY SCHOOL DISTRICT	493	GREENE CO. TECH SCHOOL DIST.	97
CORNING SCHOOL DISTRICT	35	GREENLAND SCHOOL DISTRICT	55

<i>District</i>	<i>Number of Students</i>	<i>District</i>	<i>Number of Students</i>
GREENWOOD SCHOOL DISTRICT	101	MANILA SCHOOL DISTRICT	27
GURDON SCHOOL DISTRICT	9	MANSFIELD SCHOOL DISTRICT	29
GUY-PERKINS SCHOOL DISTRICT	39	MARION SCHOOL DISTRICT	74
HACKETT SCHOOL DISTRICT	10	MARKED TREE SCHOOL DISTRICT	16
HAMBURG SCHOOL DISTRICT	18	MARMADUKE SCHOOL DISTRICT	14
HAMPTON SCHOOL DISTRICT	16	MARVELL SCHOOL DISTRICT	9
HARMONY GROVE SCHOOL DISTRICT	35	MAYFLOWER SCHOOL DISTRICT	38
HARMONY GROVE SCHOOL DISTRICT	13	MAYNARD SCHOOL DISTRICT	23
HARRISBURG SCHOOL DISTRICT	33	MCCRORY SCHOOL DISTRICT	27
HARRISON SCHOOL DISTRICT	154	MCGEEH SCHOOL DISTRICT	15
HARTFORD SCHOOL DISTRICT	11	MELBOURNE SCHOOL DISTRICT	15
HAZEN SCHOOL DISTRICT	11	MENA SCHOOL DISTRICT	136
HEBER SPRINGS SCHOOL DISTRICT	101	MIDLAND SCHOOL DISTRICT	38
HECTOR SCHOOL DISTRICT	30	MINERAL SPRINGS SCHOOL DIST.	2
HELENA/ W.HELENA SCHOOL DIST.	25	MONTICELLO SCHOOL DISTRICT	35
HERMITAGE SCHOOL DISTRICT	12	MOUNT IDA SCHOOL DISTRICT	45
HIGHLAND SCHOOL DISTRICT	81	MOUNTAIN HOME SCHOOL DISTRICT	207
HILLCREST SCHOOL DISTRICT	34	MOUNTAIN PINE SCHOOL DISTRICT	14
HOPE SCHOOL DISTRICT	63	MOUNTAIN VIEW SCHOOL DISTRICT	146
HORATIO SCHOOL DISTRICT	11	MOUNTAINBURG SCHOOL DISTRICT	28
HOT SPRINGS SCHOOL DISTRICT	95	MT. VERNON/ENOLA SCHOOL DIST.	34
HOXIE SCHOOL DISTRICT	28	MULBERRY SCHOOL DISTRICT	32
HUGHES SCHOOL DISTRICT	10	N. LITTLE ROCK SCHOOL DISTRICT	174
HUNTSVILLE SCHOOL DISTRICT	203	NASHVILLE SCHOOL DISTRICT	34
IZARD CO. CONS. SCHOOL DIST.	28	NEMO VISTA SCHOOL DISTRICT	18
JACKSON CO. SCHOOL DISTRICT	27	NETTLETON SCHOOL DISTRICT	84
JASPER SCHOOL DISTRICT	72	NEVADA SCHOOL DISTRICT	29
JESSIEVILLE SCHOOL DISTRICT	30	NEWPORT SCHOOL DISTRICT	41
JONESBORO SCHOOL DISTRICT	164	NORFORK SCHOOL DISTRICT	21
JUNCTION CITY SCHOOL DISTRICT	15	NORPHLET SCHOOL DISTRICT	9
KIRBY SCHOOL DISTRICT	5	OMAHA SCHOOL DISTRICT	36
LAFAYETTE COUNTY SCHOOL DIST	8	OSCEOLA SCHOOL DISTRICT	24
LAKE HAMILTON SCHOOL DISTRICT	136	OUACHITA RIVER SCHOOL DISTRICT	52
LAKESIDE SCHOOL DISTRICT	81	OUACHITA SCHOOL DISTRICT	1
LAKESIDE SCHOOL DISTRICT	22	OZARK MOUNTAIN SCHOOL DISTRICT	54
LAMAR SCHOOL DISTRICT	63	OZARK SCHOOL DISTRICT	69
LAVACA SCHOOL DISTRICT	42	PALESTINE-WHEATLEY SCH. DIST.	6
LAWRENCE COUNTY SCHOOL DISTRICT	32	PANGBURN SCHOOL DISTRICT	30
LEAD HILL SCHOOL DISTRICT	10	PARAGOULD SCHOOL DISTRICT	95
LEE COUNTY SCHOOL DISTRICT	33	PARIS SCHOOL DISTRICT	22
LINCOLN SCHOOL DISTRICT	65	PARKERS CHAPEL SCHOOL DIST.	5
LITTLE ROCK SCHOOL DISTRICT	611	PEA RIDGE SCHOOL DISTRICT	75
LONOKE SCHOOL DISTRICT	49	PERRYVILLE SCHOOL DISTRICT	49
MAGAZINE SCHOOL DISTRICT	23	PIGGOTT SCHOOL DISTRICT	34
MAGNET COVE SCHOOL DIST.	29	PINE BLUFF SCHOOL DISTRICT	31
MAGNOLIA SCHOOL DISTRICT	98	POCAHONTAS SCHOOL DISTRICT	66
MALVERN SCHOOL DISTRICT	109	POTTSVILLE SCHOOL DISTRICT	44
MAMMOTH SPRING SCHOOL DISTRICT	14	POYEN SCHOOL DISTRICT	12

<i>District</i>	<i>Number of Students</i>	<i>District</i>	<i>Number of Students</i>
PRAIRIE GROVE SCHOOL DISTRICT	71	WHITE HALL SCHOOL DISTRICT	178
PRESCOTT SCHOOL DISTRICT	7	WONDERVIEW SCHOOL DISTRICT	8
PULASKI CO. SPEC. SCHOOL DIST.	1164	WOODLAWN SCHOOL DISTRICT	12
QUITMAN SCHOOL DISTRICT	41	WYNNE SCHOOL DISTRICT	42
RECTOR SCHOOL DISTRICT	26	YELLVILLE-SUMMIT SCHOOL DIST.	73
RIVERSIDE SCHOOL DISTRICT	18		
RIVERVIEW SCHOOL DISTRICT	83		
ROGERS SCHOOL DISTRICT	534		
ROSE BUD SCHOOL DISTRICT	53		
RUSSELLVILLE SCHOOL DISTRICT	140		
SALEM SCHOOL DISTRICT	43		
SCRANTON SCHOOL DISTRICT	7		
SEARCY COUNTY SCHOOL DISTRICT	91		
SEARCY SCHOOL DISTRICT	272		
SHERIDAN SCHOOL DISTRICT	178		
SHIRLEY SCHOOL DISTRICT	41		
SILOAM SPRINGS SCHOOL DISTRICT	264		
SLOAN-HENDRIX SCHOOL DIST.	19		
SMACKOVER SCHOOL DISTRICT	14		
SO. CONWAY CO. SCHOOL DISTRICT	79		
SO. MISS. COUNTY SCHOOL DIST.	20		
SOUTH PIKE CO. SCHOOL DISTRICT	20		
SOUTH SIDE SCHOOL DISTRICT	27		
SOUTHSIDE SCHOOL DISTRICT	69		
SPRING HILL SCHOOL DISTRICT	2		
SPRINGDALE SCHOOL DISTRICT	472		
STAR CITY SCHOOL DISTRICT	81		
STEPHENS SCHOOL DISTRICT	11		
STRONG-HUTTIG SCHOOL DISTRICT	15		
STUTTGART SCHOOL DISTRICT	28		
TEXARKANA SCHOOL DISTRICT	86		
TRUMANN SCHOOL DISTRICT	48		
TWO RIVERS SCHOOL DISTRICT	31		
VALLEY SPRINGS SCHOOL DISTRICT	52		
VALLEY VIEW SCHOOL DISTRICT	55		
VAN BUREN SCHOOL DISTRICT	179		
VILONIA SCHOOL DISTRICT	121		
VIOLA SCHOOL DISTRICT	13		
WALDRON SCHOOL DISTRICT	53		
WARREN SCHOOL DISTRICT	27		
WATSON CHAPEL SCHOOL DISTRICT	89		
WEST FORK SCHOOL DISTRICT	65		
WEST MEMPHIS SCHOOL DISTRICT	36		
WEST SIDE SCHOOL DISTRICT	25		
WESTERN YELL CO. SCHOOL DIST.	6		
WESTSIDE CONS. SCHOOL DISTRICT	73		
WESTSIDE SCHOOL DISTRICT	34		
WHITE CO. CENTRAL SCHOOL DIST.	52		

***Arkansas Home School Student Count by Grade Level
School Year 2010-2011***

<i>Kindergarten:</i>	944
<i>First Grade:</i>	1,050
<i>Second Grade:</i>	1,103
<i>Third Grade:</i>	1,107
<i>Fourth Grade:</i>	1,162
<i>Fifth Grade:</i>	1,195
<i>Sixth Grade:</i>	1,237
<i>Seventh Grade:</i>	1,270
<i>Eighth Grade:</i>	1,266
<i>Ninth Grade:</i>	1,367
<i>Tenth Grade:</i>	1,972
<i>Eleventh Grade:</i>	1,600
<i>Twelfth Grade:</i>	1,030
<i>Statewide Total:</i>	<hr/> 16,303

Home School Enrollments by Grade and Gender

School Year 2010-2011

	<u>Males</u>	<u>Females</u>
<i>Kindergarten</i>	490	454
<i>First</i>	530	520
<i>Second</i>	569	534
<i>Third</i>	577	530
<i>Fourth</i>	606	556
<i>Fifth</i>	607	588
<i>Sixth</i>	632	605
<i>Seventh</i>	641	629
<i>Eighth</i>	623	643
<i>Ninth</i>	664	703
<i>Tenth</i>	1,020	952
<i>Eleventh</i>	751	849
<i>Twelfth</i>	505	525
<i>Totals by Gender</i>	8,215	8,088
 <i>Grand Total</i>	 16,303	

Home School Student Count for 2010-2011 School Year **By County, District and Grade**

County LEA	District	Kinder	One	Two	Three	Four	Five	Six	Seven	Eight	Nine	Ten	Eleven	Twelve	Total
ARKANSAS															
0101	DEWITT SCHOOL DISTRICT	3	1	1	3	4	0	5	2	1	6	8	6	2	42
0104	STUTTGART SCHOOL DISTRICT	1	0	1	0	2	2	0	0	0	3	8	8	3	28
ARKANSAS TOTALS		4	1	2	3	6	2	5	2	1	9	16	14	5	70
ASHLEY															
0201	CROSSETT SCHOOL DISTRICT	0	5	2	1	1	4	4	2	1	5	2	3	1	31
0203	HAMBURG SCHOOL DISTRICT	0	0	2	1	0	2	0	1	2	3	4	1	2	18
ASHLEY TOTALS		0	5	4	2	1	6	4	3	3	8	6	4	3	49
BAXTER															
0302	COTTER SCHOOL DISTRICT	5	0	2	2	1	1	3	6	6	3	5	9	2	45
0303	MOUNTAIN HOME SCHOOL DISTRICT	9	17	8	15	10	15	22	13	24	11	30	23	10	207
0304	NORFORK SCHOOL DISTRICT	1	0	3	2	2	2	4	1	1	1	2	1	1	21
BAXTER TOTALS		15	17	13	19	13	18	29	20	31	15	37	33	13	273
BENTON															
0401	BENTONVILLE SCHOOL DISTRICT	56	45	60	56	63	54	42	48	46	42	57	53	27	649
0402	DECATUR SCHOOL DISTRICT	0	1	2	0	1	2	1	1	2	3	3	1	0	17
0403	GENTRY SCHOOL DISTRICT	8	4	5	1	4	8	8	7	6	8	8	4	5	76
0404	GRAVETTE SCHOOL DISTRICT	7	8	8	6	11	11	13	6	9	12	12	13	7	123
0405	ROGERS SCHOOL DISTRICT	36	44	36	44	40	43	39	40	35	48	50	47	32	534
0406	SILGAM SPRINGS SCHOOL DISTRICT	13	24	28	22	21	20	29	23	19	23	17	17	8	264
0407	PEA RIDGE SCHOOL DISTRICT	6	8	3	5	5	6	5	5	9	5	6	5	7	75
BENTON TOTALS		126	134	142	134	145	144	137	130	126	141	153	140	86	1738
BOONE															
0501	ALPENA SCHOOL DISTRICT	0	1	0	3	2	2	2	2	3	1	3	2	0	21
0502	BERGMAN SCHOOL DISTRICT	0	3	1	1	3	2	3	4	2	2	4	4	7	36
0503	HARRISON SCHOOL DISTRICT	9	5	14	11	7	11	18	18	13	7	16	13	12	154
0504	OMAHA SCHOOL DISTRICT	3	1	3	4	3	2	1	6	1	3	5	4	0	36
0505	VALLEY SPRINGS SCHOOL DISTRICT	2	2	2	4	3	7	3	8	7	3	5	1	5	52
0506	LEAD HILL SCHOOL DISTRICT	2	0	0	0	1	0	0	1	1	2	1	1	1	10
BOONE TOTALS		16	12	20	23	19	24	27	39	27	18	34	25	25	309

Home School Student Count for 2010-2011 School Year **By County, District and Grade**

<i>County LEA</i>	<i>District</i>	<i>Kinder</i>	<i>One</i>	<i>Two</i>	<i>Three</i>	<i>Four</i>	<i>Five</i>	<i>Six</i>	<i>Seven</i>	<i>Eight</i>	<i>Nine</i>	<i>Ten</i>	<i>Eleven</i>	<i>Twelve</i>	<i>Total</i>
BRADLEY															
0601	HERMITAGE SCHOOL DISTRICT	0	1	0	0	2	0	1	0	2	3	2	0	1	12
0602	WARREN SCHOOL DISTRICT	0	2	1	2	1	2	3	3	1	1	5	5	1	27
BRADLEY TOTALS		0	3	1	2	3	2	4	3	3	4	7	5	2	39
CALHOUN															
0701	HAMPTON SCHOOL DISTRICT	1	1	1	3	1	0	2	1	2	1	0	0	3	16
CALHOUN TOTALS		1	1	1	3	1	0	2	1	2	1	0	0	3	16
CARROLL															
0801	BERRYVILLE SCHOOL DISTRICT	15	7	13	5	10	10	15	5	7	11	19	12	8	137
0802	EUREKA SPRINGS SCHOOL DISTRICT	1	3	0	1	2	4	2	1	3	2	3	3	1	26
0803	GREEN FOREST SCHOOL DISTRICT	0	4	4	4	5	4	7	5	5	5	6	3	3	55
CARROLL TOTALS		16	14	17	10	17	18	24	11	15	18	28	18	12	218
CHICOT															
0901	DERMOTT SCHOOL DISTRICT	1	0	1	1	2	0	1	0	1	3	0	1	0	11
0903	LAKE SIDE SCHOOL DISTRICT	2	0	0	2	1	0	1	2	1	8	1	3	1	22
CHICOT TOTALS		3	0	1	3	3	0	2	2	2	11	1	4	1	33
CLARK															
1002	ARCADELPHIA SCHOOL DISTRICT	3	4	9	4	3	5	12	2	5	6	5	2	5	65
1003	GURDON SCHOOL DISTRICT	2	1	0	0	0	2	1	0	0	0	1	2	0	9
CLARK TOTALS		5	5	9	4	3	7	13	2	5	6	6	4	5	74
CLAY															
1101	CORNING SCHOOL DISTRICT	2	2	2	2	5	2	1	1	4	2	3	7	2	35
1104	PIGGOTT SCHOOL DISTRICT	0	2	1	1	0	1	1	4	4	4	8	7	1	34
1106	RECTOR SCHOOL DISTRICT	3	0	3	1	1	2	2	2	1	3	5	2	1	26
CLAY TOTALS		5	4	6	4	6	5	4	7	9	9	16	16	4	95

Home School Student Count for 2010-2011 School Year By County, District and Grade

County LEA	District	Kinder	One	Two	Three	Four	Five	Six	Seven	Eight	Nine	Ten	Eleven	Twelve	Total
CLEBURNE															
	1201 CONCORD SCHOOL DISTRICT	2	2	3	4	2	1	1	2	2	4	3	5	6	37
	1202 HEBER SPRINGS SCHOOL DISTRICT	8	2	2	8	9	9	8	8	7	10	13	7	10	101
	1203 QUITMAN SCHOOL DISTRICT	1	3	3	3	3	3	3	2	3	8	2	4	3	41
	1204 WEST SIDE SCHOOL DISTRICT	1	0	1	2	0	2	0	3	2	2	7	1	4	25
	CLEBURNE TOTALS	12	7	9	17	14	15	12	15	14	24	25	17	23	204
CLEVELAND															
	1304 WOODLAWN SCHOOL DISTRICT	2	0	0	2	0	1	2	1	0	0	1	2	1	12
	1305 CLEVELAND COUNTY SCHOOL DIST.	3	1	0	2	1	2	2	5	4	5	2	2	1	30
	CLEVELAND TOTALS	5	1	0	4	1	3	4	6	4	5	3	4	2	42
COLUMBIA															
	1402 MAGNOLIA SCHOOL DISTRICT	5	3	5	5	3	9	7	6	7	8	17	13	10	98
	1408 EMERSON-TAYLOR SCHOOL DISTRICT	1	1	0	0	0	0	0	0	1	0	0	0	0	3
	COLUMBIA TOTALS	6	4	5	5	3	9	7	6	8	8	17	13	10	101
CONWAY															
	1503 NEMO VISTA SCHOOL DISTRICT	0	0	1	0	1	0	1	2	1	2	3	4	3	18
	1505 WONDERVIEW SCHOOL DISTRICT	1	0	1	1	0	0	0	0	1	0	2	0	2	8
	1507 SO. CONWAY CO. SCHOOL DISTRICT	4	7	8	6	4	3	6	5	5	7	9	9	6	79
	CONWAY TOTALS	5	7	10	7	5	3	7	7	7	9	14	13	11	105
CRAIGHEAD															
	1601 BAY SCHOOL DISTRICT	1	2	1	1	2	0	3	1	1	0	2	1	0	15
	1602 WESTSIDE CONS. SCHOOL DISTRICT	4	3	7	2	9	3	6	10	2	10	8	6	3	73
	1603 BROOKLAND SCHOOL DISTRICT	8	5	7	4	3	7	4	9	3	6	1	8	8	73
	1605 BUFFALO IS. CENTRAL SCH. DIST.	1	0	2	0	1	1	0	2	3	3	5	1	0	19
	1608 JONESBORO SCHOOL DISTRICT	9	12	7	9	5	12	15	19	22	19	13	15	7	164
	1611 NETTLETON SCHOOL DISTRICT	8	8	5	6	4	8	1	5	5	8	11	9	6	84
	1612 VALLEY VIEW SCHOOL DISTRICT	4	4	3	4	2	5	7	7	3	4	5	5	2	55
	1613 RIVERSIDE SCHOOL DISTRICT	2	0	1	1	1	2	1	1	1	1	2	4	1	18
	CRAIGHEAD TOTALS	37	34	33	27	27	38	37	54	40	51	47	49	27	501

Home School Student Count for 2010-2011 School Year

By County, District and Grade

County IEA	District	Kinder	One	Two	Three	Four	Five	Six	Seven	Eight	Nine	Ten	Eleven	Twelve	Total
CRAWFORD															
1701	ALMA SCHOOL DISTRICT	6	5	8	3	1	9	2	9	4	8	9	6	5	75
1702	CEDARVILLE SCHOOL DISTRICT	2	3	1	7	2	6	4	4	3	0	4	9	4	48
1703	MOUNTAINBURG SCHOOL DISTRICT	2	0	3	0	0	2	1	1	0	4	7	6	2	28
1704	MULBERRY SCHOOL DISTRICT	2	3	4	1	1	1	3	4	0	2	3	4	4	32
1705	VAN BUREN SCHOOL DISTRICT	13	7	11	15	10	17	7	10	14	22	16	21	16	179
CRAWFORD TOTALS		25	18	27	26	14	35	17	28	21	36	39	46	31	363
CRITTENDEN															
1802	EARLE SCHOOL DISTRICT	0	0	0	1	0	0	1	0	0	0	0	1	0	3
1803	WEST MEMPHIS SCHOOL DISTRICT	5	1	4	1	5	2	2	4	2	2	6	2	0	36
1804	MARION SCHOOL DISTRICT	5	4	8	5	5	2	4	5	4	9	9	10	4	74
CRITTENDEN TOTALS		10	5	12	7	10	4	7	9	6	11	15	13	4	113
CROSS															
1901	CROSS COUNTY SCHOOL DISTRICT	0	3	0	1	3	2	3	4	3	2	7	7	2	37
1905	WYNNE SCHOOL DISTRICT	3	4	2	4	3	5	1	2	3	6	3	2	4	42
CROSS TOTALS		3	7	2	5	6	7	4	6	6	8	10	9	6	79
DALLAS															
2002	FORDYCE SCHOOL DISTRICT	0	0	0	2	1	1	1	0	1	2	1	1	0	10
DALLAS TOTALS		0	0	0	2	1	1	1	0	1	2	1	1	0	10
DESHA															
2104	DUMAS SCHOOL DISTRICT	0	2	0	0	0	0	2	2	0	1	1	1	2	11
2105	MCGHEE SCHOOL DISTRICT	1	0	0	0	2	0	2	0	1	1	4	1	3	15
DESHA TOTALS		1	2	0	0	2	0	4	2	1	2	5	2	5	26
DREW															
2202	DREW CENTRAL SCHOOL DISTRICT	1	2	1	3	3	2	3	1	3	1	6	2	2	30
2203	MONTICELLO SCHOOL DISTRICT	1	2	1	0	2	4	1	6	3	2	9	1	3	35
DREW TOTALS		2	4	2	3	5	6	4	7	6	3	15	3	5	65

Home School Student Count for 2010-2011 School Year **By County, District and Grade**

County LEA	District	Kinder	One	Two	Three	Four	Five	Six	Seven	Eight	Nine	Ten	Eleven	Twelve	Total
FAULKNER															
2301	CONWAY SCHOOL DISTRICT	33	36	46	36	41	35	34	49	31	42	39	40	31	493
2303	GREENBRIER SCHOOL DISTRICT	11	6	9	8	8	7	22	11	12	13	13	14	6	140
2304	GUY-PERKINS SCHOOL DISTRICT	2	5	3	1	6	4	0	6	4	4	2	2	0	39
2305	MAYFLOWER SCHOOL DISTRICT	2	6	5	4	5	1	3	1	4	1	3	3	0	38
2306	MT. VERNON/ENOLA SCHOOL DIST.	0	2	4	1	1	2	2	2	3	3	5	6	3	34
2307	VILONIA SCHOOL DISTRICT	7	8	8	4	7	7	10	9	12	7	20	18	4	121
FAULKNER TOTALS		55	63	75	54	68	56	71	78	66	70	82	83	44	865
FRANKLIN															
2402	CHARLESTON SCHOOL DISTRICT	2	2	0	0	4	2	1	2	3	4	2	0	2	24
2403	COUNTY LINE SCHOOL DISTRICT	1	0	1	1	3	1	3	3	2	2	8	7	2	34
2404	OZARK SCHOOL DISTRICT	2	2	4	6	4	3	10	5	7	8	8	6	4	69
FRANKLIN TOTALS		5	4	5	7	11	6	14	10	12	14	18	13	8	127
FULTON															
2501	MAMMOTH SPRING SCHOOL DISTRICT	0	0	3	1	1	0	0	2	0	2	3	2	0	14
2502	SALEM SCHOOL DISTRICT	1	4	4	1	6	1	5	3	1	2	6	5	4	43
2503	VIOLA SCHOOL DISTRICT	0	1	2	0	2	2	1	1	2	1	1	0	0	13
FULTON TOTALS		1	5	9	2	9	3	6	6	3	5	10	7	4	70
GARLAND															
2601	CUTTER-MORNING STAR SCH. DIST.	2	2	3	1	2	1	5	1	6	2	3	2	2	32
2602	FOUNTAIN LAKE SCHOOL DISTRICT	2	4	3	2	3	4	2	5	2	5	11	5	8	56
2603	HOT SPRINGS SCHOOL DISTRICT	4	4	5	10	8	9	12	3	10	6	8	11	5	95
2604	JESSIEVILLE SCHOOL DISTRICT	3	2	3	1	2	2	2	5	1	2	4	1	2	30
2605	LAKE HAMILTON SCHOOL DISTRICT	2	6	3	12	11	10	11	11	6	13	18	17	16	136
2606	LAKEVIEW SCHOOL DISTRICT	1	4	1	4	9	3	6	5	5	7	14	13	9	81
2607	MOUNTAIN PINE SCHOOL DISTRICT	2	2	1	0	0	1	0	2	4	0	1	0	1	14
GARLAND TOTALS		16	24	19	30	35	30	38	32	34	35	59	49	43	444
GRANT															
2703	POYEN SCHOOL DISTRICT	0	0	0	0	0	1	0	0	1	1	3	1	5	12
2705	SHERIDAN SCHOOL DISTRICT	4	16	11	14	14	15	10	9	10	15	21	20	19	178
GRANT TOTALS		4	16	11	14	14	16	10	9	11	16	24	21	24	190

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GREENE															
2803	MARMADUKE SCHOOL DISTRICT	0	1	0	0	2	0	0	0	1	1	4	2	3	14
2807	GREENE CO. TECH SCHOOL DIST.	3	4	8	5	5	2	9	5	10	8	15	13	10	97
2808	PARAGOULD SCHOOL DISTRICT	6	5	5	6	6	6	3	10	4	6	20	14	4	95
GREENE TOTALS		9	10	13	11	13	8	12	15	15	15	39	29	17	206
HEMPSTEAD															
2801	BLEVINS SCHOOL DISTRICT	0	2	1	1	1	0	0	2	1	0	2	2	0	12
2803	HOPE SCHOOL DISTRICT	6	2	5	5	4	5	9	4	5	6	7	4	1	63
2806	SPRING HILL SCHOOL DISTRICT	0	0	0	0	0	0	0	1	0	0	1	0	0	2
HEMPSTEAD TOTALS		6	4	6	6	5	5	9	7	6	6	10	6	1	77
HOT SPRING															
3001	BISMARCK SCHOOL DISTRICT	2	2	2	3	2	7	3	2	2	9	6	4	1	45
3002	GLEN ROSE SCHOOL DISTRICT	1	1	2	1	5	3	3	4	0	4	7	2	1	34
3003	MAGNET COVE SCHOOL DIST.	0	1	0	0	0	0	2	6	2	8	5	5	0	29
3004	MALVERN SCHOOL DISTRICT	7	8	6	5	10	5	6	8	6	13	15	10	10	109
3005	OUACHITA SCHOOL DISTRICT	0	0	0	0	0	0	0	0	0	0	0	1	0	1
HOT SPRING TOTALS		10	12	10	9	17	15	14	20	10	34	33	22	12	218
HOWARD															
3102	DIERKS SCHOOL DISTRICT	0	2	1	0	0	0	0	0	0	1	2	1	0	7
3104	MINERAL SPRINGS SCHOOL DIST.	0	0	0	0	0	1	0	0	0	1	0	0	0	2
3105	NASHVILLE SCHOOL DISTRICT	5	1	2	2	1	3	1	2	0	4	8	4	1	34
HOWARD TOTALS		5	3	3	2	1	4	1	2	0	6	10	5	1	43
INDEPENDENCE															
3201	BATESVILLE SCHOOL DISTRICT	6	4	9	8	9	7	1	8	2	5	9	12	3	83
3209	SOUTHSIDE SCHOOL DISTRICT	3	3	1	6	1	1	0	3	4	2	15	10	20	69
3211	MIDLAND SCHOOL DISTRICT	4	1	1	3	1	7	2	2	2	3	6	6	0	38
3212	CEDAR RIDGE SCHOOL DISTRICT	0	1	2	2	2	3	1	0	2	2	6	5	1	27
INDEPENDENCE TOTALS		13	9	13	19	13	18	4	13	10	12	36	33	24	217

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<i>County LEA</i>	<i>District</i>	<i>Kinder</i>	<i>One</i>	<i>Two</i>	<i>Three</i>	<i>Four</i>	<i>Five</i>	<i>Six</i>	<i>Seven</i>	<i>Eight</i>	<i>Nine</i>	<i>Ten</i>	<i>Eleven</i>	<i>Twelve</i>	<i>Total</i>
IZARD															
3301	CALICO ROCK SCHOOL DISTRICT	0	1	0	0	1	2	0	0	0	1	2	2	2	11
3302	MELBOURNE SCHOOL DISTRICT	2	1	2	1	1	2	0	2	1	0	1	1	1	15
3306	IZARD CO. CONS. SCHOOL DIST.	0	2	1	3	1	0	1	1	5	2	5	4	3	28
IZARD TOTALS		2	4	3	4	3	4	1	3	6	3	8	7	6	54
JACKSON															
3403	NEWPORT SCHOOL DISTRICT	1	2	1	0	1	1	0	2	2	6	5	12	7	41
3405	JACKSON CO. SCHOOL DISTRICT	0	0	0	0	1	0	1	3	4	2	6	3	7	27
JACKSON TOTALS		1	2	1	0	2	0	3	5	10	7	18	10	9	68
JEFFERSON															
3502	DOLLARWAY SCHOOL DISTRICT	1	0	1	3	2	0	2	2	0	1	1	0	3	16
3505	PINE BLUFF SCHOOL DISTRICT	2	0	1	3	1	1	3	2	4	3	2	4	5	31
3509	WATSON CHAPEL SCHOOL DISTRICT	6	2	7	11	4	7	7	14	7	5	8	8	3	89
3510	WHITE HALL SCHOOL DISTRICT	9	17	12	16	23	13	16	15	20	8	14	9	6	178
JEFFERSON TOTALS		18	19	21	33	30	21	28	33	31	17	25	21	17	314
JOHNSON															
3601	CLARKSVILLE SCHOOL DISTRICT	5	3	1	7	6	4	11	2	9	7	22	17	8	102
3604	LAMAR SCHOOL DISTRICT	1	1	3	6	6	1	8	2	5	5	11	9	5	63
3606	WESTSIDE SCHOOL DISTRICT	0	1	3	0	2	0	1	1	3	4	11	8	0	34
JOHNSON TOTALS		6	5	7	13	14	5	20	5	17	16	44	34	13	199
LAFAYETTE															
3701	BRADLEY SCHOOL DISTRICT	2	1	2	1	1	1	0	1	0	0	1	1	0	11
3704	LAFAYETTE COUNTY SCHOOL DISTRI	1	1	0	0	1	3	1	0	0	0	1	0	0	8
LAFAYETTE TOTALS		3	2	2	1	2	4	1	1	0	0	2	1	0	19
LAWRENCE															
3804	HOXIE SCHOOL DISTRICT	1	3	1	2	1	3	1	3	2	4	2	3	2	28
3806	SLOAN-HENDRIX SCHOOL DIST.	2	0	2	1	3	2	1	1	1	2	1	0	3	19
3809	HILLCREST SCHOOL DISTRICT	2	1	3	2	0	3	3	3	6	2	4	1	4	34
3810	LAWRENCE COUNTY SCHOOL DISTRI	2	4	0	1	2	0	2	2	2	1	6	9	1	32
LAWRENCE TOTALS		7	8	6	6	6	8	7	9	11	9	13	13	10	113

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LEE															
3904	LEE COUNTY SCHOOL DISTRICT	3	3	6	2	1	1	2	3	1	5	3	1	2	33
	LEE TOTALS	3	3	6	2	1	1	2	3	1	5	3	1	2	33
LINCOLN															
4003	STAR CITY SCHOOL DISTRICT	1	6	7	6	8	10	3	5	9	11	5	3	7	81
	LINCOLN TOTALS	1	6	7	6	8	10	3	5	9	11	5	3	7	81
LITTLE RIVER															
4101	ASHDOWN SCHOOL DISTRICT	1	0	1	0	1	2	0	2	1	4	9	4	1	26
4102	FOREMAN SCHOOL DISTRICT	1	0	3	2	0	3	1	3	3	3	4	2	1	26
	LITTLE RIVER TOTALS	2	0	4	2	1	5	1	5	4	7	13	6	2	52
LOGAN															
4201	BOONEVILLE SCHOOL DISTRICT	4	2	2	4	2	4	7	7	4	3	7	4	3	53
4202	MAGAZINE SCHOOL DISTRICT	2	2	0	1	0	1	2	1	0	0	7	4	3	23
4203	PARIS SCHOOL DISTRICT	1	2	1	0	1	2	1	1	3	4	2	3	1	22
4204	SCRANTON SCHOOL DISTRICT	1	1	1	0	1	0	0	0	1	1	1	0	0	7
	LOGAN TOTALS	8	7	4	5	4	7	10	9	8	8	17	11	7	105
LONOKE															
4301	LONOKE SCHOOL DISTRICT	2	2	2	4	5	2	3	1	3	7	11	5	2	49
4302	ENGLAND SCHOOL DISTRICT	0	2	1	1	1	3	5	3	3	3	7	3	4	36
4303	CARLISLE SCHOOL DISTRICT	2	3	3	0	1	2	1	1	2	3	3	2	0	23
4304	CABOT SCHOOL DISTRICT	23	26	27	21	36	25	24	28	27	26	31	36	17	347
	LONOKE TOTALS	27	33	33	26	43	32	33	33	35	39	52	46	23	455
MADISON															
4401	HUNTSVILLE SCHOOL DISTRICT	11	17	9	8	11	20	17	19	11	22	25	21	12	203
	MADISON TOTALS	11	17	9	8	11	20	17	19	11	22	25	21	12	203
MARION															
4501	FLIPPIN SCHOOL DISTRICT	1	5	3	4	3	2	4	1	3	4	8	9	2	49
4502	YELLVILLE-SUMMIT SCHOOL DIST.	7	9	5	6	6	2	3	7	6	8	7	2	5	73
	MARION TOTALS	8	14	8	10	9	4	7	8	9	12	15	11	7	122

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MILLER															
4602	GENOA CENTRAL SCHOOL DISTRICT	2	0	0	1	2	0	3	4	2	2	1	3	1	21
4603	FOUKE SCHOOL DISTRICT	2	1	4	1	5	5	3	4	4	5	5	2	2	43
4605	TEXARKANA SCHOOL DISTRICT	3	7	2	6	6	12	5	7	7	9	9	6	7	86
MILLER TOTALS		7	8	6	8	13	17	11	15	13	16	15	11	10	150
MISSISSIPPI															
4701	ARMOREL SCHOOL DISTRICT	0	1	1	1	1	0	2	1	0	3	1	2	0	13
4702	BLYTHERVILLE SCHOOL DISTRICT	1	2	1	4	1	4	3	3	4	6	6	1	0	36
4706	SO. MISS. COUNTY SCHOOL DIST.	0	0	1	2	3	2	0	2	1	2	5	1	1	20
4708	GOSNELL SCHOOL DISTRICT	0	0	0	1	1	0	0	1	3	3	3	1	1	14
4712	MANILA SCHOOL DISTRICT	1	1	2	2	2	1	2	1	2	1	4	5	3	27
4713	OSCEOLA SCHOOL DISTRICT	1	1	4	3	2	2	1	1	2	2	2	2	1	24
MISSISSIPPI TOTALS		3	5	9	13	10	9	8	9	12	17	21	12	6	134
MONROE															
4801	BRINKLEY SCHOOL DISTRICT	0	0	1	0	0	0	1	1	3	4	3	2	4	19
4802	CLARENDON SCHOOL DISTRICT	0	0	1	0	0	1	1	2	2	1	2	2	0	12
MONROE TOTALS		0	0	2	0	0	1	2	3	5	5	5	4	4	31
MONTGOMERY															
4901	CADDO HILLS SCHOOL DISTRICT	1	1	4	1	2	2	1	1	3	3	1	2	3	25
4902	MOUNT IDA SCHOOL DISTRICT	4	2	0	7	3	3	4	1	5	3	7	4	2	45
MONTGOMERY TOTALS		5	3	4	8	5	5	5	2	8	6	8	6	5	70
NEVADA															
5006	PRESOTT SCHOOL DISTRICT	0	0	1	0	0	1	0	0	1	1	2	1	0	7
5008	NEVADA SCHOOL DISTRICT	4	1	4	1	4	3	2	3	2	2	1	1	1	29
NEVADA TOTALS		4	1	5	1	4	4	2	3	3	3	3	2	1	36
NEWTON															
5102	JASPER SCHOOL DISTRICT	8	6	8	6	9	2	7	3	4	7	6	4	2	72
5106	DEERAMT. JUDEA SCHOOL DISTRICT	1	0	0	0	0	1	0	1	0	0	0	0	1	4
NEWTON TOTALS		9	6	8	6	9	3	7	4	4	7	6	4	3	76

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County LEA	District	Kinder	One	Two	Three	Four	Five	Six	Seven	Eight	Nine	Ten	Eleven	Twelve	Total
OUACHITA															
5201	BEARDEN SCHOOL DISTRICT	1	2	0	0	0	0	0	0	1	1	0	0	1	6
5204	CAMDEN FAIRVIEW SCHOOL DIST.	10	5	6	7	5	3	4	2	5	2	3	3	2	57
5205	HARMONY GROVE SCHOOL DISTRICT	1	1	1	1	4	1	1	0	1	1	0	1	0	13
5206	STEPHENS SCHOOL DISTRICT	0	1	1	1	0	0	1	0	3	3	0	0	1	11
OUACHITA TOTALS		12	9	8	9	9	4	6	2	10	7	3	4	4	87
PERRY															
5301	EAST END SCHOOL DISTRICT	1	3	3	5	8	4	9	2	3	2	8	9	3	60
5303	PERRYVILLE SCHOOL DISTRICT	0	1	2	1	2	3	5	4	4	5	13	6	3	49
PERRY TOTALS		1	4	5	6	10	7	14	6	7	7	21	15	6	109
PHILLIPS															
5401	BARTON-LEXA SCHOOL DISTRICT	0	0	0	0	0	0	0	0	2	0	1	2	0	5
5403	HELENA W. HELENA SCHOOL DIST.	0	1	0	2	0	3	3	1	7	3	2	0	3	25
5404	MARVELL SCHOOL DISTRICT	1	0	0	3	0	1	2	0	1	1	0	0	0	9
PHILLIPS TOTALS		1	1	0	5	0	4	5	1	10	4	3	2	3	39
PIKE															
5502	CENTERPOINT SCHOOL DISTRICT	2	2	6	0	5	3	3	3	3	4	7	9	5	52
5503	KIRBY SCHOOL DISTRICT	0	0	0	0	0	0	0	0	0	1	1	2	1	5
5504	SOUTH PIKE CO SCHOOL DISTRICT	0	2	0	2	2	2	0	3	0	3	4	1	1	20
PIKE TOTALS		2	4	6	2	7	5	3	6	3	8	12	12	7	77
POINSETT															
5602	HARRISBURG SCHOOL DISTRICT	2	0	1	3	0	2	2	6	2	8	3	3	1	33
5604	MARKED TREE SCHOOL DISTRICT	0	0	1	0	0	1	1	1	4	0	3	4	1	16
5605	TRUMANN SCHOOL DISTRICT	3	6	4	3	4	1	3	6	5	4	4	3	2	48
5608	EAST POINSETT CO. SCHOOL DIST.	0	1	0	1	0	1	0	0	1	2	2	1	1	10
POINSETT TOTALS		5	7	6	7	4	5	6	13	12	14	12	11	5	107
POLK															
5703	MENA SCHOOL DISTRICT	6	6	16	13	2	15	12	8	14	13	16	10	5	136
5706	OUACHITA RIVER SCHOOL DISTRICT	2	2	5	4	2	3	7	5	7	3	5	4	3	52
5707	COSSATOT RIVER SCHOOL DISTRICT	2	2	2	3	2	2	2	5	4	3	8	10	1	46
POLK TOTALS		10	10	23	20	6	20	21	18	25	19	29	24	9	234

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POPE															
5801	ATKINS SCHOOL DISTRICT	0	2	3	0	1	1	1	1	2	1	4	5	3	24
5802	DOVER SCHOOL DISTRICT	6	7	2	5	3	4	9	1	4	2	10	13	3	69
5803	HECTOR SCHOOL DISTRICT	1	1	0	2	1	1	1	5	2	3	7	4	2	30
5804	POTTSVILLE SCHOOL DISTRICT	2	2	2	2	2	1	2	1	4	4	9	8	5	44
5805	RUSSELLVILLE SCHOOL DISTRICT	4	11	7	3	17	18	7	13	10	9	20	13	8	140
POPE TOTALS		13	23	14	12	24	25	20	21	22	19	50	43	21	307
PRAIRIE															
5901	DES ARC SCHOOL DISTRICT	1	2	3	0	0	2	3	2	3	5	1	3	1	26
5903	HAZEN SCHOOL DISTRICT	2	0	0	1	0	2	2	1	1	0	2	0	0	11
PRAIRIE TOTALS		3	2	3	1	0	4	5	3	4	5	3	3	1	37
PULASKI															
6001	LITTLE ROCK SCHOOL DISTRICT	42	48	41	44	35	50	47	46	59	49	49	61	40	611
6002	N. LITTLE ROCK SCHOOL DISTRICT	12	13	12	11	12	13	13	9	12	18	22	15	12	174
6003	PULASKI CO. SPEC. SCHOOL DIST.	76	86	70	91	87	88	100	106	86	96	121	88	69	1164
PULASKI TOTALS		130	147	123	146	134	151	160	161	157	163	192	164	121	1949
RANDOLPH															
6102	MAYNARD SCHOOL DISTRICT	1	1	1	3	1	3	2	1	2	1	2	4	1	23
6103	POCAHONTAS SCHOOL DISTRICT	2	3	1	4	4	2	5	1	6	3	17	13	5	66
RANDOLPH TOTALS		3	4	2	7	5	5	7	2	8	4	19	17	6	89
SALINE															
6301	BAUXITE SCHOOL DISTRICT	3	1	3	2	3	1	1	1	1	1	3	4	2	26
6302	BENTON SCHOOL DISTRICT	9	10	8	9	8	6	5	5	14	6	16	9	6	111
6303	BRYANT SCHOOL DISTRICT	14	12	23	13	19	23	20	23	23	24	37	27	13	271
6304	HARMONY GROVE SCHOOL DISTRICT	0	2	3	3	1	2	1	3	2	3	9	4	2	35
SALINE TOTALS		26	25	37	27	31	32	27	32	40	34	65	44	23	443
SCOTT															
6401	WALDRON SCHOOL DISTRICT	6	3	4	1	5	2	3	3	3	11	6	5	1	53
SCOTT TOTALS		6	3	4	1	5	2	3	3	3	11	6	5	1	53

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<i>County LEA</i>	<i>District</i>	<i>Kinder</i>	<i>One</i>	<i>Two</i>	<i>Three</i>	<i>Four</i>	<i>Five</i>	<i>Six</i>	<i>Seven</i>	<i>Eight</i>	<i>Nine</i>	<i>Ten</i>	<i>Eleven</i>	<i>Twelve</i>	<i>Total</i>
SEARCY	6502 SEARCY COUNTY SCHOOL DISTRICT	2	7	6	7	6	6	11	3	6	4	17	9	7	91
	6505 OZARK MOUNTAIN SCHOOL DISTRICT	1	2	3	2	2	3	6	4	5	4	7	13	2	54
	SEARCY TOTALS	3	9	9	9	8	9	17	7	11	8	24	22	9	145
	SEBASTIAN														
	6601 FORT SMITH SCHOOL DISTRICT	25	21	27	28	33	35	25	36	30	36	37	36	33	402
SEBASTIAN	6602 GREENWOOD SCHOOL DISTRICT	7	11	7	4	8	5	10	5	9	9	12	9	5	101
	6603 HACKETT SCHOOL DISTRICT	3	1	1	0	0	1	0	0	3	1	0	0	0	10
	6604 HARTFORD SCHOOL DISTRICT	0	1	1	0	2	1	1	0	0	0	1	4	0	11
	6605 LAVACA SCHOOL DISTRICT	2	1	4	5	4	3	5	7	2	1	3	5	0	42
	6606 MANSFIELD SCHOOL DISTRICT	1	1	6	4	1	1	2	2	1	2	4	3	1	29
	SEBASTIAN TOTALS	38	36	46	41	48	46	43	50	45	49	57	57	39	595
SEVIER	6701 DEQUEEN SCHOOL DISTRICT	2	0	4	4	2	3	9	3	9	7	7	5	1	56
	6703 HORATIO SCHOOL DISTRICT	0	0	0	1	0	0	1	0	0	0	4	2	3	11
	SEVIER TOTALS	2	0	4	5	2	3	10	3	9	7	11	7	4	67
SHARP	6802 CAVE CITY SCHOOL DISTRICT	1	3	6	3	9	5	4	5	6	3	10	2	1	58
	6804 HIGHLAND SCHOOL DISTRICT	4	5	3	1	4	5	3	6	5	5	12	17	11	81
	SHARP TOTALS	5	8	9	4	13	10	7	11	11	8	22	19	12	139
ST FRANCIS	6201 FORREST CITY SCHOOL DISTRICT	4	4	4	7	4	7	5	9	8	10	7	7	3	79
	6202 HUGHES SCHOOL DISTRICT	0	1	0	0	1	0	1	1	1	2	1	2	0	10
	6205 PALESTINE-WHEATLEY SCH. DIST.	0	1	0	1	0	0	1	1	0	0	0	1	1	6
	ST FRANCIS TOTALS	4	6	4	8	5	7	7	11	9	12	8	10	4	95
STONE	6901 MOUNTAIN VIEW SCHOOL DISTRICT	4	9	9	7	5	12	8	19	11	13	22	18	9	146
	STONE TOTALS	4	9	9	7	5	12	8	19	11	13	22	18	9	146

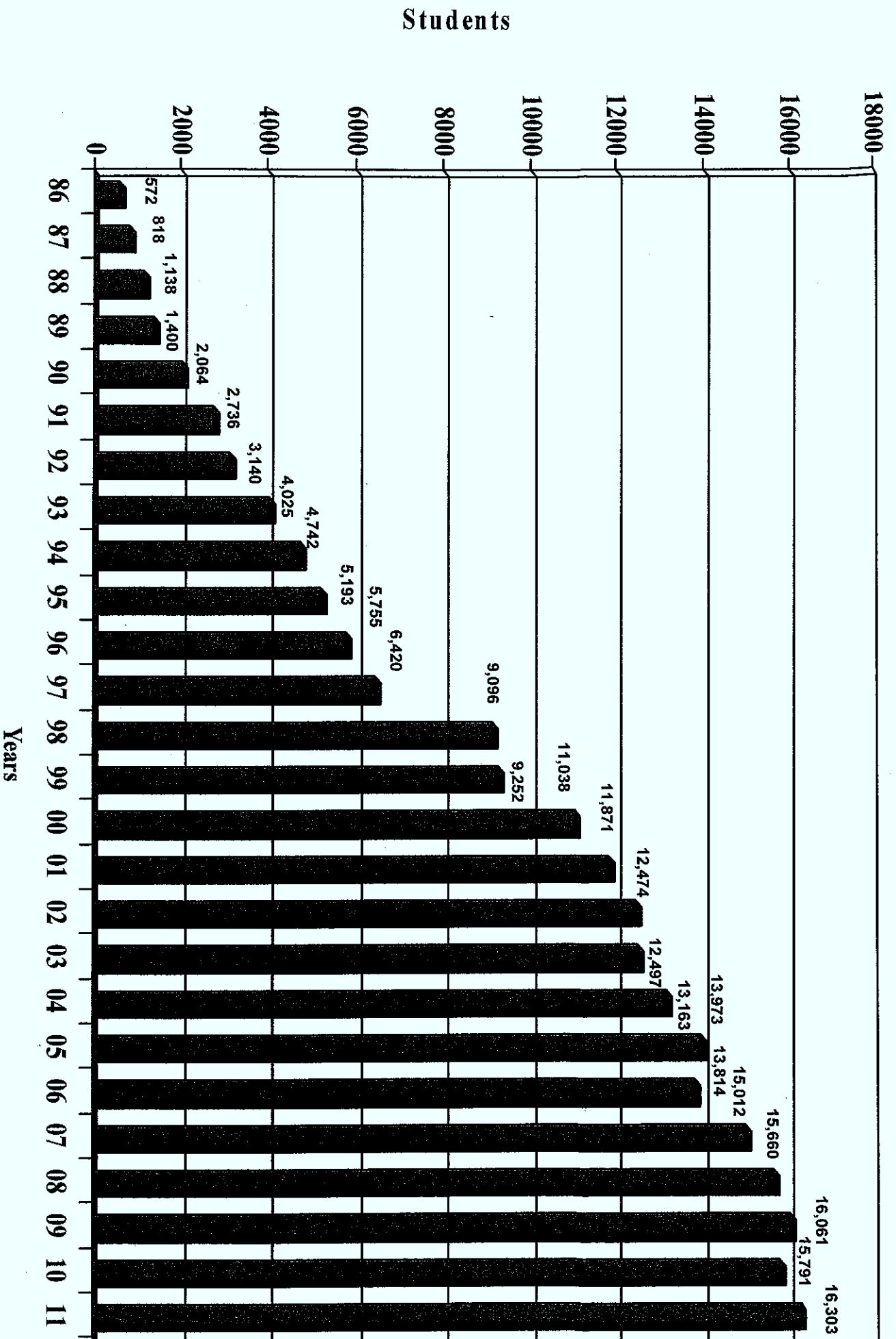
Home School Student Count for 2010-2011 School Year *By County, District and Grade*

<i>County LEA</i>	<i>District</i>	<i>Kinder</i>	<i>One</i>	<i>Two</i>	<i>Three</i>	<i>Four</i>	<i>Five</i>	<i>Six</i>	<i>Seven</i>	<i>Eight</i>	<i>Nine</i>	<i>Ten</i>	<i>Eleven</i>	<i>Twelve</i>	<i>Total</i>
UNION															
7001	EL DORADO SCHOOL DISTRICT	1	2	3	8	8	3	5	5	6	6	6	5	4	62
7003	JUNCTION CITY SCHOOL DISTRICT	0	3	0	0	1	2	0	0	1	1	4	1	2	15
7006	NORPHLET SCHOOL DISTRICT	0	0	0	0	0	0	0	1	2	2	3	0	1	9
7007	PARKERS CHAPEL SCHOOL DIST.	0	0	0	0	0	0	0	1	0	1	2	1	0	5
7008	SMACKOVER SCHOOL DISTRICT	0	3	1	1	1	5	0	0	0	1	1	0	1	14
7009	STRONG-HUTTIG SCHOOL DISTRICT	0	0	0	1	2	0	1	2	0	1	1	5	2	15
UNION TOTALS		1	8	4	10	12	10	6	9	9	12	17	12	10	120
VAN BUREN															
7102	CLINTON SCHOOL DISTRICT	6	2	7	8	6	5	4	2	10	3	14	6	11	84
7104	SHIRLEY SCHOOL DISTRICT	3	3	5	6	5	6	1	2	2	5	3	0	0	41
7105	SOUTH SIDE SCHOOL DISTRICT	2	2	2	0	0	2	1	3	0	4	7	2	2	27
VAN BUREN TOTALS		11	7	14	14	11	13	6	7	12	12	24	8	13	152
WASHINGTON															
7201	ELKINS SCHOOL DISTRICT	3	3	3	5	3	6	4	1	4	2	3	7	1	45
7202	FARMINGTON SCHOOL DISTRICT	8	7	5	10	6	14	14	8	6	5	9	7	6	105
7203	FAYETTEVILLE SCHOOL DISTRICT	21	30	27	29	24	16	25	17	24	14	20	19	14	280
7204	GREENLAND SCHOOL DISTRICT	3	4	9	9	2	5	5	4	4	6	3	1	0	55
7205	LINCOLN SCHOOL DISTRICT	6	5	7	7	7	5	5	6	6	4	4	2	1	65
7206	PRAIRIE GROVE SCHOOL DISTRICT	6	4	7	7	5	10	10	9	3	1	6	3	0	71
7207	SPRINGDALE SCHOOL DISTRICT	24	46	34	37	48	30	43	39	34	37	45	29	26	472
7208	WEST FORK SCHOOL DISTRICT	4	5	7	6	4	6	7	4	4	2	10	6	0	65
WASHINGTON TOTALS		75	104	99	110	99	92	113	88	85	71	100	74	48	1158

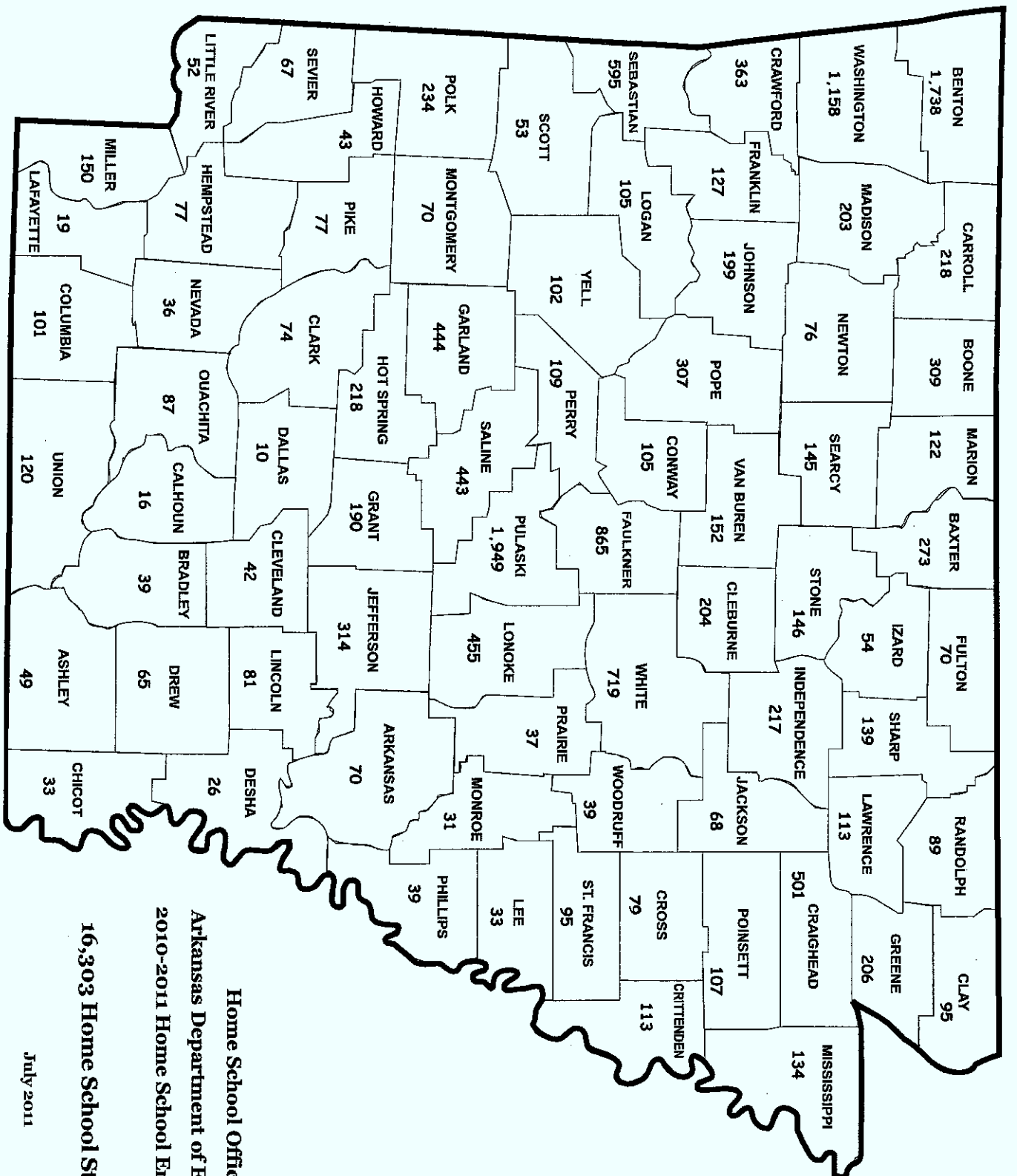
Home School Student Count for 2010-2011 School Year **By County, District and Grade**

County LEA	District	Kinder	One	Two	Three	Four	Five	Six	Seven	Eight	Nine	Ten	Eleven	Twelve	Total
WHITE															
7301	BALD KNOB SCHOOL DISTRICT	4	4	4	3	7	4	1	7	5	3	14	7	2	65
7302	BEEBE SCHOOL DISTRICT	6	6	8	9	12	6	10	9	7	14	27	19	7	140
7303	BRADFORD SCHOOL DISTRICT	0	1	2	0	1	3	0	1	1	0	11	2	2	24
7304	WHITE CO. CENTRAL SCHOOL DIST.	3	2	5	2	3	2	3	2	8	0	6	6	10	52
7307	RIVERVIEW SCHOOL DISTRICT	3	4	3	2	1	1	4	5	8	10	18	12	12	83
7309	PANGBURN SCHOOL DISTRICT	2	3	0	1	1	2	2	2	1	1	8	4	3	30
7310	ROSE BUD SCHOOL DISTRICT	2	3	0	5	5	5	1	8	4	4	5	4	7	53
7311	SEARCY SCHOOL DISTRICT	12	16	20	14	23	21	14	27	16	16	49	31	13	272
WHITE TOTALS		32	39	42	36	53	44	35	61	50	48	138	85	56	719
WOODRUFF															
7401	AUGUSTA SCHOOL DISTRICT	1	1	0	0	1	2	0	2	1	1	1	0	2	12
7403	MCCRORY SCHOOL DISTRICT	3	2	2	1	3	2	2	3	2	1	2	4	0	27
WOODRUFF TOTALS		4	3	2	1	4	4	2	5	3	2	3	4	2	39
YELL															
7503	DANVILLE SCHOOL DISTRICT	0	2	0	1	0	1	1	0	0	1	2	0	0	8
7504	DARDANELLE SCHOOL DISTRICT	6	1	4	1	1	9	2	3	5	5	10	6	4	57
7509	WESTERN YELL CO. SCHOOL DIST.	0	0	0	0	0	0	0	0	0	0	1	3	2	6
7510	TWO RIVERS SCHOOL DISTRICT	1	1	1	1	0	3	1	2	3	2	4	6	6	31
YELL TOTALS		7	4	5	3	1	13	4	5	8	8	17	15	12	102
STATEWIDE TOTALS:		944	1050	1103	1107	1162	1195	1237	1270	1266	1367	1972	1600	1030	16,303

Arkansas Department of Education - Home School Enrollment
1985-1986 Through 2010-2011



Final Enrollment 2010-2011
July 2011



Home School Office
Arkansas Department of Education
2010-2011 Home School Enrollment
16,303 Home School Students

July 2011

Home School Office - Arkansas Department of Education
Home School - 2008

State Summary and Totals	Spring of 2008 Home School percentile		
3rd Grade			
Reading Comprehension	0.61		
Math - Prob. Solv. & Data Interp.	0.56		
4th Grade			
Reading Comprehension	0.66		
Prob. Solv. & Data Interp.	0.60		
5th Grade			
Reading Comprehension	0.65		
Prob. Solv. & Data Interp.	0.59		
6th Grade			
Reading Comprehension	0.62		
Prob. Solv. & Data Interp.	0.57		
7th Grade			
Reading Comprehension	0.62		
Prob. Solv. & Data Interp.	0.59		
8th Grade			
Reading Comprehension	0.60		
Prob. Solv. & Data Interp.	0.57		
9th Grade			
Reading Comprehension	0.61		
Concepts & Problem Solving	0.55		

Home School Office - Arkansas Department of Education Home School - 2009

State Summary and Totals	Spring of 2009 Home School percentile		
3rd Grade			
Reading Comprehension	0.60		
Math - Prob. Solv. & Data Interp.	0.54		
4th Grade			
Reading Comprehension	0.68		
Prob. Solv. & Data Interp.	0.62		
5th Grade			
Reading Comprehension	0.66		
Prob. Solv. & Data Interp.	0.61		
6th Grade			
Reading Comprehension	0.63		
Prob. Solv. & Data Interp.	0.57		
7th Grade			
Reading Comprehension	0.61		
Prob. Solv. & Data Interp.	0.58		
8th Grade			
Reading Comprehension	0.62		
Prob. Solv. & Data Interp.	0.58		
9th Grade			
Reading Comprehension	0.62		
Concepts & Problem Solving	0.53		

Home School Office - Arkansas Department of Education
Home School - 2010

State Summary and Totals	Spring of 2010 Home School percentile		
3rd Grade			
Reading Comprehension	0.62		
Math - Prob. Solv. & Data Interp.	0.57		
4th Grade			
Reading Comprehension	0.67		
Prob. Solv. & Data Interp.	0.60		
5th Grade			
Reading Comprehension	0.67		
Prob. Solv. & Data Interp.	0.61		
6th Grade			
Reading Comprehension	0.63		
Prob. Solv. & Data Interp.	0.59		
7th Grade			
Reading Comprehension	0.63		
Prob. Solv. & Data Interp.	0.60		
8th Grade			
Reading Comprehension	0.63		
Prob. Solv. & Data Interp.	0.59		
9th Grade			
Reading Comprehension	0.63		
Concepts & Problem Solving	0.57		

<p align="center">Home School Office - Arkansas Department of Education Home School - 2011</p>
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State Summary and Totals	Spring of 2011 Home School percentile		
3rd Grade			
Reading Comprehension	0.63		
Prob. Solv. & Data Interp.	0.57		
4th Grade			
Reading Comprehension	0.68		
Prob. Solv. & Data Interp.	0.61		
5th Grade			
Reading Comprehension	0.67		
Prob. Solv. & Data Interp.	0.61		
6th Grade			
Reading Comprehension	0.64		
Prob. Solv. & Data Interp.	0.58		
7th Grade			
Reading Comprehension	0.65		
Prob. Solv. & Data Interp.	0.60		
8th Grade			
Reading Comprehension	0.63		
Prob. Solv. & Data Interp.	0.59		
9th Grade			
Reading Comprehension	0.63		
Concepts & Problem Solving	0.56		

FILE FORMS EVERY YEAR: PART A AND B must be returned to the Superintendent's Office EACH YEAR no later than August 15, or by December 15 to begin home schooling the second semester, or during the year with a 14-calendar day waiting period. Only the Superintendent or local School Board has the authority to waive the 14-day waiting period. Please retain a copy of the completed form for your files.

2010-2011 School Year

(Do not modify/revise ADE forms)

District LEA # _____ (District use only)

Submit all forms to Superintendent's Office ONLY
Check your local phone book or Arkansas Department
Of Education website for district address

TESTING: State law requires that home school students in grades 3 through 9 test every year. The tentative test date for home school students will be in April of 2011. Please check the Home School Testing website for more information at <http://www.athomeschooltesting.org>. Parents/legal guardians that are registered for the current school year will receive written notification of the test dates, times, and sites. Please notify the Arkansas Home School Testing Office if there is a change in address.

Notice of Intent to Home School

Arkansas Department of Education-Home School Office (501) 682-1874
<http://arkansased.org/about/schools/home.html>

PART A - Please print (forms must be legible to be accepted)

In accordance with the procedures established for the Implementation of Act 1117 of 1999, I/we hereby give notice to _____, Superintendent of the

School District, _____ County, of my/our intent to provide home instruction to my/our own child(ren) located at:

Print or Type Parent's Address _____ beginning date for 2010-2011 _____ (Month/Day/Year)
City _____ AR _____ Zip _____

Parent's mailing address if different from above: _____

(for mailing test notification/results)

Further, I/we agree that my/our child(ren) will take a nationally recognized standardized achievement test as required in A.C.A. 6-15-504. The test will be administered to students in grades 3 through 9 during the testing window for the current school year. The Arkansas Department of Education recommends that you notify the local school district of any change of address or if you discontinue to home school. In order to maintain legal home school status, current year forms must be filed every year by the established deadlines. During the school year, new forms must be submitted within 30 days of the parent(s) moving to a new school district.

PRINT name of parent/guardian _____

Phone Number (Optional) _____

Occupation (Optional) _____

Today's Date _____

No approval letter or curriculum will be sent.

Student Information

PRINT or TYPE STUDENT'S NAME		Date of Birth Month/Day/Year	Sex (Circle one)	GRADE LEVEL COMPLETED LAST SCHOOL YEAR (Circle one)	GRADE LEVEL STUDENT IS IN THIS YEAR STUDENTS IN GRADES 3 through 9 MUST TEST (Testing - April 2011)	Name of School Last Attended:	Permanently Exempt from Home School Testing Grades 3-9 Per Home School Test Coordinator Place check in box	Type of School Last Attended (Circle one)
*Student has an IEP on file	Please print clearly and legible Give Full Legal Name FIRST MIDDLE LAST							
			M F	0 K 1 2 3 4 5 6 7 8 9 10 11				Public Parochial Private Home
			M F	0 K 1 2 3 4 5 6 7 8 9 10 11				Public Parochial Private Home
			M F	0 K 1 2 3 4 5 6 7 8 9 10 11				Public Parochial Private Home
			M F	0 K 1 2 3 4 5 6 7 8 9 10 11				Public Parochial Private Home
			M F	0 K 1 2 3 4 5 6 7 8 9 10 11				Public Parochial Private Home
			M F	0 K 1 2 3 4 5 6 7 8 9 10 11				Public Parochial Private Home

Page Must be completed - Curriculum (Required information: DISTRICT OFFICE, do not accept this form if this section is blank.)

Give a brief description of the basic core curriculum to be used and include a list of the subjects to be taught.

Class Schedule (Required information: DISTRICT OFFICE, do not accept this form if this section is blank.)

Describe the schedule planned for your home school. *(Include the hours per day, days per week, number of weeks)*

Educational Qualifications of Parent/Teacher(s) (Required information, do not leave blank)
(Circle the highest level of educational attainment.)

<u>Print or Type Name of Parent/ Guardian</u>	Parent/Guardian (Circle one)	School (Circle one)	College (Circle one)	Degree (BA, etc.)	Name & Address of Institution
Parent Guardian	Parent Guardian	6 7 8 9 10 11 12 H.S. Grad.	1 2 3 4 Col. Grad.		
Parent Guardian	Parent Guardian	6 7 8 9 10 11 12 H.S. Grad.	1 2 3 4 Col. Grad.		

DRIVER'S PERMIT/LICENSE SECTION

This section ONLY APPLIES FOR STUDENTS 14 YEARS OF AGE OR OLDER who are obtaining a driver's permit or license during the 2010-2011 year.

Arkansas Department of Education Rules and Regulations Governing Home Schools 10.00 States: "A student enrolled in a home school shall present proof of home schooling in the form of a notarized copy of the Notice of Intent to Home School. The parent/guardian has the responsibility of providing the notarized copy."
Please call the Home School Office at 501-682-1874 if you have questions. Make a copy of this form and have the COPY notarized when seeking a driver's permit or licenses.

Notary Seal

Signature of Notary _____ Date _____
Parent Signature _____ Date _____
Arkansas Code Annotated § 6-15-501 through § 6-15-508
Form Revised May 2010

Please retain a copy of the completed form for your files.

Part B

Notice of Intent to Home School and Waiver forms must be filed every year by the established deadlines.

HOME SCHOOL WAIVER FORM

(Do not modify/revise form)

Arkansas Code Annotated § 6-15-503, as amended by Act 1117 of 1999, requires that parents and guardians who wish to home school their children, sign a waiver acknowledging that the State of Arkansas is not liable for the education of their children during the time the parent or guardian chooses to home school.

By my signature below, I hereby certify and agree as follows:

- 1) I am the parent or legal guardian of the child(ren) listed below.
- 2) I have fully read and understand the terms of this waiver.
- 3) As of the date I sign this waiver, I hereby acknowledge that the State of Arkansas is not liable for the education of the child(ren) listed below during the time I choose to home school the child(ren).

Please print clearly and legible. Give student's Legal Name.

STUDENTS FIRST, MIDDLE, AND LAST NAME	DATE OF BIRTH

Signature of Parent/Guardian

Date

Address

Phone (area code & number)

City, State, Zip

(Revised May 2011)

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING INSTRUCTIONAL MATERIALS**

1.00 REGULATORY AUTHORITY

1.01 These rules shall be known as the Arkansas Department of Education Rules Governing Instructional Materials.

1.02 These rules are enacted pursuant to the Arkansas State Board of Education's authority under Ark. Code Ann. §§ 6-11-105, 6-21-401 et seq., and 25-15-201 et seq.

2.00 PURPOSE

The purpose of these rules is to set forth requirements related to the purchase, distribution and use of instructional materials.

3.00 DEFINITIONS

3.01 "Basal textbook" means the textbook that contains the core curriculum for the subject area to be taught.

3.02 "Commissioner" means the Commissioner of Education.

3.03 "Instructional materials" means:

3.03.1 Traditional books and trade books in printed and bound form;

3.03.2 Activity-oriented programs that may include:

3.03.2.1 Manipulatives;

3.03.2.2 Hand-held calculators; or

3.03.2.3 Other hands-on material; and

3.03.3 Technology-based materials that require the use of electronic equipment in order to be used in the learning process. Technology-based materials do not include the equipment required to make use of these materials.

3.04 “School” or “School District” as those terms are used in these rules, shall include open-enrollment public charter schools.

3.05 “State” means the State of Arkansas.

3.06 “State Board” means the Arkansas State Board of Education.

3.07 “Supplemental textbook” means textbooks that supplement the basal textbook.

3.08 “Textbook” includes textbooks in both printed form and electronic form.

4.00 GENERAL POWERS AND DUTIES OF THE STATE BOARD OF EDUCATION

4.01 Pursuant to Ark. Code Ann. § 6-21-404, the State Board of Education is authorized and empowered to:

4.01.1 Provide for a statewide textbook selection committee as follows;

4.01.1.1 The Commissioner of Education shall select a statewide selection committee no later than June 15 of each year. Each state committee shall be composed of members representative of the subject areas and instructional levels being adopted and from the state at large. The committee shall include licensed personnel from public schools and shall include a majority of classroom teachers.

4.01.1.2 The committee shall recommend a list of instructional materials consistent with course content standards and curriculum frameworks.

4.01.2 Require reports from school districts on the use and distribution of instructional materials; and

4.01.3 Do whatever else may be necessary for the general welfare of the public school textbook and instructional materials system in order to acquire the items at the lowest possible cost.

4.02 The powers enumerated in section 4.00 of these rules and in Ark. Code Ann. § 6-21-404 are cumulative and not restrictive.

- 4.03 The State Board shall have the power to modify the bid and contract form and negotiate any additional or modified terms that the State Board deems necessary for the administration of these rules.
- 4.04 Publishers must sell their materials at the same price to all schools and school districts in the State of Arkansas and must guarantee that price for the life of a state adoption cycle.
- 4.05 The State Board, through the Department of Education, will include funding for instructional materials in the foundation funding amount provided to each school district pursuant to Ark. Code Ann. § 6-20-2305.

5.00 GENERAL REQUIREMENTS RELATED TO INSTRUCTIONAL MATERIALS

- 5.01 Each school district shall select a textbook selection committee to be composed of a majority of licensed personnel, which shall include classroom teachers.
- 5.02 Public school districts shall provide textbooks, other instructional materials, or digital resources, including the availability of any equipment needed to access the digital resources, for all pupils attending the public schools of this state in kindergarten through grade twelve (K-12), inclusive, in all subjects taught in those grades, without cost to the pupils.
- 5.03 School districts may select their own textbooks, instructional materials, or digital resources, or school districts may select from the recommended state-approved list.
- 5.04 Any materials purchased with state funds shall be consistent with course content standards and curriculum frameworks.
- 5.05 The Department of Education shall monitor to ensure that all school districts in the State of Arkansas comply with Section 5.00 of these rules and with Ark. Code Ann. § 6-21-403. The primary methods of compliance shall be through a Report of Local Adoptions filed by a school districts with the Department of Education and through a school district's Statement of Assurance filed with the Department of Education pursuant to Ark. Code Ann. § 6-15-202.
- 5.05.1 The Department of Education shall report in the annual school performance report a school district that fails to provide textbooks, other instructional materials, or digital resources, including the availability of any equipment needed to access the digital resources or any school district

that charges any student a fee for use of or access to any instructional materials.

5.05.2 The State Board of Education shall report to the members of the House Committee on Education and Senate Committee on Education annually any school district out of compliance with Section 5.00 of these rules and with Ark. Code Ann. § 6-21-403 by November 1 of each year.

6.00 DETERMINATION OF RECOMMENDED INSTRUCTIONAL MATERIALS

6.01 By March 15 of each year, the Department of Education shall prepare and distribute to school districts a recommended list of books, series of books, and other instructional materials for all subjects and instructional levels required by the Standards for Accreditation of Arkansas Public Schools and School Districts.

6.02 School districts may elect to purchase instructional materials from the state-recommended list, or school districts may select other instructional materials.

6.03 If a school district selects other instructional material not recommended by the Department of Education, the school district shall certify to the Department of Education by June of each year which instructional materials the school district wishes to purchase by state contract from the state-recommended list.

6.04 If a school district selects other instructional materials not recommended by the Department of Education, the school district may purchase such materials outside any state contract.

7.00 CONDITIONS FOR OFFERING TEXTBOOKS FOR ADOPTION, SALE OR EXCHANGE

7.01 Before any person, company, or corporation shall offer any school textbooks or other instructional materials used in kindergarten through grade twelve (K-12), inclusive, for adoption, sale, or exchange in the State of Arkansas, the person, company, or corporation shall comply with the following conditions:

7.01.1 The person, company, or corporation shall file a bid and contract form in the office of the Commissioner of Education showing the prices at which the publisher will agree to sell to the State of Arkansas during the contract period.

- 7.01.2 When the State Board of Education accepts any or all of the textbooks or other instructional materials in the bid and contract form and so certifies the form, the bid and contract form shall become an official contract.
- 7.01.3 The State Board of Education is authorized to permit publishers to bid current wholesale prices, or the State Board may require publishers to bid lowest existing contract prices at which the textbooks or other instructional materials are being sold elsewhere in the country.
- 7.01.4 The State Board of education shall certify in the call for bids whether it wants current wholesale prices or lowest contract prices.
- 7.01.5 In the bid and contract form, the publisher shall certify the date on which the current wholesale prices were established and submit a list of all existing adoption bids showing such items as may be requested by the State Board on an official form furnished by the State Board.
- 7.01.6 At the end of each fiscal year of the contract, the publisher shall submit a certified list of all state contracts made during the fiscal year just closed on all books or other instructional materials for which the publisher has a contract in the State of Arkansas.
- 7.01.7 The publisher shall automatically reduce prices in Arkansas whenever a contract is made at a lower price in another state after the date of the contract in Arkansas.
- 7.01.8 If any publisher makes a contract on a special or state edition in another state after the date of the contract in Arkansas, the State Board is authorized to require the publisher to supply the special or state edition to the schools of Arkansas at the contract price in other states.
- 7.01.9 The State Board may require a publisher to bid an exchange price on all basal or supplementary textbook bids, and all the price regulations in these rules applying to regular contracts shall also apply to exchange prices; and
- 7.01.10 The person, company, or corporation shall deposit a copy of each textbook and other instructional material in printed, digital or manuscript form in the Office of the Commissioner.

7.01.10.1 All publishers doing business in the State of Arkansas shall maintain one (1) or more book depositories at the publisher's expense in Arkansas.

7.01.10.2 All items offered for sale in Arkansas pursuant to these rules shall be equal in quality to those deposited in the Office of the Commissioner and shall meet the minimum standards and specifications set forth by the State Board.

8.00 CONTRACTS WITH PUBLISHERS

8.01 The State Board of Education shall make and execute contracts with all publishers whose books, series of books, or instructional materials have been recommended by the Department of Education.

8.02 The State Board shall determine the contract period, provided no contract period shall be for less than three (3) years nor more than five (5) years for courses subject to rapid knowledge-base changes. For courses determined by the State Board to be free of rapid knowledge-base changes, the contract period may be for a maximum of ten (10) years.

8.03 Contract periods for paperback books, novels, plays, and other forms of literature in a softbound cover that are part of a basal textbook program may be from one (1) to five (5) years.

8.04 If during the first two (2) years of any contract, the consumer price index has increased by twelve percent (12%) or more, the State Board is authorized to renegotiate with the contract holder the prices contained in the contract. The State Board may grant a price increase in the last three (3) years of the contract, provided the publisher certifies that the price is no higher than the lowest contract prices the product is currently bid in any other state.

8.05 The State Board is authorized to renew or extend contracts for no less than one (1) year nor more than two (2) years. This provision shall be made a part of the publisher's contract, and the State Board may exercise the provision by notifying the publisher no less than one (1) year prior to the expiration of the original contract.

9.00 EXCHANGE PROVISIONS

9.01 Any textbook exchange provisions approved by the State Board will guarantee the payment of exchange prices and govern the exchange on basal and supplementary textbooks.

9.02 The State Board may incorporate any exchange provisions it approves in the contract of the publisher, and the publisher shall be bound by such exchange provision of the contract as if it were a part of these rules.

10.00 ASSESSMENT OF DAMAGES FOR PUBLISHER'S FAILURE TO COMPLY

10.01 The State Board is authorized to assess any publisher any amount of damages to the State of Arkansas for failure to comply with the terms of the publisher's contract or any published regulation of the State Board, provided that the publisher has been given a hearing before the State Board regarding the assessment of damages.

10.02 Failure to reimburse the State of Arkansas within six (6) months after notice of assessment has been served on the publisher shall give the State Board the right to cancel all the contracts of the publisher involved and to forbid the publisher to bid any future adoptions for a maximum period of five (5) years from the date that damages are assessed pursuant to Section 10.00 of these rules.

10.03 The following procedures shall apply to a situation involving a publisher's alleged failure to comply with the terms of the publisher's contract or any published regulation of the State Board:

10.03.1 The Commissioner of Education shall provide written notice, via certified mail, return receipt requested, to the publisher. The written notice shall include specific allegations of precisely how the publisher failed to comply with the terms of the publisher's contract or any published regulation of the State Board. The written notice shall also include a recommendation from the Commissioner of Education concerning the assessment of damages for the publisher's failure to comply.

10.03.2 Within thirty (30) days of receipt of the written notification from the Commissioner of Education, the publisher shall respond in

writing to the Commissioner of Education, indicating one of the following:

10.03.2.1 The publisher concurs with the specific allegations and/or recommended assessment of damages; or

10.03.2.2 The publisher disputes the specific allegations and/or recommended assessment and requests an appeal before the State Board of Education. Such a notice of appeal shall include a brief statement of the reasons why the Commissioner's specific allegations and/or recommended assessment of damages should not be adopted.

10.03.4 If the publisher concurs with the Commissioner's specific allegations and/or recommended assessment of damages, or fails to respond to the same within thirty (30) days, the Commissioner shall place his or her recommended assessment of damages on the consent agenda of the next regularly scheduled State Board of Education meeting in accordance with the State Board of Education's procedures for the submission of agenda items.

10.03.5 If the publisher disputes the Commissioner's specific allegations and/or recommended assessment of damages, the State Board of Education shall hear the publisher's appeal within sixty (60) days of receipt of the notice of appeal. Through mutual agreement, the Commissioner of Education and the publisher may extend the date of the hearing for an additional thirty (30) days.

10.04 The following procedures shall apply to a hearing before the State Board of Education:

10.04.1 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 of Education may, only for good cause shown and upon the request of either party, allow either party additional time to present their opening statements.

10.04.2 Each party will be given thirty (30) minutes to present their cases, beginning with the representative of the Department of Education. The Chairperson of the State Board of Education may, only for

good cause shown and upon the request of either party, allow either party additional time to present their cases.

10.04.3 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 of Education.

10.04.4 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).

10.04.5 For the purposes of the record, documents offered during the hearing by the publisher shall be clearly marked in sequential, alphabetic letters (A, B, C).

10.04.6 The Department of Education shall have the burden of proving, by a preponderance of the evidence, that the Commissioner's specific allegations and/or recommended assessment of damages be adopted.

10.04.7 The State Board of Education may:

10.04.7.1 Adopt the Commissioner's specific allegations and/or recommended assessment of damages be adopted;

10.04.7.2 Modify the Commissioner's recommended assessment of damages; or

10.04.7.3 Grant the appeal of the publisher.

10.04.8 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 of Education shall provide a written decision to the Department of Education and the publisher within fourteen (14) days of the hearing.

11.00 NOTICE OF ILLEGAL ACTS INVOLVING SCHOOL OFFICIALS PURSUANT TO ARK. CODE ANN. § 6-21-410

11.01 It shall be illegal for the Commissioner of Education or any other employee connected with the Department of Education, any member of any selecting committee, or any member of any school board of directors to accept or receive any money, gift, property, or favor whatsoever from any person, firm, corporation, or any agent thereof offering for sale any item pursuant to Ark. Code Ann. § 6-21-401 et seq. or from any person in any way interested in such sale.

- 11.01.1 Any person who pleads guilty or nolo contendere to or is found guilty of violating Ark. Code Ann. § 6-21-410(a) shall be found guilty of a Class B misdemeanor.
- 11.01.2 Any fines collected under Ark. Code Ann. § 6-21-410(a) shall be deposited into the State Treasury to the credit of the Public School Fund.
- 11.02 It shall be illegal for any teacher in the public schools of Arkansas or any person connected with the public school system of Arkansas in any capacity to have any interest in the profits, proceeds, or sale of any school textbooks or other instructional materials used in the schools of Arkansas under his or her charge or with which he or she is connected in any official capacity. However, this provision shall not apply nor have any reference to royalties or fees received by a person from the sale of school books or other instructional materials of which he or she is the author.
- 11.02.1 Any person who pleads guilty or nolo contendere to or is found guilty of violating Ark. Code Ann. § 6-21-410(b) shall be guilty of a violation and subject to a fine of no less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200).
- 11.02.2 Any fines collected under Ark. Code Ann. Ark. Code Ann. § 6-21-410(b) shall be deposited into the State Treasury to the credit of the Public School Fund.
- 11.03 It shall be illegal for any person directly or indirectly to promise or offer to give or cause to be promised, offered, or given any money, good, bribe, present, reward, or any valuable thing whatsoever to the Commissioner of Education, his or her assistants, or any other employee of the Department of Education, the Director of the Department of Career Education, his or her assistants, or any other employee of the Department of Career Education, any school board members, teachers, or other persons with the intent of influencing their decisions on any questions, matters, causes, or proceedings in the selection of any textbooks or other instructional materials.
- 11.03.1 Any person who pleads guilty or nolo contendere to or is found guilty of violating Ark. Code Ann. § 6-21-410(c) shall be guilty of a Class B misdemeanor.
- 11.03.2 Any fines collected under Ark. Code Ann. § 6-21-410(c) shall be deposited into the State Treasury to the credit of the Public School Fund.

Rules and Regulations Governing the Purchase of Instructional Materials by Arkansas School Districts

1.0 Regulatory Authority

1.01 These regulations shall be known as the Arkansas Department of Education's regulations implementing Arkansas Code Annotated 6-21-402 through 6-21-413.

1.02 These regulations are enacted pursuant to the State Board of Education's authority under Arkansas Code Annotated 6-21-404 (Repl. 1993), as amended by Acts 280 and 605 of 1995.

2.00 Purpose

2.01 The purpose of these regulations is to describe how the Arkansas Department of Education (ADE) will implement Ark. Code Ann. 6-21-402 through 6-21-413.

2.02 These regulations shall establish the general guidelines for the use of state funds for the purchase of instructional materials for Arkansas school districts for grades kindergarten through twelve (K-12) for the school year 1995-96.

3.00 Definitions

3.01 Instructional materials: Traditional books and trade books in printed and bound form; activity-oriented programs; manipulatives; handheld calculators; hands-on materials; and technology-based materials that require the use of electronic equipment in order to be used in the learning process.

3.02 Arkansas Textbooks/Instructional Materials List (State Recommended List): Those textbooks and other instructional materials that have been recommended by the state textbook committee.

3.03 State Textbooks/Instructional Materials Selecting Committee (state committee): Individuals recommended by the Director of General Education and approved by the State Board to examine textbooks and other instructional materials and make recommendations for the State Recommended List.

4.00 Distribution of Textbooks/Instructional Materials Funds

4.01 For the 1995-96 school year, the State Board of Education shall allocate \$44.50 per ADM for the purchase of instructional materials in grades K-12.

4.02 The calculation of textbook aid shall be based on the previous year's first three quarter average ADM.

~~4.03 After the end of the first quarter of attendance, districts will receive instructional materials funding based upon actual student growth.~~

~~4.04 The amount funded per pupil will be the same for grades K-12. There will be no specific allocation amounts for the various grade levels.~~

~~4.05 Local school districts shall maintain documentation of expenditures for instructional materials to satisfy audit requirements.~~

5.00 General Requirements

~~5.01 The State Board will adopt a State Recommended List of Instructional Materials for each instructional level on all subject matter required by the Arkansas Standards for Accreditation.~~

~~5.02 The State Board shall make and execute state contracts with publishers who wish to provide instructional materials to be used in grades K-12 and who meet the pricing requirements of Ark. Code Ann. 6-21-406.~~

~~5.03 Any instructional materials purchased with state funds must be consistent with the curriculum and educational goals established by the State Board of Education. If a district is denied purchase of instructional materials with state funds as a result of those items being declared inconsistent with the curriculum and educational goals established by the State Board of Education, that district may appeal the decision to the State Board of Education.~~

~~5.04 The Department of Education on an annual basis shall prepare and distribute to school districts a State Recommended List of Instructional Materials for all subjects that fall within the year's subject area selecting cycle.~~

~~5.05 School districts may select instructional materials from the State Recommended List or may purchase other instructional materials not on the recommended listing.~~

~~5.06 School districts must notify the Department of Education by May 1 each year regarding the instructional materials the district wishes to purchase by state contract from the State Recommended List.~~

~~5.07 School districts desiring to purchase instructional materials not on the State Recommended List must contact the Department of Education and identify those instructional materials which they desire to purchase with state funds. Districts desiring to use state funds to purchase instructional materials not on the State Recommended List must provide a justification for their specific request assuring that the materials requested are consistent with the curriculum and educational goals established by the State Board of Education. The request must also include an explanation of why the instructional materials on the State Recommended List were not considered appropriate for use by the district. The Department of Education will immediately seek to procure the required state contracts for these items. Districts should specifically identify these instructional materials and notify the Instructional Materials Unit of the ADE in writing by June 30 of each year.~~

6.00 State Selecting Committee

~~6.01 The State Department of Education shall select statewide selection committees no later than June 15 of each school year. Each state committee shall be composed of members representative of the subject areas and grades being adopted and from the state at large. The committee shall include certified personnel from public schools and shall include a majority of classroom teachers.~~

~~6.02 The state committee shall recommend a list of instructional materials consistent with the curriculum and educational goals established by the State Board.~~

7.00 Purchasing Procedures

~~7.01 After the state contracts have been entered into by the publishers to provide instructional materials and each district has selected its own instructional materials, then each local school district shall procure the selected instructional materials from an appropriate book depository in the State of Arkansas or from another entity having a state contract for those specific instructional materials.~~

~~7.02 No invoices for the purchase of instructional materials by local school districts shall be processed by the Arkansas Department of Education.~~

~~7.03 School districts shall maintain appropriate invoices and/or documentation of expenditures to demonstrate that the district has properly expended state funds allocated for instructional materials.~~

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE SCHOOL WORKER DEFENSE PROGRAM AND THE
SCHOOL WORKER DEFENSE PROGRAM ADVISORY BOARD**

1.0 PURPOSE

1.01 The purpose of these rules is to establish the requirements and procedures concerning the School Worker Defense Program and the School Worker Defense Program Advisory Board.

2.0 REGULATORY AUTHORITY

2.01 These rules shall be known as the Arkansas Department of Education Rules Governing the School Worker Defense Program and the School Worker Defense Program Advisory Board.

2.02 These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, 6-17-1113, 6-17-1118, 25-15-201 et seq. and Act 993 of 2011.

3.0 DEFINITIONS

3.01 “Authorized Volunteers” and “Volunteers in a Registered Volunteers Program” are those who meet the definition of “volunteer” and “registered volunteer” pursuant to Ark. Code Ann. §§ 6-22-101 through 6-22-108.

3.02 “Covered person” or “Covered entity” refers to those individuals and entities listed in Section 5.01 of these rules.

3.03 “Official duties” are those duties legitimately related to the carrying out of an individual’s position listed in Section 5.01 of these rules.

4.0 SCHOOL WORKER DEFENSE PROGRAM ADVISORY BOARD

4.01 The School Worker Defense Program Advisory Board is composed of the following seven (7) members:

4.01.1 The Executive Director of the Arkansas Association of Educational Administrators or his or her designee;

4.01.2 The President of the Arkansas Rural Education Association or his or her designee;

4.01.3 The Executive Director of the Arkansas School Boards Association or his or her designee;

4.01.4 The Executive Director of the Arkansas Education Association or his or her designee;

4.01.5 The designee of the Attorney General;

4.01.6 The Director of the Department of Finance and Administration or his or her designee; and

4.01.7 The Commissioner of Education or his or her designee.

4.01.8 No employee of the Department of Education who is charged with administering the School Worker Defense Program shall be eligible to serve as the designee of the Commissioner.

4.02 Members of the advisory board shall biannually elect a chair, a vice chair, and a secretary from the membership of the advisory board, whose duties shall be those customarily exercised by those officers or specifically designated by the advisory board.

4.03 The advisory board shall meet within the State of Arkansas and may meet as often as it deems necessary for the purpose of carrying out its duties as listed in Ark. Code Ann. § 6-17-1118 and these rules.

4.04 A majority of the members of the advisory board shall constitute a quorum for the purpose of a meeting.

4.05 The advisory board shall have final authority to hear and adjudicate any appeal filed by a school worker for protection against liability pursuant to Ark. Code Ann. § 6-17-1113 and these rules.

4.06 In an emergency situation, the chair of the advisory board may approve payment of a claim without a meeting of the advisory board.

4.07 The Arkansas Department of Education shall provide support staff for the advisory board.

5.0 SCHOOL WORKER DEFENSE PROGRAM

5.01 The School Worker Defense Program is established for the protection of:

5.01.1 Education service cooperatives;

5.01.2 Education service cooperative board members;

5.01.3 Public school districts;

5.01.4 Public charter schools;

5.01.5 Public school board members;

5.01.6 Public school treasurers and bookkeepers;

5.01.7 Public school nurses;

5.01.8 Public school secretaries;

5.01.9 Public school substitute teachers;

5.01.10 Authorized volunteers;

5.01.11 Volunteers in a registered volunteers program;

5.01.12 Public school custodians;

5.01.13 Food service workers employed by public schools;

5.01.14 Bus drivers and mechanics employed by public schools;

5.01.15 Maintenance personnel employed by public schools;

5.01.16 Each employee of the following who is required to hold a teaching certificate issued by the Department of Education:

5.01.16.1 A public school district;

5.01.16.2 The Arkansas School for Mathematics, Sciences, and the Arts;

5.01.16.3 The Arkansas School for the Deaf; and

5.01.16.4 The Arkansas School for the Blind;

5.01.17 A public charter school teacher;

5.01.18 Each teacher's aide and each student teacher:

5.01.18.1 In a public school district;

5.01.18.2 In a public charter school;

5.01.18.3 In the Arkansas School for Mathematics, Sciences, and the Arts;

5.01.18.4 In the Arkansas School for the Deaf; and

5.01.18.5 In the Arkansas School for the Blind; and

5.01.19 Each member of the dormitory staff of:

5.01.19.1 The Arkansas School for Mathematics, Sciences, and the Arts;

5.01.19.2 The Arkansas School for the Deaf; and

5.01.19.3 The Arkansas School for the Blind.

5.02 The School Worker Defense Program is authorized, subject to governmental or statutory immunity and any exclusions or rules set forth herein, to protect any of the entities and individuals listed in Section 5.01 of these rules against civil liability, attorney's fees, and costs of defense for acts or omissions of each employee, authorized volunteer or volunteer in a registered volunteers program in the performance of his or her duties as a school volunteer or his or her official duties as a school employee, including civil liability for administering corporal punishment to students, in the amount of:

5.02.1 Two hundred fifty thousand dollars (\$250,000) for incidents which occurred prior to July 1, 1999; and

5.02.2 One hundred fifty thousand dollars (\$150,000) for each incident which occurs after June 30, 1999.

5.03 The School Worker Defense Program is further authorized to provide limited financial reimbursement not to exceed five thousand dollars (\$5,000) for attorney's fees and costs for the defense of criminal charges if the covered person listed in Section 5.01 of these rules is exonerated by a court of law or if all charges are subsequently withdrawn or dismissed unless such withdrawal or dismissal is conditioned upon termination of employment or surrender of a professional license.

5.04 The School Worker Defense Program Advisory Board may authorize reimbursement under Section 5.03 of these rules in excess of five thousand dollars (\$5,000) in matters that the advisory board finds to require extraordinary attorney's fees and costs. Such authorization may be made at the sole discretion of the School Worker Defense Program Advisory Board if such authorization is sufficiently justified in writing by the covered person or entity as set forth in Section 7.01.2.4 of these rules.

- 5.05 The cost of the School Worker Defense Program shall be paid annually out of funds in the Public School Fund that are designated for that specific purpose.
- 5.06 The School Worker Defense Program shall not pay any costs associated with the administration of the School Worker Defense Program if no funds are designated in the Public School Fund for the purpose of administering the School Worker Defense Program, or if all designated funds have been depleted through the payment of claims through the School Worker Defense Program.
- 5.07 Any school districts previously covered by or moneys expended pursuant to the self-insurance program of the Arkansas Department of Education or the School Worker Defense Program shall be deemed a proper expenditure of state funds as set forth in Ark. Code Ann. § 6-17-1113(c) as that statutory subsection existed on July 1, 2011.
- 5.08 The establishment of the School Worker Defense Program, the approval of these rules and regulations, the investigation of any incident, the payment of any claim, or the defense of any covered person or entity by the School Worker Defense Program does not waive or forfeit any immunity or authorization to provide for hearing and settling claims extended to educational entities and their personnel by the laws of the State of Arkansas.

6.0 ADMINISTRATION OF THE SCHOOL WORKER DEFENSE PROGRAM

- 6.01 The School Worker Defense Program shall be a part of and administered by the Arkansas Department of Education.
- 6.02 The Commissioner of Education may appoint an Arkansas Department of Education Administrator (Program Administrator), who will administer the School Worker Defense Program.
- 6.03 The Program Administrator will receive and review requests for protection and coverage through the School Worker Defense Program.
- 6.04 The Program Administrator will determine whether requests for protection, coverage, reimbursement, or payment meet the requirements of Ark. Code Ann. § 6-17-1113 and these rules.
- 6.05 Any person entitled to protection under the School Worker Defense Program may appeal the decision of the Program Administrator to the School Worker Defense Program Advisory Board.

7.0 PROCEDURES FOR FILING A CLAIM

7.01 Any person entitled to protection under Section 5.01 of these rules shall submit a notice of claim to the Program Administrator.

7.01.1 The notice of claim shall be sent by certified mail, return receipt requested to:

School Worker Defense Program
ATTN: Program Administrator
Arkansas Department of Education
Four Capitol Mall
Little Rock, Arkansas 72201

7.01.2 The notice of claim shall include the following information:

7.01.2.1 The name, address, telephone number and position of the entity or individual covered under Section 5.01 of these rules;

7.01.2.2 If the claim is filed pursuant to Section 5.02 of these rules, a copy of the summons and complaint and an explanation of how the acts and omissions of the employee or volunteer in question were in the performance of his or her official duties;

7.01.2.3 If the claim is filed pursuant to Sections 5.03 or 5.04 of these rules, a copy of relevant court documents indicating the withdrawal, dismissal, or acquittal of criminal charges;

7.01.2.4 If the claim is filed pursuant to Section 5.04 of these rules, an explanation of the reasons why extraordinary attorney's fees and costs are appropriate;

7.01.2.5 A description of the nature of each insurance policy that may provide coverage for the claim. This description shall include, but not be limited to, coverage limits under each policy; and

7.01.2.6 The name, address, and telephone number of the attorney who will represent the covered entity or person in the matter, or a request for an attorney to be appointed by the School Worker Defense Program.

7.01.3 Notice of any claim must be given to the School Worker Defense Program within thirty (30) days of a covered person or entity

having knowledge of a civil or criminal action being filed or having reason to believe that a claim under the School Worker Defense Program will be made, whichever is later.

7.01.4 Once notice has been received by the covered person or entity as to the formal filing of charges or complaints, immediate notice shall be given to the School Worker Defense Program along with copies of any summons and complaints.

7.02 For requests for payment or reimbursement, the covered individual or entity shall provide an itemized invoice along with any information required by the Department of Education to substantiate the amounts listed in the invoice.

7.02.1 Invoices shall be submitted by the covered individual or entity quarterly (every three months). Invoices that are not submitted on a timely basis may not be paid by the School Worker Defense Program.

7.02.2 To be submitted on a timely basis, any request for payment of an expense or reimbursement, other than attorney's fees paid pursuant to Sections 5.03 and 5.04 herein, must be received by the Program Administrator within three (3) months of the date the expense was incurred by or known to the covered entity or person or attorney.

7.02.3 For invoices requesting the payment of attorney's fees, the School Worker Defense Program may reimburse the covered individual or entity for attorney's fees up to one hundred dollars (\$100.00) per hour. The payment of fees in excess of one hundred dollars (\$100.00) per hour is the responsibility of the covered individual or entity.

7.03 The Program Administrator shall make an initial determination of whether the request for protection, coverage, reimbursement, or payment meet the requirements of Ark. Code Ann. § 6-17-1113 and these rules.

7.04 The Program Administrator shall notify the individual or entity making the claim or request for reimbursement and/or payment of the initial determination, in writing, within ten (10) days of receipt of the notice of claim or request for reimbursement and/or payment, subject to the provision of Section 7.05 below. If the Program Administrator denies a claim, the Program Administrator shall provide in writing the reasons for the denial.

7.05 The Program Administrator may request additional information before making an initial determination. If additional information is needed for a proper determination, and if the Program Administrator gives timely notice of the request to the individual or entity making the claim, the Program Administrator may approve or disapprove the request for protection, coverage, reimbursement, or payment within ten (10) days of receipt of the additional information.

8.0 PROCEDURES FOR FILING AN APPEAL WITH THE SCHOOL WORKER DEFENSE PROGRAM ADVISORY BOARD

8.01 The individual or entity filing the claim may appeal the initial determination of the Program Administrator by filing a written notice of appeal with the School Worker Defense Program Advisory Board within twenty (20) days of receipt of the initial determination.

8.02 The written notice of appeal shall be sent certified mail, return receipt requested to:

School Worker Defense Program Advisory Board
ATTN: Program Administrator (APPEAL)
Arkansas Department of Education
Four Capitol Mall
Little Rock, Arkansas 72201

8.03 The written notice of appeal shall include a detailed explanation of how the request for protection, coverage, reimbursement, or payment meets the requirements of Ark. Code Ann. § 6-17-1113 and these rules, and whether the appealing party wishes to appear in person at the meeting during which the School Worker Defense Program Advisory Board will review the appeal. If the appealing party does not wish to appear in person at the meeting during which the appeal will be heard, the School Worker Defense Program Advisory Board may determine whether to grant or deny the appeal based upon the written materials provided by the appealing party and the Program Administrator.

8.04 The School Worker Defense Program Advisory Board shall schedule a meeting to review the appeal as soon as practicable, but no later than thirty (30) days from the date of receipt of the notice of appeal by the School Worker Defense Program.

8.05 The Program Administrator shall notify the appealing party in writing of the date, time, and location of the meeting during which the School Worker Defense Program Advisory Board will review the appeal.

8.06 If the appealing party appears at the meeting during which the appeal is heard, the following procedures shall apply:

8.06.1 The Program Administrator shall provide an introduction of the matter and present the reasons supporting the Program Administrator's initial determination. The presentation of the Program Administrator shall be limited to fifteen (15) minutes.

8.06.2 The appealing party or the appealing party's representative may provide a presentation of up to fifteen (15) minutes explaining how the appealing

party's request for protection, coverage, reimbursement, or payment meets the requirements of Ark. Code Ann. § 6-17-1113 and these rules.

8.06.3 The chairperson of the School Worker Defense Program Advisory Board may, for good cause, allow the Program Administrator and/or the appealing party additional time to complete their presentations.

8.06.4 Any member of the School Worker Defense Program Advisory Board may, at any time, ask questions of the Program Administrator or appealing party.

8.07 A decision to grant or deny the appeal shall be made by a majority of the members of the School Worker Defense Program Advisory Board who are present at the meeting during which the appeal is heard.

8.08 The School Worker Defense Program Advisory Board's decision shall be in writing or stated in the record and shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings.

8.09 The School Worker Defense Program Advisory Board shall notify the appealing party of its decision concerning the appeal within seven (7) days of the meeting during which the appeal is considered. The notice shall include a copy of the written decision issued by the School Worker Defense Program Advisory Board.

8.10 A decision to grant or deny the appeal shall be final.

9.0 CONDITIONS

9.01 Nothing in these rules should be interpreted to waive any governmental or statutory immunity available under Arkansas law.

9.02 Any covered person or entity shall cooperate fully in the defense provided by the School Worker Defense Program. However, a covered person or entity shall not voluntarily make any payment, assume any obligation, incur any expense, or enter into any settlement agreement without prior written approval from the Program Administrator. A violation of this stipulation may void any or all benefits for protection or coverage under the School Worker Defense Program.

9.03 The protection or coverage provided by the School Worker Defense Program is primary to any group protection or insurance furnished by a teacher organization.

9.04 The protection or coverage provided by the School Worker Defense Program is secondary or excess to any protection, insurance or policy purchased by a school

district, association of school districts, or provided by any self-funded risk sharing pool or insurance cooperative.

9.05 The School Worker Defense Program may settle or defend, as necessary, any suit or claim seeking compensatory damages. However, any portion of any claim or suit not pertaining to compensatory damages may not be settled without the permission of the covered person or entity involved.

9.06 The attorney representing the covered individual or entity must file, on a quarterly basis, a short summary concerning the status of the lawsuit with the Program Administrator. Failure to file a timely summary may result in withdrawal of coverage under the School Worker Defense Program.

10.0 EXCLUSIONS

10.01 The protection afforded under the School Worker Defense Program does not apply to any claims for damages which are successfully defended on the affirmative defense of governmental or statutory immunity under Arkansas law. The School Worker Defense Program may pay attorney's fees and costs for the purpose of asserting a successful affirmative defense of governmental or statutory immunity.

10.02 The School Worker Defense Program shall not provide protection, coverage or payment for the following:

10.02.1 Intentional torts committed outside the scope of employment; or dishonest or criminal acts or omissions, other than corporal punishment administered in accordance with school district policies on file with the Arkansas Department of Education. Such disqualifying acts do not include intentional acts that are reasonably committed in self-defense, in defense of another, or to prevent bodily injury to self or another;

10.02.2 Contractual damages, including back wages;

10.02.3 Acts or omissions falling outside the official duties of a covered person;

10.02.4 Violation of a court order issued by a court of competent jurisdiction;

10.02.5 Punitive damages;

10.02.6 Willful violation of a penal statute or ordinance committed by or with the knowledge or consent of a covered person;

- 10.02.7 Lawsuits involving desegregation related issues filed after September 14, 1993;
- 10.02.8 Lawsuits involving voting rights issues filed after September 14, 1993;
- 10.02.9 Administrative hearings or other hearings of any type unless a formal civil complaint has been filed;
- 10.02.10 Plaintiff attorneys' fees;
- 10.02.11 The payment or reimbursement of any deductible or self-insured retention included in any protection, insurance or policy purchased by a school district, association of school districts, or provided by any self-funded risk sharing pool or insurance cooperative;
- 10.02.12 Any and all demands, claims, suits, actions, complaints, or litigation brought by or filed by a covered entity against another covered entity;
- 10.03 The School Worker Defense Program shall not provide or afford any protection or defense in any form for the operation, maintenance, or use of any motor vehicle, or for any automobile claims of any type.

Rules and Regulations
Governing the School Workers Defense Program
August 30, 1999

1.00 Regulatory Authority

- 1.01 — ~~These rules and regulations shall be known as Arkansas Department of Education Rules and Regulations Governing the Administration of the School Worker Defense Program.~~
- 1.02 — ~~These regulations are enacted pursuant to the State Board of Education's specific authority under Ark. Code Ann. §6-17-1113 (Supp. 1997), as amended by Act 540 of 1999.~~

2.0 Purpose

~~These rules and regulations are enacted to set forth the procedures used by the Department of Education to govern the administration of the School Worker Defense Program. The Department of Education is authorized and directed to establish a School Worker Defense Program for protection against civil liability, attorney's fees, and costs of defense for certain acts or omissions of protected persons while in the performance of his/her duties as a school district employee or volunteer.~~

3.00 Definitions

- 3.01 — ~~"Educational Activity" means Acts or omissions of those protected employees/volunteers listed in Section 4.00, in connection with his or her authorized duties as a member of the faculty and/or staff of any public school district, educational cooperative, School for the Blind, School for the Deaf, or the School for Mathematics and Sciences.~~
- 3.02 — ~~"Bodily Injury" means Physical injury to the body, or to sickness or disease contracted by the injured as a result of the injury.~~
- 3.03 — ~~"Property Damage" means Physical damage to or destruction of property including loss of use.~~
- 3.04 — ~~"Personal Injury" means False arrest, malicious prosecution, libel, slander, defamation, violation of right of privacy, wrongful entry or eviction, mental injury, mental anguish, shock, humiliation, unlawful detention, or false accusation.~~
- 3.05 — ~~"Protected Person" means Any individual, group of individuals or entities identified in Section 4.00 of this document.~~
- 3.06 — ~~"Official Duties" means Acts or omissions of any protected person (official school board member) resulting from his or her participation in a meeting or activity directed by the action of the school board and as reflected in the minutes of a legal board meeting. This does not include individual acts or omissions of a school board member outside the scope of their official duties or responsibilities.~~

~~3.07 "School Nurse" means Registered nurse or licensed practical nurse employed by a protected entity.~~

~~3.08 "Wrongful Act" means Any actual or alleged breach of duty, neglect, error, misstatement, misleading statement or omission committed solely in the performance of official duties as a school board member or school employee and occurring during the protection period. Wrongful acts shall not include bodily injury, property damage, or personal injury. Wrongful acts shall also not include failure to desegregate and/or violation of voting rights."~~

~~3.09 "Punitive Damages" means Those damages awarded in a court of law, that are imposed to punish a wrongdoer and to deter others from similar conduct.~~

4.00 Protected Persons

~~4.01 The School Worker Defense Program protection's are defined in A.C.A § 6-17-1113(a) (Supp. 1997), as amended by Act 540 of 1999.~~

~~Protected entities and persons include the following:~~

~~4.01.1 Educational service cooperatives and their board members;~~

~~4.01.2 School districts and their board members;~~

~~4.01.3 School secretaries;~~

~~4.01.4 School treasurers;~~

~~4.01.5 School bookkeepers;~~

~~4.01.6 School nurses;~~

~~4.01.7 Substitute teachers;~~

~~4.01.8 Authorized volunteers;~~

~~4.01.9 Volunteers in the registered volunteer program;~~

~~4.01.10 School custodians;~~

~~4.01.11 Food service workers employed by public schools;~~

~~4.01.12 Bus drivers;~~

~~4.01.13 School mechanics;~~

~~4.01.14 School maintenance personnel;~~

~~4.01.15 Each employee of a public school district;~~

~~4.01.16 Each employee of the Arkansas School for Mathematics and Sciences;~~

~~4.01.17 Each employee of the Arkansas School for the Deaf and Blind required to hold a certificate issued by the Department of Education;~~

~~4.01.18 Each teacher's aid and each student teacher in any public school district;~~

~~4.01.19 Each teacher's aid and each student teacher in the Arkansas School for Mathematics and Sciences;~~

~~4.01.20 Each teacher's aid and student teacher in the Arkansas School for the Deaf and Blind;~~

~~4.01.21 Each member of the dormitory staff for the Arkansas School for Mathematics and Sciences;~~

~~4.01.22 Each member of the dormitory staff for the Arkansas School for the Deaf and Blind.~~

~~4.02 — Authorized volunteers or registered volunteers to protected entities as defined in A.C.A. §§ 6-22-101 et seq. (Supp. 1997).~~

5.00 Protections and Limits of Protection

5.01 — Civil Complaints

~~Subject to governmental immunity and exclusions outlined in Section 11, the School Worker Defense Program will pay all sums the protected person shall become legally obligated to pay as damages because of bodily injury, property damage, or personal injury arising out of the protected persons educational activity or official duties. The program will also pay the attorneys' fees and costs in defending any protected person in any action in which governmental immunity may be applicable, but only for the purpose of pursuing that defense. The maximum the School Worker Defense Program will pay for claims under this caption is two hundred fifty thousand dollars (\$250,000) for incidents which occurred prior to July 1, 1999, and one hundred fifty thousand dollars (\$150,000) for each incident which occurred after June 30, 1999 including reasonable defense costs and expenses otherwise stated in this document.~~

5.02 — Wrongful Acts

~~The School Worker Defense Program shall provide an attorney and pay reasonable attorney fees and reasonable and necessary costs of defense up to fifty thousand dollars (\$50,000) per incident for any suit alleging a wrongful act, as defined in Section 3.08. Protected persons may reject the School Worker Defense Program's defense and defend these charges at their own expense.~~

~~5.03—Defense of Criminal Charges Arising From Corporal Punishment~~

~~5.03.1 The School Worker Defense Program shall provide an attorney and pay reasonable attorney fees and necessary costs in the defense of all criminal charges arising out of the use of corporal punishment in any one incident administered in accordance with the discipline policies filed by the local school districts' board of education with the Department of Education. The cost for the defense under this section for reasonable attorney's fees and the necessary cost shall not exceed five thousand dollars (\$5,000).~~

~~5.03.2 The defense afforded by this Section does not apply to any incident of corporal punishment administered other than in accordance with the school policy on file with the Department of Education.~~

~~5.04 Defense of Criminal Charges~~

~~5.04.1 The School Worker Defense Program may reimburse the protected person for attorney fees and reasonable and necessary costs in defense of all criminal charges arising out of any one incident and arising out of the educational activities within the scope of his/her employment. The reimbursement of attorney fees and costs are contingent upon the protected person being exonerated by a court of law or all charges are permanently dismissed or withdrawn. The protected person shall provide proof of all attorney's fees, costs or expenses at the request of the School Worker Defense Program before reimbursement is made.~~

~~5.04.2 The reimbursement under this Section shall not exceed five thousand dollars (\$5,000). However, the School Worker Defense Program Advisory Board may, at its discretion, authorize reimbursement in excess of five thousand dollars (\$5,000) in matters that the Board finds to require extraordinary attorneys' fees and costs.~~

~~5.04.3 In no case shall the School Worker Defense Program be obligated to reimburse any legal fees or expenses which will benefit any insurance company, self insurance plan or risk sharing pool.~~

~~5.05—Automobile Protection~~

~~The School Worker Defense Program shall not provide or afford protection or defense in any form for automobile claims.~~

~~6.00—Governmental Immunity~~

~~The establishment of the School Worker Defense Program, the approval of these rules and regulations, the investigation of any incident, or the defense of any protected person by this Program does not waive or forfeit any immunity.~~

7.00 Conditions

7.01 — Notice of Claim

~~7.01.1 Notice of claim must be given to the School Worker Defense Program within 30 days of a protected person having knowledge or believing that a claim under this program will be made.~~

~~7.01.2 Once notice has been received by the protected person as to the formal filing of charges or complaints, immediate notice shall be given to the School Worker Defense Program along with copies of any summons and complaints.~~

7.02 — Duty to Cooperate

~~Any protected person shall cooperate fully in the defense provided by this program. However, a protected person shall not voluntarily make any payment, assume any obligation, incur any expense, or enter into any settlement agreement without prior written approval from the School Worker Defense Program. Violation of this stipulation may void any or all benefits or protection provided by the School Worker Defense Program.~~

7.03 — Other Insurance or Protection

~~The coverage provided by this Program for civil complaints is primary to any group protection or insurance furnished by any teacher organization. However, this program protection is excess to any protection, insurance or policy purchased by a local school district, association of school districts, or provided by any self-funded risk sharing pool, or insurance cooperative. In any claim, action, complaint, litigation or circumstance in which this Program is excess to any other protection, insurance or policy purchased by a local school district, association of school districts, or provided by any self-funded risk sharing pool, or insurance cooperative, this Program will not apply to, or be responsible for, the payment or reimbursement of any deductible or self-insured retention included in the primary protection, insurance or policy.~~

8.00 — Limits of Liability

~~The protection afforded by this Program shall not exceed the sum of one hundred fifty thousand dollars (\$150,000) per occurrence after July 1, 1999, regardless of the number of protected persons involved or the number of claims being made.~~

9.00 — Settlement

~~This Program may settle or defend, as it deems necessary, any suit or claim seeking compensatory damages. However, any portion of any claim or suit not pertaining to compensatory damages, cannot be settled without the permission of the protected person or entity involved.~~

~~10.00 School Worker Defense Program Advisory Board~~

~~10.01 The School Worker Defense Program Advisory Board shall be composed of seven members. The members are as follows:~~

~~10.01.1 The Executive Director of the Arkansas Association of Educational Administrators or his designee;~~

~~10.01.2 The President of the Arkansas Rural Education Association or his designee;~~

~~10.01.3 The Executive Director of the Arkansas School Boards Association or his designee;~~

~~10.01.4 The Executive Director of the Arkansas Education Association or his designee;~~

~~10.01.5 The designee of the Attorney General;~~

~~10.01.6 The Director of the Department of Finance and Administration or his designee; and~~

~~10.01.7 The Director of the Department of the Education or his designee.~~

~~10.02 The Department of Education shall provide support staff for the Advisory Board.~~

~~10.03 Members of the board shall biannually elect a chairman, a vice chairman and a secretary from the membership of the Board, whose duties shall be those customarily exercised by those officers or specifically designated by the Board.~~

~~10.04 The members of the Advisory Board shall meet within the State of Arkansas as often as they deem necessary for the purpose of carrying out their duties. In an emergency situation, the chairman of the Board may approve payment of a claim without the meeting of the Board.~~

~~10.05 The duties of the School Worker Defense Program Advisory Board are as follows but not limited to:~~

~~10.05.1 Authorizing reimbursement in excess of five thousand dollars in cases of the defense of criminal charges that the Board finds requires extraordinary attorney's fees and costs.~~

~~10.05.2 Hearing the appeal of a decision made by the Department by a covered person.~~

~~10.05.3 Approval of payment in an emergency situation by the Chairman without a meeting of the Board.~~

11.00 Exclusions: The Program will not apply to/provide protection for the following:

~~11.01 Intentional, dishonest or criminal acts or omissions, other than corporal punishment administered in accordance with school district policies on file with the State Department of Education.~~

~~11.02 Contractual damages, including back wages~~

~~11.03 Activity outside the official duties of a protected person.~~

~~11.04 Violation of a Court Order issued by a court of competent jurisdiction and addressed to the school district.~~

~~11.05 Punitive damages.~~

~~11.06 Willful violation of a penal statute or ordinance committed by or with the knowledge or consent of a protected person.~~

~~11.07 Any and all claims for damages which are subject to the affirmative defense of governmental immunity under Arkansas law.~~

~~11.08 Lawsuits involving desegregation related issues filed after September 14, 1993.~~

~~11.09 Lawsuits involving voting rights issues filed after September 14, 1993.~~

~~11.10 Hearings of any type unless a formal civil complaint or lawsuit has been filed.~~

~~11.11 The School Worker Defense Program will not provide or afford any protection or defense in any form for the operation, maintenance, or use of any motor vehicle, or for any automobile claims of any type.~~

~~11.12 Plaintiff Attorney's fees.~~

~~11.13 The payment or reimbursement of any deductible or self insured retention included in any protection, insurance or policy purchased by a local school district, association of school districts, or provided by any self funded risk sharing pool, or insurance cooperative.~~

~~11.14 Any and all demands, claims, suits, actions, complaints, litigation, or other circumstances brought by or filed by one protected entity against another protected entity. In this regard, protected entities means and includes any public school district, any educational service cooperative, the Arkansas School for Mathematics & Sciences, the Arkansas School for the Deaf, and the Arkansas School for the Blind.~~

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE SCHOOL SUPERINTENDENT MENTORING PROGRAM

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 a school year. 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 Upon the availability of funding for the School Superintendent Mentoring Program, 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.

3.02 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 The Department of Education shall, in conjunction with the Arkansas Association of Educational Administrators, establish all necessary requirements pertaining to the qualification of mentors under the superintendent mentoring program. Such qualifications shall be in addition to the basic qualifications set forth in Section 6.00 of these rules.

- 3.04 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.
- 3.05 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 Understanding reports and trend data; and
 - 4.01.10 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 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.

5.03 The twelve (12) month period described in section 5.01 of these rules 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.

6.00 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 and shall not take effect until funding is available.

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
RULES AND REGULATIONS GOVERNING ETHICAL GUIDELINES AND
PROHIBITIONS FOR EDUCATIONAL ADMINISTRATORS, EMPLOYEES,
BOARD MEMBERS AND OTHER PARTIES
July 11, 2005**

1.00 REGULATORY AUTHORITY

- 1.01 These rules and regulations shall be known as the Arkansas Department of Education Rules Governing Ethical Guidelines and Prohibitions for Educational Administrators, Employees, Board Members and other parties.
- 1.02 These rules are enacted pursuant to the Arkansas State Board of Education's authority under Ark. Code Ann. §§ 6-11-105, 6-24-101 et seq., 25-15-201 et seq., and Act 878 of 2011. ~~et. Seq. and Act 1381 of the 85th Arkansas General Assembly.~~

2.00 PURPOSE

- 2.01 The purpose of these rules is to set forth certain ethical guidelines and prohibitions for educational administrators, employees, board members and other parties which involve contracts, transactions or agreements with Arkansas public school districts, charter schools, educational cooperatives or any publicly supported entity having supervision over public educational entities excluding institutions of higher education.

3.00 DEFINITIONS

Unless otherwise specifically stated herein, the term:

- 3.01 "Administrator" means any superintendent, assistant superintendent or his/her equivalent, open-enrollment public charter school director, school district treasurer, business manager, or other individual responsible for entity-wide purchasing. *The determining factor for being considered an "administrator" for the purposes of these regulations, ~~and compliance with Act 1599 of 2001~~ is the actual or implied authority of an individual to make purchases on behalf of the entire organization. This definition excludes many building principals (whose purchasing authority is often limited to their own school), but could include athletic directors or others. Classified employees serving in food services, business/accounting or other capacities may also be considered "administrators" ~~under Act 1599~~ when they exercise autonomous system-wide purchasing authority.*
- 3.02 "Board" means local school boards or other governing bodies of public educational entities;

- 3.03 “Board Member” means any board member, director, or other member of a governing body of a public educational entity;
- 3.04 “Board of Education” means the State Board of Education;
- 3.05 “Commissioner” means the Commissioner of the Arkansas Department of Education or his or her designee.
- 3.06 “Commodities” means all supplies, goods, material, equipment, computers, software, machinery, facilities, personal property, and services, other than personal and professional services, purchased for or on behalf of a public educational entity;
- 3.07 “Contract” means any transaction or agreement for the purchase, lease, transfer, or use of real property or personal property and personal or professional services, including but not limited to, motor vehicles, equipment, commodities, materials, services, computers or other electronics, construction, capital improvements, deposits, and investments;
- 3.08 “Contract disclosure form” means the form herein incorporated and attached to these rules ~~and regulations~~ as Appendix Form ~~E~~ B;
- 3.09 “Day” means a working day in which the Arkansas Department of Education is open to transact official governmental business;
- 3.10 “Department” means the Arkansas Department of Education;
- 3.11 “Directly” or “directly interested” means receiving compensation or other benefits personally or to a business or other entity in which the individual has a financial interest or receives other benefits. *See 3.16 “Financial interest.” A direct interest exists even when a management position or ownership interest is merely “on paper,” and is not dependent on the exercise of actual authority or the receipt of actual financial benefits from a business or entity;*
- 3.12 “Emergency purchase” means purchases mandated by unforeseen and unavoidable circumstances in which human life, health, or public property is in immediate jeopardy; and the expenditure is necessary to preserve life, health, or public property;
- 3.13 “Employee” means a full-time employee or part-time employee of a public educational entity;

3.14 “Employment contract” ~~M~~means an agreement or contract between an employer and an employee in which the terms and conditions of the employment are provided.

3.15 “Family” or “family members” means:

3.15.1 An individual’s spouse;

3.15.2 Children of the individual or the children of the individual’s spouse;

3.15.3 The spouse of a child of the individual or the spouse of a child of the individual’s spouse;

3.15.4 Parents of the individual or parents of the individual’s spouse;

3.15.5 Brothers and sisters of the individual or brothers and sisters of the individual’s spouse;

3.15.6 Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual’s spouse; or

3.15.7 Anyone acting or serving as an agent of the individual or as an agent of the individual’s spouse.

~~(A) — An individual’s spouse;~~

~~(B) — Children of the individual or the individual’s spouse;~~

~~(C) — The spouse of a child of the individual or the spouse of a child of the individual’s spouse;~~

~~(D) — Parents of the individual or the spouse;~~

~~(E) — Brothers and sisters of the individual or the spouse;~~

~~(F) — Anyone living or residing in the same residence or household with the individual or the spouse; or~~

~~(G) — Anyone acting or serving as an agent of the individual or the spouse.~~

3.16 "Financial interest" in a business or other entity means:

3.16.1 Ownership of more than a five percent (5%) interest;

3.16.2 Holding a position as officer, director, trustee, partner, or other top level management; or

3.16.3 Being an employee, agent, independent contractor, or having any other arrangement in which the individual's compensation is based in whole or in part on transactions with the public educational entity.

3.16.4 "Financial interest" does not include:

3.16.4.1 The ownership of stock or other equity holdings in any publicly held company; or

3.16.4.2 Clerical or other similar hourly compensated employees.

~~(A) Ownership of more than a five percent (5) interest; or~~

~~(B) Holding a position as an officer, director, trustee, partner, or other top level management; or~~

~~(C) Being an employee, agent, independent contractor, or other arrangement where the individual's compensation is based in whole or in part on transactions with the public educational entity; or~~

~~(D) Financial interest does not mean the ownership of stock or other equity holdings in any publicly held company. or~~

~~(E) Financial interest does not mean clerical or other similar hourly compensated employees.~~

3.17 "Gratuity" means a payment, loan, subscription, advance, deposit of money, travel, services or anything having a present market value of one hundred dollars (\$100) or more unless consideration of substantially equal or greater value is received;

3.18 "Indirectly" or "indirectly interested" means that a family member, business, or other entity in which the individual or family member has a financial interest will receive compensation or benefits; receiving compensation or other benefits personally, to a family member, or to a business or other entity in which the individual or a family member has a financial interest;

3.19 "Initially employed" means:

3.19.1 Employed in either an interim or permanent position for the first time or following a severance in employment with the school district; or

3.19.2 A change in the terms and conditions of any existing contract, excluding:

3.19.2.1 Any renewal of a teacher contract under Ark. Code Ann. § 6-17-1506;

3.19.2.2 Renewal of a noncertified employee's contract that is required by law; or

3.19.2.3 Movement of an employee on the salary schedule that does not require board action.

(A) ~~Employed in either an interim or permanent position for the first time or following a severance in employment with the school district; or~~

(B) ~~A change in the terms and conditions of an existing contract, excluding:~~

(i) ~~Any renewal of a teacher contract under Ark. Code Ann. § 7-17-1506; or~~

(ii) ~~Renewal of a noncertified employee's contract that is required by law.~~

(iii) ~~Movement of an employee on the salary schedule which does not require board action.~~

3. 20 “Public educational entity” means Arkansas public school districts, charter schools, educational service cooperatives, or any publicly-supported entity having supervision over public educational entities. “Public educational entity” does not include institutions of higher education.

3.21 “Unusual and limited circumstances” means, without limitation, those circumstances that are uncommon, rare and restricted.

3.21.1 For the purposes of employment contracts, unusual and limited circumstances may include without limitation, a shortage of qualified candidates.

3.21.2 For contracts and transactions other than employment contracts, unusual and limited circumstances may include without limitation: the selected vendor being the only vendor within a reasonable distance offering the required services; or the selected vendor offering the lowest bid for prices or services as compared to two (2) or more other bidders.

3.242 “Written resolution” means the form herein incorporated and attached to these rules and regulations as Appendix Form F C.

4.00 COMPLIANCE WITH OTHER LAWS AND RULES

- 4.01 Nothing in these rules alters or diminishes other statutory or regulatory requirements regarding purchasing, contracting, bidding, disposition of property, or other transactions with public educational entities.
- 4.02 Nothing in these rules alters or diminishes the professional and/or ethical obligations of licensed personnel.

5.00 GENERAL PROHIBITION

- 5.01 No board member, administrator, or employee shall knowingly use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or others.
- 5.02 While serving as a board member, administrator, or employee, an individual shall not accept employment, contract, or engage in any public or professional activity that a reasonable person would expect might require or induce him or her to disclose any information acquired by the member by reason of his or her official position that is declared by law or regulation to be confidential.
- 5.03 No board member, administrator, or employee shall knowingly disclose any confidential information gained by reason of his or her position, nor shall the member knowingly otherwise use such information for his or her personal gain or benefit.
- 5.04 Nothing in these rules prohibits board members, administrators, or employees of public educational entities from donating services or property to a public educational entity.

~~4.00 GENERAL PROHIBITION~~

- ~~4.01 No board member, administrator, or employee of a public educational entity shall knowingly use or attempt to use his/her official position to secure unwarranted privileges or exemptions for himself/herself or others.~~
- ~~4.02 No board member, administrator, or employee of a public educational entity shall accept employment, contract, or engage in any professional activities for which a reasonable person might be expected in exchange to disclose confidential information acquired by the board member, administrator or employee by reason of his/her official position with the public educational entity.~~

~~4.03 — No board member, administrator, or employee shall knowingly disclose any confidential information gained by reason of his/her position or use such confidential information for his/her personal gain or benefit.~~

~~5.00 — TECHNOLOGY PROHIBITION~~

~~5.01 — All transactions are prohibited involving the purchase, lease, acquisition or other use of computers, software, copiers or other electronic devices from family members of an employee responsible for establishing specifications or approving purchases of such equipment for the public educational entity which unless approved according to the public disclosure requirements regarding contracts with employees of a public educational entity which have a direct interest in such contracts as provided for in Section 12.00 of these rules and regulations.~~

6.00 GENERAL ETHICAL STANDARDS FOR NON-EMPLOYEES

Any effort by a nonemployee to influence a public educational entity board member, administrator, or employee to breach the standards of ethical conduct stated in these rules and Ark. Code Ann. § 6-24-101 et seq. is a breach of ethical standards punishable under the criminal penalties set forth in Ark. Code Ann. § 6-24-101 et seq.

~~6.01 — No person shall attempt by any effort to influence any public educational entity board member, administrator, or employee to knowingly violate any provisions of these rules.~~

~~6.02 — Any person attempting to influence a public educational entity board member, administrator, or employee to knowingly violate the provisions of these rules may be subject to the criminal penalties provided for in Act 1599 of 2001 and the Arkansas criminal code.~~

7.00 EMPLOYMENT RESTRICTIONS OF ADMINISTRATORS RESTRICTIONS ON EMPLOYMENT OF PRESENT AND FORMER ADMINISTRATORS

7.01 Unless written approval is granted by the Commissioner of the Arkansas Department of Education, it is a breach of ethical standards for administrators to be or become the employee, agent, or independent contractor of any party contracting with the public educational entity the administrators serve. The Commissioner's approval letter shall be filed with and maintained by the public educational entity employing the administrator. provides written approval otherwise, administrators are prohibited from being or becoming the employee, agent or independent contractor of any party contracting with the public educational entity they serve while serving as an administrator for that public educational entity.

- 7.02 ~~Unless written approval is granted by the Commissioner of the Arkansas Department of Education, it is a breach of ethical standards for administrators to engage in selling or attempting to sell commodities or services to the public educational entity they served or were employed by for one (1) year following the date employment or service ceased. provides written approval otherwise, administrators are prohibited from engaging in selling or attempting to sell commodities or services to the public educational entity which employs him/her as an administrator for one (1) year following the termination of his/her employment as an administrator for the public educational entity.~~

8.00 GRATUITIES AND KICKBACKS

- 8.01 It is a breach of the ethical standards for any person to offer, give, or agree to give any board member, administrator, or employee a gratuity or an offer of employment in connection with any contract or transaction of a public educational entity.
- 8.02 It is a breach of the ethical standards for any board member, administrator, or employee to solicit, demand, accept, or agree to accept from another person or entity a gratuity or an offer of employment in connection with any contract or transaction of a public educational entity.
- 8.03 It is a breach of the ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a person or an entity as an inducement for the award of a contract or transaction with a public educational entity.
- ~~8.01 No person may offer, give or agree to give any board member, administrator, or employee of a public educational entity a gratuity or an offer of employment in connection with any contract or transaction with a public educational entity.~~
- ~~8.02 No board member, administrator, or employee may solicit, demand, accept, or agree to accept from another person or entity a gratuity or an offer of employment in connection with any contract or transaction with a public educational entity.~~
- ~~8.03 No person may induce the award of a contract or transaction with a public educational entity by offering any payment, gratuity, or offer of employment to be made by or on behalf of a person or entity directly or indirectly interested in the contract or transaction with a public educational entity.~~

9.00 EMERGENCY PURCHASES

- 9.01 Any emergency purchases or contracts with a public educational entity shall be exempt from the prohibitions of these rules.

- 9.02 Emergency purchases shall only be used ~~only those contracts~~ for the preservation of life, health or public property, and shall not be used to substantially improve the condition of an asset of the public educational entity, the board member, administrator or employee of the public educational entity prior to the emergency.
- 9.03 Each public educational entity shall maintain records and copies of all documentation relating to and supporting a determination that the transactions qualify ~~qualifies as an emergency purchases for three (3) years from the date of the emergency purchase.~~
- 9.04 Any person ~~attempting to use~~ using emergency purchases to avoid the intent of these rules ~~and regulations~~ shall be guilty of violating these rules and shall be subject to the penalties provided for in ~~Section 17.00~~ of these rules and in Ark. Code Ann. § 6-24-101 et seq.

10.00 ~~BOARD MEMBERS~~ SCHOOL BOARDS

- 10.01 General Prohibition: Except as otherwise provided, it is a breach of the ethical standards for a board member to contract with the public educational entity the member serves if the board member has knowledge that he or she is directly or indirectly interested in the contract.
- 10.02 Employment of Family Members: A board member's family member may not be initially employed by the public educational entity the member serves during the member's tenure of service on the local board for compensation in excess of five thousand dollars (\$5,000) unless the Commissioner issues a letter of exemption and approves the employment contract based on unusual and limited circumstances.
- 10.02.1 The determination of unusual and limited circumstances shall be at the sole discretion of the Commissioner as further defined by these rules.
- 10.02.2 A family member of a school board member who was employed by the public educational entity during the school year immediately preceding the election of the board member may continue employment with the public educational entity under the same terms and conditions of the previously executed contract and any renewal of the contract under Ark. Code Ann. § 6-17-1506.
- 10.02.3 Subject to the local board's written policy, a qualified family member of a board member may be employed as a substitute teacher, substitute cafeteria worker, or substitute bus driver for a

period of time not to exceed a total of thirty (30) days per fiscal year for the public educational entity served by the board member.

10.02.4 No employment contract that is prohibited under this section is valid or enforceable by any party to the employment contract until approved in writing by the Commissioner.

10.02.5 The Commissioner's approval of an employment contract may include restrictions and limitations that are by this section incorporated as terms or conditions of the contract.

10.02.6 Excluding any renewal of a contract under Ark. Code Ann. § 6-17-1506, any change in the terms and conditions of an employment contract, a promotion, or a change in employment status for a family member of a school board member employed by a public educational entity that will result in an increase in compensation of more than two thousand five hundred dollars (\$2,500) must be approved in writing by the Commissioner before any change in the terms or conditions of the employment contract or promotion or changes in employment status are effective, valid, or enforceable.

10.03 Exceptions:

10.03.1 Board Approval: In unusual or limited circumstances, a public educational entity's board may approve a contract, but not an employment contract, between the public educational entity and the board member or the member's family if the board determines that the contract is in the best interest of the public educational entity.

10.03.1.1 In unusual or limited circumstances, a public educational entity's board may approve an employment contract as provided in this section.

10.03.1.2 The approval by the public educational entity's board shall be documented by written resolution(Form C) after fully disclosing the reasons justifying the contract or employment contract in an open meeting. Such disclosure should include without limitation the contract disclosure form (Form B). The resolution shall state the unusual and limited circumstances necessitating the contract or employment contract and shall document the

restrictions and limitations of the contract or employment contract.

10.03.1.3 If any proposed contract or employment contract is with a family member of a board member or a board member directly or indirectly interested in the proposed contract or employment contract, then the board member shall leave the meeting until the voting on the issue is concluded, and the absent member shall not be counted as having voted.

10.03.2 Independent Approval: If it appears the total transactions or contracts with the board member or a family member for a fiscal year total, or will total, five thousand dollars (\$5,000) or more, the superintendent or other chief administrator of the public educational entity shall forward the written resolution (Form C) along with all relevant data, including Form B, to the Commissioner for independent review and approval.

10.03.2.1 The written resolution and other relevant data shall be sent by certified mail, return receipt requested, or other method approved by the State Board of Education to assure that adequate notice has been received by the Department of Education and to provide a record for the school district board of directors sending the request for approval.

10.03.2.2 Upon review of the submitted data for any contract, including an employment contract, the Commissioner, within twenty (20) days of receipt of the resolution and other relevant data, shall approve or disapprove in writing the board's request.

10.03.2.3 The Commissioner may request additional information or testimony before ruling on a request. If additional data are needed for a proper determination, the Commissioner shall approve or disapprove the contract within twenty (20) days of receipt of the additional requested data.

10.03.2.4 If the Commissioner does not respond to the public educational entity within the twenty-day period or request additional time or data for

proper review of the contract, the contract shall be deemed to be approved by the Commissioner.

10.03.2.5 If approved, the Commissioner shall issue an approval letter stating all the relevant facts and circumstances considered and any restrictions or limitations pertaining to the approval. The Commissioner may grant the approval for a particular transaction or contract, a series of related transactions or contracts, or employment contracts. However, the approval shall not be granted for a period greater than two (2) complete and consecutive fiscal years, excluding employment contracts.

10.03.2.6 No contract subject to the Commissioner's review and approval shall be valid or enforceable until an approval letter has been issued by the Commissioner or the Commissioner fails to respond to the public educational entity within the time periods specified in this section.

10.04 Records: The Department of Education and the public educational entity shall maintain a record and copy of all documentation relating to transactions or contracts with board members or members of their families.

10.05 Providing False or Incomplete Information: Any board member or other person knowingly furnishing false information or knowingly not fully disclosing relevant information necessary for a proper determination by the public educational entity or the Commissioner shall be guilty of violating the provisions of these rules and Ark. Code Ann. § 6-24-101 et seq.

10.06 School board members should also be mindful of the requirements of Ark. Code Ann. § 6-13-616, which prohibits school board members from being employed by the school district they serve.

General Contracts

~~10.01 Board members and family members of board members may not contract with the public educational entity the board member serves except as allowed by Act 1599 of 2001 and these rules.~~

~~10.02 In unusual and limited circumstances, family members of a board member may contract with the public educational entity the board member serves after~~

~~submitting complete and full disclosure of all relevant facts in a contract disclosure form (Form E) at an open meeting and a majority of the board members determine that the contract is in the best interest of the public educational entity and approves a written resolution (Form F) explaining the unusual circumstances necessitating and justifying the contract and explaining the restrictions and limitations of the contract.~~

- ~~10.03 In unusual and limited circumstances, board members may contract with the public educational entity they serve after submitting complete and full disclosure of all relevant facts in a contract disclosure form (Form E) in an open scheduled meeting of the board and a majority of the board determines that the contract is in the best interests of the public educational entity and approves a written resolution (Form F) explaining the unusual circumstances necessitating and justifying the contract and explaining the restrictions and limitations of the contract.~~
- ~~10.04 No board member may participate in the discussion or vote on a contract in which they have a direct or indirect interest and the board member shall leave the board meeting room until the discussion and vote on the issue or contract is concluded.~~
- ~~10.05 If a contract with a board member or board member's family member totals \$5,000 or more, the superintendent of the public educational entity or chief administrator shall seek independent review and approval of the contract from the Commissioner of the Department in the following manner:~~
- ~~a. The written resolution (Form F) along with the contract disclosure form (Form E) shall be fully and accurately completed and shall be forwarded to the Commissioner by certified mail to the address listed on the contract disclosure form (Form E) provided by the Department of Education.~~
 - ~~b. The Commissioner or his designee shall review the contract information and either approve or disapprove the contract or request additional information and/or time by responding to the public educational entity within the initial ten (10) day time period of receipt of the resolution.~~
 - ~~c. If approved, the Commissioner shall issue an approval letter stating all relevant facts and circumstances considered and establish any restrictions or limitations pertaining to the contract.~~
 - ~~d. In no event shall a contract be approved by the Commissioner for a time period greater than two (2) years.~~
 - ~~e. No contract shall be valid until written approval has been issued by the Commissioner of the Department or the Commissioner fails to respond to~~

~~a request for independent review and approval within the time period of ten (10) days of receipt of a resolution or at a later time specified by the Commissioner if the Commissioner requests additional data or time in order to respond to the request for independent review.~~

Employment Contracts with Family Members

~~10.06 A board member's family member may not be initially employed by the public educational entity the member serves during the member's tenure of service on the local board for compensation in excess of five thousand dollars (\$5,000) unless the Commissioner of the Department of Education issues a letter of exemption and approves the employment contract based on unusual and limited circumstances.~~

- ~~(a) The determination of unusual and limited circumstances shall be at the sole discretion of the Commissioner of the Department of Education and may be further defined by rule of the State Board of Education.~~
- ~~(b) The Commissioner of the Department of Education's approval of an employment contract may include restrictions and limitations that are by this subsection incorporated as terms or conditions of the contract.~~
- ~~(c) No employment contract that is prohibited under this section is valid or enforceable by any party to the employment contract until approved in writing by the Commissioner of the Department of Education.~~
- ~~(d) In order to make a determination regarding a request for an exemption of the prohibition of a Board Member's family member being employed by a public school district, the Commissioner may request additional information to facilitate a review of the documentation. Items requested may include but are not limited to:~~
 - ~~❖ Position Title~~
 - ~~❖ Date Position Posted~~
 - ~~❖ Place(s) Position Posted~~
 - ~~❖ Number of Applications Received~~
 - ~~❖ Number of Applicants Interviewed~~
 - ~~❖ Date of Interviews~~
 - ~~❖ Name of Person Recommended~~
 - ~~❖ Salary to be Paid to Applicant Recommended~~
 - ~~❖ Length of Contract Offered~~
 - ~~❖ The unusual circumstances requiring the hiring of the person~~
 - ~~❖ The limited circumstances requiring the hiring of a Board Member's family member~~

- ❖ Specific experience or training that makes the applicant the most desirable candidate

~~10.07~~ A family member of a school board member who was employed by the public educational entity during the school year immediately preceding the election of the board member may continue employment with the public educational entity under the same terms and conditions of the previously executed contract and any renewal of the contract under Ark. Code Ann. § 6-17-1506.

~~10.08~~ Subject to the local board's written policy, a qualified family member of a board member may be employed as a substitute teacher, substitute cafeteria worker or substitute bus driver for a period of time not to exceed a total of thirty (30) days per fiscal year for the public educational entity served by the board member.

~~10.09~~ Excluding any renewal of a contract under Ark. Code Ann. § 6-17-1506, any change in the terms or conditions of an employment contract, a promotion, or a change in employment status for a family member of a school board member employed by a public educational entity that will result in an increase in compensation of more than two thousand five hundred dollars (\$2,500) must be approved in writing by the Commissioner of the Department of Education before any change in the terms or conditions of the employment contract or promotion or changes in employment status are effective, valid or enforceable.

(a) The determination of unusual and limited circumstances shall be at the sole discretion of the Commissioner of the Department of Education and may be further defined by rule of the State Board of Education.

(b) The Commissioner of the Department of Education's approval of an employment contract may include restrictions and limitations that are by this subsection incorporated as terms or conditions of the contract.

(c) No employment contract that is prohibited under this section is valid or enforceable by any party to the employment contract until approved in writing by the Commissioner of the Department of Education.

(d) In order to make a determination regarding a request for an exemption of the prohibition of a Board Member's family member being employed by a public school district, the Commissioner may request additional information to facilitate a review of the documentation. Items requested may include but are not limited to:

- ❖ Position Title
- ❖ Date Position Posted
- ❖ Place(s) Position Posted
- ❖ Number of Applications Received

- ❖ Number of Applicants Interviewed
- ❖ Date of Interviews
- ❖ Name of Person Recommended
- ❖ Salary to be Paid to Applicant Recommended
- ❖ Length of Contract Offered
- ❖ The unusual circumstances requiring the hiring of the person
- ❖ The limited circumstances requiring the hiring of a Board Member's family member
- ❖ Specific experience or training that makes the applicant the most desirable candidate

10.10 ~~If an employment contract with a board member's family member totals \$5,000 or more and the local board of the public educational entity or chief administrator wish to seek independent review and approval of the contract from the Commissioner of the Department, they should do so in the following manner:~~

- a. ~~—The written resolution (Form F) along with the contract disclosure form (Form E) shall be fully and accurately completed and shall be forwarded to the Commissioner by certified mail to the address listed on the contract disclosure form (Form E) provided by the Department of Education.~~
- b. ~~—The Commissioner or his designee shall review the contract information and either approve or disapprove the contract or request additional information and/or time by responding to the public educational entity within the initial ten (10) day time period of receipt of the resolution.~~
- c. ~~—If approved, the Commissioner shall issue an approval letter stating all relevant facts and circumstances considered and establish any restrictions or limitations pertaining to the contract.~~
- d. ~~—In no event shall a contract be approved by Commissioner for a time period greater than two (2) years.~~
- e. ~~—No contract shall be valid until written approval has been issued by the Commissioner of the Department or the Commissioner fails to respond to a request for independent review and approval within the time period of ten (10) days of receipt of a resolution or at a later time specified by the Commissioner if the Commissioner requests additional data or time in order to respond to the request for independent review.~~

11.00 ADMINISTRATORS

11.01 Except as otherwise provided, it is a breach of the ethical standards for an administrator to contract with the public educational entity employing him or her if the administrator has knowledge that he or she is directly or indirectly interested in the contract.

11.02 Except as otherwise provided, it is a breach of the ethical standards for an administrator to contract with any public educational entity if the administrator has knowledge that he or she is directly interested in the contract.

11.03 Family Members as Employees: These rules do not prohibit an administrator's family members from being employed by the public educational entity the administrator serves or any other public educational entity. However, a member of an administrator's immediate family or former spouse may not be initially employed as a disbursing officer of the public educational entity where the administrator is employed unless the public educational entity receives written approval from the Commissioner. Before issuing written approval or denial, the Commissioner shall request the Division of Legislative Audit to review the internal controls, including the segregation of duties, present at the public educational entity. The Division of Legislative Audit shall report its findings to the Commissioner.

11.04 Exceptions:

11.04.1 In unusual and limited circumstances and only with prior written approval from the Commissioner, an administrator may contract with a public educational entity other than the public educational entity employing him or her.

11.04.2 In unusual and limited circumstances and only with prior written approval from the Commissioner, an administrator's family members may contract with a public educational entity employing the administrator.

11.04.3 An administrator seeking to contract with other public educational entities, or an administrator's family member seeking to contract with the public educational entity employing the administrator, shall first present the request, with all relevant facts and circumstances justifying approval, to the board currently employing the administrator at an open meeting. Such request should include without limitation the contract disclosure form (Form B).

- 11.04.4 After reviewing the request in an open meeting, the board may, by written resolution (Form C), approve the contract subject to approval by the Commissioner. A copy of the approval resolution (Form C) and all relevant data, including Form B, shall be forwarded by the board president to the Commissioner.
- 11.04.4.1 The written resolution and other relevant data shall be sent by certified mail, return receipt requested, or other method approved by the State Board of Education to assure that adequate notice has been received by the Department of Education and to provide a record for the school district board of directors sending the request for approval.
- 11.04.4.2 Upon review of the submitted data, the Commissioner shall, within twenty (20) days of receipt of the resolution and other relevant data, approve or disapprove in writing the board's request.
- 11.04.4.3 The Commissioner may request additional information or testimony before ruling on a request. If additional data is needed for a proper determination, the Commissioner shall approve or disapprove the contract within twenty (20) days of receipt of the additional requested data.
- 11.04.4.4 If the Commissioner does not respond to the public educational entity within the twenty-day period or request additional time or data for a proper review of the contract, the contract shall be deemed to be approved by the Commissioner.
- 11.04.4.5 If approved, the approval letter shall state all relevant facts and circumstances considered in the approval and shall state any restrictions or limitations of the approval. The Commissioner may grant an approval for a particular transaction or a series of related transactions. No approval shall be granted for a period greater than two (2) complete and consecutive fiscal years.

- 11.04.5 The Department of Education and the public educational entity shall maintain a record and copy of all documentation relating to an exemption from the provisions of these rules.
- 11.04.6 A contract subject to this section is not valid until the Commissioner:
- 11.04.6.1 Approves the contract; or
- 11.04.6.2 Fails to respond to the public educational entity within the time periods specified in this section.
- 11.05 Providing False or Incomplete Information: Any administrator knowingly furnishing false information or knowingly not disclosing relevant information necessary for a proper determination by the public educational entity or the Commissioner shall be guilty of violating the provisions of these rules and Ark. Code Ann. § 6-24-101 et seq.
- 11.06 “Contract” defined: For the purposes of this section only, “contract” does not apply to employment contracts issued to an administrator of a public educational entity for administrative or other duties such as, but not limited to, teaching, bus driving, or sponsorship of clubs or activities.
- 11.07 Compensation for Officiating Athletic Events: Nothing in this section prohibits administrators from receiving compensation for officiating school-sponsored athletic activities with any public education entity.
- 11.08 Compensation for Conducting Seminars: Nothing in this section prohibits administrators from receiving compensation for conducting seminars for, or making presentations to, public educational entities other than the public educational entity employing them.
- ~~11.01—Administrators shall not contract with the public educational entity which employs him/her.~~
- ~~11.02—Administrators may not contract with any public educational entity except as allowed for by Act 1599 of 2001 and these rules.~~
- ~~11.03—Administrator family members may not contract with the public educational entity that employs the administrator except as allowed for by Act 1599 of 2001 and these rules.~~
- ~~11.04—Beginning July 1, 2002 no member of an administrator's immediate family or former spouse may be initially employed as a dispersing officer of the public~~

~~educational entity where the administrator is employed unless the Division of Legislative Audit has submitted a written report on its review of the internal controls, including the segregation of duties of the public educational entity, to the Commissioner of the Department and after review of the report, the Commissioner issues written approval of the initial hiring of the administrator's family member or former spouse as a dispersing officer of the public educational entity.~~

~~11.05 In unusual and limited circumstances, an administrator may contract with a public educational entity other than the entity employing him/her or an administrator's family member may contract with the public educational entity employing the administrator but only after:~~

- ~~a. The administrator makes full and complete disclosure of all relevant facts, circumstances, interests and relations associated with the contract to the board of the public educational entity at a scheduled open meeting; and~~
- ~~b. The board determines that the contract with the administrator's family member is in the best interest of the public educational entity; and~~
- ~~c. A majority of the board adopts a written resolution (Form F) approving the contract and the resolution specifies all relevant facts and circumstances and states the unusual and limited circumstances justifying and necessitating the contract and sets forth any restrictions and limitations on the contract; and~~
- ~~d. The board forwards the written resolution (Form F) and the contract disclosure form (Form E) with all relevant facts to the Commissioner of the Department pursuant to the procedures set forth in Section 11.06 of these rules.~~

~~11.06 When the board of a public educational entity approves any contract with the family member of an administrator employed at that public educational entity and the board has complied with the requirements of Section 11.05 of these rules, the entity shall then seek independent review and approval of such contract from the Director in the following manner:~~

- ~~a. A written resolution (Form F) of approval along with the contract disclosure form (Form E) shall be forwarded to the Commissioner by certified mail to the address listed on the contract disclosure forms (Form E) by the Department; and~~

- b. ~~The Commissioner or his designee shall review the written resolution (Form F) and contract disclosure form (Form E) and either approve or disapprove the contract or request additional data and/or time by responding to the public educational entity within the initial ten (10) days of receipt of the resolution; and~~
 - c. ~~If the contract is approved, the Commissioner shall issue an approval letter stating all relevant facts and circumstances considered and shall state any restrictions or limitations pertaining to the contract.~~
 - d. ~~In no event shall a contract be approved by the Commissioner for a time period greater than two (2) years.~~
 - e. ~~No contract shall be valid until written approval has been issued by the Commissioner or the Commissioner fails to respond to a request for independent review and approval within the time period of ten (10) days of receipt of the resolution or a later specified time period if additional data or time is required by the Commissioner for an independent review.~~
- ~~11.07 The Department and public educational entity shall maintain a record and copy of all documentation relating to any contracts between a family member of an administrator and a public educational entity that employs the family member of an administrator.~~
- ~~11.08 For purposes of these rules and regulations, the term "contract" does not apply to employment contracts issued to an administrator of a public educational entity for administrative or other duties such as, but not limited to, teaching, bus driving, sponsorship of clubs or activities and officiating school sponsored athletic activities.~~
- ~~11.09 Administrators are not prohibited from receiving compensation for conducting seminars or making presentations to public educational entities other than the public educational entity employing them.~~
- ~~11.10 Any administrator that knowingly furnishes false information or knowingly fails to fully disclose all relevant information as required by Act 1599 of 2001 or these rules and regulations is in violation of these rules and regulations and shall be subject to the sanctions and penalties provided for in Section 17.00 of these rules and regulations.~~

12.00 EMPLOYEES

12.01 Except as otherwise provided, it is a breach of the ethical standards for an employee to contract with the public educational entity employing him or her if the employee has knowledge that he or she is directly interested in the contract.

12.02 Exceptions

12.02.1 Approval by Board: In unusual and limited circumstances, a public educational entity's board may approve a contract between the public educational entity and the employee if the board determines that the contract is in the best interest of the public educational entity.

12.02.1.1 The approval by the public educational entity's board shall be documented by written resolution (Form C) after fully disclosing the reasons justifying the contract in an open meeting. Such disclosure should include without limitation the contract disclosure form (Form B). The resolution shall state the unusual circumstances necessitating the contract and shall document the restrictions and limitations of the contract.

12.02.1.2 Any board member directly or indirectly interested in the proposed contract shall leave the meeting until the voting on the issue is concluded, and the absent member shall not be counted as having voted.

12.02.2 Independent Approval: If it appears that the total transactions with an employee for a fiscal year total, or will total, five thousand dollars (\$5,000) or more, the superintendent or other chief administrator of the public educational entity shall forward the written resolution (Form C) along with all relevant data, including Form B, to the Commissioner for independent review and approval.

12.02.2.1 The written resolution and other relevant data shall be sent by certified mail, return receipt requested, or other method approved by the State Board of Education to assure that adequate notice has been received by the Department of Education and to

provide a record for the school district board of directors sending the request for approval.

12.02.2.2 Upon review of the submitted data, the Commissioner shall, within twenty (20) days of receipt of the resolution and other relevant data, approve or disapprove in writing the board's request.

12.02.2.3 The Commissioner may request additional information or testimony before ruling on a request. If additional data is needed for a proper determination, the Commissioner shall approve or disapprove the contract within twenty (20) days of receipt of the additional requested data.

12.02.2.4 If the Commissioner does not respond to the public educational entity within the twenty-day period or request additional time or data for a proper review of the contract, the contract shall be deemed to be approved by the Commissioner.

12.02.2.5 If approved, the Commissioner shall issue an approval letter stating all relevant facts and circumstances considered and any restrictions or limitations pertaining to the approval. The Commissioner may grant the approval for a particular transaction or series of related transactions. However, approval shall not be granted for a period greater than two (2) complete and consecutive fiscal years.

12.02.2.6 No contract subject to the Commissioner's review and approval shall be valid or enforceable until an approval letter has been issued by the Commissioner or the Commissioner fails to respond to the public educational entity within the time periods specified in this section.

12.03 Documentation: The Department of Education and the public educational entity shall maintain a record and copy of all documentation relating to transactions with employees.

12.04 Providing False or Incomplete Information: Any employee or other person knowingly furnishing false information or knowingly not fully disclosing relevant information necessary for a proper determination by the public educational entity or the Commissioner shall be guilty of violating the provisions of these rules and of Ark. Code Ann. § 6-24-101 et seq.

12.05 “Contract” defined: For the purposes of this section only, the term “contract” does not apply to employment contracts issued to public educational entity employees or other transactions for the performance of teaching or other related duties such as, but not limited to, bus driving, sponsorship of clubs or activities, tutoring, summer school duties, or working at school sponsored events.

12.06 Technology Employees: All transactions involving the purchase, lease, acquisition, or other use of computers, software, copies, or other electronic devices from family members of an employee responsible for establishing specifications or approving purchases of such equipment shall be approved according to the requirements of this section regarding the purchase from an employee with a direct interest in the transaction.

~~12.01—Employees are prohibited from contracting with the public educational entity which employs them except as allowed for by Act 1599 of 2001 and these rules.~~

~~12.02—In unusual and limited circumstances, employees may contract with the public educational entity which employs them after submitting complete and full disclosure of all relevant facts in a contract disclosure form (Form E) in an open scheduled meeting of the board and a majority of the board determines that the contract is in the best interest of the public educational entity and approves a written resolution (Form F) explaining the unusual circumstances necessitating and justifying the contract and explaining the restrictions and limitations of the contract.~~

~~12.03—If a contract with an employee totals \$5,000 or more, the superintendent of the public educational entity shall seek independent review and approval of the contract from the Commissioner of the Department in the following manner:~~

~~a. —The written resolution (Form F) along with the contract disclosure form (Form E) shall be fully and accurately completed and shall be forwarded to the Commissioner by certified mail to the address listed on the contract disclosure form (Form E).~~

~~b. —The Commissioner or his designee shall review the contract information and either approve or disapprove the contract or request additional information and/or time by responding to the public educational entity~~

~~within the initial ten (10) day time period of receipt of the written resolution (Form F).~~

- ~~e. — If approved, the Commissioner shall issue an approval letter stating all relevant facts and circumstances considered and establish any restrictions or limitations pertaining to the contract.~~
- ~~d. — In no event shall a contract be approved by the Commissioner for a time period greater than two (2) years.~~
- ~~e. — No contract shall be valid until written approval has been issued by the Commissioner of the Department or the Commissioner fails to respond to a request for independent review and approval of the resolution within the time period of ten (10) days of receipt of the resolution or a later time period specified by the Commissioner if additional data or time is requested to review the resolution.~~

13.00 REIMBURSEMENT OF EXPENSES

Nothing in these rules prevents board members, administrators, or employees from being reimbursed by the appropriate public educational entity for necessary and documented travel or other job-related expenses in accordance with law and school district policy.

13.00 EXEMPTION

- ~~13.01 For purposes of these rules and regulations, the term "contract" does not mean "employment contracts" issued to public educational entity employees for the performance of teaching or other related duties including, but not limited to, bus driving, substitute teaching, sponsorship of clubs or activities, or working at school sponsored events.~~
- ~~13.02 "Employment contracts" issued to public educational entity employees are exempt from the requirements of these rules and regulations; regardless of the relation of that employee to a board member, administrator, or other employee, as long as the contract between the public educational entity and the employee is solely for the performance of teaching or other related duties including, but not limited to, bus driving, substitute teaching, sponsorship of clubs or activities, or working at school sponsored events.~~
- ~~13.03 Any administrator or employee knowingly attempting to avoid the requirements of these rules and regulations with regard to contracting with a public educational entity by falsely claiming an "employment contract" as described in Section 13.01 and 13.02 shall be subject to the sanctions and penalties provided for in Section 17.00 of these rules.~~

14.00 EDUCATIONAL AWARDS, RECOGNITIONS, GRANTS AND GIFTS

Nothing in these rules prohibits administrators or employees of public educational entities from receiving monetary or other awards, grants, or benefits from entities generally recognized as providing benefits based upon exceptional skills or exemplary contributions to education.

~~Public educational administrators or employees of public educational entities are not prohibited from receiving monetary or other awards, grants or benefits based upon exceptional skills or exemplary contributions to education as allowed for by Ark. Code Ann. § 21-8-101 et seq. and Act 1599 of 2001.~~

15.00 REGISTRATION, TRAVEL, CONVENTIONS AND SEMINARS

15.01 Board members, administrators and employees of a public educational entity are prohibited from receiving any payment or reimbursement from a vendor for any registration, travel, lodging, food, entertainment or other expenses not directly associated with an educational interest or business interest of the public educational entity.

15.02 Board members, administrators and employees of a public educational entity are prohibited from receiving any trip or attending any convention or seminar which is paid for by a vendor when the purpose for the trip or attendance at the convention or seminar is not directly associated to an educational interest or business interest of the public educational entity.

15.03 Board members, administrators and employees of a public educational entity are prohibited from receiving any gift or award from any public educational entity except as allowed for by Arkansas law.

15.04 All public educational entities shall maintain a record and copy for at least three (3) years of all documentation relating to payments or reimbursements made by a vendor on behalf of a board member, administrator or employee for travel, lodging, food, registration, entertainment, or other expenses when the payments or reimbursements total \$300.00 or more per fiscal year per individual board member, administrator, or employee.

15.05 Any board member, administrator or employee of a public educational entity that violates any provisions of these rules may be subject to the penalties and sanctions provided for in Section 17.00 of the rules.

16.00 FILING STATEMENT OF FINANCIAL INTEREST ~~(FORM I)~~

- 16.01 Every board member, public and charter school superintendent, or executive director of a public school or educational cooperative shall timely file a financial statement of interest (~~Form I~~) as required by Ark. Code Ann. § 21-8-701 et seq. and Act 1599 of 2001. The financial statement of interest and instructions for completing and filing the financial statement of interest can be found on the website of the Arkansas Ethics Commission: <http://www.arkansasethics.com/>.
- 16.02 Any person ~~public educational entity employee, administrator or board member~~ required to file a financial statement of interest (~~Form I~~) as required under Arkansas law who fails to file said financial statement of interest (~~Form I~~) shall be in violation of the provisions of these rules and regulations and may be subject to the sanctions and penalties provided for in Section 17.00 of these rules.

17.00 ADMINISTRATIVE SANCTIONS AND PENALTIES

- 17.01 The Department of Education may review alleged violations of these rules and of Ark. Code Ann. § 6-24-101 et seq. If the Department of Education reviews the allegations and the Commissioner determines that there is adequate evidence of a violation, the Commissioner may refer the allegations to the State Board of Education for review. If a licensed educator is alleged to have violated these rules or Ark. Code Ann. § 6-24-101 et seq., the Commissioner may refer the allegation(s) against the licensed educator to the Professional Licensure Standards Board in lieu of following the procedures listed below.
- 17.02 Upon the State Board's approval to review the alleged violation and after reasonable notice in writing to all parties, the State Board may schedule a hearing to determine whether an administrator or employee has knowingly violated the provisions of these rules or Ark Code Ann. § 6-24-101 et seq. At the State Board hearing, a member of the Arkansas Department of Education or a member of the Professional Licensure Standards Board staff, as appropriate, shall present the allegations against the administrator or employee.
- 17.03 A hearing by the State Board shall be subject to the following procedures:
- 17.03.1 Each party will have the opportunity to present an opening statement of no longer than five (5) minutes, beginning with the representative of the Arkansas Department of Education or the Professional Licensure Standards Board. 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.

- 17.03.2 Each party will be given thirty (30) minutes to present their cases, beginning with the representative of the Arkansas Department of Education or the Professional Licensure Standards Board. 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.
- 17.03.3 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.
- 17.03.4 For the purposes of the record, documents offered during the hearing by the Arkansas Department of Education or the Professional Licensure Standards Board shall be clearly marked in sequential, numeric order (e.g. 1, 2, 3).
- 17.03.5 For the purposes of the record, documents offered during the hearing by the administrator or employee shall be clearly marked in sequential, alphabetic letters (e.g. A, B, C).
- 17.03.6 The Arkansas Department of Education or the Professional Licensure Standards Board shall have the burden of proving the basis for the violation by a preponderance of the evidence.
- 17.04 After presentation of all evidence, if the State Board determines that the administrator or employee knowingly violated the provisions of these rules, the State Board may provide any or all of the following administrative remedies:
- 17.04.1 Issue a letter of reprimand; or
- 17.04.2 Suspend or revoke the administrator's or teacher's Arkansas teaching license for a definite period, or permanently.
- 17.05 After reasonable notice and opportunity for a hearing, a board of a public educational entity may take appropriate administrative remedies against an administrator or employee that has allegedly violated the provisions of these rules. If an administrator or employee of a public educational entity is charged by the prosecuting attorney for a possible violation of this chapter, the public educational entity's board may, after reasonable notice and opportunity for a hearing, place the individual charged on leave, with or without pay, dismiss the individual, or provide any other proper administrative remedy. If the individual is dismissed by the board due to charges being filed for an alleged violation of these rules, any employment contracts with the public educational entity shall be deemed void from the date of the action of the board.

~~17.01 The Department may consider and review any alleged violations of the provisions of these rules or the provisions of Act 1599 of 2001.~~

~~17.02 If the Commissioner or his designee determines that there is adequate evidence of a violation of these rules, the Commissioner may refer the allegations and evidence to the Board of Education for administrative review.~~

~~17.03 Upon State Board of Education approval of the request for administrative review of any alleged violations of these rules, the State Board of Education shall issue a thirty (30) day written notice to all parties of an administrative hearing to determine if any person has knowingly violated any provisions of these rules and regulations or provisions of Act 1599 of 2001 governed by these rules.~~

~~17.04 After giving reasonable notice thereof and conducting an administrative hearing whereby the State Board of Education considered the presentation of evidence by all parties, the State Board of Education upon determining that an administrator or employee knowingly violated provisions of Act 1599 of 2001 or provisions of these rules may administer any of the following administrative remedies:~~

~~(1) Issue a letter of reprimand; and/or~~

~~(2) Suspend or revoke an administrator or teacher's license for a specified or permanent time period; and/or~~

~~(3) Issue a letter of recommendation to a local board of a public educational entity recommending the local board take administrative action as provided for pursuant to Act 1599 of 2001; and/or~~

~~(4) Require the Commissioner of the Department to request that the appropriate prosecuting attorney review the contract to determine whether there has been criminal violation of any provisions of Act 1599 of 2001; and/or~~

~~(5) Any other administrative remedies allowed the State Board of Education pursuant to Arkansas law.~~

~~17.05 Upon a final administrative decision by the State Board of Education, a party may seek an appeal of the administrative decision pursuant to the Arkansas Administrative Procedures Act. Ark. Code Ann. § 25-15-201 et seq.~~

18.00 NOTICE OF POTENTIAL CRIMINAL PENALTIES

18.01 Any board member, administrator, employee, or nonemployee who shall knowingly violate the provisions of Ark. Code Ann. § 6-24-101 et seq. shall be guilty of a felony.

18.02 Upon pleading guilty or nolo contendere to or being found guilty of violating the provisions of Ark. Code Ann. § 6-24-101 et seq., the court shall order restitution to the public educational entity.

18.03 In addition, the court may fine the violator in any sum not to exceed the greater of ten thousand dollars (\$10,000) or double the dollar amounts involved in the transactions, sentence the violator to prison for not more than five (5) years, or impose both a fine and imprisonment.

18.00 OTHER LAWS OR REGULATIONS

~~Nothing in these rules and regulations alters or diminishes any other statutory or regulatory requirements regarding purchasing, contracting, bidding, disposition of property, or other contracts or transactions with public educational entities.~~

19.00 REQUEST FOR REVIEW OF TRANSACTIONS

At the request of a board of a public educational entity, the executive administrator at a public educational entity, the Commissioner, or the Legislative Joint Auditing Committee, the appropriate prosecuting attorney shall review contracts or transactions for compliance with the provisions of Ark. Code Ann. § 6-24-101 et seq.

20.00 BOARD POSITION VACANT UPON CONVICTION

If a board member is found guilty of violating the provisions of Ark. Code Ann. § 6-24-101 et seq., the board member shall immediately cease to be a board member, the position is declared vacant, and a replacement shall be named as provided by law.

21.00 ENFORCEMENT OF CRIMINAL SANCTIONS BY THE PROSECUTING ATTORNEY

21.01 It shall be the duty and responsibility of the prosecuting attorneys to supervise compliance with Ark. Code Ann. § 6-24-101 et seq. and prosecute violators.

21.02 If the prosecuting attorney fails or refuses to enforce this chapter when the facts are known by the prosecuting attorney, or are called to his or her attention, the Attorney General or any citizen of this state may bring mandamus proceedings to compel the prosecuting attorney to perform his or her duties.

21.03 All criminal actions related to alleged violations of this chapter shall be filed in circuit court and shall be subject to the criminal rules and procedures of this state.

~~19.00~~ 22.00 FORM PROCEDURES AND REQUIREMENTS

- ~~19~~22.01 For purposes of these rules the following attached Forms A - ~~C~~I are herein incorporated into these rules as Appendix Forms A - ~~C~~I and supporting documents.
- ~~19~~22.02 A public educational entity shall use Forms A - ~~C~~I when such form is specifically required by any section of these rules.
- ~~19~~22.03 A public educational entity seeking independent review and approval from the Commissioner shall submit a separate contract disclosure form (Form B) and written resolution (Form C) of approval for each contract involving a different party or entity.

NOTIFICATION LETTER

(Date)

Dear Board Members, Administrators and Employees:

A.C.A. § 6-24-101 et seq. requires full open disclosure and approval before a school district board member, administrator or employee may sell, lease, provide services, or enter into contracts or other transactions with the school district where he/she serves or is employed.

A.C.A. § 6-24-101 et seq. does not apply to reimbursements paid for proper work-related expenses. However, in the case of hiring family members of administrators and/or board members, the district must meet all requirements set forth in A.C.A. § 6-24-101 et seq. ~~and Act 1381 of 2005.~~

A.C.A. § 6-24-101 et seq. applies when the board member, administrator or school employee is “financially interested” or “directly interested” in the transaction. “Financially interested” means ownership or more than 5% interest; holding a position of officer, director, trustee, partner, or top level management; and/or the employee’s compensation is based in whole or in part on the transactions with the district public education entity. For board members and administrators, restrictions may also apply to family members. “Directly interested” means receiving compensation or other benefits personally or to a business or other entity in which the individual has a financial interest or receives other benefits.

Therefore, board members, administrators and employees of this district have an affirmative obligation under A.C.A. § 6-24-101 et seq. to disclose relationships with vendors before the district enters into the contract or before services are performed. Disclosure is to be made to the superintendent of the district. Forms for this purpose will be provided by the district.

~~Technology employees who establish specifications or approve technology purchases and their family members must disclose relationships and financial interest before the district may enter into technology transactions with the technology employee or a family member.~~

All transactions involving the purchase, lease, acquisition, or other use of computers, software, copiers, or other electronic devices from family members of an employee responsible for establishing specifications or approving purchases of such equipment shall be approved according to the requirements of Arkansas law regarding the purchase from an employee with a direct interest in the transaction.

A.C.A. § 6-24-101 et seq. requires proper disclosure and approval of the transaction at an open board meeting. In certain instances, approval by the Commissioner of the Department of Education is required.

Therefore, every district board member, administrator or employee will be required to disclose any potential vendor relationship by completing a disclosure form provided by the district. Failure to fully disclose could result in criminal ~~felony~~ charges being brought against the board member, administrator or employee. A copy of A.C.A. § 6-24-101 et seq. is available in the central office if you wish to review ~~it the law~~. The ~~Act~~ law may also be viewed at www.arkleg.state.ar.us.

Sincerely,

Superintendent

Please sign below to acknowledge receipt of this notification.

Board Member, Administrator or Employee

Date

**BOARD MEMBERS
GENERAL DISCLOSURE STATEMENT**

If you have a financial interest in potential transactions with the district where you serve or you have a family member with a financial interest in a potential transaction with the district where you serve, then you have an affirmative obligation under A.C.A. § 6-24-101 and Act 1381 of 2005 to disclose the potential transactions before the district enters into a contract and/or services are performed.

Disclosures must be made by completing the form below. The form must be completed and submitted to the superintendent's office by _____.

A.C.A. § 6-24-101 and Act 1381 of 2005 require full, open disclosure and approval before a board member or a member of a board member's family may sell, lease, provide services, or enter into transactions with the district where they serve.

Ignoring this requirement or knowingly failing to comply with the provisions of A.C.A. § 6-24-101 could result in the filing of criminal felony charges.

GENERAL DISCLOSURE

Board Member: _____
 School District: _____
 Mailing Address: _____
 City: _____ State: _____ Zip: _____
 Work Telephone: _____

I am declaring a financial interest and/or relationship with the following vendor:

State specific nature of your financial interest:

Relationships that need to be disclosed:

 Board Member Signature

 Date Submitted

ADMINISTRATORS GENERAL DISCLOSURE STATEMENT

If you have a financial interest in a potential transaction with any public educational entity or you have a family member with a financial interest in a potential transaction with the district where you are employed, you have an affirmative obligation under A.C.A. § 6-24-101 and Act 1381 of 2005 to fully disclose the relationship and potential transactions before the district enters into a contract or before services are provided.

Disclosure must be made by completing the form below. The form must be completed and submitted to the superintendent's office by _____.

A.C.A. § 6-24-101 requires full open disclosure and state approval before a school district administrator or a member of an administrator's family may sell, lease, provide services, or enter into transactions with the employing school district and/or before an administrator enters into a transaction with any public educational entity in Arkansas.

Ignoring this requirement or knowingly failing to comply with the provisions of A.C.A. § 6-24-101 could result in the filing of criminal felony charges.

GENERAL DISCLOSURE

Administrator Name: _____
 School District: _____
 Mailing Address: _____
 City: _____ State: _____ Zip: _____
 Work Telephone: _____

I am declaring a financial interest and/or relationship with the following vendor:

State specific nature of your financial interest:

Relationships that need to be disclosed:

 Administrator Signature

 Date Submitted

~~PRINCIPALS AND EMPLOYEES~~
~~GENERAL DISCLOSURE STATEMENT~~

If you have a financial interest in potential transactions with the district where you are employed, you have an affirmative obligation under A.C.A. § 6-24-101 and Act 1381 of 2005 to fully disclose the relationships and potential transactions before the district enters the contract or before services are performed.

Disclosure must be made by completing the form below. The form must be completed and submitted to the superintendent's office by _____.

Ignoring this requirement or knowingly failing to comply with the provisions of A.C.A. § 6-24-101 and Act 1381 of 2005 could result in the filing of criminal felony charges.

~~GENERAL DISCLOSURE~~

Employee Name: _____
 School District: _____
 Mailing Address: _____
 City: _____ State: _____ Zip: _____
 Work Telephone: _____

I am declaring a financial interest and/or relationship with the following vendor:

State specific nature of your financial interest:

Relationships that need to be disclosed:

 Employee Signature

 Date Submitted

CONTRACT DISCLOSURE FORM

Name of Public Educational Entity: _____

Name of Person Disclosing Transaction: _____

***Note: Fully complete this form and return to the administration office.
NO TRANSACTION OR SERVICE MAY BE RENDERED UNTIL THIS
FORM HAS BEEN COMPLETED AND APPROVED. A.C.A. § 6-24-101 et
seq. and Act 1381 of 2005 requires FULL and COMPLETE DISCLOSURE of
transactions with public educational entities. KNOWINGLY FAILING to
FULLY DISCLOSE pertinent information relating to a transaction could result
in criminal ~~felony~~ charges.***

I am a (an) ☐ Board Member ☐ Administrator ☐ Employee

Note: “Board member” means any board member, director, or other member of a governing body of a public educational entity.

“Administrator” means any superintendent or assistant superintendent or his or her equivalent, open-enrollment public charter school director, school district treasurer, business manager, or other individual directly responsible for entity-wide purchasing.

“Employee” means a full-time employee or part-time employee of a public educational entity.

Mailing Address _____ City _____ State _____ Zip _____

Home Telephone: _____ Work Telephone: _____

Nature of transaction subject to disclosure and approval: _____

Estimated dollar amount of transactions with public educational entity for entire school year: _____

Check One:

- ☐ I have a financial interest in the transaction with the public educational entity.
- ☐ A family member has a financial interest in the transaction with the public educational entity.
- ☐ Both a family member and I have a financial interest in the transaction with the public educational entity.

Nature of financial interest: (State how you and/or family members are financially interested in the transaction): _____

Justification for Approval: (State reason why you believe the transactions are in the best interest of the public educational entity; Sstate the unusual and limited circumstances involved.)

☐ Check here if Emergency Transaction as defined by ~~Section 9~~ of A.C.A. § 6-24-101(9).

PLEASE ATTACH ANY OTHER ADDITIONAL INFORMATION OR DOCUMENTS YOU BELIEVE ARE NECESSARY FOR A FULL, COMPLETE, AND ACCURATE DISCLOSURE OF THE FACTS AND CIRCUMSTANCES OF THE TRANSACTIONS.

SIGNATURE: _____

DATE: _____

FOR OFFICE USE ONLY:

Date completed form received by district: _____

School Official's Signature

Telephone Number

FAX Number

Local Board Action:

☐ APPROVED

☐ DISAPPROVED

Date Presented to Board: _____

Board President's Signature: _____

Required to be presented to the Commissioner of the Department of Education for written approval: ☐ YES ☐ NO

Written Adopted Resolution Attached: ☐ YES ☐ NO

Required Additional Documentation: _____

Date Certified to ADE: _____

Date Commissioner's Written Approval received by district: _____

Effective Date: _____

Please return by certified mail to: ~~Dr. T. Kenneth James~~, Office of the Commissioner
Arkansas Dept. of Education
#4 Capitol Mall, Room 304A
Little Rock, AR 72201

RESOLUTION

A.C.A. § 6-24-101 et seq. ~~and Act 1381 of 2005~~

Whereas the _____ School District Board of Directors met in a (regular/special), open, and properly-called board meeting on (MM/DD/YY), in (location).

Whereas (Number) members were present, a quorum was declared by the chair.

Whereas the Board of Directors received a recommendation to adopt a resolution to enter into a contract with _____

Full disclosure of all relationships and interest as required by A.C.A. § 6-24-101 et seq. ~~and Act 1381 of 2005~~ that are relevant to proposed contract:

Specific facts and reasons for justifying the contract were:

The unusual and limited circumstances necessitating the contract were:

List of relevant data enclosed supporting the unusual and limited circumstances:

Note: For employment contracts, the following information may be necessary to support a finding of unusual and limited circumstances:

- A copy of the job vacancy announcement or posting;
- A description of how/where the job vacancy announcement was posted;
- Copies of applications received;
- A list of those applicants who were interviewed;
- Interview/Applicant score sheets kept by the interviewer or hiring committee;
- A copy of the interviewer's or hiring committee's recommendation(s); and
- Specific justification of why the selected applicant is the best qualified candidate.

For contracts and transactions other than employment contracts, the following information may be necessary to support a finding of unusual and limited circumstances:

- Request for bids (if bids were required);
- Copies of bids submitted by interested vendors (if bids were required);
- Price lists or quotes by interested vendors;
- Number of bidders or interested vendors with names and addresses; and
- A list of those vendors offering similar services in the area.

Whereas _____, board member(s) having declared an interest in the proposed contract, left the meeting prior to the discussion of the contract and did not return to the meeting room until the voting on the contract had been concluded.

Whereas the Board, after serious consideration, moved to approve the contract with:

Whereas the contract was approved with the following restrictions and/or limitations:

Whereas the period of the contract shall be from _____ to _____.

Therefore, due to the specific reasons cited above, it is hereby declared to be the intent of the _____ School District Board of Directors to award this contract to _____

As is required by A.C.A. § 6-24-101 et seq. and ~~Act 1381 of 2005~~, the contract is contingent upon approval by the Commissioner of the Arkansas Department of Education, if required. If approval is denied, this contract approved by the Board would be null and void.

Superintendent

Board President

Date

Date

NOTICE

~~Pursuant to Section 22 of A.C.A. § 6-24-101 and Act 1381 of 2005, the list set forth in Ark. Code Ann. § 21-8-701(a) of persons required to file a Statement of Financial Interest (“SFI”) was expanded to include two new categories of persons. The first such category is “[a]ll public and charter school superintendents” and the second is “[d]irectors of educational cooperatives.”~~

~~Attached hereto are copies of the current SFI form and instructions. In accordance with Ark. Code Ann. § 21-8-703, a school district public servant is required to file his or her SFI with the county clerk.~~

~~If you should have any questions concerning this matter, please feel free to contact the Ethics Commission at (501) 324-9600 or toll free at (800) 422-7773.~~

~~INSTRUCTIONS FOR STATEMENT OF FINANCIAL INTEREST~~

INTRODUCTION/WHO MUST FILE

~~Ark. Code Ann. § 21-8-701(a) requires that the following persons file a written Statement of Financial Interest on an annual basis:~~

- ~~—— A public official, as defined by Ark. Code Ann. § 21-8-402(16);~~
- ~~—— A candidate for elective office;~~
- ~~—— A municipal judge or city attorney, whether elected or appointed;~~
- ~~—— Any agency head, department director, or division director of state government;~~
- ~~- Any public appointee to any state board or commission (who possesses regulatory authority or is authorized to receive or disburse state or federal funds);~~
- ~~- All persons who are elected members of a school board or who are candidates for a position on a school board;~~
- ~~- All public and charter school superintendents;~~
- ~~- All directors of educational cooperatives; and~~
- ~~- Any person appointed to a municipal, county or regional (i) planning board or commission, (ii) airport board or commission, (iii) water or sewer board or commission, (iv) utility board or commission, or (v) civil service commission.~~

~~The Arkansas Ethics Commission, which enforces this statute, has prepared these instructions, along with the office of the Secretary of State, whose office maintains the records, to assist persons required to file these statements. If you have any questions concerning the reporting requirements or how to fill out your Statement of Financial Interest, call or write either the **Arkansas Ethics Commission**, Post Office Box 1917, Little Rock, Arkansas 72203-1917, tel. (501) 324-9600 or the **Secretary of State, Elections Division**, State Capitol, Room 026, Little Rock, Arkansas 72201, tel. (501) 682-5070.~~

~~When preparing the Statement of Financial Interest, please **print or type the information.** You must also sign the Statement in Section 13 and your signature must be attested to before a Notary Public.~~

TIME FOR FILING/PERIOD COVERED

~~Pursuant to Ark. Code Ann. § 21-8-701(e)(1)(A), a Statement of Financial Interest for the previous calendar year "shall be filed by January 31, of each year, except that a candidate for elective office shall file the Statement of Financial Interest within thirty (30) days after the deadline for filing for office." Moreover, an agency head, department director, or division director of state government and any public appointee to a state board or commission authorized or charged by law with the exercise of regulatory authority or authorized to receive or disburse state or federal funds shall file a Statement of Financial Interest for the previous calendar year~~

~~within thirty (30) days after appointment or employment. Incumbent officeholders who filed a Statement of Financial Interest for the previous calendar year by January 31 of the year in which an election is held are not required to file an additional Statement of Financial Interest upon becoming a candidate for reelection or election to another office during the year. Ark. Code Ann. § 21-8-701(c)(2). If a person required to file a Statement of Financial Interest leaves his or her office or position during a particular calendar year, he or she shall still be required to file a Statement of Financial Interest covering that part of the year which he or she held the office or position. Ark. Code Ann. § 21-8-701(c)(1)(B).~~

WHERE TO FILE

~~Pursuant to Ark. Code Ann. § 21-8-703, the Statement of Financial Interest shall be filed as follows:~~

- ~~(1) State or district public servants and candidates for state or district public office are required to file the statement with the Secretary of State;~~
- ~~(2) County, township, or school district public servants and candidates for county, township, or school district public office are required to file the statement with the county clerks;~~
- ~~(3) Municipal public servants and candidates for municipal office are required to file the statement with the city clerk or recorder;~~
- ~~(4) Municipal judges and city attorneys are required to file the statement with the city clerk of the municipality within which they serve; and~~
- ~~(5) Members of regional boards or commissions are required to file the statement with the county clerk of the county in which they reside.~~

SPECIFIC REPORTING INSTRUCTIONS

SECTION 1 (Name and Address)

~~Answer each of these questions or indicate "Not Applicable". List all names under which you and/or your spouse do business.~~

SECTION 2 (Reason for Filing)

~~Check the box applicable to you and provide the office/position held or name of the board, commission or school district in the appropriate space.~~

SECTION 3 (Sources of Income)

~~The term "gross income" is intended to be comprehensive. It refers to all income from whatever source derived, including but not limited to compensation for services, fees, commissions, and income derived from business interests. Report each employer and/or each~~

other source of income from which you, your spouse, or any other person for the use or benefit of you or your spouse receives gross income exceeding \$1,000 on an annual basis. Include your governmental income from the office or position which requires your filing of this form. You are required to use the gross amount received as income. Thus, you must compute your total income from any particular source without first deducting expenses.

You are not required to list the individual items of gross income that constitute a portion of the income of the business or profession from which you or your spouse derives income. (For example: Accountants, attorneys, farmers, contractors, etc. do not have to list their individual clients.) If more than one source/employer/entity compensated you during the past year, you are required to list each source of income greater than \$1,000. If you or your spouse received speaking honoraria, you must report, under the request for "source", the sponsor of each event for which a payment was made for your speech or appearance, as well as the date and dollar category ("more than \$1,000.00" or "more than \$12,500.00"). The term "honoraria", as used herein, means a payment of money or any thing of value for an appearance, speech, or article. NOTE: Food, lodging, and travel provided to a public servant in connection with an appearance would not constitute honoraria if the public servant is appearing in his or her official capacity and the appearance bears a relationship to the public servant's office or position. Section 10 of the Statement of Financial Interest addresses the reporting of payment for such food, lodging, and travel.

You must also provide a brief description of the nature of the services for which the income was received, as well as the name under which the income was received. For example:

Source	Description	Amount
State of Arkansas (address) John Doe	Executive Dir.	More than \$12,500.00
University of Arkansas (address) John M. Doe	Teaching	More than \$12,500.00
450 Main Street, Little Rock, Arkansas John M. Doe	Rent Income	More than \$12,500.00
Ark. Med. Society Annual Meeting (address) John Doe	Speaking fee Oct. 2, Little Rock	More than \$1,000.00
Star National Bank Star, Arkansas John or Jane Doe	Interest Income	More than \$1,000.00

City of Mayberry _____ Spouse income _____ More than \$12,500.00
(address)
Jane Doe

Ark. Bar Association _____ Speaking Fee _____ More than \$1,000.00
Annual Meeting
(address) _____ Spouse, June 12
Jane Doe _____ Hot Springs

Section 4 (Business or Holdings)

In this section, list the name of every business in which you, your spouse or any other person for the use or benefit of you or your spouse have an investment or holding. Stocks, bonds, stock options and other securities held by you or your spouse must be reported. Figures for these items, as well as all other holdings or accounts, should be based on fair market value at the end of the reporting period.

For **securities, stocks, or bonds**, you must disclose each security held in your portfolio which exceeds the \$1,000.00 threshold. If securities are held through an investment firm, the firm will normally provide periodic statements from which you may obtain the information required to be disclosed. If you own different types of securities issued by the same authority, such as U. S. Treasury obligations or bonds, it is not necessary to provide an itemized list of each security worth over \$1,000.00. Rather, you may simply report the aggregate value of the securities issued by the same authority and identify the type of securities.

In the case of **mutual funds or similar investments**, you need not disclose specific stocks held in a widely diversified investment trust or mutual fund as long as the holdings of the trust or fund are a matter of public record and you have no ability to exercise control over the specific holdings. If you have such control, you must disclose each holding exceeding the threshold level of \$1,000.00, whether or not you exercise the control. Otherwise, you may simply disclose the name, address, etc. of the authority through which your mutual fund is invested (e.g., IDS), the category of the fund and the category of the appropriate amount (e.g., "more than \$1,000.00").

In the case of **bank accounts**, if the total of interest bearing accounts (including certificates of deposit) deposited in a particular bank exceeds \$1,000.00, list each institution holding more than \$1,000.00. If no particular bank holds more than \$1,000.00, you need not report any bank accounts. All accounts at one institution, including those for your spouse, may be combined as one entry. Thus, for example, you may report a checking account, savings account, certificate of deposit, and IRA in Smith First National Bank of Arkansas by checking the gross total of the accounts (e.g., "more than \$1,000.00") and stating "Smith First National

Bank of Arkansas" with its address. You need not list each account. If you are listed on an account purely for custodial reasons, and you do not assert any ownership rights to the assets in the account (for example, if you are a joint tenant with an elderly relative), you need not list the account.

For any business interest, if you or your spouse has an interest in a proprietorship, partnership, or corporation that is actively engaged in a trade or business, you must disclose the name and address of each interest. It is not necessary to provide an itemized list of the assets of the business. For example, you need only categorize the total value of your interest (e.g., "more than \$12,500.00") and not items such as "office equipment." This includes each asset held in trust for you or your spouse which has a value greater than \$1,000.00. Holdings of a trust for which you or your spouse are merely an administrator and for which you have no beneficial interest need not be reported.

Section 5 (Office or Directorship)

You must report your nongovernmental offices and directorships held by you or your spouse in any business, corporation, firm, or enterprise subject to the jurisdiction of a regulatory agency of this State, or any of its political subdivisions. For each such business, provide the name of the business, its address, the office or directorship held and the name of the person (either you or your spouse) who holds the office or directorship. A "regulatory agency", as defined by Ark. Code Ann. § 21-8-301(1), means any "state board, commission, department, or officer authorized by law to make rules or to adjudicate contested cases except those in the legislative or judicial branches."

Section 6 (Creditors)

You must report the name and address of each creditor to whom the value of \$5,000.00 or more is personally owed and outstanding at the end of the reporting period. All information regarding a single creditor may be reported in a single entry. If you have more than one liability owed to the same creditor, add up the items of credit to determine if the \$5,000.00 threshold has been met. The identity of the creditor is the name of the person or organization to which the liability is owed (e.g., "Bob Smith, 1000 Elm Street, Little Rock, Arkansas" or "First Federal Bank of Little Rock, 111 Main, Little Rock, Arkansas").

You do not need to include debts owed to members of your family. You may also exclude loans made in the ordinary course of business by either a financial institution or a person who regularly and customarily extends credit. This exclusion applies to such items as a mortgage secured by real property which is your personal residence, credit extended to purchase personal items such as furniture or appliances, credit card debts, and car loans, provided the credit does not exceed the value of the item purchased.

Debts not incurred in the ordinary course of business include, but are not limited to, such items as legal judgments, judgment liens, money borrowed from individuals, other than family

members, who are not normally in the business of lending money, and tax liens owed to any governmental agency.

Section 7 (Guarantor, Co Maker)

The law requires you to provide the name and address of each guarantor or co-maker, other than a member of your family, who has guaranteed a debt which is still outstanding. The \$5,000.00 threshold of Section 6 does not apply here. To the extent that you have a guarantor or co-maker of any of your outstanding debts, the guarantor or co-maker must be disclosed. There is no exception for debts incurred in the ordinary course of business. This requirement also includes debts arising, extended or refinanced after January 1, 1989.

This requirement extends to situations where you have co-signed a loan to assist another person in obtaining credit, unless the person is a member of your family.

Section 8 (Gifts)

The law requires you to identify the source, date, description, and a reasonable estimate of the fair market value of each gift of more than one hundred dollars (\$100.00) received by you or your spouse during the reporting period or more than two hundred and fifty dollars (\$250.00) received by your dependent children during the reporting period. A gift is any "payment, entertainment, advance, services, or anything of value" unless consideration of equal or greater value has been given therefor. The value of an item shall be considered to be less than one hundred dollars (\$100) if the public servant reimburses the person from whom the item was received any amount over one hundred dollars (\$100) and the reimbursement occurs within ten (10) days from the date the item was received. All types of gifts must be reported. Items such as food, lodging, and travel are considered gifts unless they are received when you are appearing in your official capacity and the appearance bears a relationship to your office or position. [Note: The reporting of food, lodging, and travel received by a public servant who is appearing in his or her official capacity at an event which bears a relationship to his or her office or position is addressed in Section 10 below.]

A gift can be a tangible item, such as a watch, or an intangible item, such as a hunting or fishing trip. A gift does not include (1) informational material; (2) receiving food, lodging, or travel which bears a relationship to the public servant's office and when appearing in an official capacity; (3) gifts which are not used and returned to the donor within 30 days; (4) gifts from a family member listed in Ark. Code Ann. § 21-8-402(5)(B)(iv), unless the family member is acting as an agent for a person not covered by the exception; (5) campaign contributions; (6) devises or inheritances; (7) anything with a value of \$100 or less; (8) wedding presents and engagement gifts; (9) a monetary or other award presented to an employee of a public school district, the Arkansas School for the Blind, the Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical

~~institute, a comprehensive life-long learning center, or a community college in recognition of the employee's contribution to education; (10) tickets to charitable fundraising events held within this state by a non-profit organization which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code; (11) a personalized award, plaque, or trophy with a value of one hundred fifty dollars (\$150) or less; (12) an item which appointed or elected members of a specific governmental body purchase with their own personal funds and present to a fellow member of that governmental body in recognition of public service; (13) food or beverages provided at a conference scheduled event that is part of the program of the conference; (14) food or beverages provided in return for participation in a bona fide panel, seminar, speaking engagement at which the audience is a civic, social, or cultural organization or group; and (15) a monetary or other award publicly presented to an employee of state government in recognition of his or her contributions to the community and State of Arkansas when the presentation is made by the employee's supervisor or peers, individually or through a non-profit organization which is exempt from taxation under Section 501(c) of the Internal Revenue Code, and the employee's receipt of the award would not result in or create the appearance of the employee using his or her position for private gain, giving preferential treatment to any person, or losing independence or impartiality (This exception shall not apply to an award presented to an employee of state government by a person having economic interests which may be affected by the performance or nonperformance of the employee's duties or responsibilities.).~~

~~In reporting a gift, you must report the source, the date it was received, a reasonable estimate of its fair market value, and a brief description. In that regard, the Ethics Commission has issued opinions concerning the "fair market value" of such items as transportation on a private aircraft. A group of items received from the same source at the same time would be considered one gift and the separate values should be added together. As an example, if you receive a tie and tie clip (valued \$50.00) along with a pair of golf shoes (valued at \$75) from one donor, this should be reported and described in Section 8, as the receipt of a gift, "tie, tie clip and shoes." The value would be \$125.00. Similarly, food and beverages provided you in connection with lodging should be aggregated to ascertain if the threshold reporting level has been reached. If you are unsure if the value should be aggregated for purposes of reporting, you may wish to contact the Arkansas Ethics Commission for an opinion.~~

~~In accordance with Ark. Code Ann. § 21-8-804, certain designated officials are authorized to accept gifts, grants, and donations of money or property on behalf of the State of Arkansas, the Arkansas Senate, the Arkansas House of Representatives, and the Arkansas Supreme Court. In addition, the designated officials are authorized to accept donations of money for the purpose of hosting official swearing-in and inaugural events of the constitutional officers, Senate, House of Representatives, and Supreme Court justices, the official recognition event for the President Pro Tempore, and the official recognition event for the Speaker of the House. The public official accepting the gift, grant, or donation of money or property on behalf of an appropriate entity is not required to disclose same on his or her Statement of Financial Interest. Instead, public servants are required to report such gifts, grants, or donations of money or property to the Ethics Commission on a quarterly basis on a separate disclosure form prepared for such purposes.~~

Section 9 (Awards)

If you are an employee of a public school district, the Arkansas School for the Blind, the Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical institute, a comprehensive life long learning center, or a community college, the law requires you to disclose each monetary or other award which you have received in recognition of your contributions to education. The information disclosed with respect to each such award should include the source, date, description, and a reasonable estimate of the fair market value.

Section 10 (Nongovernmental Sources of Payment)

Payments for food, lodging, or travel are not considered a gift in situations where a public servant is appearing in his or her official capacity and the appearance bears a relationship to the public servant's office or position. However, Section 10 requires that each nongovernmental source of payment of expenses for such food, lodging, or travel be listed when the expenses paid by that source exceed \$150.00. [Note: The reporting of money or things of value received when you are not appearing in an official capacity or the appearance does not bear a relationship to your office or position is addressed in Section 3 ("Sources of Income") or Section 8 ("Gifts").] In this regard, you must list the name and business address of the person or organization which has paid your expenses, the date and nature of the expenses unless such person or organization was compensated by the governmental body for which the public servant serves. Thus, you must disclose in this section, lodging or travel received in connection with such activities as speaking engagements, conferences, or fact finding events related to your official duties.

Section 10 requires the disclosure of each nongovernmental source of payment when the expenses paid in connection with a particular appearance exceed \$150.00. Thus, if one source provides lodging and food and the total amount paid exceeds \$150.00, that source must be reported in this section. You do not need to itemize the dollar value or provide an itemized accounting of the expenses provided. Also, as an example, you do not need to indicate whether the travel was on private or commercial carrier. You only need to provide the name of the organization providing the travel, its address, the date of the travel and the nature of the expenses, i.e. "travel to conference along with lodging."

The **organization** is the source of payment. It should be the name of the sponsor actually paying or providing the expenses. The **date of expenses** should be the inclusive dates of all travel provided. If the travel all occurred on one day, report that day. Otherwise, list the starting and ending dates of each trip provided (i.e., "May 1 – 5, 1997").

It is permissible to extend the duration of a trip at your own expense, accepting return travel from the sponsor. However, to avoid suggesting that travel was accepted for a longer period of time than was actually the case, you should indicate any time not spent at the sponsor's expense on either the line requesting the "date" or "nature" of expenses. For example, using the

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dates listed above, you could report "May 1—5, 1997. May 3—4 on personal business, expenses paid by me."

Section 11 (Direct Regulation of Business)

The law requires you to list any business by whom you are employed if the business is under direct regulation or subject to direct control by the governmental body which you serve. You must report the employment by listing the name of this business/employer and provide the governmental body which regulates or controls aspects of the business. Such a business relationship typically exists if your private employer is subject to any rules or regulations of a governmental body or if a governmental body adjudicates contested cases of fact involving your private employer. For example, if you work as a licensed dentist, the appropriate regulatory governing body may be the State Board of Dental Examiners.

Whether your business is under direct regulation or subject to direct control by a governing body is often a question of fact. If you are unsure, you should contact the Arkansas Ethics Commission or, if you know, the agency you suspect may regulate part or all of your activities.

Section 12 (Sales to Governmental Body)

The law requires you to report certain business relationships with the government if a significant sale of goods or services occurs. Specifically, you must set out in detail the goods or services sold having a total annual value in excess of \$1,000.00 sold to the governmental body for which you serve or are employed and the compensation paid for each category of goods or services by you or any business in which you or your spouse is an officer, director, stockholder owning more than ten percent (10%) of the stock, owner, trustee, or partner.

Section 13 (Signature)

Under the law, each person, required to file a Statement of Financial Interest must prepare the statement under penalty of false swearing and sign such form attesting to the truth and accuracy of the information set forth on the form. Ark. Code Ann. § 21-8-702. If a person who is required to file a Statement of Financial Interest is called to active duty in the armed forces of the United States, the statement may be completed by the spouse of the person. If the Statement of Financial Interest is completed by the spouse, under this exception, the spouse's signature shall be sufficient for the requirement of Ark. Code Ann. § 21-8-702.

~~SECTION 1 NAME AND ADDRESS~~

~~SECTION 2 REASON FOR FILING~~

- ☐ Public Official _____
(office held)

☐ Candidate _____
(office sought)

☐ Municipal Judge _____
(name of municipality)

☐ City Attorney _____
(name of city)

☐ State Government: Agency Head/Department Director/Division Director _____
(name of agency/department/division)

☐ Public appointee to State Board or Commission _____
(name of board/commission)

☐ School Board member _____
(name of school district)

☐ Candidate for school board _____
(name of school district)

☐ Public or Charter School Superintendent _____
(name of school district/school)

☐ Director of Educational Cooperative _____
(name of cooperative)

☐ Appointee to one of the following municipal, county or regional boards or commissions (list name of board or commission):

☐ Planning board or commission _____

☐ Airport board or commission _____

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- ☐ Water or Sewer board or commission _____
- ☐ Utility board or commission _____
- ☐ Civil Service commission _____

SECTION 3 SOURCE OF INCOME

List each employer and/or each other source of income from which you, your spouse, or any other person for the use or benefit of you or your spouse receives gross income amounting to more than \$1,000. (You are not required to disclose the individual items of income that constitute a portion of the gross income of the business or profession from which you or your spouse derives income. For example: accountants, attorneys, farmers, contractors, etc. do not have to list their individual clients.) If you receive gross income exceeding \$1,000 from at least one source, the answer N/A is not correct.

- a) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500
- _____
- _____ (name of employer or source of income)
- _____
- _____ (address)
- _____
- _____ (name under which income received)
- _____ Provide a brief description of the nature of the services for which the compensation was received _____
- _____

- b) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500
- _____
- _____ (name of employer or source of income)
- _____
- _____ (address)
- _____
- _____ (name under which income received)
- _____ Provide a brief description of the nature of the services for which the compensation was received _____
- _____

- c) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500
- _____
- _____ (name of employer or source of income)
- _____
- _____ (address)
- _____
- _____ (name under which income received)
- _____ Provide a brief description of the nature of the services for which the compensation was received _____
- _____

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d) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

(name of employer or source of income)

(address)

(name under which income received)

Provide a brief description of the nature of the services for which the compensation was received _____

SECTION 4 – BUSINESS OR HOLDINGS

List the name of every business in which you, your spouse or any other person for the use or benefit of you or your spouse have an investment or holding. Individual stock holdings should be disclosed. Figures should be based on fair market value at the end of the reporting period.

a) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

(name of corporation, firm or enterprise)

(address)

(name under which investment held)

b) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

(name of corporation, firm or enterprise)

(address)

(name under which investment held)

c) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

(name of corporation, firm or enterprise)

(address)

(name under which investment held)

d) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

(name of corporation, firm or enterprise)

(address)

(name under which investment held)

e) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

_____ (name of corporation, firm or enterprise)

_____ (address)

_____ (name under which investment held)
f) Check appropriate box: ☐ More than \$1,000 ☐ More than \$12,500

_____ (name of corporation, firm or enterprise)

_____ (address)

_____ (name under which investment held)

SECTION 5 OFFICE OR DIRECTORSHIP

List every office or directorship held by you or your spouse in any business, corporation, firm, or enterprise subject to jurisdiction of a regulatory agency of this State, or of any of its political subdivisions.

a) _____
_____ (name of business, corporation, firm, or enterprise)

_____ (address)

_____ (office or directorship held)

_____ (name of office holder)
b) _____
_____ (name of business, corporation, firm, or enterprise)

_____ (address)

_____ (office or directorship held)

_____ (name of office holder)

SECTION 6 CREDITORS

List each creditor to whom the value of five thousand dollars (\$5,000) or more was personally owed or personally obligated and is still outstanding. (This does not include debts owed to members of your family or loans made in the ordinary course of business by either a financial institution or a person who regularly and customarily extends credit.)

a) _____
_____ (name of creditor)

_____ (address of creditor)

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- b) _____
_____ (name of creditor)
_____ (address of creditor)
- e) _____
_____ (name of creditor)
_____ (address of creditor)

SECTION 7 – GUARANTOR OR CO-MAKER

List each guarantor or co-maker who has guaranteed a debt of yours that is still outstanding. (This includes debt guarantors arising or extended and refinanced after Jan. 1, 1989. Members of your family who are your guarantors are not required to be disclosed.)

- a) _____
_____ (name)
_____ (address)
- b) _____
_____ (name)
_____ (address)

SECTION 8 – GIFTS

List the source, date, description, and a reasonable estimate of the fair market value of each gift of more than \$100 received by you or your spouse and of each gift of more than \$250 received by your dependent children. The term “gift” is defined as “any payment, entertainment, advance, services, or anything of value unless consideration of equal or greater value has been given therefor.” There are a number of exceptions to the definition of “gift.” Those exceptions are set forth in the Instructions for Statement of Financial Interest prepared for use with this form. (Note: The value of an item shall be considered to be less than \$100 if the public servant reimburses the person from whom the item was received any amount over \$100 and the reimbursement occurs within ten (10) days from the date the item was received.)

- a) _____
_____ (description of gift)
_____ (date) _____ (fair market value)
_____ (source of gift)
- b) _____
_____ (description of gift)
_____ (date) _____ (fair market value)
_____ (source of gift)
- e) _____
_____ (description of gift)
_____ (date) _____ (fair market value)

d)	_____	_____
	(source of gift)	
	_____	_____
	(description of gift)	
	_____	_____
	(date)	(fair market value)
	_____	_____
	(source of gift)	
e)	_____	_____
	(description of gift)	
	_____	_____
	(date)	(fair market value)
	_____	_____
	(source of gift)	
f)	_____	_____
	(description of gift)	
	_____	_____
	(date)	(fair market value)
	_____	_____
	(source of gift)	
g)	_____	_____
	(description of gift)	
	_____	_____
	(date)	(fair market value)
	_____	_____
	(source of gift)	

If you are an employee of a public school district, the Arkansas School for the Blind, the Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical institute, a comprehensive life long learning center, or a community college, the law requires you to disclose each monetary or other award which you have received in recognition of your contributions to education. The information disclosed with respect to each such award should include the source, date, description, and a reasonable estimate of the fair market value.

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____ (source of award)

e) _____
____ (description of award)

____ (date) _____ (fair market value)

____ (source of award)

d) _____
____ (description of award)

____ (date) _____ (fair market value)

____ (source of award)

SECTION 10 – NONGOVERNMENTAL SOURCES OF PAYMENT

List each nongovernmental source of payment of your expenses for food, lodging, or travel which bears a relationship to your office when you appear in your official capacity when the expenses incurred exceed \$150.

a) _____
____ (name of person or organization paying expense)

____ (business address)

____ (date of expense)

____ (nature of expenditure)

b) _____
____ (name of person or organization paying expense)

____ (address)

____ (date of expense)

____ (nature of expenditure)

SECTION 11 – DIRECT REGULATION OF BUSINESS

List any business which employs you and is under direct regulation or subject to direct control by the governmental body which you serve:

a) _____
____ (name of business)

____ (governmental body which regulates or controls)

- b) _____
_____ (name of business)
_____ (governmental body which regulates or controls)
- c) _____
_____ (name of business)
_____ (governmental body which regulates or controls)
- d) _____
_____ (name of business)
_____ (governmental body which regulates or controls)

SECTION 12 SALES TO GOVERNMENTAL BODY

List the goods or services sold to the governmental body for which you serve which have a total annual value in excess of \$1,000. List the compensation paid for each category of goods or services sold by you or any business in which you or your spouse is an officer, director, or stockholder owning more than 10% of the stock of the company.

- a) _____
_____ (goods or services)
_____ (governmental body to whom sold)
_____ (compensation paid)
- b) _____
_____ (goods or services)
_____ (governmental body to whom sold)
_____ (compensation paid)
- c) _____
_____ (goods or services)
_____ (governmental body to whom sold)
_____ (compensation paid)
- d) _____
_____ (goods or services)
_____ (governmental body to whom sold)
_____ (compensation paid)

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SECTION 13- SIGNATURE

I certify under penalty of false swearing that the above information is true and correct.

Signature

STATE OF ARKANSAS

_____) ss

COUNTY OF _____

Subscribed and sworn before me this _____ day of _____, 20_____.

(Legible Notary Seal)

Notary Public

My commission expires: _____

Note: If faxed, notary seal must be legible (i.e., either stamped or raised and inked) and the original must follow within ten (10) days pursuant to Ark. Code Ann. § 21-8-703(b)(3).

IMPORTANT

Where to file:

State or district candidates and public servants file with the Secretary of State.
County, township, and school district candidates and public servants file with the county clerk.
Municipal candidates and public servants file with the city clerk or recorder, as the case may be.
Municipal judges and city attorneys file with the city clerk of the municipality in which they serve.
Members of regional boards or commissions file with the county clerk of the county in which they reside.

General Information:

- * _____ The Statement of Financial Interest should be filed by January 31 of each year.
- * _____ The filing covers the previous calendar year.
- * _____ Candidates for elective office shall file the Statement of Financial Interest for the previous calendar year within thirty (30) days after the deadline for filing for office unless already filed by January 31.
- * _____ Agency heads, department directors, and division directors of state government shall file the Statement of Financial Interest within thirty (30) days of appointment or employment unless already filed by January 31.
- * _____ Appointees to state boards or commissions shall file the Statement of Financial Interest within thirty (30)

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~~days after appointment unless already filed by January 31.~~

~~* — If a person is included in any category listed above for any part of a calendar year, that person shall file a Statement of Financial Interest covering that period of time regardless of whether they have left their office or position as of the date the statement is due.~~

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE GUIDELINES, PROCEDURES AND
ENFORCEMENT OF THE ARKANSAS OPPORTUNITY
PUBLIC SCHOOL CHOICE ACT**

May 24, 2004

1.00 PURPOSE

1.01 These rules shall be known as the Arkansas Department of Education Rules Governing the Guidelines, Procedures, and Enforcement of the Arkansas Opportunity Public School Choice Act.

1.02 The purpose of these rules is to provide enhanced opportunity for students in Arkansas to gain the knowledge and skills necessary for postsecondary education, a technical education, or careers.

2.00 AUTHORITY

2.01 The Arkansas State Board of Education's authority for promulgating these rules is pursuant to Ark. Code Ann. §§ 6-11-105, ~~and § 6-18-227, 25-15-201 et seq., and Acts 1124 and 1147 of 2011. (as amended by Act 35 of the Second Extraordinary Session of 2003).~~

3.00 DEFINITIONS

3.01 ~~ADE or~~ Department - the Arkansas Department of Education.

3.02 Level 1 school - a school which, according to the classification system established in Ark. Code Ann. ~~§ 6-15-1903 (as amended by Act 35 of the Second Extraordinary Session of 2003)~~ § 6-15-2103, is classified by the Arkansas Department of Education as a “school in need of immediate improvement.” Under the classification system established in Ark. Code Ann. ~~§ 6-15-1903~~ § 6-15-2103, Level 1 is the lowest ranking that a school may receive, and Level 5 is the highest ranking.

3.03 Level 3 school - a school which, according to the classification system established in Ark. Code Ann. ~~§ 6-15-1903 (as amended by in Act 35 of the Second Extraordinary Session of 2003)~~ § 6-15-2103, is classified by the Arkansas Department of Education as a “school meeting standards.”

3.04 Nonresident or receiving district - the public school district, ~~or open-enrollment public charter school~~, to which a student transfers or seeks to transfer to under the provisions of Ark. Code Ann. § 6-18-227.

3.05 Nonresident or receiving school – the public school to which a student transfers or seeks to transfer under the provisions of Ark. Code Ann. § 6-

18-227. A nonresident or receiving school may be a public school within the resident district, a public school within a nonresident district, or an open-enrollment public charter school.

3.056 ~~Resident, sending or transferring district - the public school district in which the student resides and from which a~~the student seeks to transfer under the provisions of Ark. Code Ann. § 6-18-227.

3.07 ~~Resident or transferring school – the public school in which the student is enrolled at the time of application and from which the student seeks to transfer under the provisions of Ark. Code Ann. § 6-18-227.~~

4.00 EFFECTIVE DATE

Opportunity Public School Choice under these rules shall take effect with the implementation of the school performance levels found in Ark. Code Ann. § 6-15-2103.

5.00 GENERAL REQUIREMENTS

5.01 Upon the request of a parent or guardian, or the student if the student is over eighteen (18) years of age, a student may transfer from his or her resident school to another public school in accordance with the provisions of these rules if:

5.01.1 The resident public school has been designated pursuant to Ark. Code Ann. § 6-15-2103 as a Level 1 school for two (2) or more consecutive school years;

5.01.2 The parent or guardian, or the student if the student is over eighteen (18) years of age, has notified the Department of Education and both the transferring and receiving school districts of the request to transfer no later than July 30 of the first year in which the student intends to transfer; and

5.01.3 The receiving public school has been designated pursuant to Ark. Code Ann. § 6-15-2103 as a Level 3 school or higher in the most recent annual school classification made by the Department of Education.

5.02 Each school district board of directors shall offer the Opportunity Public School Choice option within the public schools. The Opportunity Public School Choice option shall be offered in addition to other existing choice options.

- 5.03 The parent or guardian of a student, or the student if the student is over eighteen (18) years of age, enrolled in or assigned to a school that has been designated as a school in Level 1 under Ark. Code Ann. § 6-15-2103 for two (2) or more consecutive school years, may choose as an alternative to enroll the student in the public school nearest to the student's legal residence that has been designated pursuant to Ark. Code Ann. § 6-15-2103 as a Level 3 school or higher in the most recent annual school classification made by the Department of Education. That school or school district shall accept the student and report the student for purposes of funding pursuant to applicable state law.
- 5.04 Within thirty (30) days from receipt of an application from a student seeking admission under these rules, the superintendent of the nonresident district shall notify in writing the parent or guardian, or the student if the student is over eighteen (18) years of age, whether the Opportunity Public School Choice application has been accepted or rejected.
- 5.04.1 If the application is accepted, the nonresident school/district shall state in the notification letter the deadline by which the student must enroll in thereceiving school.
- 5.04.2 If the application is rejected, the nonresident school/district shall state in the notification letter the specific reasons for the rejection.
- 5.04.3 A school district shall not deny a student the ability to transfer to a nonresident school under these rules unless there is a lack of capacity at the nonresident school.
- 5.04.4 A lack of capacity may be claimed by a school district only if the nonresident school has reached the maximum student-to-teacher ratio allowed under federal law, state law, the rules for standards of accreditation, or other applicable regulations. For the purposes of these rules, a school district may claim a lack of capacity if, as of the date the application for opportunity school choice is made, ninety-five percent (95%) or more of the seats at the grade level at the nonresident school are filled.
- 5.04.5 The race or ethnicity of a student shall not be used to deny a student the ability to attend a nonresident school under these rules.
- 5.04.6 Pursuant to Section 8.00 of these rules, a parent or guardian, or the student if the student is over eighteen (18) years of age, may appeal a school district's decision to deny admission to a nonresident school to the State Board after the student or the student's parent or guardian receives written notice from the nonresident district that admission has been denied.

- 5.04.7 The provisions of these rules and all student choice options created under these rules shall comply with Ark. Code Ann. § 6-28-206(d), (e), and (i) and shall not be subject to any other limitation or restriction provided by law.
- 5.04.8 If any provision of these rules conflicts with the provisions of a federal desegregation court order applicable to a school district, the provisions of the federal desegregation order shall govern.
- 5.05 For each student enrolled in or assigned to a school that has been designated a Level 1 school for two (2) or more consecutive school years, a school district shall:
- 5.05.1 Timely notify the parent or guardian, or the student if the student is over eighteen (18) years of age, as soon as practicable after the designation is made, of all options available pursuant to these rules; and
- 5.05.2 Offer the parent or guardian, or the student if the student is over eighteen (18) years of age, an opportunity to enroll the student in any public school that has been designated by the Department of Education pursuant to Ark. Code Ann. § 6-15-2103 as a Level 3 school or higher in the most recent annual school classification made by the Department of Education . The opportunity to continue attending the higher performing public school shall remain in force until the student graduates from high school.
- 5.06 For the purposes of continuity of educational choice, a transfer under these Rules shall operate as an irrevocable election for each subsequent entire school year and shall remain in force until:
- 5.06.1 The student completes high school; or,
- 5.06.2 The parent or guardian, or the student if the student is over eighteen (18) years of age, makes application for attendance or transfer as provided by Ark. Code Ann. §§ 6-18-202, 6-18-206 and 6-18-316. An application made before July 30 shall be effective July 1 of the year in which application is made, or the date of application, whichever is later.
- 5.07 Students with disabilities who are eligible to receive services from the transferring school district under federal or state law, including students receiving additional funding through federal title programs specific to the Elementary and Secondary Education Act of 1965, 20 U.S.C. § 6301 et seq., and who participate in the Opportunity Public School Choice Act

program, shall remain eligible to receive services from the receiving school district as provided by state or federal law. Any funding for such a student shall be transferred to the receiving district.

5.08 The receiving district or charter school may transport students to and from the transferring district or charter school, and the cost of transporting students shall be the responsibility of the transferring district or charter school except as provided under Sections 5.08.1 and 5.08.2 of these rules.

5.08.1 A transferring district or charter school shall not be required to spend more than four hundred dollars (\$400) per student per school year for transportation required under 5.08 of these rules.

5.08.2 Upon the transferring school's being designated by the Department of Education pursuant to Ark. Code Ann. § 6-15-2103 as a Level 3 school or higher in the most recent annual school classification made by the Department of Education, the transportation costs shall no longer be the responsibility of the transferring district, and the student's transportation and the costs of transportation shall be the responsibility of the parents.

5.09 Unless excused by the school for illness or other good cause:

5.09.1 Any student participating in the Opportunity Public School Choice option shall remain in attendance throughout the school year and shall comply fully with the receiving school's code of conduct; and

5.09.2 The parent or guardian of each student participating in the Opportunity Public School Choice option shall comply fully with the receiving school's parental involvement requirements.

5.10 The parent or guardian shall ensure that the student participating in the Opportunity Public School Choice option takes all required assessments including without limitation benchmark exams required pursuant to Ark. Code Ann. § 6-15-433.

5.11 A student failing to comply with the requirements of these rules shall forfeit the Opportunity Public School Choice option.

5.12 A receiving district shall accept credits toward graduation that were awarded by the transferring district.

5.13 The receiving district shall award a diploma to a student transferred under these rules if the student meets the receiving district's graduation requirements.

5.14 A district under this program shall request public service announcements to be made over the broadcast media and in the print media at such times and in such a manner as to inform parents or guardians of students in adjoining districts of the availability of the program, the application deadline, and the requirements and procedure for nonresident students to participate in the program.

6.00 REPORTING REQUIREMENTS

6.01 The Department of Education shall develop an annual report on the status of school choice and deliver the report to the State Board, the Governor, and the Legislative Council at least ninety (90) days prior to the convening of the regular session of the General Assembly.

6.02 Each school district board of directors shall annually report the number of students applying for and attending the various types of public schools of choice in the district, including schools such as magnet schools, according to these rules. The school district board of directors shall report this data through its cycle reports as prescribed by the Commissioner of Education.

6.03 All school districts shall report to the Department of Education on an annual basis the race and gender of each student identified in Section 6.02 above, and other pertinent information needed to properly monitor compliance with the provisions of these rules. The reports may be on forms prescribed by the Department of Education, or the data may be submitted electronically by the district using a format authorized by the Department of Education. The school districts shall report this data through its cycle reports as prescribed by the Commissioner of Education.

6.03.1 The Department of Education may put on probation the superintendent of any school district that fails to file its report each year or fails to file any other information with a published deadline requested from school districts by the Department of Education so long as thirty (30) calendar days are given between the request for the information and the published deadline.

6.03.2 A copy of the report shall be provided to the Joint Interim Committee on Education.

6.04 The receiving school district shall report all students who transfer from another public school under this program. The students attending public schools pursuant to the Opportunity Public School Choice option shall be reported separately from those students reported for purposes of compliance with applicable state law.

7.00 FUNDING CONSIDERATIONS

- 7.01 For the purposes of determining a school district's state funding, the nonresident student shall be counted as a part of the average daily membership of the receiving district.
- 7.02 The maximum Opportunity Public School Choice funds granted for an eligible student shall be calculated based on applicable state law.
- 7.03 The public school that provides services to students with disabilities shall receive funding as determined by applicable federal and state law.

8.00 APPEAL PROCEDURES (SEE SCHOOL CHOICE RULES/LAW)

- 8.01 A parent or guardian, or the student if the student is over eighteen (18) years of age, may appeal a school district's decision to deny admission to a nonresident school due to a lack of capacity to the State Board pursuant to this section.
- 8.02 The student or the student's parent or guardian (hereinafter the appealing party) must present a written appeal to the State Board via certified mail, return receipt requested, no later than ten (10) days after the appealing party receives notice of rejection from the nonresident school/district in accordance with Section 5.04 of these rules.

8.02.1 The written appeal should be sent to:

Office of the Commissioner
ATTN: Opportunity School Choice Appeal
Four Capitol Mall
Little Rock, Arkansas 72201

- 8.02.2 Contemporaneously with the filing of the written appeal with the Office of the Commissioner, the appealing party must also mail a copy of the written appeal to the superintendent of the nonresident school/district.
- 8.02.3 The appealing party shall set forth its arguments and evidence in support of its appeal.
- 8.02.4 The appealing party must submit, along with its written appeal, a copy of the rejection letter from the nonresident school/district.
- 8.02.5 Any request for a hearing before the State Board must be made in the written appeal.

8.03 The nonresident school/district may submit, in writing, any additional information, evidence or arguments supporting its rejection of the student's application by mailing such response via certified mail, return receipt requested to the State Board no later than ten (10) days after receiving the appealing party's written appeal.

8.03.1 Any response from the nonresident school/district should be sent to:

Office of the Commissioner
ATTN: Opportunity School Choice Appeal
Four Capitol Mall
Little Rock, Arkansas 72201

8.03.2 Contemporaneously with the filing of the written response with the Office of the Commissioner, the nonresident school/district must also mail a copy of the written response to the appealing party.

8.03.3 If the appealing party did not request a hearing before the State Board, the nonresident school/district may request a hearing in its response.

8.04 If a hearing is requested by either party, the State Board shall schedule the hearing for the next regularly scheduled State Board meeting in accordance with its procedures for the submission of agenda items.

8.05 If no hearing is requested by either party, the State Board shall consider the appeal during its next regularly scheduled State Board meeting in accordance with its procedures for the submission of agenda items.

8.06 State Board Hearing Procedures

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

8.06.2 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, only for good cause shown and upon the request of either party, allow either party additional time to present their opening statements.

8.06.3 Each party will be given thirty (30) minutes to present their cases, beginning with the nonresident school/district. The Chairperson of the State Board may, only for good cause shown and upon request

of either party, allow either party additional time to present their cases.

8.06.4 The State Board, at its discretion, shall have the authority to require any person associated with the application (student, parent, guardian, nonresident school/district employee, or resident district employee) to appear in person before the State Board as a witness during the hearing. The State Board, at its discretion, may accept testimony by affidavit, declaration, or deposition.

8.06.5 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.

8.06.6 For the purposes of the record, documents offered during the hearing by the nonresident school/district shall be clearly marked in sequential, numeric order (1, 2, 3).

8.06.7 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).

8.06.8 The nonresident/school district shall have the burden of proof in proving the basis for the denial of the transfer.

8.06.9 The State Board may sustain the rejection of the nonresident school/district or grant the appeal.

8.06.10 The State Board 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, and the nonresident district within fourteen (14) calendar days of the appeal.

~~4.00 — PROCESS AND PROCEDURES FOR DETERMINING ELIGIBILITY AND APPLICATION PROCEDURES FOR PARTICIPATION IN THE OPPORTUNITY PUBLIC SCHOOL CHOICE PROGRAM~~

~~4.01 — Pursuant to the provisions of Ark. Code Ann. § 6-15-1903 (b)(1) and (c)(1) (contained in Act 35 of the Second Extraordinary Session of 2003), the first school year for which a student shall be eligible to transfer to another school shall be the 2011-2012 school year, unless the resident school applies for an annual performance category level, and receives a "Level 1" classification, prior to the 2009-2010 school year.~~

- ~~4.02 — Any student may make application to transfer from a failing school (i.e., a school defined in Section 4.03 below) within a school district inside whose boundaries he or she resides to another public school in a nonresident district, subject to the restrictions and procedures contained in these Rules and in Arkansas law.~~
- ~~4.03 — Upon the request of a parent, guardian or the student (if the student is over eighteen (18) years of age), a student may transfer from his or her resident district to another public school in accordance with these Rules and applicable Arkansas law if:~~
- ~~(i) — The resident public school has been designated pursuant to Ark. Code Ann. § 6-15-1903 as a Level 1 school for two (2) or more consecutive school years (with the first school year being no earlier than the 2009-2010 school year), unless the resident school applies for an annual performance category level, and receives a "Level 1" classification, prior to the 2009-2010 school year, and~~
 - ~~(ii) — The parent, guardian or student (if the student is over eighteen (18) years of age) has notified the Department and both the sending and receiving districts of the request of a transfer no later than July 30 of the year in which the student intends to transfer, and~~
 - ~~(iii) — The public school to which the parent, guardian or the student (if the student is over eighteen (18) year of age) makes application to is classified as a Level 3 school or higher in the most recent annual school classification made by the Department.~~
- ~~4.04 — The notification referenced in Section 4.03 (ii) above shall be accomplished by way of a completed Arkansas Opportunity Public School Choice application form to be promulgated and made available by the Department.~~
- ~~4.05 — The opportunity to continue attending school in the receiving district shall remain in force until the student graduates from high school.~~
- ~~4.06 — All student choice options contained in these Rules are subject to the limitations of Ark. Code Ann. § 6-18-206 (d) through (f) (Arkansas Public School Choice Act).~~
- ~~4.07 — (i) Within thirty (30) days of the receipt of an application from a nonresident student seeking admission under the terms of this section, the nonresident district shall notify the parent or guardian and the resident district in writing as to whether the student's application has been accepted or rejected.~~

~~(ii) If the application is rejected, the nonresident district must state in the notification letter the reason for rejection.~~

~~(iii) If the application is accepted, the nonresident districts shall state in the notification letter an absolute deadline for the student to enroll in the district, or the acceptance notification is null.~~

~~4.08 If the requirements of Sections 4.03, 4.04 and 4.06 of these Rules have been met, the nonresident school district shall accept the student for the upcoming school year.~~

~~4.09 A transfer made under these Rules and applicable Arkansas law shall operate as an irrevocable election for each subsequent entire school year and shall remain in force until either the student completes high school or the parent, guardian or the student (if the student is over eighteen (18) years of age) makes application no later than July 30 for attendance or transfer under the following statutes: Ark. Code Ann. § 6-18-202 ("Age and residence for attending public schools"), § 6-18-206 ("Arkansas Public School Choice Act") or § 6-18-316 ("Transfer on petition of student"). A transfer granted under any of the above statutes shall be effective at the beginning of the next academic year.~~

~~4.10 The application form shall contain a notice that a transfer under the Arkansas Opportunity Public School Choice Act shall operate as an irrevocable choice for at least one (1) entire school year, and shall remain in force until the student complete high school, except as otherwise provided by law.~~

~~5.00 ALTERNATIVE SCHOOL CHOICE PROCEDURE~~

~~5.01 The parent or guardian of a student assigned to a school that has been designated as a school in Level 1 under Ark. Code Ann. § 6-15-1903 for two (2) or more consecutive years may choose as an alternative to enroll the student in the public school nearest to the student's legal residence which is classified by the Department as a Level 3 school or higher in the most recent annual school classification.~~

~~5.02 A school district which receives a request from a student referenced in Section 5.01 shall, after verifying that the student meets the criteria in Section 5.01, accept the student and report the student to the Department for the purposes of funding pursuant to applicable Arkansas law.~~

~~6.00 SCHOOL DISTRICT RESPONSIBILITIES~~

~~6.01 A school district shall, for each student enrolled in or assigned to a~~

~~school that has been designated as a Level 1 school for two (2) or more consecutive years:~~

- ~~(i) — Provide timely notification to the parent, guardian or the student (if the student is over eighteen (18) years of age), as soon as practicable after such designation is made of all options available under the Arkansas Opportunity Public School Choice Act, and~~
- ~~(ii) — Offer the parent, guardian or the student (if the student is over eighteen (18) years of age) an opportunity to enroll the student in any public school that has been designated by the Department pursuant to Ark. Code Ann. § 6-15-1903 as a school performing at no less than the Level 3 classification pursuant to the most recent annual school classification.~~

~~6.02 — Any student with disabilities who participates in this public school-choice program who is eligible to receive services from a resident school district under Federal or Arkansas law shall remain eligible to receive such services from the receiving school district.~~

~~6.03 — Any funding for a student described in Section 6.02 above shall be transferred to the receiving school district.~~

~~6.04 — Each school district's board shall offer the opportunity public school choice program within its schools, in addition to any other existing school choice program.~~

~~6.05 — Each school district's board shall annually report the number of students applying for and attending the various types of public schools of choice in the district, including schools such as magnet schools.~~

~~6.06 — A receiving school district shall accept credits toward graduation that were awarded by another district.~~

~~6.07 — The receiving district shall award a diploma to a nonresident student if the student meets the receiving district's graduation requirements.~~

~~6.08 — For purposes of determining a school district's state equalization aid, the nonresident student shall be counted as a part of the average daily membership of the district to which the student has transferred.~~

~~6.09 — All school districts shall report to the Department, on an annual basis, the race, gender, and other pertinent information needed to properly monitor compliance with the provisions of Ark. Code Ann. § 6-18-227 and these Rules.~~

- 6.10—~~The Department may put on probation the superintendent of any school district that fails to file its report each year or fails to file any other information with a published deadline requested from school districts by the Department so long as thirty (30) calendar days are given between the request for the information and the published deadline.~~
- 6.11—~~The receiving school district shall separately report all students who transfer from another public school under Ark. Code Ann. § 6-18-227.~~
- 6.12—~~The public school within the receiving school district which provides services to students with disabilities who have transferred into it pursuant to Ark. Code Ann. § 6-18-227 shall receive funding as determined by applicable Federal and Arkansas law.~~
- 6.13—~~A school district which contains one (1) or more school classified as described in Section 4.03 (i) of these Rules shall do the following:~~
- ~~(i)—Request public service announcements to be made over the broadcast and print media at such times and in such manner as to inform parents or guardians of students in the adjoining public school districts of the availability of the opportunity public school choice program, the application deadline, and the requirements and procedure for nonresident students to participate in the program.~~

7.00—DEPARTMENT OR STATE RESPONSIBILITIES

- 7.01—~~Transportation costs for students transferring under the opportunity public school choice program shall be the responsibility of the state.~~
- 7.02—~~The State's responsibility for transportation costs for a student transferring under the opportunity public school choice program shall cease if the student's resident school achieves a Level 3 or higher classification from the Department in the most recent annual school classification.~~
- 7.03—~~Funding for the transportation costs referenced in Sections 7.01 and 7.02 above shall be included in the base funding amount received by the district from the State, and the school district providing transportation may allocate that portion of the base funding necessary to cover transportation costs arising out of participation in the opportunity public school choice program.~~
- 7.04—~~Upon the occurrence of the event detailed in Section 7.02 above, the transportation costs shall be the responsibility of the student's parents or guardians.~~

~~7.05 — If the acceptance of students pursuant to the opportunity public school choice program results in a receiving school district incurring expenses for required temporary facilities or faculty, such expenses which exceed the amount of state monies received by the district for the education of such students shall be paid by the State.~~

~~7.06 — The Department shall develop an annual report on the status of the opportunity public school choice program and deliver the report to the State Board of Education, the Governor, and the Legislative Council at least ninety (90) days prior to the commencing of the regular session of the General Assembly.~~

~~8.00 — PARENTAL AND STUDENT RESPONSIBILITIES~~

~~8.01 — Any student participating in the opportunity public school choice program shall remain in attendance at the receiving public school throughout the school year, unless excused by the school for illness or other good cause, and shall fully comply with the school's code of conduct.~~

~~8.02 — The parent or guardian of each student participating in the opportunity public school choice program shall fully comply with the receiving public school's parental involvement requirements, unless excused by the school for illness or other good cause.~~

~~8.03 — The parent or guardian shall ensure that the student participating in the opportunity public school choice program takes all statewide assessments, including, but not limited to, Benchmark exams, required pursuant to Ark. Code Ann. § 6-15-433.~~

~~8.04 — A participant who fails to comply with the provisions of Ark. Code Ann. § 6-18-227 shall forfeit the opportunity public school choice program option.~~

APPLICATION FOR TRANSFER PURSUANT TO THE ARKANSAS OPPORTUNITY SCHOOL CHOICE ACT

APPLICANT INFORMATION			
Applicant Name:			
Date of Birth:	Gender:	Male <input type="checkbox"/>	Female <input type="checkbox"/>
		Grade for Upcoming School Year:	
Does the applicant require special needs or programs? Yes <input type="checkbox"/>		No <input type="checkbox"/>	
Is applicant currently under expulsion? Yes <input type="checkbox"/>		No <input type="checkbox"/>	
ETHNIC ORIGIN (CHECK ONE) (See Note 1)			
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 type="checkbox"/>	
RESIDENT SCHOOL AND SCHOOL DISTRICT OF APPLICANT			
District Name:		School Name:	
Address:			
Phone:			
NON-RESIDENT SCHOOL/ SCHOOL DISTRICT APPLICANT WISHES TO ATTEND			
District Name:		School Name:	
Address:			
Phone:			
PARENT OR GUARDIAN INFORMATION			
Name:		Home Phone:	
Address:		Work Phone:	
Parent/Guardian Signature		Date	
<p><u>Note 1:</u> The race or ethnicity of a student shall not be used to deny the student to attend a school district of choice under the Arkansas Opportunity School Choice Act. This information is gathered for district reporting purposes only.</p> <p><u>Note 2:</u> Pursuant to Ark. Code Ann. § 6-18-227, reviewers of this application are hereby notified that a transfer under the Arkansas Opportunity School Choice Act shall operate as an irrevocable election for each subsequent entire school year and shall remain in force until the student completes high school or as otherwise provided by law.</p> <p><u>Note 3:</u> A school district shall not deny a student the ability to attend school in the student's school district of choice unless there is a lack of capacity at the school in the student's school district of choice as defined by Arkansas law and Arkansas Department of Education rules.</p> <p><u>Note 4:</u> Pursuant to Ark. Code Ann. § 6-18-227, a student may only transfer from a school that has been designated as a school in Level 1 under Ark. Code Ann. § 6-15-2103 for two (2) or more consecutive school years to a school that is classified as a Level 3 school or higher under Ark. Code Ann. § 6-15-2103 in the most annual school classification made by the Department of Education.</p>			
DISTRICT USE ONLY			
Application:	Accepted <input type="checkbox"/>	Rejected <input type="checkbox"/>	
Date Notification Sent to Parent/Guardian of Applicant:			
Date Notification Sent to Resident District (If Applicable):			

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING AVAILABILITY DISTANCE LEARNING

May 24, 2004

~~1.00—REGULATORY AUTHORITY~~

~~1.01—These rules shall be known as Arkansas Department of Education Rules to Ensure the Availability of Efficient Scheduling of Courses Offered by Public Schools Through Distance Learning Technologies.~~

~~1.02—These rules are enacted pursuant to the State Board of Education's authority under Arkansas Code Ann. § 6-11-105 and Act 53 of the 84th General Assembly Second Extraordinary Session.~~

~~2.00—PURPOSE~~

~~2.01—It is the purpose of these rules to set reasonable guidelines to make distance learning available to every Arkansas student who wishes to participate and to facilitate efficient scheduling of distance learning courses offered by public schools.~~

~~3.00—DEFINITIONS~~

~~For the purpose of these rules:~~

~~3.01—"Bell schedule" is the daily schedule of classes including the time each class is scheduled to begin and end.~~

~~4.00—DISTANCE LEARNING AND LOCAL SCHOOL BELL SCHEDULES~~

~~4.01—In order to assist school districts in scheduling distance learning courses, make distance learning available to every Arkansas student and coordinate distance learning class schedules of course providers, the Department shall:~~

~~4.01.1 Annually work with Arkansas school districts and distance learning course providers to determine the best possible distance learning bell schedule(s) to meet the scheduling needs of school districts;~~

~~4.02.1 Require school districts providing distance learning courses to adopt a bell schedule consistent with the distance learning course providers that permits students to optimally participate in distance learning and local courses. The school's bell schedule must be aligned with the distance learning provider's class schedule in such a way that it will permit students to take both distance learning classes and locally scheduled classes. Students must be able to consistently join classes on either schedule within the first five minutes or not leave the classes more than five minutes before the scheduled end of the class so that no more than five minutes of any class is missed.~~

~~5.00 DISTANCE LEARNING AND LOCAL DISTRICT CALENDARS~~

~~5.01 In order to assist school districts in scheduling distance learning courses, make distance learning available to every Arkansas student, and coordinate distance learning calendars of course providers, the Department shall:~~

~~5.01.1 Annually work with Arkansas school districts and distance learning course providers to determine the best possible distance learning calendar(s) to meet the distance learning scheduling needs of school districts;~~

~~5.02.1 Require school districts providing distance learning courses to adopt a calendar and bell schedule consistent with the distance learning course provider's course schedule that permits students to optimally participate in distance learning and local courses. The school's local calendar must be designed in a manner that will permit students to take both distance learning courses and local school courses. The local school calendar and the calendar of any distance learning course provider that the school is using to offer courses must align in such a way that students taking distance learning courses are able to participate in the courses without missing more than five days. The policy for making up any missed days will be determined by the distance learning course provider.~~

ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING DISTANCE LEARNING

August 11, 2003

1.00 — REGULATORY AUTHORITY

- 1.01 These rules shall be known as Arkansas Department of Education Rules Governing Distance Learning.
- 1.02 These rules are enacted pursuant to the State Board of Education's authority under Arkansas Code Annotated §§ 6-47-201, 6-47-302, and Act 1192 of 2003.

2.00 — PURPOSE

It is the purpose of these rules to set reasonable guidelines for the implementation of the Arkansas Distance Learning Development Project and the operation of distance learning in the public schools of Arkansas. These regulations rules shall replace any existing regulations or guidelines regarding distance learning. These rules do not apply to professional development activities or courses meeting Arkansas Department of Education Rules and Regulations for Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade.

3.00 — DEFINITIONS

For the purpose of these rules:

- 3.01 "Adult Facilitator" is the person responsible for supervising and assisting the students at the receiving site. The adult facilitator must be an adult approved by the school district.
- 3.02 "Appropriately Licensed or Approved Instructor" is a teacher either licensed to teach the content of the required course in a public school in Arkansas or approved by the Department to teach the content through distance learning technology.
- 3.03 "Course Curriculum" is the course design including the instructional content, methods, and student assessments.—
- 3.04 "Distance Learning" is the technology and educational process used to provide instruction when the student and primary instructor are not physically present at the same time and/or place.
- 3.05 "Elective Course" is a course that is not used to meet the state requirements for graduation or course offerings.
- 3.06 "Offering Institution" is the school or organization providing the distance learning course.
- 3.07 "Primary Instructor" is the instructor responsible for the course design, instruction, and student assessments.

- ~~3.08 "Receiving Site" is the local school site where the students are receiving distance learning.~~
- ~~3.09 "Required Course" is a course offered by distance learning which may be used by a student to meet one of the state mandated graduation requirements or by a school to meet one of the course offerings required by the state.~~
- ~~3.10 "Supplemental Instruction" is instruction used to reinforce or enrich a required course or to provide the student an educational opportunity outside of the normal course structure.~~
- ~~3.11 "Technology" is the method (usually electronic or by telecommunications) used for providing the student with materials, instruction, assistance, and a way to interact with the teacher(s) and other students.~~

~~4.00 REQUIRED COURSES~~

- ~~4.01 The Department of Education must approve all required courses originating from an offering institution located outside the State of Arkansas. The courses must be approved either individually or the Department may approve the institution to offer distance learning courses to public schools in Arkansas.~~
- ~~4.02 All distance learning courses originating in Arkansas that are used as a required course shall have an appropriately licensed or approved primary instructor.~~
- ~~4.03 All distance learning courses that are used as a required course shall have an adult facilitator to supervise any instructional activity where students meet as a group.~~
- ~~4.04 All distance learning courses except concurrent credit courses that are used as a required course shall use a curriculum designed to comply with the Arkansas Curriculum Frameworks and Arkansas Course Content Standards.~~
- ~~4.05 An adult facilitator must be present when student achievement assessments used to determine a student's final grade are administered in a distance learning required course. The student achievement assessments shall be designed to assess the degree to which the students have mastered the Arkansas Course Content Standards.~~
- ~~4.05.1 Documentation of student achievement assessments shall be maintained at the receiving site school for a minimum of five years after the final grade for the student has been issued. Documentation shall include the assessment questions, student responses, and the grade for each student assessment and grading period.~~

~~4.05.2 Student achievement assessment documentation shall be available for review by the Department of Education. In the event that the Department review indicates insufficient student achievement or inadequate curriculum alignment with the curriculum frameworks or course content standards, the course may be disapproved by the Department for use beginning the following school year.~~

~~5.00 ELECTIVE COURSES~~

~~Distance learning elective courses shall not be subject to the restrictive provisions of these regulations. However, teachers must be licensed or approved by the Department and other related Department regulations or standards of accreditation may apply.~~

~~6.00 SUPPLEMENTAL INSTRUCTION~~

~~All distance learning supplemental instruction shall be considered an enhancement to the teacher's regular instruction and shall not be subject to the restrictive provisions of these regulations.~~

~~7.00 CLASS SIZE~~

~~7.01 The number of students present at the receiving site(s) shall determine class size.~~

~~7.02 Class size for synchronous distance learning courses shall be the same as for courses not taught by distance learning as specified in the Arkansas Standards for Accreditation. Class size requirements do not apply to asynchronous distance learning instruction.~~

~~7.03 Student interaction with the primary instructor or an appropriately licensed teacher(s) shall be available at a ratio of no more than 30 students per class and 150 students each day for both synchronous and asynchronous courses.~~

~~8.00 ADULT SUPERVISION~~

~~These rules provide minimum distance learning educational supervision requirements only and are not designed to replace legal or other student supervision responsibilities schools have to properly protect and supervise students.~~

~~9.00 PILOT PROGRAMS~~

~~In an effort to facilitate distance learning opportunities for students and teachers, the Information and Technology Section of the Department of Education may approve on a pilot basis distance learning courses for a maximum of two consecutive years. Continuation of the distance learning course after the pilot phase will be dependent on the course meeting all of the regulations governing distance learning courses.~~

~~10.0 ARKANSAS DISTANCE LEARNING DEVELOPMENT PROJECT~~

~~In order to improve course offerings available to students throughout the state and demonstrate the efficiency of using distance learning to enhance elementary and secondary education there is hereby established the Arkansas Distance Learning Development Project.~~

~~10.01 The project shall have four (4) focus areas:~~

~~10.01.1 To help alleviate the increasing shortage of available qualified teachers;~~

~~10.01.2 To provide additional course scheduling opportunities of students currently forced to choose between courses that are scheduled infrequently or currently;~~

~~10.01.3 To provide an opportunity for students to access an enriched curriculum and additional courses beyond those mandated by the Standards for Accreditation of Arkansas Public Schools; and~~

~~10.01.4 To develop and make available online professional development and instructional resources for all teachers and administrators.~~

~~10.02 The funding necessary to carry out the provisions of this subchapter may be derived from donations, grants, or legislative appropriation.~~

~~10.02.1 The project shall receive from the Public School Fund an amount equal to one sixth (1/6) of the previous year's base local revenue per student for each student enrolled in a course at the secondary level or each subject at the elementary level on July 15 for the current summer or upcoming school year. The funds shall be transferred from the Public School Fund to the designated distance learning fund and appropriation upon verification of student enrollment by the Information and Technology Section.~~

~~10.02.2 The director may solicit and receive donations and grants for the purpose of administering the program.~~

~~10.02.3 Fund balances may be carried over from one year to the next to continue the project.~~

~~10.02.4 The department may enter into contracts or provide grants to local education agencies, education service cooperatives, or other entities for personnel, facilities, and services necessary to implement this project.~~

~~10.03 Students taking courses through this project shall be considered entitled to any public education credits and grades assigned through this project and those credits and grades shall be accepted by all public schools in Arkansas.~~

~~10.04 The director shall review the implementation of this program annually and make recommendations to the board to ensure that the purpose of the program is achieved.~~

ARKANSAS DEPARTMENT OF EDUCATION
~~RULES GOVERNING GRANTS FOR DISTANCE LEARNING~~
June 14, 2004

~~1.00—REGULATORY AUTHORITY~~

~~1.01—These rules shall be known as Arkansas Department of Education Rules Governing Grants for Distance Learning.~~

~~1.02—These rules are enacted pursuant to the State Board of Education's authority under Arkansas Code 6-11-105 and Act 34 of 2003 2nd Extraordinary Session of the 84th General Assembly.~~

~~2.00—PURPOSE~~

~~2.01—It is the purpose of these rules to set reasonable guidelines to make distance learning available to every school district in the state and to establish grant standards for providing funds to education cooperatives for acquiring equipment and telecommunication services necessary for each school district to have the availability of distance learning. These rules are specifically for the purpose of establishing grant standards to implement Act 34 and distribute funds that become available through Act 96 of the 84th General Assembly Second Extraordinary Session of 2003.~~

~~3.00—DEFINITIONS~~

~~For the purpose of these rules and regulations:~~

~~3.01—"Distance Learning Consortium" is a group of school districts or an education cooperative submitting a grant proposal to obtain funds available through Acts 34 and 96 of the Second Extraordinary Session of 2003.~~

~~3.02—"Education Cooperative" includes the 15 legally established Education Service Cooperatives created pursuant to Arkansas Code 6-13-1002 and one collaborative entity between the three public school districts in Pulaski County.~~

~~3.03—"School District" is any school district eligible to receive foundation funding under Act 59 of the 84th General Assembly Second Extraordinary Session.~~

~~4.00—GRANT NEED FOCUS AREAS~~

~~In order to assist school districts needing to receive advanced high school courses, advanced placement courses, enriched course content, or other academic courses not otherwise available in the school district, there is hereby established grant need focus areas for education cooperatives to assist school districts in obtaining and updating distance learning capabilities. The grants shall be designed to address the following needs:~~

~~4.01—Acquiring equipment and software necessary to implement distance learning;~~

- ~~4.02 Upgrading existing equipment and software for more efficient operation of distance learning;~~
- ~~4.03 Providing adequate connectivity for distance learning;~~
- ~~4.04 Providing for telecommunication services for distance learning;~~
- ~~4.05 Providing technical support for distance learning;~~
- ~~4.06 Providing professional development and sharing of information on resources available for the utilization of distance learning.~~

~~5.00 GRANT ELIGIBILITY STANDARDS~~

~~Grant funds will only be distributed to an education cooperatives or distance learning consortium that submits a grant proposal in which the school districts participating and/or the distance learning consortium meets the following standards:~~

- ~~5.01 Address one or more of the established grant need focus areas;~~
- ~~5.02 Have technical protocols in alignment with standards established by the office of the Executive Chief Information Officer;~~
- ~~5.03 Coordinate with the Department to seek the Federal Communication Commissions E Rate discounts;~~
- ~~5.04 Collaborate to share course content.~~

~~6.00 DEPARTMENT OVERSIGHT~~

- ~~6.01 The Arkansas Department of Education shall oversee the efficient operation and use of the system pursuant to law. In order to comply with the Department's oversight responsibilities, the Department shall require submission and approval of grant proposals by the education cooperative or distance learning consortium prior to distribution of funds. The Information and Technology Section of the Department shall design the proposal format and approve the proposals for funding.~~

~~7.00 GRANT PROPOSALS~~

- ~~7.01 The grant proposals shall include the amount of funds requested by each focus area and an implementation plan supporting the purpose, need and standards contained in these rules. The superintendent and /or the education cooperative director of each participating school district shall approve the proposal submitted to the Department. The plan contained in the proposal shall be consistent with Arkansas Code and existing Arkansas Department of Education rules regarding distance learning. Proposals will be~~

~~reviewed for approval as submitted. In order to be considered for Act 96 funding, implementation proposals must be received by the Arkansas Department of Education by October 1, 2004.~~

~~8.00 DISTRIBUTION OF FUNDS~~

~~The Department will budget and distribute funds appropriated in Act 96 according to the following:~~

- ~~8.01 To provide up to \$7,640,000 for school districts with a maximum of \$45,000 per district to acquire equipment and software necessary to implement distance learning in districts not having interactive video capacity and to add equipment and software to education cooperatives for distance learning content delivery;~~
- ~~8.02 To provide up to \$600,000 to upgrade and maintain existing equipment and software in districts and education cooperatives currently providing video conferencing capacity;~~
- ~~8.03 To provide up to \$1,600,000 for distance learning technical support and organizational assistance to school districts. To meet this need each of the education cooperatives will receive \$100,000 to hire and support one new distance learning technical assistance position;~~
- ~~8.04 To provide up to \$160,000 for professional development and training for participating school districts in the utilization of distance learning. Each of the education cooperatives will receive \$10,000;~~
- ~~8.05 Any funds not distributed through sections 8.01 through 8.04 will be distributed for connectivity, backbone capacity, and telecommunication services for distance learning.~~

~~9.00 EFFECT ON TEACHERS~~

- ~~9.01 A teacher that is under contract in a school district in the respective fields of study that is being offered by distance learning shall not be terminated by the school district because of the availability of distance learning courses.~~

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING DISTANCE LEARNING
July 11, 2005**

1.00 REGULATORY AUTHORITY

- 1.01 These rules shall be known as Arkansas Department of Education Rules Governing Distance Learning.
- 1.02 These rules are enacted pursuant to the State Board of Education's authority under Arkansas Code Annotated §§ 6-47-201, 6-47-302, and Act 2325 of 2005; Ark. Code Ann. §§ 6-16-136; 6-47-201 through 6-47-203; 6-47-301 through 6-47-305; 6-47-401 through 6-47-406; 6-47-501 through 6-47-504; 25-15-201 et seq.; and Act 1075 of 2011.

2.00 PURPOSE

It is the purpose of these rules to set reasonable guidelines for the statewide coordination of distance learning, planning and implementation of the Arkansas Distance Learning Development Program, and Arkansas Distance Learning Grants. ~~the Public School District and Charter School Distance Learning Program and the operation of distance learning in the public schools of Arkansas. These rules shall replace any existing rules regarding distance learning.~~ These rules do not apply to professional development activities.

3.00 DEFINITIONS

For the purposes of these rules:

- 3.01 "Adult Facilitator" is the person responsible for supervising and assisting the students at the receiving site. The adult facilitator must be an adult approved by the school district.
- 3.02 "Asynchronous" is a distance-learning technology where the student is not receiving live or real time instruction from a teacher and typically utilizes the Internet.
- 3.03 "Appropriately Licensed or Approved Instructor" is a teacher either licensed to teach the content of the required course in a public school in Arkansas or approved by the Commissioner of the Arkansas Department of Education to teach the content through distance learning-technology. The intent of the approval process is to provide flexibility for the approval of teachers of programs originating from outside Arkansas, exceptionally qualified individuals within the state who may not meet licensure requirements, or teachers of courses that do not have an appropriate licensure requirement.

3.03.1 For teachers requiring approval by the Commissioner of Education to teach content through distance learning technology, the following procedures shall apply:

3.03.1.1 Not later than thirty (30) days prior to the date upon which the teacher intends to begin instruction, the superintendent of the public school district or director of the open-enrollment public charter school offering distance learning shall submit to the Commissioner of Education a written request for approval that includes the following information:

3.03.1.1.1 The name of the teacher and the name of the educational entity with which the teacher is employed;

3.03.1.1.2 A list of the courses for which the teacher plans to provide instruction;

3.03.1.1.3 Copies of out-of-state licenses currently possessed by the teacher;

3.03.1.1.4 Copies of educational transcripts from each institution of higher education attended by the teacher; and

3.03.1.1.5 A resume or curriculum vitae of the teacher that lists experience in teaching and education.

3.03.1.2 Within twenty (20) days of receiving the written request, the Commissioner of Education shall, in writing, approve the request, deny the request or request additional information.

3.03.2 The decision of the Commissioner of Education concerning approval or disapproval of the request shall be final.

3.04 “Bell schedule” is the daily schedule of classes including the time each class is scheduled to begin and end.

3.05 “Commissioner” means the Commissioner of Education.

3.04 “Course Curriculum” is the course design including the instructional content, methods, and student assessments.

3.06 “Department” means the Department of Education.

3.057 “Distance Learning” is the technology and educational process used to provide instruction when the student and primary instructor are not physically present at the

same time and/or place an interactive telecommunications system that utilizes information technology, audio, video, and similar technological elements, is compatible with other distance learning networks, and is used for the purpose of enhancing instruction in Arkansas public schools.

3.068 “Distance Learning Course” is a course that is made available by using distance-learning technology.

3.09 “Infrastructure” means an interlinked system of wires, cables, fiber optics, or other wire line or wireless communications media.

3.07 “Offering Institution” is the school or organization providing the distance learning course.

3.0810 “Primary Instructor” is ~~an individual responsible for the course design, instruction, or student assessments~~ the appropriately licensed or approved educator responsible for:

3.10.1 Ensuring the course content is aligned with the appropriate Arkansas Curriculum Framework or similar course outline approved by the Department or by the Department of Career Education;

3.10.2 Providing direct instruction as necessary; and

3.10.3 Supervising the administration of student assessments.

3.0911 “Receiving Site” is ~~the local site~~ a physical location where ~~the~~ one or more students ~~are~~ is receiving distance learning.

3.12 “Sending site” is the physical location of a primary instructor providing synchronous direct instruction.

3.13 “State Board” means the State Board of Education.

3.104 “Supplemental Instruction” is instruction used to reinforce or enrich a course or to provide the student an educational opportunity outside of the normal course structure.

3.145 “Synchronous” is a distance learning-technology where the student is receiving live or real-time instruction from a teacher and typically utilizes compressed interactive video.

3.12 “Technology” is ~~the means (usually electronic or by telecommunications) used for providing the student with materials, instruction, assistance, and a way to interact with the teacher(s) and other students.~~

4.00 PURPOSE AND INTENT OF DISTANCE LEARNING IN ARKANSAS

4.01 The Arkansas General Assembly found that:

4.01.1 Arkansas public schools face a serious shortage of teachers;

4.01.2 Educational technology can help lift the burden of teacher shortages by making distance learning available across the state; and

4.01.3 Distance learning should be available to every Arkansas student who wishes to participate.

4.02 The intent of the Arkansas General Assembly is that the planning and implementation of distance learning should create opportunities for innovation in education, transform institutional behavior, and prepare students for participation in the information age economy.

4.03 The purpose of the General Assembly with regard to distance learning is:

4.03.1 To provide for the establishment, organization, and administration of a distance learning program designed to improve course offerings available to students throughout the state; and

4.03.2 Demonstrate the efficiency of using distance learning to enhance elementary and secondary education and prepare students for greater success in a postsecondary educational environment.

4.04 The purpose of the General Assembly with regard to distance learning grants is:

4.04.1 To make available distance learning in every school district in the state; and

4.04.2 Assist school districts in receiving advanced high school courses, advanced placement courses, enriched course content, or other academic courses not otherwise available in the school district.

5.00 DEPARTMENT OF EDUCATION COORDINATION AND REPORTING

5.01 The Department shall work with the Arkansas School for Mathematics, Sciences, and the Arts, the Arkansas Educational Television Commission, the educational service cooperatives, and other state agencies involved in distance learning in implementing distance learning.

5.02 The Department shall work together with the Department of Higher Education to implement distance learning throughout the state.

6.00 DISTANCE LEARNING COORDINATING COUNCIL

6.01 The purpose of the Distance Learning Coordinating Council is to evaluate distance learning activities for kindergarten through grade twelve (K-12) education across the State of Arkansas and to determine whether distance learning activities are being fully utilized through a collaborative process that maximizes the utilization of the state's technical and educational resources.

6.02 The Distance Learning Coordinating Council consists of the following members:

6.02.1 One (1) member who is an employee of the Department appointed by the Commissioner;

6.02.2 One (1) member who is an employee of the Arkansas Educational Television Network appointed by the Director of the Educational Television Division of the Department of Education;

6.02.3 One (1) member who is an employee of the Arkansas School for Mathematics, Sciences and the Arts appointed by the Director of the Arkansas School for Mathematics, Sciences, and the Arts;

6.02.4 One (1) member who is an employee of the Office of Information Technology appointed by the Office of Information Technology or its successor agency;

6.02.5 One (1) member who is an employee of the Department of Information Services appointed by the Director of the Department of Information Services;

6.02.6 One (1) member who is an employee of the Arkansas Science and Technology Authority appointed by the President of the Arkansas Science and Technology Authority;

6.02.7 One (1) member who is an employee of the Department of Career Education appointed by the Director of the Department of Career Education;

6.02.8 One (1) member who is employed by the Department of Higher Education appointed by the Director of the Department of Higher Education;

6.02.9 One (1) member who is an employee of the Arkansas State Library appointed by the State Librarian;

6.02.10 One (1) member who is an employee of an education service cooperative appointed by the Governor from a list of three (3) names submitted by the State Board;

6.02.11 One (1) member who is actively engaged in distance learning activities for grades kindergarten through twelve (K-12) education appointed by the Governor from the state at large;

6.02.12 Two (2) members who are employed by telecommunications companies that are members of the Arkansas Telecommunications Association and appointed as follows:

6.02.12.1 One (1) member shall be employed by a telecommunications company with more than seventy-five thousand (75,000) access lines and shall be appointed by the Governor from a list of three (3) names submitted by the association; and

6.02.12.2 One (1) member shall be employed by a telecommunications company with less than seventy-five thousand (75,000) access lines and shall be appointed by the Governor from a list of three (3) names submitted by the association; and

6.02.13 Members added by the Commissioner to the Distance Learning Coordinating Council to represent other entities that are associated with grades kindergarten through twelve (K-12) distance learning and that come into existence after September 1, 2005.

6.03 Members shall serve three-year terms and are eligible for reappointment.

6.03.1 If a vacancy occurs in an appointed position for any reason, the vacancy shall be filled in the same manner as the original appointment.

6.03.2 The members of the Distance Learning Coordinating Council shall meet and organize immediately after their appointment and shall elect a chair, a vice chair, and a secretary-treasurer from the membership of the Distance Learning Coordinating Council.

6.03.3 The Distance Learning Coordinating Council shall meet at least quarterly.

6.03.4 Staff support shall be provided by appropriate personnel from the Department of Education, the Department of Career Education, the Department of Higher Education, the Division of Public School Academic Facilities and Transportation, the Division of Public School Accountability, and the state's public institutions of higher education with the assistance of any appropriate staff of the other agencies whose directors serve on the Distance Learning Coordinating Council.

6.03.5 Non-state employee members shall serve without compensation but may receive expense reimbursement in accordance with Ark. Code Ann. § 25-16-902.

6.04 The Distance Learning Coordinating Council shall make recommendations at least annually to the Department of Education, the Division of Public School Academic Facilities and Transportation, the Division of Public School Accountability, the House Committee on Education, and the Senate Committee on Education with regard to the following:

6.04.1 Distance learning standards and rules;

6.04.2 Online distance learning curriculum;

6.04.3 Supplemental distance learning course material;

6.04.4 Coordination of distance learning services;

6.04.5 Methods for fostering collaborative processes by which distance learning content can be shared more effectively with and delivered to public schools;

6.04.6 Strategies for reducing the occurrences of isolated distance learning activities;

6.04.7 Options for spreading distance learning costs and increasing the value of shared distance learning services; and

6.04.8 Improving utilization of distance learning resources.

7.00 REQUIREMENTS FOR THE ADMINISTRATION OF DISTANCE LEARNING IN ELEMENTARY AND SECONDARY SCHOOLS

7.01 An elementary or secondary school may offer instruction through distance learning provided by any provider approved by the Department or by the Department of Career Education.

7.02 Courses offered through distance learning shall include, without limitation:

7.02.1 College preparatory courses, including, without limitation, calculus, physics, Arkansas history, foreign languages, and computer science; and

7.02.2 Technological courses, including, without limitation, advanced math and science courses, advanced computer skills courses, and advanced courses in the arts.

- 7.03 Any distance learning course must be approved by the Department or by the Department of Career Education before the course is offered or taught by any public school district or open-enrollment public charter school unless:
- 7.03.1 The distance learning course content is aligned with the appropriate content standards and curriculum frameworks developed and approved by the State Board of Education or Department of Career Education; or
- 7.03.2 The course is not offered for credit.
- 7.04 All distance learning courses shall have an appropriately licensed or approved primary instructor.
- 7.05 Each receiving site shall have an adult facilitator to:
- 7.05.1 Supervise any instructional activity where students meet as a group; and
- 7.05.2 Administer all student achievement assessments used to determine a student's final grade.
- 7.06 Student achievement assessments shall be designed to assess the degree to which a student masters the approved content standards and curriculum framework for the distance learning course.
- 7.06.1 Documentation of student achievement assessments shall be maintained at the receiving site for a minimum of five (5) years after the final grade for the student has been issued. Documentation shall include the assessment questions, student responses, and the grade for each student assessment and grading period.
- 7.06.2 Student achievement assessment documentation shall be available for review by the Department to ensure compliance with the approved content standards and curriculum framework.
- 7.07 Distance learning that is purely supplemental instruction shall be considered an enhancement to the teacher's regular instruction and shall not be subject to the restrictive provisions of these rules.
- 7.08 The combined number of students at the receiving and sending site(s) shall determine class size for synchronous distance learning.
- 7.09 Class size for synchronous distance learning courses shall be the same as for courses not taught by distance learning as specified in the Arkansas Standards for Accreditation. Class size requirements do not apply to asynchronous distance learning instruction.

- 7.10 Student interaction with the primary instructor or an appropriately licensed teacher(s) shall be available at a ratio of not more than 30 students per class and 150 students each day for both synchronous and asynchronous courses.
- 7.11 These rules provide minimum distance learning educational supervision requirements only and are not designed to replace legal or other student supervision responsibilities schools have to properly protect and supervise students.
- 7.12 In order to assist school districts in scheduling distance learning courses, make distance learning available to every Arkansas student, and coordinate distance learning calendars of distance learning course providers, the Department shall on an annual basis work with public school districts, open-enrollment public charter schools, and distance learning providers to determine the best possible distance learning calendar(s) to meet the distance learning scheduling needs of school districts.
- 7.13 Any public school district or open-enrollment public charter school offering synchronous distance learning courses shall:
- 7.13.1 Adopt a calendar and bell schedule that is consistent with the distance learning course provider's schedule and that permits students to optimally participate in synchronous distance learning and local courses;
- 7.13.2 Adopt a calendar that permits students to take both synchronous distance learning courses and local school courses;
- 7.13.3 Align its calendar and the calendar of any synchronous distance learning courses in such a way that students taking synchronous distance learning courses are able to participate in the courses without missing more than five (5) days; and
- 7.13.4 Abide by the policy adopted by the synchronous distance learning course provider for making up any missed days.

8.00 ARKANSAS DISTANCE LEARNING DEVELOPMENT PROGRAM

- 8.01 The Arkansas Distance Learning Development Program shall be conducted by the Department and administered through the Commissioner.
- 8.02 The Arkansas Distance Learning Program shall have four (4) focus areas:
- 8.02.1 To help alleviate the increasing shortage of available qualified teachers;
- 8.02.2 To provide additional course-scheduling opportunities for students currently forced to choose between courses that are scheduled infrequently or concurrently;

8.02.3 To provide an opportunity for students to access an enriched curriculum and additional courses beyond those mandated by the Standards for Accreditation of Arkansas Public Schools and School Districts; and

8.02.4 To develop and make available online professional development and instructional resources for all teachers and administrators.

8.03 The funding necessary to carry out the provisions of this section may be derived from donations, grants or legislative appropriation.

8.03.1 The Commissioner may solicit and receive donations and grants for the purpose of administering the Arkansas Distance Learning Program.

8.03.2 All donations, grants, and appropriations received shall be accounted for by the Department.

8.03.3 Fund balances may be carried over from one year to the next to continue the Arkansas Distance Learning Program.

8.04 The Commissioner shall review the implementation of the Arkansas Distance Learning Program annually and make recommendations to the State Board regarding the number and amount of awards to ensure that the purpose of the Arkansas Distance Learning Program is achieved.

8.05 The Commissioner may enter into contracts or provide grants to local education agencies, education service cooperatives, or other entities for personnel, facilities, and services necessary to implement the Arkansas Distance Learning Program.

8.06 Students taking courses through the Arkansas Distance Learning Program shall be considered entitled to any public education credits and grades assigned through the Arkansas Distance Learning Program and those credits shall be accepted by all public schools in the State of Arkansas.

9.00 PARTICIPATION IN DISTANCE LEARNING COURSES BY HOME-SCHOOL AND PRIVATE-SCHOOL STUDENTS

9.01 Except as provided in Section 9.02 of these rules, a public school district or open-enrollment public charter school may offer and teach distance learning courses to a student enrolled in a private school or a home school only if:

9.01.1 The student resides in the public school district where the public school or open-enrollment public charter school is located;

9.01.2 The student agrees to physically attend the public school or open-enrollment public charter school for the purposes of taking;

- 9.01.2.1 A distance learning course taught through the public school or open-enrollment public charter school; and
- 9.01.2.2 State tests and assessments required for the particular course or courses taken by the student;
- 9.01.3 The distance learning course is offered for credit; and
- 9.01.4 The distance learning course is approved by the Department, or is aligned with the appropriate content standards and curriculum frameworks developed and approved by the State Board of Education or Department of Career Education.
- 9.02 The Commissioner may waive the requirements of 9.01.1 and 9.01.2 on an individual basis for a student who is unable to attend due to conditions that prevent the child from physically attending a public school or an open-enrollment public charter school.
- 9.02.1 A parent or guardian, or a student if the student is over eighteen (18) years of age, may request such a waiver in writing to the Commissioner no later than thirty (30) days prior to the beginning of the semester in which the student intends to enroll in a distance learning course(s). The parent shall simultaneously send a copy of the request to the superintendent of the public school district or director of the open-enrollment public charter school in which the student intends to enroll in a distance learning course(s).
- 9.02.2 The request must clearly set forth and document the conditions that prevent the child from physically attending the public school or open-enrollment public charter school for the purposes of enrolling in a distance learning course(s).
- 9.03 A public school district or open-enrollment public charter school that teaches or offers a distance learning course to one (1) or more home-schooled or private school students who meet the conditions of 9.01 or 9.02 shall be entitled to an amount equal to one-sixth (1/6) of the state foundation funding amount for each course taught to a private school student or home-schooled student.
- 9.04 However, under no circumstances shall a public school district or open-enrollment public charter school be entitled to more than the equivalent of state foundation funding for one (1) average daily membership per student regardless of the number of distance learning courses received by a particular home-schooled or private school student.
- 9.05 A home-schooled student or a private school student enrolled in a distance learning course shall not be entitled to any rights, privileges, courses, activities, or services

available to a public school student or open-enrollment public charter school student other than receiving appropriate credit for a completed distance learning course.

9.06 These rules shall not be construed to entitle a home-schooled student or private school student to participate in, enroll in, or attend any other courses, activities, or services provided by a public school district or an open-enrollment public charter school.

9.07 No public school district or open-enrollment public charter school shall establish or provide a virtual school or distance learning course to home-schooled or private school students except as allowed by this section and by Ark. Code Ann. § 6-47-406.

9.08 This section shall not be construed to require a home-schooled student or private school student to take any test or assessment not specifically required for completion of the course for which the student is enrolled.

10.00 DISTANCE LEARNING GRANTS

10.01 The following grant standards are hereby developed to provide grants to education service cooperatives for acquiring equipment and receiving telecommunications services necessary for each school district to have distance learning availability.

10.02 The grants shall be used to assist school districts that do not have distance learning capabilities and to assist school districts in upgrading existing distance learning capabilities.

10.03 The grants shall also be used by the education service cooperatives to provide technical assistance to the school districts in implementing and maintaining distance learning as an educational tool.

10.04 Each school district shall have adequate connectivity to provide quality of service for distance learning.

10.05 Distance learning technical protocols shall be in alignment with technical standards set by the Director of the Department of Information Systems.

10.06 Education service cooperatives and school districts shall coordinate with the Department to seek to obtain the benefits of the Federal Communications Commission's E-Rate discount program.

10.07 In order to assist school districts needing to receive advanced high school courses, advanced placement courses, enriched course content, or other academic courses not otherwise available in the school district, there is hereby established grant need focus areas for education cooperatives to assist school districts in obtaining and up-

dating distance learning capabilities. The grants shall be designed to address the following needs:

10.07.1 Acquiring equipment and software necessary to implement distance learning;

10.07.2 Upgrading existing equipment and software for more efficient operation of distance learning;

10.07.3 Providing adequate connectivity for distance learning;

10.07.4 Providing for telecommunication services for distance learning;

10.07.5 Providing technical support for distance learning; and

10.07.6 Providing professional development and sharing of information on resources available for the utilization of distance learning.

10.08 Grant funds will only be distributed to an education cooperatives or distance learning consortium that submits a grant proposal in which the school districts participating and/or the distance learning consortium meets the following standards:

10.08.1 Address one or more of the established grant need focus areas;

10.08.2 Have technical protocols in alignment with standards established by the Director of the Department of Information Systems;

10.08.3 Coordinate with the Department to seek the Federal Communication Commission's E-Rate discounts; and

10.08.4 Collaborate to share course content.

10.09 The Department shall oversee the efficient operation and use of the system pursuant to law. In order to comply with the Department's oversight responsibilities, the Department shall require submission and approval of grant proposals by the education cooperative or distance learning consortium prior to distribution of funds. The Division of Research and Technology of the Department shall design the proposal format and approve the proposals for funding.

10.10 The grant proposals shall include the amount of funds requested by each -focus area and an implementation plan supporting the purpose, need and standards contained in these rules. The superintendent and /or the education cooperative director of each participating school district shall approve the proposal submitted to the Department. The plan contained in the proposal shall be consistent with Arkansas Code and existing Arkansas Department of Education rules regarding distance learning. Proposals will be reviewed for approval as submitted.

11.00 DISTANCE LEARNING CONSORTIUMS

School districts shall form collaborative efforts with other schools and/or education service cooperatives that share common educational needs in order to ensure that the state maximizes distance learning services by distributing shared course content.

12.00 EFFECT OF DISTANCE LEARNING PROGRAMS ON TEACHERS

A teacher that is under contract in a school district in the respective field of study that is being offered by distance learning shall not be terminated by the school district because of the availability of distance learning courses.

13.00 OPEN-ENROLLMENT VIRTUAL CHARTER SCHOOL FUNDING RESTRICTIONS

13.01 In accordance with Section 21 of Act 1075 of 2011, no school district shall receive state funding for the 2011-2012 school year for those students who are included in the district's average daily membership for the previous school year but who are attending any open-enrollment charter school that uses internet, long-distance, or virtual technology as the primary method of teaching.

13.02 The provisions of this section shall be in effect only from July 1, 2011 through June 30, 2012.

~~4.00 — COURSE REQUIREMENTS~~

- ~~4.01 — The Department of Education must approve all distance learning courses prior to the courses being offered or taught by a public school district or charter school.~~
- ~~4.02 — All distance learning courses shall have an appropriately licensed or approved primary instructor.~~
- ~~4.03 — All distance learning courses shall have an adult facilitator to supervise any instructional activity where students meet as a group.~~
- ~~4.04 — All distance learning courses except concurrent credit courses that are used as a required course shall use a curriculum designed to comply with the Arkansas Curriculum Frameworks and Arkansas Course Content Standards.~~
- ~~4.05 — An adult facilitator must be present when student achievement assessments used to determine a student's final grade are administered in a distance learning course. The student achievement assessments shall be designed to assess the degree to which the students have mastered existing Arkansas Course Content Standards.~~
 - ~~4.05.1 — Documentation of student achievement assessments shall be maintained at the receiving site school for a minimum of five years after the final grade for the student has been issued. Documentation shall include the assessment questions, student responses, and the grade for each student assessment and grading period.~~
 - ~~4.05.2 — Student achievement assessment documentation shall be available for review by the Department of Education. In the event that the Department review indicates insufficient student achievement or inadequate curriculum alignment with the curriculum frameworks or course content standards, the course may be disapproved by the Department for use beginning the following school year.~~

~~5.00 — SUPPLEMENTAL INSTRUCTION~~

~~All distance learning supplemental instruction shall be considered an enhancement to the teacher's regular instruction and shall not be subject to the restrictive provisions of these regulations.~~

~~6.00 — CLASS SIZE~~

- ~~6.01 — The combined number of students at the receiving and sending site(s) shall determine class size.~~
- ~~6.02 — Class size for synchronous distance learning courses shall be the same as for courses not taught by distance learning as specified in the Arkansas Standards for~~

~~Accreditation. Class size requirements do not apply to asynchronous distance-learning instruction.~~

~~6.03—Student interaction with the primary instructor or an appropriately licensed teacher(s) shall be available at a ratio of no more than 30 students per class and 150 students each day for both synchronous and asynchronous courses.~~

~~7.00—ADULT SUPERVISION~~

~~These rules provide minimum distance-learning educational supervision requirements only and are not designed to replace legal or other student supervision responsibilities schools have to properly protect and supervise students.~~

~~8.00—PILOT PROGRAMS~~

~~In an effort to facilitate distance learning opportunities for students and teachers, the Arkansas Department of Education may approve on a pilot basis distance learning courses for a maximum of two consecutive years. Continuation of the distance learning course after the pilot phase will be dependent on the course meeting all of the regulations governing distance learning courses.~~

~~9.00—ARKANSAS DISTANCE LEARNING DEVELOPMENT PROGRAM~~

~~In order to improve course offerings available to students throughout the state and to demonstrate the efficiency of using distance learning to enhance elementary and secondary education, there is hereby established the Arkansas Distance Learning Development Program.~~

~~9.01—The program shall have four (4) focus areas:~~

~~9.01.1—To help alleviate the increasing shortage of available qualified teachers;~~

~~9.01.2—To provide additional course scheduling opportunities of students currently forced to choose between courses that are scheduled infrequently or concurrently;~~

~~9.01.3—To provide an opportunity for students to access an enriched curriculum and additional courses beyond those mandated by the Standards for Accreditation of Arkansas Public Schools; and~~

~~9.01.4—To develop and make available online professional development and instructional resources for all teachers and administrators.~~

~~9.02—The funding necessary to carry out the provisions of this subchapter may be derived from donations, grants, or legislative appropriation.~~

~~9.02.1 The project shall receive from the Public School Fund an amount equal to one-sixth (1/6) of the previous year's foundation aid per student for each student enrolled in a course at the secondary level or each subject at the elementary level on July 15 for the current summer or October 1 for the current upcoming school year. The funds shall be transferred from the Public School Fund to the designated distance learning fund and appropriation based upon student enrollment.~~

~~9.02.2 The commissioner may solicit and receive donations and grants for the purpose of administering the program.~~

~~9.02.3 Fund balances may be carried over from one year to the next to continue the project.~~

~~9.02.4 The department may enter into contracts or provide grants to local education agencies, education service cooperatives, or other entities for personnel, facilities, and services necessary to implement this program.~~

~~9.03 Students taking courses through this program shall be considered entitled to any public education credits and grades assigned through this program and those credits and grades shall be accepted by all public schools in Arkansas.~~

~~9.04 The commissioner shall review the implementation of this program annually and make recommendations to the board to ensure that the purpose of the program is achieved.~~

~~9.05 Courses offered or taught through the Arkansas Distance Learning Development Program may be offered or taught to public school students, private school students, and home school students in the State of Arkansas. Public school students will be given priority when scheduling courses.~~

~~9.06 A home school student or a private school student enrolled in a distance learning course shall not be entitled to any rights, privileges, courses, activities, or services available to a public school student or open enrollment charter school student other than receiving appropriate credit for a completed distance learning course.~~

~~10.00 PUBLIC SCHOOL DISTRICT AND CHARTER SCHOOL DISTANCE LEARNING PROGRAM.~~

~~10.01 A public school district or open enrollment charter school may offer and teach distance learning courses to students enrolled in a private school or a home school under the following conditions:~~

- ~~10.01.1 — The student resides in the public school district where the public school or open enrollment charter school is located;~~
- ~~10.01.2 — The student agrees to physically attend the public school or open enrollment charter school for purposes of taking a distance-learning course taught or offered through the public school or charter school; and~~
- ~~10.01.3 — The public school or open enrollment charter school teaches or offers a distance-learning course that has been approved by and otherwise complies with Department of Education rules and standards governing distance learning courses; or~~
- ~~10.01.4 — The Commissioner of the Department of Education waives the requirements under 10.01.1 and 10.01.2 of this section on an individual basis for a student who submits sufficient documentation to the Department that they are unable to attend due to conditions that prevent the child from physically attending a public school or an open enrollment charter school.~~
- ~~10.02 — A public school district or open enrollment charter school that teaches or offers a distance learning course to one (1) or more home school or private school students who meet the conditions 10.01 shall be entitled to an amount equal to one sixth (1/6) of the state foundation funding amount for each private school student or home school student. The funding is based on a one-unit course and will be adjusted proportionally for courses producing less credit.~~
- ~~10.03 — Under no circumstances shall a public school district or open enrollment charter school be entitled to more than the equivalent of state foundation funding for one (1.0) average daily membership per student regardless of the number of distance-learning courses received by a particular home school or private school student.~~
- ~~10.04 — A home school student or a private school student enrolled in a distance-learning course shall not be entitled to any rights, privileges, courses, activities, or services available to a public school student or open enrollment charter school student other than receiving appropriate credit for a completed distance learning course.~~
- ~~10.05 — A home school student or private school student shall not be entitled to participate in, enroll in, or attend any other courses, activities, or services provided by a public school district or an open enrollment charter school.~~
- ~~10.06 — Any public school district or charter school seeking to offer or teach distance-learning courses to public school students, home school students, or private school students must first have those course offerings approved by the Department of Education Distance Learning Program.~~

~~10.07 No public school district or open enrollment charter school shall establish or provide a virtual school or distance learning course except as allowed by this section.~~

**Arkansas Department of Education Rules Governing
School District Requirements for Personnel Policies, Salary Schedules,
Minimum Salaries, and Documents Posted to District Websites**

Enter Date Here after Approvals

1.00 REGULATORY AUTHORITY

1.01 These rules and regulations shall be known as the Arkansas Department of Education Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites (Rules).

1.02 The Rules are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. § 6-11-105, § 6-11-129 § 6-17-201, § 6-17-207, § 6-17-807 § 6-17-2203, § 6-17-2301, § 6-17-2402, §6-17-2403 and Act 989 of 2011.

2.00 PURPOSE

The purpose of these Rules is to apprise districts of the requirements for publishing school district classified and licensed personnel policies, salary schedules, establishing minimum salaries, and other documents mandated to be posted to the district's website.

3.00 DEFINITIONS

3.01 Basic Contract means a teacher employment contract for one hundred ninety (190) days that includes ten (10) days of professional development.

3.02 Classified Employee means any employee who performs work for the school district under a written annual contract in a position that does not require a valid teaching license issued by the Arkansas State Board. Classified employees generally fall into one of five classifications: 1) Maintenance, operation, and custodians; 2) Transportation; 3) Food service; 4) Secretary and clerks; and 5) Aides and paraprofessionals.

3.03 Classified Employee Minimum Salary is the calculation of the minimum rate listed in Ark. Code Ann. §6-17-2203 that has been adjusted by the same percentage of increase as reported in the consumer price index each year. The adjusted rate is announced prior to July 1 each year in a Commissioner's memo.

3.04 Classified Personnel Policies are written district policies, guidelines, regulations, and procedures that pertain to the terms and conditions of a classified employee's employment with the district.

3.05 Classified Salary Schedule is set of matrices that are updated and published each school year, which contains the minimum salaries for all five classifications of classified employees and includes ranges, steps, and rates of pay. The salary schedule is required to reflect the actual pay practices of the district.

- 3.06 Full Time Classified Employee means any classified employee contracted to work twenty (20) or more hours per week.
- 3.07 Licensed Employee is a person hired by the local school district who is compelled by law or regulation to secure a license from the State Board of Education.
- 3.08 Licensed Personnel Policies are written district policies, guidelines, regulations, and procedures that pertain to the terms and conditions of a licensed employee's employment with the district.
- 3.09 Licensed Salary Schedule is a set of matrices that are updated and published each school year that contains the minimum salary licensed employees earn based on number of years of experience, education degrees, computations for extended contracts, and salary supplements for additional duties or responsibilities. The salary schedule is required to reflect the actual pay practices of the district.
- 3.10 Teacher means an individual who is required to hold a teaching license from the Department of Education and who is engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual's contracted time; a guidance counselor; or a librarian.
- 3.11 Website is a set of interconnected webpages, including a homepage, generally located on the same server. It is prepared and maintained as a collection of information by a person, group, or organization.

4.00 LICENSED PERSONNEL POLICIES AND SALARY SCHEDULES

- 4.01 School districts shall have a set of written licensed personnel policies.
- 4.02 The licensed personnel policies shall include, but are not limited to, the following:
- 4.02.1 The licensed salary schedule;
 - 4.02.2 Benefits;
 - 4.02.3 Compensation;
 - 4.02.4 Designation of workdays;
 - 4.02.5 Holidays and non-instructional days;
 - 4.02.6 The annual calendar;
 - 4.02.7 Methods of evaluations;
 - 4.02.8 Extra duties;
 - 4.02.9 Leave;
 - 4.02.10 Grievances;
 - 4.02.11 Dismissal or nonrenewal;
 - 4.02.12 Reduction in force; and
 - 4.02.13 Assignment of teacher aides.
- 4.03 The licensed personnel policies and salary schedules must be posted to the District's website no later than September 15 each year. The district must keep a copy of the licensed salary schedule and personnel policies, signed by the president of the school board and retained in a central location.
- 4.04 The district should place an obvious hyperlink, button, or menu item on the Website homepage that links directly to the current year licensed policies and salary schedules.

- 4.05 The district is required to provide to the Arkansas Department of Education, no later than September 15 of each year, the website address where the licensed personnel policies and salary schedules are located. This information is currently collected in state reporting cycles 1-9. The website address must be entered correctly in each cycle, especially if there are changes to the website address.
- 4.06 A district failing to meet the above requirements will not receive in any year any additional state foundation funding from the Public School Fund until the licensed personnel policies and salary schedules are posted to the district's website.
- 4.07 The Arkansas Department of Education shall not accredit a district that does not have written licensed personnel policies.
- 4.08 The Arkansas Department of Education will notify any school district that has not filed its licensed personnel policies and salary schedules as required.

5.00 CLASSIFIED PERSONNEL POLICIES AND SALARY SCHEDULES

- 5.01 School districts shall have a set of written personnel policies, including the salary schedule for at least all five classifications of classified employees as listed in 3.02.
- 5.02 The personnel policies shall include, but are not limited to:
- 5.02.1 Salary schedule, fringe benefits, and other compensation issues;
 - 5.02.2 Annual school calendar, including work days and holidays;
 - 5.02.3 Evaluation procedures;
 - 5.02.4 Leave;
 - 5.02.5 Grievance procedures;
 - 5.02.6 Termination, nonrenewal, or suspension
 - 5.02.7 Reduction in force; and
 - 5.02.8 Assignments.
- 5.03 School districts must post classified personnel policies and salary schedules, signed by the president of the school board, to the district's website no later than September 15 each year.
- 5.04 The district should place an obvious hyperlink, button, or menu item on the Web homepage that links directly to the current year classified policies and salary schedules.
- 5.05 The district is required to provide to the Arkansas Department of Education, no later than September 15 of each year, the website address where the classified personnel policies and salary schedules are located. This information is currently collected in state reporting cycles 1-9. The website address must be entered correctly in each cycle, especially if there are changes to the website address.
- 5.06 A district failing to meet the above requirements will not receive in any year any additional state foundation funding from the Public School Fund until the classified personnel policies and salary schedules are posted to the district's website
- 5.07 The Arkansas Department of Education shall not accredit a district that does not have written classified personnel policies.

5.08 The Arkansas Department of Education will notify any school district that has not filed its classified personnel policies and salary schedules as required.

6.00 LICENSED EMPLOYEE MINIMUM SALARY

6.01 The district salary schedule shall provide:

6.01.1 Annual increments for education and experience

6.01.2 A base salary for a teacher with a BA degree listing salary increments each year for at least 15 years of experience

6.01.3 A minimum salary for a teacher with a master's degree listing salary increments each year for at least fifteen years of experience

6.02 Each school district shall have a salary schedule with at least the minimum levels of compensation for a basic contract as listed in Ark. Code Ann. § 6-17-2403(b)

6.03 The teaching experience is the total years of experience as a teacher with a valid Arkansas teaching license and teaching at any of the following:

6.03.1 A public school accredited by the Department of Education or a nationally recognized accrediting association;

6.03.2 Private school within the state of Arkansas accredited by a nationally recognized accrediting association;

6.03.3 An Institution of higher education within the State of Arkansas accredited by a nationally recognized higher education institution accrediting association; or

6.03.4 A facility operated by the Division of Youth Services or any facility contracting with the division to provide care for juveniles committed to the division.

7.00 ADDITIONAL PAY

7.01 If a teacher is required to work more days than listed in their contract, then the pay under the contract shall be increased proportionately so that the teacher will receive at least a daily rate of pay for each additional day worked.

7.02 Each school district shall establish a normal base contract period for teachers.

7.03 If the base contract period is increased, the teacher's pay under the contract shall be increased proportionately at no less than the daily rate for each day added to the contract.

7.04 Additional pay does not apply to separate contracts for employment with a teacher to teach summer school or to perform services that do not require the teacher to hold a teaching license.

7.04.1 Such services require a separate contract and the district shall not condition initial employment of the teacher or renewal of the teacher's regular teaching contract on entering into a separate contract.

7.05 A district may employ a teacher in a part time contract to perform services in the teacher's area of certification after expiration of the normal base contract as long as

the teacher is agreeable and is paid in accordance with the salary schedule, on a pro rata basis for that work.

8.00 CLASSIFIED EMPLOYEE MINIMUM SALARY

8.01 For the 2011-2012 school year, a full-time contracted classified employee (working 20 hours a week or more) shall receive an hourly rate of compensation of no less than \$7.74 per hour.

8.02 The minimum hourly rate is adjusted each year by increasing the previous year's minimum amount by a percentage equal to the percentage increase of the consumer price index. The new minimum rate is announced in a Commissioner's Memo before July 1 each year.

9.00 Data to be Accessible on Website

9.01 The following data and information are required to be posted to the district's website or the district's education service cooperative website, if the education service cooperative maintains the district's website:

9.01.1 Current comprehensive financial data reports, including:

9.01.1.1 Local and state revenue sources;

9.01.1.2 Administrator and teacher salary and benefit expenditure data;

9.01.1.3 School district balances, including legal balances and building fund balances;

9.01.1.4 Minutes of regular and special meeting of the school board;

9.01.1.5 The school district budget for the current year must be posted on the website within thirty (30) days following the state reporting cycle 1 deadline (September 30);

9.01.1.6 A financial breakdown of monthly expenses of the school district;

9.01.1.7 Salary schedules for all employees, including extended contract and supplementary pay amounts;

9.01.1.8 Current contract information with all district employees except that social security numbers, telephone numbers, personal addresses, or signatures shall not be published.

9.01.1.9 The current year annual budget; and

9.01.1.10 The annual school district statistical report.

9.01.2 Licensed and classified personnel policies and salary schedules

9.02 The above information shall be the actual data for the two (2) previous school years and the projected budgeted information for the current school year.

9.03 The district should place an obvious hyperlink, button, or menu item on the Website homepage that links directly to the Web page containing the required postings in 9.01.1 through 9.01.2.

~~Arkansas Department of Education Rules and Regulations
Governing School District Filing Requirements of Personnel Policies
January 2002~~

~~1.00—Regulatory Authority~~

~~1.01—These rules and regulations shall be known as the Arkansas Department of Education Rules and Regulations Governing School District filing Requirements of Personnel Policies~~

~~1.02—The rules and regulations are enacted pursuant to the State Board of Education's authority under ark. Code Ann. §6-11-105 and §6-20-303~~

~~2.00—Purpose~~

~~The purpose of these rules and regulations is to enact School District Filing Requirements of Personnel Policies~~

~~3.00—Definitions~~

~~3.01—A certified employee is any employee of a local public school district who is compelled by law or regulation to secure a license from the State Board of Education.~~

~~3.02—A salary schedule is a document which contains the level of training and experience, computations for extended contracts, salary supplements for additional duties or responsibilities, and fringe benefits, exclusive of FICA. The salary schedule is required to reflect the actual pay practices of the district.~~

~~3.03—A base teacher salary schedule is a teacher salary schedule of pay for no less than the number of days classroom teachers are required to be contracted for in order to comply with the minimum standards for accreditation~~

~~3.04—An extended contract is a contract which adds additional days to a certified employee's contract in which the employee's salary is increased proportionally so that the employee receives the same daily pay rate for the additional days they are contracted to work.~~

~~3.05—A salary index is a method of determining additional salary by establishing a numerical relationship between the base teacher salary schedule and additional days, duties, and responsibilities.~~

~~3.06—A regular salary supplement is the additional salary paid for each unique additional service provided by certified employees. A Targeted Educator~~

~~Compensation Act Supplement is a continuing salary obligation in which districts are prohibited from adding additional days or duties in return for the required salary increase.~~

~~3.07 — A fringe benefit is any service or commodity, exclusive of FICA, provided to certified employees which may or may not be in lieu of salary.~~

~~3.08 — A purchased service is insurance or utility provided to or on behalf of certified employees~~

~~3.09 — A commodity is a supply, good, material, equipment, machinery, facility, or property provided to or on behalf of certified employees.~~

~~3.10 — Personnel policies are written policies for certified personnel adopted by the school board in accordance with Ark. Code Ann. § 6-17-201 et. seq.~~

~~4.00 — Implementation of Ark. Code Ann. §§ 6-17-201(b)(1), 6-17-201(b)(2), 6-17-201(c) and 6-20-319(4)~~

~~4.01 — School districts must file their current personnel policies and salary schedules with the Department of Education no later than September 15 of each year.~~

~~4.02 — The Department of Education will withhold all funds from the Public School Fund due any school district until such time as the district has filed with the Department of Education its current personnel policies in accordance with 4.01.~~

~~4.03 — In order to continue to qualify for state aid, each school district must file with the Department of Education, within 60 days, its current personnel policies including changes made in the certified employee salary schedule.~~

~~Implementing Ark. Code Ann. 6-17-201(b)(1), 6-17-201(b)(2), 6-17-201(c), 6-20-319(4)(b)~~

~~1.00 Regulatory authority~~

~~1.01 These regulations shall be known as the Arkansas Department of Education regulations implementing Ark. Code Ann. 6-17-201(b)(1), 6-17-201(b)(2), 6-17-201(c), and 6-20-319(4)(b).—~~

~~1.02 The regulations are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. 6-11-105 and 6-20-303.—~~

~~2.00 Purpose~~

~~2.01 The purpose of these regulations is to describe how the Department of Education will implement Ark. Code Ann. 6-17-201(b)(1), 6-17-201(b)(2), 6-17-201(c), and 6-20-319(4)(b).—~~

~~3.00 Definitions~~

~~3.01 A certified employee is defined as any employee of a local public school district who is compelled by law or regulation to secure a license from the State Board of Education.—~~

~~3.02 A salary schedule is defined as an inventory document of salaries which recognizes: (1) level of training, (2) level of experience, (3) extended contract, (4) salary supplements for additional duties, additional responsibilities, and (5) fringe benefits' (exclusive of social security matching and worker's compensation insurance). In addition, the salary schedule is defined to reflect the actual pay practice of the district.—~~

~~3.03 A base teacher salary schedule is defined as a teacher salary schedule of pay for no less than the number of days classroom teachers are required to be contracted for in order to comply with the minimum standards for accreditation.—~~

~~3.04 An extended contract is defined as additional days added to a certified employee's contract for which the employee's pay is increased proportionally so that the employee will receive pay for each day they are contracted to work in addition to what is required to be paid according to the base teacher salary schedule.—~~

~~3.05 A salary index is defined as a method of determining Additional salary by establishing a numerical relationship between the base teacher salary schedule and additional days, duties, and responsibilities.—~~

~~3.06 A salary supplement is defined as the additional salary paid for each unique additional service provided by certified employees.—~~

~~3.07 A fringe benefit is defined as any service or commodity exclusive of social security matching and worker's compensation insurance provided to certified employees which may or may not be in lieu of salary.~~

~~3.08 A purchased service is defined as insurance or utility provided to or on behalf of certified employees.~~

~~3.09 A commodity is defined as a supply, good, material, equipment, machinery, facility, or property provided to or on behalf of certified employees.~~

~~3.10 Personnel policies are defined as written policies for certified personnel adopted by the school board in accordance with Ark. Code Ann. 6-17-201 et. seq.~~

~~4.00 Implementation of Ark. Code Ann. 6-17-201(b)(1), 6-17-201(b)(2), 6-17-201(c), and 6-20-319(4)(b)~~

~~4.01 On the second working day of August, the Department of Education will notify each school district which has not, by the last working day in July, filed with the Department its current personnel policies including a salary schedule for certified employees which meets the requirements of the law and these regulations.~~

~~4.02 The Department of Education will withhold all funds from the Public School Fund due any school district until such time as the district has filed with the Department of Education its current personnel policies.~~

~~4.03 In order to continue to qualify for state aid, each school district must file with the Department of Education, within 60 days, its current personnel policies throughout the year as changes are made in personnel policies including changes made in the certified employee salary schedule.~~

~~Rules and Regulations Governing Expenditure Requirements by Arkansas School Districts~~

~~1.00 REGULATORY AUTHORITY~~

~~1.01 These regulations shall be known as the Arkansas Department of Education's regulations implementing Ark. Code Ann. § 6-20-3-1-0 (Supp. 1995).~~

~~1.02 These regulations are enacted pursuant to the State Board of Education's authority under Arkansas Code Annotated § 6-20-305 (Supp. 1995).~~

~~2.00 PURPOSE~~

~~2.01 The purpose of these regulations is to describe how the Arkansas Department of Education (ADE) will implement Ark. Code Ann. 6-20-3-1-0 (Supp. 1995) regarding expenditure requirements of school districts.~~

~~2.02 These regulations shall establish the general guidelines for expenditure requirements for Arkansas school districts.~~

~~3.00 DEFINITIONS~~

~~3.01 ADM PARTICIPATING IN ALTERNATIVE EDUCATION—The total Program Course/Service Average Daily Membership of the first three quarters of each school year of students enrolled in Alternative Education programs divided by the number of days actually taught in that period of time.~~

~~3.02 ADM PARTICIPATING IN GIFTED AND TALENTED EDUCATION—The total Program Course/ Service Average Daily Membership of the first three quarters of each school year of students enrolled in Gifted and Talented Education programs divided by the number of days actually taught in that period of time.~~

~~3.03 ALTERNATIVE EDUCATION—An intervention program in compliance with Arkansas Code Annotated §§ 6-18-508 and 6-18-509, that seeks to eliminate traditional barriers to learning for students.~~

~~3.04 PROGRAM COURSE/SERVICE AVERAGE DAILY MEMBERSHIP—The number of periods per day a student is enrolled in a program course or receiving special services expressed as a fractional part of the total number of periods in the school day.~~

~~3.05 BASE LOCAL REVENUE PER STUDENT—The Revenue Per Student to which the state equalizes calculated by taking the sum of:~~

- ~~1. The total available state aid for State Equalization Funding per student;~~
- ~~2. Ninety eight percent (98%) of the Base Millage times the total state assessed valuation; and~~
- ~~3. Seventy five percent (75%) of Miscellaneous Funds collected in the previous year; and by dividing the sum by the total state ADM.~~

~~3.06 CLASSROOM TEACHER—An individual required to hold a teaching license issued by the ADE and who is engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual's contracted time, a guidance counselor, or a library-media specialist.~~

~~3.07 IDEA—Individuals with Disabilities Education Act (federal statute).~~

~~3.08 IEP—Individualized Education Program~~

~~3.09 SPECIAL EDUCATION SERVICES—Services provided to/for eligible students with disabilities, age 3 to 21, under the IDEA, in accordance with their individualized education programs.~~

~~3.10 VOCATIONAL AVERAGE DAILY MEMBERSHIP (VADM)—The total Program Course/Service Average Daily Membership of the first three quarters of each school year of students enrolled in Vocational Program Courses divided by the number of days actually taught in that period of time.~~

4.00 CLASSROOM TEACHER SALARIES

~~4.01 Arkansas school districts shall expend at least \$1,548.49 per ADM for classroom teacher salaries. Local school districts may not include the cost of substitute teachers, extended contracts for extra-curricular activities or supplementary pay for extra-curricular activities in meeting the expenditure requirement for student classroom teacher salaries.~~

5.00 SPECIAL EDUCATION

~~5.01 CALCULATING THE EXPENDITURE FOR SERVICES ON BEHALF OF STUDENTS WITH DISABILITIES~~

~~5.01.1 BASIC EXPENDITURE REQUIREMENT TO BENEFIT SPECIAL EDUCATION STUDENTS~~

~~5.01.1.1 The amount to be expended for services and supports that directly and indirectly benefit students evaluated as special education students in accordance with existing federal and state laws and Department of Education regulations is calculated as follows:~~

~~A. Calculate a three year average percentage not to exceed twelve and one half (12.5%), based on the three (3) immediately preceding December 1 counts of students in special education (in the district); and~~

~~B. Multiply the three year average percentage not to exceed twelve and one half (12.5%) times the average daily membership (of the district) and multiply the result times sixty four hundredths (.64) times the Base Local Revenue Per Student.~~

~~5.01.2 MINIMUM EXPENDITURE REQUIREMENT ON BEHALF OF SPECIAL EDUCATION STUDENTS~~

~~5.01.2.1 The minimum budgeted expenditure per capita on behalf of special education students must be equal to the expenditure requirement for the most recent fiscal year for which information is available, consistent with maintenance of effort requirements under the federal Individuals with Disabilities Education Act (IDEA).~~

~~5.01.2.2 For local education agencies whose calculation is greater than the most recent fiscal year for which information is available, the local education agency must budget the increased amount or five percent (5%) more than the most recent fiscal year for which information is available, whichever is the lesser amount. Any local education agency may choose to expend more than the minimum required expenditure.~~

~~5.01.2.3 For local education agencies whose calculation in 5.01.1 is less than the expenditures in most recent fiscal year for which information is available, the local education agency must budget an amount equal to the expenditures of the most recent fiscal year for which information is available through any combination of state and local funds.~~

~~5.02 ELIGIBLE EXPENDITURES~~

~~5.02.1 MEETING THE MINIMUM EXPENDITURE REQUIREMENT ON BEHALF OF STUDENTS WITH DISABILITIES~~

~~5.02.1.1 Any expense incurred by a local education agency as a result of providing special education and related services to eligible individuals with disabilities may be budgeted and counted as meeting the expenditure requirement.~~

~~5.02.1.2 Maintenance and operating costs of a district may be charged as special education expenses on a pro-rated basis consistent with the instructions for completing the consolidated state and federal application for the use of funds under the IDEA.~~

~~5.02.1.3 Costs for building and/or upgrading facilities for special education services may be charged as special education expenses on a pro-rated basis consistent with the instructions for completing the consolidated state and federal application for the use of funds under the IDEA.~~

~~5.02.1.4 A local education agency may count for purposes of meeting the minimum expenditure any expenditures for services/supports which *benefit* students with disabilities including, but not necessarily limited to, the following:~~

~~A. Broad based staff development activities which provide staff with skills and knowledge that will improve instruction for all children.~~

~~B. Instructional materials and supplies, including technology, which will enhance the learning environment and improve instruction for all children.~~

~~C. Trained instructional paraprofessionals to increase the ability of the teacher to address the diverse learning and behavioral needs of all students within the classroom or other instructional setting.~~

~~D. Specialized staff, such as school psychology specialists and licensed social workers, to increase access to specialized services that may be needed to meet the diverse learning and behavioral needs of all students within a building or district.~~

~~E. Specialized services for students with diverse learning and behavioral needs who may not be identified as eligible students under the IDEA.~~

~~F. Special Education and related services to eligible students with disabilities, ages 3 to 5 (or kindergarten), may be counted to meet the minimum expenditure requirement.~~

~~G. Pre-referral interventions for students not yet identified as eligible students with disabilities under the IDEA.~~

~~H. Services for students who are qualified under Section 504 of the Rehabilitation Act of 1973, but who are not eligible under the IDEA.~~

~~I. Services and supports for students exiting special education services who are no longer receiving services in accordance with an IEP.~~

~~5.03 PROVISION FOR WAIVER~~

~~5.03.1 Districts may claim an exception from the twelve and one-half percent (12.5%) based on the three-year average December 1 child counts if the district can provide documentation that (1) the district has high growth in the district including a growth in the number of students receiving special education services, or (2) the average daily membership of the district is so small that using the 12.5% cap will adversely affect the district's budget for special education services.~~

~~5.03.2 A committee will review the requests for waiver and make recommendations to the Arkansas Department of Education for action.~~

~~5.04 WAIVER OF STATE AND LOCAL EXPENDITURES FOR COMPLIANCE WITH FEDERAL NONSUPPLANT~~

~~5.04.1 Local education agency applications for federal funds under the IDEA must meet the nonsupplanting requirements in 34 Code of Federal Regulations 300.230.~~

~~5.04.2 Allowance is made in 34 CFR 300.230 (b) (1) and (ii) for:~~

~~A. decreases in enrollment of children with disabilities; and~~

~~B. unusually large amounts of funds expended for such long-term purposes as the acquisition of equipment and the construction of school facilities.~~

~~5.04.3 Additional allowance will be considered for high costs associated with students in residential or other high-cost placements that are no longer receiving such services from the local education agency which incurred the costs the previous year.~~

~~5.04.4 To qualify for an allowance under 5.05.2 (B) a district must incur the cost within a single year rather than amortize the cost against the district's required expenditure as is currently provided within the consolidated application for the use of state and federal funds for special education.~~

~~6.00 VOCATIONAL EDUCATION FUNDING~~

~~6.01.1 Local school districts and secondary vocational centers shall expend from state and local revenues not less than the previous year's Vocational ADM (pursuant to regulations 6.01.3, 6.01.4, and 6.01.5) multiplied by thirty-four hundredths (.34) times the Base Local Revenue per student.~~

~~6.01.2 The amount generated by the calculation above shall be used for equipment, instructional materials, supplies, teacher travel, teacher salary, and any other costs associated with the vocational programs. Programs not meeting minimum equipment and instructional materials requirements must develop a plan for how they will meet these requirements within a three-year~~

~~period. The plan shall be on file at the school district to be checked by the Division's Technical Assistance Team during the on-site review that occurs on a three-year cycle.~~

~~6.01.3 State Board approved Vocational Programs of Study (Career Majors) shall be subject to the calculations and regulations under 6.01.1 and 6.01.2 and any other regulations that refer to Programs of Study (Career Majors).~~

~~6.01.4 Cooperative Education (Co-op Ed.) programs shall be included in the ADM and 34 calculations and requirements as set forth in 6.01.1 6.01.2 of these regulations provided the programs are connected to the Occupational Programs of Study and students have an occupational career objective.~~

~~6.01.5 Foundation courses in Career Orientation, Principles of Technology, Coordinated Compensatory Vocational Education (CCVE), Workplace Readiness, and Personal and Family Life Skills, shall not be subject to Regulations 6.01.1 6.01.2 regarding vocational expenditures.~~

6.02 MONITORING OF EXPENDITURES AND PROGRAM QUALITY

~~6.02.1 School districts shall submit an Annual Financial and Expenditure Report documenting expenditures pursuant to these regulations by August 28 of each year. Reports will be monitored annually to ensure compliance with expenditure regulations.~~

~~6.02.2 The Vocational and Technical Education Division shall provide on-site reviews of each local district on a three-year cycle to insure that program quality and expenditure regulations are in compliance with Arkansas Code Annotated 6-20310(3) and implementing rules and regulations.~~

6.03 LENGTH OF VOCATIONAL TEACHER CONTRACTS

~~6.03.1 Local school districts' and secondary vocational centers' governing authorities shall have the option of extending the length of vocational teachers' contracts beyond the minimum number of contract days required by the State Standards for Accreditation of Public Schools. Exception: State law requires 12 month contracts for agriculture teachers.~~

7.00 ALTERNATIVE EDUCATION

~~7.01 Local school districts shall expend for alternative education from state and local revenues not less than the previous year's ADM participating in alternative education programs, up to two percent (2%) of the previous year's ADM, multiplied by fifteen hundredths (.15) times the Base Local Revenue Per Student.~~

8.00 GIFTED AND TALENTED

~~8.01 Local school districts shall expend for gifted and talented programs from state and local revenues not less than the previous year's ADM participating in gifted and talented programs, up to five percent (5%) of the previous year's ADM, multiplied by fifteen hundredths (.15) times the Base Local Revenue Per Student.~~

Arkansas Department of Education
Rules Governing the Distribution of
Supplemental Transportation Funds

1.0 Regulatory Authority

1.01 These rules are promulgated pursuant to Ark. Code Ann. § 6-11-105 and Act 1075 of 2011.

2.0 Purpose

2.01 These rules shall be applied to all public school districts for the purpose of distributing \$500,000 of Supplemental Transportation Funds during the 2011-2012 school year as authorized under Act 1075 of 2011.

3.0 Definitions

3.01 Adequacy Funding Matrix – The formula used by the Arkansas General Assembly for arriving at the per-student foundation funding amount.

3.02 Components of Adequacy Funding Matrix – The individual cost categories listed in the Adequacy Funding Matrix.

3.03 Current Expenditures – Expenditures paid from Fund 1000 and/or Fund 2000 that occur during a single school fiscal year excluding expenditures for acquiring capital assets, such as land, existing buildings, existing infrastructure assets, equipment and debt service.

3.04 Current Transportation Expenditures – The average of current expenditures related solely to transporting students between home and school for the 2009-2010 and 2010-2011 school years.

3.05 Current Transportation Expenditures Per Student – Current Transportation Expenditures divided by the Three-Quarter Average Daily Membership for 2010-2011.

3.06 Expenditures – The cash payments and/or recorded liabilities for goods and services received.

3.07 Foundation Funding – The 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. The annual foundation funding per-student is specified in Ark. Code Ann. § 6-20-2305(2).

3.08 Fund 1000 – The group of designated accounts used to pay the salaries of licensed personnel from foundation funding.

- 3.09** Fund 2000 – The group of designated accounts used to pay expenditures, other than the salaries of licensed personnel, from foundation funding.
- 3.10** Transportation Component of the Adequacy Funding Matrix – The Adequacy Funding Matrix Component described as "transportation". The dollar amount specified for this component is \$303.80 for the 2011-2012 school year.
- 3.11** Transportation Component Percentage – Current Transportation Expenditures Per Student divided by the Transportation Component of the Adequacy Funding Matrix for the 2011-2012 school year (\$303.80). The result will be stated as a percentage.
- 3.12** Transportation Costs in Excess of Foundation Funding – The Transportation Component of the Adequacy Funding Matrix for the 2011-2012 school year (\$303.80) multiplied by each school district's 2010-2011 Three-Quarter ADM. The result is subtracted from Current Transportation Expenditures.

4.0 Distribution of Funds

- 4.01** The Arkansas Department of Education (ADE) will distribute a total of \$500,000 of Supplemental Transportation Funding during the 2011-2012 school year only.
- 4.01.1** Funds will be distributed to each school district that has a Transportation Component Percentage of 120% or more.
- 4.01.2** Each school district eligible for funding per 4.01.1 will receive an amount equal to its Transportation Costs in Excess of Foundation Funding divided by the total Transportation Costs in Excess of Foundation Funding for all eligible school districts multiplied by \$500,000.

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING LOAN AND BOND APPLICATIONS
May 1, 2008

1.00 AUTHORITY

- 1.01 These rules shall be known as the Arkansas Department of Education Rules Governing Loan and Bond Applications.
- 1.02 These rules are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. § 6-11-105.

2.00 PURPOSE

These rules are enacted to set forth the criteria that shall be used by the Arkansas Department of Education Loans and Bonds Committee (Committee) in reviewing and recommending loan and bond applications from school districts and revolving loan applications from Education Service Cooperatives to the State Board of Education, by the State Board of Education in reviewing loan and bond applications from school districts and revolving loan applications from Education Service Cooperatives, and by the Commissioner of the Department of Education (Commissioner) in consideration of certain loan and bond applications. Also, these rules are enacted to set forth the criteria that shall be used by the Arkansas Division of Public School Academic Facilities and Transportation and the Loans and Bonds Unit and Committee in reviewing and recommending to the Arkansas State Board of Education, High-Growth School District Loan Program loans to qualifying school districts.

3.00 APPLICATION

- 3.01 These rules shall apply to all loan and bond applications filed by school districts and all revolving loan applications filed by Education Service Cooperatives with the Arkansas Department of Education (Department) and Academic Facilities High-Growth School District Loan Program (HGLP) loan applications filed by school districts with the Arkansas Division of Public School Academic Facilities and Transportation (Division).
- 3.02 Loans approved as part of a court approved settlement agreement to which the Department or State Board of Education (State Board) are signatory are exempt from the general application of these regulations.

4.00 DEFINITIONS

- 4.01 "Average daily membership" means the total number of days of school attended plus the total number of days absent by students in ~~grades~~ kindergarten through grade twelve (K-12) during the first three (3) quarters of ~~the~~ 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.
- 4.02 "Academic Facilities Factor" means the ratio of the total square footage of academic facilities financed with outstanding bonded indebtedness over the combined square footage of academic and non-academic facilities with outstanding bonded indebtedness.

- 4.03 “Academic Facilities High-Growth School District Loan Program” (HGLP) means a program under which the Department shall provide an interest-free loan to a high-growth school district in which the mills required to service the bonded indebtedness incurred for academic facilities exceeds the maximum expected millage for the high-growth school district.
- 4.04 “Bonded indebtedness incurred for academic facilities” will be calculated by the Division as the Academic Facilities Factor multiplied by total bonded indebtedness.
- 4.05 “High-growth school district” means a public school district in which the average daily membership (ADM) for the public school district in the present school year is at least four percent (4%) higher than the ADM for the public school district in the school year that is two (2) years prior to the present school year, excluding growth resulting from annexation or consolidation.
- 4.06 “Maximum expected millage” means, ten (10) debt service mills, representing the maximum number of debt service mills that a public school district is expected to raise to service its bonded indebtedness incurred for academic facilities.
- 4.06.1 A school district that has “raised the maximum expected millage” must have ten (10) or more debt service mills based on the most recent millage election prior to the April 15 application submission deadline (in the case of current year special elections) or prior calendar year final millage report (in the absence of current year special elections). The final millage report will include rollback information. The determination of the required academic debt service mills for a consolidated or annexed school district that does not have a unified millage rate will be calculated on a case by case basis.
- 4.06.2 “Revenue generated from the maximum expected millage” is calculated by multiplying the prior calendar year assessment data by ten (10) mills.

5.00 LOANS AND BONDS COMMITTEE

- 5.01 ~~The Arkansas Department of Education Loans and Bonds Committee (Committee)~~ shall consist of these ~~nine~~ eight members or designees:
- 5.01.1 Assistant Commissioner, ~~Public School Finance and~~ Division of Fiscal and Administrative Services
- 5.01.2 Associate Director, Agency Finance
- 5.01.3 Coordinator, Local Education Agency Fiscal Distress Services
- 5.01.4 Coordinator, Local Education Agency State Funding/Loans and Bonds
- 5.01.5 Program Manager, of Equity, ~~Assistance Center~~ Division of Academic Accountability
- 5.01.6 Director, Arkansas Division of Public School Academic Facilities and Transportation
- 5.01.7 ~~Coordinator, Local Fiscal Services~~ Coordinator, Financial Accountability and Reporting
- 5.01.8 ~~Coordinator, Financial Accountability~~
- 5.01.9 Senior Transportation Manager, Arkansas Public School Academic Facilities and Transportation
- 5.02 Applications considered by the Committee may be acted upon in any of the following ways:

- 5.02.1 The application may be recommended for approval to the State Board or to the Commissioner;
- 5.02.2 The application may be recommended for disapproval to the State Board or to the Commissioner;
- 5.02.3 The application may be tabled pending receipt of additional information, further study by the Department staff or Division staff, or verification of information regarding the application.
- 5.02.4 A revolving loan application may be recommended to the State Board for approval of the loan for a lesser amount than the amount requested, pursuant to Ark. Code Ann. §§ 6-20-805 and 6-20-2511.

6.00 EQUITY STATUS

- 6.01 All school districts submitting loan or bond applications to fund a proposed facility project, excluding maintenance and operation facilities, transportation facilities, and other non-instructional facilities, shall submit written documentation showing:
 - 6.01.1 That the proposed facility project is necessary to meet an important educational goal of the district. Completion of the proposed project should enable the applying district to provide a better quality, desegregated education, necessary to meet the needs of its present and projected population. The district must provide a desegregation impact statement showing that the proposed improvements do not have a segregative effect. A detailed outline or explanation of the educational goal to be met shall be included;
 - 6.01.2 That the proposed facility project is necessary to comply with Department rules, and/or state and federal statutes and regulations; and
 - 6.01.3 That the Department has received a current Annual Equity Compliance Report from the school district.
- 6.02 The applying district shall have as its goal not to establish or enlarge a school, unless the enrollment in such school is reasonably projected to be within a twenty-five percent (25%) range of its district-wide percentage of majority-minority students by organizational level, as established in the Little Rock School District v. Pulaski County Special School District case, E. D. Ark. LR-C-82-866.
- 6.03 The applying district shall submit a written Assurance Impact Statement that the facility project will not, in any manner, establish, continue, or ignore segregative activities within the district.
- 6.04 Any school in any county contiguous to Pulaski County shall submit a written Assurance Impact Statement that the proposed facility project will not have a substantial negative impact on the ability of any district in Pulaski County to desegregate effectively. Upon receipt of the application, the school district shall be notified by the Department or Division that this section applies to the school district.
- 6.05 The Committee shall not recommend approval of any application from any district not submitting the documentation required in Sections 6.01 and 6.03.
- 6.06 The Committee may recommend approval of any application from a district submitting the information in Section 6.01 if the Committee agrees with the documentation.

- 6.07 The State Board or Commission shall not approve an application from any district not submitting the information required in Section 6.01.
- 6.08 The State Board or Commission may consider a school district's application not approved by the Committee under Section 6.03 after reviewing the documentation submitted by the applying district.

7.00 REVOLVING LOAN PROGRAM

- 7.01 Revolving loans may be refunded or paid in full without penalty on any scheduled interest payment date. The district or education service cooperative is required to submit written notification to the Loans and Bonds Unit of the Department regarding its intent to prepay an outstanding revolving loan. The Notice of Intent to Prepay must be received by the Loans and Bonds Unit of the Department at least thirty-two (32) days prior to the scheduled payoff date. If a district or education service cooperative chooses to refund or pay off a revolving loan on a date other than an interest payment date, it will be required to pay the total interest accrued to the next scheduled payment date.
- 7.02 During the time that a high-growth loan is in repayment, the high-growth loan school district shall not issue revolving loan refunding bonds or revolving loan refunding certificates of existing revolving loan bonds or revolving loan certificates, as provided under § 6-20-815 and shall comply with § 6-20-2511(d)(3).

8.00 NON-VOTED REFUNDING BONDS

- 8.01 A separate application package must be submitted for each bond issue to be paid off with a non-voted refunding issue. The application package must include, but is not limited to, (A) the application, (B) a contract between the applying school district and its fiscal agent, (C) a preliminary Debt Service Comparison Schedule as prescribed in Section 8.02, (D) a current certificate of assessment from the county clerk, and (E) a final Debt Service Comparison Schedule including the Certificate of Savings is required after the issue has been sold, as prescribed in Section 8.02.
- 8.02 Each non-voted refunding bond issue must generate minimum principal and interest savings, over the life of the refunding (new) issue, based on the existing debt schedule, of the lesser of one hundred thousand dollars (\$100,000) or five percent (5%) of total principal and interest over the life of the bond on the refunded (old) issue. This calculated savings must be reduced by agent's fees and related issuance costs. For purposes of this savings calculation, investment income earned on deposited proceeds of the refunding (new) issue shall be offset by corresponding interest charges on the refunding (new) issue. Also, principal and interest charged on the refunded (old) issue must be included in the calculation of savings until the debt is retired.
- 8.03 Non-voted refunding issues may not be combined in order to achieve required savings, as prescribed in Section 8.02. Each non-voted refunding bond must meet the minimum savings requirement independently.
- 8.04 The amount of the new bond issue shall not exceed the approved loan amount on the application. If there is a sudden drop in interest rates after the application has been approved, and more bonds must be sold to refund the outstanding

bonds, written approval must be granted by the Commissioner of the Department (Commissioner) for the increased amount prior to the sale of the refunding bonds. A revised preliminary Debt Service Comparison Schedule, as prescribed in Section 8.02, must be provided to the Commissioner at this time.

9.00 PROCEDURAL REQUIREMENTS

- 9.01 No loan or bond application will be recommended for approval to the State Board by the Committee and no loan or bond application will be approved by the State Board or the Commissioner until the application complies with all statutory requirements.
- 9.02 All documents, excluding non-voted refunding bond applications, must be received by the Loans and Bonds Unit of the Department thirty-one (31) days before the State Board meeting at which the applications will be considered. If thirty-one (31) days before the scheduled meeting date falls on a holiday or weekend, the deadline for filing shall be extended to the next business day. Loan or bond applications for which documents are received after this date will be considered in the next application cycle.
- 9.03 All loan and bond applications shall include a specific and detailed description of each intended use of the proceeds and each respective cost estimate. Bond applications shall include a declaration (date voted or date of proposed millage election) of the millage being used to secure the bond. Applications that do not include this information will be tabled by the Committee pending receipt of the required information.
- 9.04 An approved second lien bond, non-voted refunding bond, or voted bond application package submitted to the Loans and Bonds Unit of the Department is valid for one year following the date of approval by the State Board. If the district has not issued the bonds (or series of bonds within an issue) within twelve months of the date that the State Board approved the application, an updated application is required. An updated application, provided pursuant to this section, from a school district identified or classified in fiscal distress is subject to review by the Fiscal Distress Unit of the Department.

10.00 SECURITY OF LOANS AND BONDS

- 10.01 In the case of default on principal or interest payments on a revolving loan, the Department shall withhold state foundation funding due to the district in an amount sufficient to cure the default and use those funds to cure the default, as authorized under Ark. Code Ann. § 6-20-814.
- 10.02 In the case of default on principal or interest payments on a bond, depending on the circumstances, one of the following shall occur:
 - 10.02.1 If the school district board of directors has passed a resolution, as authorized under Ark. Code Ann. § 6-20-1212, the first unrestricted moneys coming to the school district from any source other than the uniform rate of tax, shall be paid into the building debt service fund and applied on past due principal or interest on the bonds until paid in full;
 - 10.02.2 If the school district board of directors has passed a resolution, as authorized under Ark. Code Ann. § 6-20-1212, but is still unable to cure the default under Section 10.02.1, the Commissioner shall withhold state

- foundation funding due to the district, in an amount sufficient to cure the default, and use those funds to cure the default, as authorized under Ark. Code Ann. § 6-20-1204; or,
- 10.02.3 If a school district board of directors has not passed a resolution, as authorized under Ark. Code Ann. § 6-20-1212, the Commissioner, after notification as required under Ark. Code Ann. § 6-20-1204, shall continue to withhold state foundation funding as due to the district and remit to the paying agent until the payment deficiency has been cured, as authorized under Ark. Code Ann. § 6-20-1204.
- 10.03 If a default occurs simultaneously on a bond and another type of debt, the bond default shall be cured in its entirety before other debt payment defaults are cured.
- 10.04 Should the State Board and the Department be required to withhold state foundation funding to cure the default of any school district, pursuant to Ark. Code Ann. § 6-20-1204(c), then that school district shall be classified as a school district in fiscal distress, pursuant to Ark. Code Ann. § 6-20-1204(c)(3).

11.00 EDUCATION SERVICE COOPERATIVE REVOLVING LOAN APPLICATIONS

Education Service Cooperatives shall submit an authorization signed by the Board President and Secretary pledging all state aid in an amount sufficient to secure the revolving loan and authorizing the Department to withhold state aid in case of default on a revolving loan.

12.00 ACADEMIC FACILITIES HIGH-GROWTH SCHOOL DISTRICT LOAN PROGRAM (HGLP)

- 12.01 There is established the Academic Facilities High-Growth School District Loan Program (HGLP) under which the Department shall provide an interest-free loan for construction of new academic facilities to a high-growth school district in which the mills required to service the existing bonded indebtedness incurred for existing academic facilities exceeds the maximum expected millage for the high-growth school district.
- 12.02 A school district may be eligible for the HGLP if:
- 12.02.1 The district participates in the Academic Facilities Partnership Program;
- 12.02.2 The school district has raised the maximum expected millage and the revenue generated from the maximum expected millage is less than the amount required to service the bonded indebtedness incurred for academic facilities;
- 12.02.3 The ADM of the school district in the present school year is at least four percent (4%) higher than the ADM of the school year that is two years prior to the present year; and
- 12.02.4 Total space available in the district is less than the amount needed to accommodate the growth of students.
- 12.03 The purpose of the loan to a high-growth school district is to assist such a school district with building new academic facilities. All projects submitted through the HGLP must first have approval through the Academic Facilities Partnership Program.

- 12.04 Applications for the HGLP must be submitted to the Division between February 1 and April 15 of each year. The application process is as follows:
 - 12.04.1 In January of each year, the Department will publish a preliminary list of school districts that have voted at least ten (10) debt service mills and require at least ten (10) debt service mills to service outstanding bonded indebtedness. The required breakdown into academic and non-academic debt service mills required and voted will not be available at the time of the publication of this list.
 - 12.04.2 The Division will verify that school districts submitting applications meet the requirement of participation in the partnership program. If this requirement is met, the Division will calculate the Academic Facilities Factor.
 - 12.04.3 The Division will provide the Academic Facilities Factor to the Department within 5 business days of the receipt of the application.
 - 12.04.4 The Department will use the Academic Facilities Factor to determine that the school district qualifies based on the maximum expected millage.
 - 12.04.5 Following receipt of the ADM data for the school district from APSCN, the Department will verify that the school district qualifies based on growth.
 - 12.04.6 The Division will verify that the total space available in the high-growth district is less than the amount needed to accommodate the growth of students and will determine if the district has restructured the delivery of education to use all available space and will forward the school district loan application to the Department.
 - 12.04.7 The application will be considered at the May Committee meeting.
 - 12.04.8 The Loans and Bonds Unit will present applications to the State Board at its June meeting.
 - 12.04.9 The district will be notified in writing of the decision by the State Board.
- 12.05 The amount of the loan shall be the amount of moneys required for academic facilities less the sum of:
 - 12.05.1 The revenues generated by the maximum expected millage; and
 - 12.05.2 The state revenue received by the high-growth school district under the Academic Facilities Partnership Program.
- 12.06 The high-growth school district shall apply for the loan from the Revolving Loan Fund, subject to Ark. Code Ann. §§ 6-20-801 – 6-20-816, 6-20-2511 and these Rules.
- 12.07 When the revenue required to service the bonded indebtedness incurred for the high-growth school district's academic facilities is less than the revenue generated by maximum expected millage, the high-growth school district shall repay the loan.
- 12.08 The high-growth school district shall make annual payments to the Department in the amount of:
 - 12.08.1 The revenue generated by the high-growth school district's millage up to the amount of the revenues generated from the maximum expected millage for the year; less
 - 12.08.2 The revenue required to service the high-growth school district's bonded indebtedness for academic facilities.

- 12.08.3 The payments under Sections 12.07 and 12.08 of these Rules shall continue until the loan is paid in full.
- 12.09 During the time that the loan to the high-growth school district is in repayment, the high-growth school district:
- 12.09.1 Shall use all revenues generated below the maximum expected millage to repay the loan;
 - 12.09.2 Shall not issue revolving loan refunding bonds or revolving loan refunding certificates, as provided under Ark. Code Ann. § 6-20-815; and
 - 12.09.3 Shall not otherwise change the amount of ad valorem tax revenues from debt service mills available to repay the loan without the prior approval of the department. Bonds issuances or millage changes that would adversely affect the repayment of this loan will not be considered in the calculation of the annual payment under Section 12.08.
- 12.10 Within a reasonable time after its receipt, each application under Sections 12.02 through 12.06 of these Rules shall be examined by the Department and Division in accordance with rules established by the State Board as to the accuracy of the answers contained therein. Changes to information contained in the application may be submitted up to the date of the May ~~Loan~~ Committee meeting. Subsequent changes will not be considered. If a determination is made by the Department that the District knowingly provided false or misleading information in the application process, the Department has the discretion to void the loan approval, seek restitution, and/or revoke the superintendent's license as allowed under Ark. Code Ann. § 6-17-410.
- 12.11 In considering each application, the Division shall determine:
- 12.11.1 That the district meets the definition of a 'high-growth school district' as contained in Section 4.05 of these rules;
 - 12.11.2 That the total space available in the high-growth school district is less than the amount needed to accommodate the high growth; and
 - 12.11.3 That the high-growth school district has already restructured the delivery of education to use all available space.
- 12.12 After considering each application, the Committee may, in its discretion recommend approval of the application to the State Board for the full amount of the proposed loan, for a lesser amount than the amount requested, or recommend disapproval of the application to the State Board.
- 12.13 The Committee should notify each applicant school district by June 30 of each year as to whether the high-growth school district loan has been approved or denied.
- 12.14 The Department and Division shall promulgate forms and documents to be used by school districts in the loan application process.
- 12.15 This implementation of this program is subject to funding specifically made available for this purpose.

13.00 REPORTING

- 13.01 School districts that call mandatory callable bonds or other commercial bonds must report such calls to the Loans and Bonds Unit of the Department prior to April 30 of each fiscal year. The notification must include the call date, series, face amount, and price paid for the called bonds.
- 13.02 For a school district to qualify for state financial assistance under Ark. Code Ann. § 6-20-2503, the school district must submit, to the Division, prior to the date the refunding bonds are sold at public sale, a certification that the yearly debt service savings resulting from the refinancing will be used for the new construction of capital repairs to, or renovation of academic facilities or the purchase of academic equipment.

14.00 TRUSTEE FEES

- 14.01 Fees assessed by trustee banks for acting as paying agent and for providing other services necessary to manage school district bond issues shall be approved by the State Board. A fee schedule will be provided, by the Loans and Bonds Unit of the Department, upon request.
- 14.02 Fees set by the State Board will be reviewed on a regular basis by the Loans and Bonds Unit of the Department for the purpose of recommending, to the State Board, adjustments reflecting current cost of services.

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING PUBLICLY FUNDED EDUCATIONAL INSTITUTION
AUDIT REQUIREMENTS
November 2010**

1.00 AUTHORITY

- 1.01 The Arkansas State Board of Education's authority for promulgating these Rules is pursuant to Ark. Code Ann. §§ 6-1-101; 6-11-105; ~~6-11-205~~; 6-12-112; 6-13-1020; 6-13-1608; 6-17-426; 6-20-1801 through 6-20-1804; 6-20-1806; 6-20-1905; ~~and 10-4-413; and Acts 981 and 993 of 2011.~~
- 1.02 These Rules shall be known as the Arkansas Department of Education (ADE) Rules Governing Publicly Funded Educational Institution Audit Requirements.

2.00 PURPOSE

- 2.01 The purpose of these Rules is to establish the requirements for the completion, filing, and review of financial audits for all publicly funded educational institutions, including but not limited to, Arkansas school districts, open- enrollment public charter schools, and education service cooperatives (auditees).

3.00 AUDIT REQUIREMENTS

- 3.01 The accounts of all publicly funded educational institutions shall be audited annually by the Arkansas Division of Legislative Audit (Legislative Audit) or a private independent certified public accountant (private auditor).
 - 3.01.1 A private auditor, other than Legislative Audit, must be selected by the school district board or governing body of the institution.
 - 3.01.2 If a private auditor was used for the prior year audit, or if the auditee did not exist during the prior year, the auditee may request that Legislative Audit conduct its financial audit. The written request shall be submitted to the Arkansas Legislative Auditor at least 90 days prior to end of the fiscal year to be audited.
 - 3.01.3 If the publicly funded educational institution is an open-enrollment public charter school, Legislative Audit shall prepare the required financial audit of the institution's first year of operation unless the State Board of Education approves the use of an entity other than Legislative Audit.

- 3.01.3.1 With the approval of the State Board of Education, an open-enrollment public charter school may retain the services of a licensed certified public accountant, or a licensed accountant in public practice, who is in good standing with the Arkansas State Board of Public Accountancy, to conduct the financial audit of its first year of operation in accordance with auditing standards generally accepted in the United States and Government Auditing Standards issued by the Comptroller General of the United States.
- 3.02 The financial statements shall be presented on a fund basis format, and as a minimum, the general fund and the special revenue fund presented separately and all other funds included in the audit presented in the aggregate.
- 3.03 The financial statements shall consist of the following
 - 3.03.1 A balance sheet;
 - 3.03.2 A statement of revenue, expenditures, and changes in fund balances;
 - 3.03.3 A comparison of the final adopted budget to the actual expenditures for the general fund and the special revenue funds; and
 - 3.03.4 Notes to the financial statements
- 3.04 The report shall include as supplemental information a schedule of capital assets, including:
 - 3.04.1 Land;
 - 3.04.2 Buildings; and
 - 3.04.3 Equipment.
- 3.05 The governing body of a school may require its annual financial audit to be performed and financial statements to be presented in accordance with guidelines prescribed by the Governmental Accounting Standards Board, the American Institute of Certified Public Accountants, and the United States Government Accountability Office as an alternate basis of presentation to that listed in 3.03 through 3.04 of this Rule.
- 3.06 The report must include information on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with Governmental Auditing Standards.

4.00 PROCESS AND PROCEDURES FOR AUDITS NOT CONDUCTED BY LEGISLATIVE AUDIT

- 4.01 A private independent audit not conducted by Legislative Audit shall include at a minimum, review, comments, and findings on substantial compliance with laws governing each of the following as listed in Ark. Code Ann. § 6-1-101 :
- 4.01.1 Management letter.
 - 4.01.2 Compliance with ethical guidelines for board members, administrators, and employees.
 - 4.01.3 School elections
 - 4.01.4 Management of schools
 - 4.01.5 Revolving loan fund
 - 4.01.6 School district finances
 - 4.01.7 School district school bonds
 - 4.01.8 Certified and classified personnel policies
 - 4.01.9 Teachers' salaries
 - 4.01.10 Deposit of funds
 - 4.01.11 Investment of funds
 - 4.01.12 Improvement contracts
- 4.02 Audit reports shall be presented to the School Board or governing body of the auditees in a format as prescribed by professional accounting organizations.
- 4.03 All annual audits of auditees NOT conducted by Legislative Audit shall be completed and filed with the ADE and Legislative Audit within nine (9) months following the end of each fiscal year.
- 4.03.1 At the request of the auditee, the ADE may grant an extension of up to ninety (90) days on the deadline specified in section 4.03.
 - 4.03.2 If the auditee is subject to federal circular A-133 audit requirements, any extension must first be obtained from the appropriate federal agency.
 - 4.03.3 All contracts initiated by the auditee for audit services with private certified public accountants shall contain a provision requiring completion of the audit and filing of the audit reports by the auditor with the ADE and Legislative Audit within nine (9) months following the end of each fiscal year.
 - 4.03.4 Any ~~auditee~~ public school district or education service cooperative failing to file an audit report within the nine (9) month time period or within the time period under any extension

granted by the ADE shall automatically be considered by the ADE to be in fiscal distress.

- 4.03.4.1 Any school district or education service cooperative identified in fiscal distress status may appeal to the State Board by filing a written appeal, with the Office of the Commissioner of Education, by certified mail return receipt requested, within thirty (30) calendar days of receipt of notice of being identified in fiscal distress status from the ADE.
- 4.03.4.2 The State Board shall hear the appeal within sixty (60) calendar days of receipt of the written notice of appeal from the school district or education service cooperative.
- 4.03.4.3 The written appeal shall state, in clear terms, the reason why the school district or education service cooperative should not be classified as in fiscal distress.
- 4.03.4.4 Notwithstanding any appeal rights in this subchapter, no appeal shall stay the ADE's authority to take action to protect the fiscal integrity of any school district or education service cooperative identified as in fiscal distress.

4.03.5 Any open-enrollment public charter school failing to file an audit report within the nine (9) month time period or within the time period under any extension granted by the ADE may be referred to the State Board of Education for possible modification, revocation, or denial of renewal of its charter pursuant to Ark. Code Ann. § 6-23-105 and the Department's Rules Governing Public Charter Schools.

- 4.04 By January 31 of the calendar year following the due date of the audit, the ADE shall notify by certified mail any auditee failing to file the required audit that the entity is considered to be in fiscal distress or is subject to having its charter modified, revoked, or denied renewal.
- 4.05 The ADE shall place certified public accountants or accounting firms on an ineligible list for a determined period of time, but not more than five years from the end of the fiscal year for which the audit report was contracted to be prepared, for any of the following reasons:
 - 4.05.1 If in the opinion of the ADE or the Legislative Joint Auditing Committee, an audit report is not filed within the required time period; or within a time period under any extension granted by the ADE or Legislative Joint Audit Committee due to neglect or fault of the certified public accountant or accounting firm.

- 4.05.2 If the Arkansas State Board of Public Accountancy's Quality Review Committee reports to the ADE and the Legislative Joint Auditing Committee that an audit report shows evidence of lack of general conformity with applicable professional standards or state laws and regulations or evidence that the report is substandard or seriously questionable.
- 4.05.3 Any other compelling reason the ADE believes justifies placing the accountant or accounting firm on the ineligibility list.
- 4.06 Auditees should check the list of ineligible certified public accountants or accounting firms maintained by the ADE before entering into a contract for audit services.
- 4.07 A certified copy of the audit shall be distributed to the school district, the Department of Finance and Administration, the Department of ~~Workforce~~ Career Education, and the ADE.
- 4.08 The annual financial audit shall be filed by the auditor directly to the Arkansas Legislative Auditor within ten (10) days of issuance of the audit report to the school board.
- 4.09 If the ADE or the Legislative Joint Auditing Committee is concerned that an audit may be substandard or seriously questionable with respect to applicable professional auditing standards, the ADE or the Legislative Joint Auditing Committee may file a complaint with the Arkansas State Board of Public Accountancy.
 - 4.09.1 The Arkansas State Board of Public Accountancy shall review all audit reports and working papers filed under 4.09 and determine whether the report is in general conformity with professional standards and state laws and regulations and shall take appropriate action.
- 4.10 Each education service cooperative is subject to an annual audit by the Legislative Joint Auditing committee.
- 4.11 Licensed accountants shall not provide non-audit services to a school district, education service cooperative, or open-enrollment public charter school if the licensed accountant or his or her firm is also the auditor of the school district, education service cooperative, or open-enrollment public charter school. Non-audit services include:
 - 4.11.1 Accounting and bookkeeping services;
 - 4.11.2 Financial information systems design and implementation;
 - 4.11.3 Appraisal, valuation, and actuarial services;
 - 4.11.4 Internal audit outsourcing services;
 - 4.11.5 Management or human resources functions;
 - 4.11.6 Broker or dealer, investment advisor, or investment banking services; and

4.11.7 Legal and expert services unrelated to the audit.

5.00 PROCESS AND PROCEDURES FOR AUDITS CONDUCTED BY LEGISLATIVE AUDIT

- 5.01 Legislative Audit has the authority to audit the books of any school district, open-enrollment public charter school, and education service cooperative at the request of a fiscal officer, school district, county, or state school official.
- 5.02 Audit reports shall include all findings, comments, recommendations and management letters. They shall be made available to the ADE and the Department of ~~Workforce~~ Career Education upon presentation to the Legislative Joint Auditing Committee.
- 5.03 Legislative Audit shall provide copies of every audit report performed on each school district to the county clerk of the county in which the auditee is located.
 - 5.03.1 The County Clerk is required to keep the reports for at least two (2) years.
- 5.04 Legislative Audit shall annually provide the ADE with a list of public educational entities audited by Legislative Audit and update the ADE on any changes throughout the year.

6.00 PRESENTATION OF AUDIT REPORTS

- 6.01 Audit reports, along with accompanying comments and recommendations, shall be reviewed at the first regularly scheduled school board or governing body meeting following receipt of the audit report if the audit report is received by the school board prior to ten (10) days before the regularly scheduled meeting. If the audit report is received by the board or governing body within ten (10) days before a regularly scheduled meeting, the report may be reviewed at the next regularly scheduled meeting after the ten-day period.
- 6.02 The school board or governing body of the auditee shall take appropriate action relating to each audit finding and recommendation within the audit report. The minutes of the meeting shall document the review of the audit and action taken by the board or governing body.

7.00 REQUIREMENTS FOR DISTRICTS IN FISCAL DISTRESS

- 7.01 If a district has been identified as being in fiscal distress by June 30 of any year, the annual audit shall be completed and filed with the ADE and the Legislative Joint Auditing Committee within six (6) months following the end of each fiscal year.
 - 7.01.1 The deadline in 7.01 for districts identified in fiscal distress may

be extended up to an additional ninety (90) days if the Legislative Joint Auditing Committee determines that circumstances warrant the extension.

8.00 REQUIREMENTS FOR CONSOLIDATED OR ANNEXED DISTRICTS

- 8.01 The district that is involved in the administrative consolidation or annexation shall have an audit started within thirty (30) days of the closing of the books by the school district.

9.00 REQUIREMENTS FOR REPEAT AUDIT FINDINGS

- 9.01 The Legislative Joint Auditing Committee may refer an audit report of a school district to the ADE if the report identifies a substantial issue of noncompliance with state or federal financial or other reporting requirements, and the same issue has been identified in two (2) consecutive audit reports.
- 9.02 The ADE shall submit the audit report referred in 9.01 of this section to the Professional Licensure Standards Board in forms approved by the ADE.
 - 9.02.1 The Professional Licensure Standards Board shall investigate any referral made by the committee, and provide a report on the disposition of all referral no later than July 1 of each year.

Arkansas Department of Education
Rules Governing the Arkansas Financial Accounting and Reporting System
and Annual Training Requirements

September ~~2007-2011~~

1.00 Regulatory Authority

- 1.01 These rules are promulgated pursuant to Ark. Code Ann. §§ 6-11-105, 6-11-128, 6-17-410, 6-20-1805, 6-20-2004, 6-20-2104, 6-20-2202, 6-20-2203, and 6-20-2207. ~~and Act 1006 of the 86th Arkansas General Assembly.~~

2.00 Purpose

- 2.01 These rules shall be applied to all school districts, open enrollment charter schools, and education service cooperatives for the purposes of accounting and reporting revenues and expenditures and for providing required training.

3.00 Definitions

For purposes of these rules, the following terms shall be defined to mean:

- 3.01 ~~Annual Financial Report and Budget (AFRB) – the annual electronically submitted report of the revenues and expenditures for the prior fiscal year and the budget of revenues and expenditures of school districts, open enrollment charter schools, and education service cooperatives filed with the Department by September 15 of each school year as required by Ark. Code Ann. § 6-20-2202.~~ Annual Financial Report (AFR) Record – AFRB, the annual report of financial information for the prior fiscal year as required by Ark. Code Ann. §6-20-2202.
- 3.02 Approved Budget (AFB) – a budget (AFB) that has received the required written notification from the Department that the budget presented was not identified as deficient as of February 15 of the current year.
- 3.03 APSCN – Arkansas Public School Computer Network
- 3.04 Arkansas Financial Accounting Handbook – the uniform chart of accounts and related codes which are established by the Department and incorporated into these rules as the “Arkansas Handbook, and used for accounting and financial reporting of all public schools, school districts, open enrollment charter schools, and education service cooperatives.

- 3.06 Athletic Expenditures – all direct and indirect expenses related to interschool athletic programs, prorated if necessary.
- ~~3.07 Budget – the annual budget of expenditures and receipts required in Ark. Const. Art. 14 § 3, and Ark. Code Ann. §§ 6-13-620 (7) and 6-20-2202. The budget is submitted on or before September 15 as part of the AFRB.~~
- ~~3.08 Budget Approval – required written notification from the Department that the budget presented was reviewed for compliance with the mandated requirements under Ark. Code Ann. § 6-20-2202.~~
- 3.09 3.07 Budget (AFB) Review – the process of determining if the budget AFB submitted to the Department meets the mandated expenditure requirements in effect for the appropriate year and that budgeted revenue, expenditures and fund balances are reasonable and in compliance with law.
- ~~3.08 Court-Ordered Desegregation Funding – state funds received by a LEA under a federal court order or a settlement agreement in desegregation litigation.~~
- 3.10 3.09 Deficient – a finding by the Department auditors that budget or financial accountability reports do not meet the mandated expenditure requirements in effect for the appropriate year; that budget or financial accountability reports contain one or more material misstatements of financial information; or that budgeted revenue, expenditures and fund balances are not in compliance with law or Department rules.
~~requirements of state law or rules of the SBE.~~
- ~~3.11 3.10 Department – the Arkansas Department of Education.~~
- ~~3.11 Full-time Equivalent (FTE) – The amount of time an employee works during a school year (July 1 through June 30 of following calendar year) as a percentage of the amount of time a full-time employee in the same position would work during a school year.~~
- 3.12 3.12 Interschool Athletic Program – any athletic program which is organized primarily for the purpose of competing with other schools, public or private; or any athletic program which is subject to regulation by the Arkansas Activities Association.
- 3.13 3.13 Interschool Scholastic Activities – any interschool activity program that is outside the regular curriculum, excluding interschool athletic programs as defined by Ark. Code Ann. § 6-20-2002(3), which is organized primarily for the purpose of competing with other schools,

public or private; or any program or activity, excluding interschool athletic programs as defined by Ark. Code Ann. § 6-20-2002(3), which is subject to regulation by the Arkansas Activities Association.

- 3.14 3.14 Interschool Scholastic Activity Expenditures – all direct and indirect expenses related to interschool scholastic activities, prorated if necessary.
- 3.15 3.15 Local Educational Agency (LEA) – all Arkansas public school districts, open-enrollment public charter schools and education service cooperatives.
- 3.16 3.16 Material Findings – a financial condition that jeopardizes the fiscal integrity of the school district.
- 3.17 3.17 SBE – the Arkansas State Board of Education.
- 3.18 3.18 Special Needs Categories – the state funding categories of Alternative Learning Environments, English Language Learners, National School Lunch Act funding, and Professional Development.
- 3.19 3.19 State Funds – all money derived from state revenues, specifically including but not limited to, distributions from the Department of Education Public School Fund Account and uniform rate of tax ad valorem property taxes distributed to a public school or school district.
- 3.20 3.20 Tier I & II Employees – those employees described as Tier I or Tier II employees in § 7 of this rule.
- 3.21 3.21 Tier I & Tier II Training – that training described as Tier I or Tier II training in § 7 of this rule.
- 3.22 3.22 Valid Comparisons – comparisons deemed to be relevant to the subject material in substance and scope.

4.00 Annual Financial Report (AFR) ~~AFRB and Arkansas Handbook~~

- 4.01 The ~~AFRB~~ shall be electronically submitted to the Department by LEAs in the format required by the Department.
- 4.02 ~~The Department shall establish the format of the AFRB by no later than August 1 of each year and the Department shall provide written notice via Commissioner's Memo of the date the AFRB format is available for use by the public school districts, open enrollment charter schools, and education service cooperatives. APSCN shall have the programs necessary to collect the AFR data available to the LEAs at least fifteen (15) calendar days before the date required to submit the AFR.~~

4.03 The AFRB shall be filed electronically with the Department by ~~September 15~~ August 31 of each year. If August 31 is on a weekend or state holiday, the AFR electronic submission shall be on the first work day for state employees following the weekend or state holiday.

4.03.1 For purposes of compliance with these rules, the official date of filing with the Department shall be the date and time the AFRB is recorded as received by APSCN.

4.03.2 ~~The budget shall have been legally approved by the local board with governing authority of a school district, open enrollment charter school or education cooperative prior to filing with the Department. If errors are discovered in the AFR by either the LEA or the Department, a corrected AFR may be resubmitted by September 15 of the same calendar year it was originally due. If September 15 is on a weekend or state holiday, the resubmission shall be on the first work day for state employees following the weekend or state holiday.~~

4.03.3 ~~The order or resolution of the local board approving the budget shall be signed by the president of the local board and the ex-officio financial secretary (i.e. superintendent) of each school district, open enrollment charter school, or education cooperative. A copy of the board order or resolution with the signature page approving the budget shall be received by the Department on or before September 15 of each year.~~

4.03.4 ~~If the AFRB and the order or resolution approving the budget are not filed with the Department on or before September 15 and as required by these rules, then all warrants or checks issued by the school district, open enrollment charter school or education cooperative after September 15 shall be declared invalid, and the ex-officio financial secretary and his or her surety shall be liable for any warrants or checks countersigned after the September 15 deadline.~~

4.03.5 ~~If the AFRB and the order or resolution approving the budget are not filed with the Department on or before September 15 and as required by these rules, and provided the Department has met its reporting obligation required in Section 6.00 of these rules, the Department shall suspend distribution of all state funded grants and aids for which a school district, charters school or education cooperative is eligible until the reporting requirements of these rules, are met in full compliance.~~

~~4.03.5.1 Grants and aids include all categories of state funds distributed by the Department.~~

4.04 No changes shall be made to the LEA's financial data after it has been submitted to the Department as a part of the AFR, unless the AFR is resubmitted by the deadline specified in 4.03.2 of this rule.

4.05 Each LEA shall perform a final close of its fiscal year immediately following its submission of the AFR. If a resubmission is necessary and within the timeframe allowed by 4.03.2 of this rule, APSCN shall be contacted in order to re-open the fiscal year.

4.06 The data to be reported in the AFR includes, but is not limited to:

4.06.1 The daily expenditures and receipts of the LEA;

4.06.2 Information on fund balances maintained by the LEA, including, but not limited to, the:

4.06.2.1 Sources of funds maintained as fund balances, to the extent practicable;

4.06.2.2 Reasons for maintaining, instead of spending, the fund balances;

4.06.2.3 Amount and identification of funds transferred between various funds during the past year;

4.06.2.4 Amount of fund balances dedicated for the construction, maintenance, or repair of academic or athletic facilities.

4.06.2.5 Information sufficient to verify whether funds allocated for educational purposes, including, but not limited to, student academic needs and the maintenance and operation of public school district facilities, are used for their intended purposes or retained by the school district in its fund balances.

5.00 Annual Financial Budget (AFB)

5.01 The AFB shall be electronically submitted to the Department by LEAs in the format required by the Department.

5.02 The AFB shall be filed electronically with the Department by September 30 of each year. If September 30 is on a weekend or state holiday, the employees following the weekend or state holiday.

5.02.1 For purposes of compliance with these rules, the official date of filing with the Department shall be the date and time the AFB is recorded as received by APSCN.

5.02.2 APSCN shall have the programs necessary to collect the AFB data available to the LEAs at least fifteen(15) calendar days before the date required to submit the AFB.

5.03 The AFB shall be approved by the board of directors of each LEA at a legally held meeting and shall be signed by the president of the board of directors and the ex officio financial secretary of each LEA.

5.03.1 The order or resolution of the local board approving the AFB shall be signed by the president of the local board and the superintendent or director of each LEA.

5.03.2 If the AFB and the order or resolution approving the AFB are not filed with the Department on or before September 30 and as required by these rules, then all warrants or checks issued by the LEA after September 30 shall be declared invalid and the Superintendent and his or her surety shall be liable for any warrants or checks countersigned after the September 30 deadline.

5.03.3 If the AFB and the order or resolution approving the AFB are not filed with the Department on or before September 30 and as required by these rules, the Department shall suspend distribution of all state funded grants and aids for which a LEA is eligible until the reporting requirements of these rules are met in full compliance.

6.00 Full-time Equivalents (FTEs) and Average Salaries

6.01 Information regarding FTEs and Average Salaries shall be electronically submitted to the Department by LEAs in the format required by the Department.

6.02 Information regarding FTEs and Average Salaries shall be filed electronically with the Department by July 31 of each year. If July 31 is on a weekend or state holiday, the electronic submission shall be on the first work day for state employees following the weekend or state holiday.

6.02.1 For purposes of compliance with these rules, the official date of filing with the Department shall be the date and time the electronic submission is recorded as received by APSCN.

6.02.2 APSCN shall have the programs necessary to collect the FTEs and Average Salaries data available to the LEAs at least fifteen(15) calendar days before the date required for submission to the Department.

7.00 Arkansas Handbook

4.047.01 The Department shall establish and implement a uniform chart of accounts and related codes known as the Arkansas Financial Accounting

Handbook (Arkansas Handbook) which shall be the uniform chart of accounts and codes utilized in reporting revenues and expenditures.

~~4.04.17.01.1~~ 7.01.1 The Arkansas Handbook is hereby incorporated by reference into these rules. However, the Arkansas Handbook is exempt from the rule-making process and may be amended, revised or updated as provided in these rules or law.

~~4.04.27.01.2~~ 7.01.2 The amendments, annual revisions, and financial accounting updates to the Arkansas Handbook shall be developed with representatives from the Arkansas Association of School Business Officials, the Education Service Cooperatives, and other school district officials as designated by the Department.

~~4.04.3~~ 7.01.3 Prior to amending the Arkansas Handbook, the Department shall provide written notice via a Commissioner's Memo to the school districts, open enrollment charter schools and education cooperatives. Amendments, annual revisions, and financial accounting updates shall be effective on July 1 of the next fiscal year or 90 days from the date of the issuance of the Commissioner's Memo, whichever is later, unless:

~~4.04.3.1~~ 7.01.3.1 The Commissioner declares that there is an emergency, at which time the change shall be effective immediately upon the date specified in the Commissioner's Memo; or,

~~4.04.3.2~~ 7.01.3.2 A new program or revenue source requires new accounting codes, at which time the change shall be effective immediately upon the date specified in the Commissioner's Memo; or,

~~4.04.3.3~~ 7.01.3.3 The change affects only a few school districts and the school districts have mutually agreed to make the change. The change shall be effective immediately upon the date specified in the Commissioner's Memo.

~~4.05~~ 7.02 The Arkansas Handbook shall be the chart of accounts and codes utilized by ~~school districts, open enrollment charter schools and education cooperatives~~ LEAs in making the record of actual revenues and expenditures and the annual budget of revenues and expenditures required by these rules.

5.00 8.00 AFRB Department Review Requirements of LEA Financial Records

~~5.01~~ 8.01 ~~Beginning in 2008-2009 school year, B~~ By February 15 of each year, the Financial Accountability Unit of the Department shall review ~~the~~ LEAs' most currently submitted AFRB, AFB, FTEs and Average Salaries

to determine if the financial records are deficient. Any error related to the coding and reporting of financial information that causes a material misstatement of financial information will be cause for determining a deficiency. A material misstatement occurs whenever the submitted data has more than a ~~five percent (5%)~~ ten percent (10%) variance from the correct data or when corrective action is not taken after the Department has sent written notification to a ~~district, open enrollment charter school or education service cooperative~~ LEA regarding specific errors discovered in the ~~AFRB~~ financial records.

8.01.1 Any error related to the coding and reporting of court-ordered desegregation funding that causes a material misstatement of financial information will be cause for determining a deficiency. A material misstatement occurs whenever the submitted data has more than a ten percent (10%) variance from the correct data or when corrective action is not taken after the Department has sent written notification to a LEA regarding specific errors discovered in the financial records.

~~5.02~~ 8.02 The ~~AFRB~~ Department review will include, but is not limited to:

- ~~5.02.1~~ 8.02.1 State Revenues;
- ~~5.02.2~~ 8.02.2 Student Special Needs Expenditures;
- ~~5.02.3~~ 8.02.3 Total Expenditures;
- ~~5.02.4~~ 8.02.4 Instructional Expenditures;
- ~~5.02.5~~ 8.02.5 Extracurricular Expenditures;
- ~~5.02.6~~ 8.02.6 Capital Expenditures;
- ~~5.02.7~~ 8.02.7 Debt Service Expenditures;
- 8.02.8 Expenditures of court-ordered desegregation funding;
- ~~5.02.8~~ 8.02.9 Teacher Full Time Equivalency data;
- ~~5.02.9~~ 8.02.10 Certified salary amounts;
- ~~5.02.10~~ 8.02.11 Compliance with the Minimum Teacher Salary schedule;
- ~~5.02.11~~ 8.02.12 Compliance with gifted and talented programs expenditure requirements in accordance with ~~rules promulgated by the SBE~~ Ark. Code Ann. § 6-20-2208(c)(6);
- ~~5.02.12~~ 8.02.13 Interschool Athletic Expenditures, including salaries with fringe benefits, travel, equipment, supplies and facilities maintenance;
- ~~5.02.13~~ 8.02.14 Interschool Scholastic Expenditures, including salaries with fringe benefits, travel, equipment, supplies and facilities maintenance;
- ~~5.02.14~~ 8.02.15 The district's Total Athletic Expenditures budgeted for interschool athletic programs that are to be paid from state funds;
- ~~5.02.15~~ 8.02.16 Interschool scholastic activity expenditures to be paid from state funds;

- ~~5.02.16~~ 8.02.17 Expenditure of Federal funds, including school lunch reimbursement;
- ~~5.02.17~~ 8.02.18 Verification that fiscal year expenditures did not exceed legal revenues for the same fiscal year;
- ~~5.02.18~~ 8.02.19 Verification that proper financial records have been maintained in accordance with the Education Accounting and Reporting System and the Arkansas Handbook.
- 8.02.20 Verification that fund balances are sufficient to ensure the continuation of educational services and are within parameters set by state and federal law and Department rules.
- ~~5.03~~ 8.03 The Department shall notify in writing, via certified mail, the superintendent or director of the ~~school districts, open enrollment charter schools or education service cooperatives~~ LEA whose financial records are found to be deficient.
- ~~5.03.1~~ 8.03.1 The notification shall state the deficiency.
- ~~5.04~~ 8.04 The ~~school district, open enrollment charter school or education service cooperative~~ LEA will have thirty (30) days to respond to the Department's notification. The response may include, but is not limited to:
- ~~5.04.1~~ 8.04.1 A proposed corrective action plan;
- ~~5.04.2~~ 8.04.2 A training schedule to educate all pertinent personnel; and
- ~~5.04.3~~ 8.04.3 A procedure to prevent a repeat of the deficiency.
- ~~5.05~~ 8.05 The response shall not be considered a right of appeal.
- ~~5.06~~ 8.06 If the review determines the financial records of any ~~school district, open enrollment charter school or education service cooperative~~ LEA are deficient as defined in Section ~~5.01~~ 8.01 or otherwise not properly maintained or submitted by the LEA ~~school district, open enrollment charter school, or education service cooperative~~ or are not administered in accordance with state or federal laws, SBE rules, or the Arkansas Handbook, then state-funded grants and/or aid that the district would be eligible to receive shall be withheld until the financial issues have been resolved.
- ~~5.07~~ 8.07 The SBE may require the superintendent or director and board members explain and/or appear before the SBE to explain why the district is not complying with state laws or rules.
- ~~5.08~~ 8.08 Upon written notice of approval by the Financial Accountability Unit, the Department shall file copies of the approved budget with the ~~school~~

~~district, open enrollment charter school, or education service cooperative,~~
LEA and the county treasurer.

~~5.09~~ 8.09 It is the duty of the State to monitor ~~school districts, open enrollment charter schools, or education service cooperatives~~ LEA financial records, Arkansas Comprehensive School Improvement Plan, or any other pertinent records, to ensure the following:

~~5.09.1~~ 8.09.1 District expenditures meet the minimum teacher salary schedule;

~~5.09.2~~ 8.09.2 District expenditures benefit students in special needs categories;

~~5.09.3~~ 8.09.3 District expenditures are used to improve the educational opportunity of each child;

~~5.09.4~~ 8.09.4 District expenditures are used to provide an equal opportunity for each child;

~~5.09.5~~ 8.09.5 District expenditures are used to meet the Standards of Accreditation;

~~5.09.6~~ 8.09.6 The District has provided the SBE and the Department with a report of the school district's total athletic expenditures paid from state funds for the previous year;

~~5.09.7~~ 8.09.7 The district has provided the SBE and the Department with a budget for the school district's total athletic expenditures to be paid from state funds for the upcoming year; and

~~5.09.8~~ 8.09.8 The district has provided the SBE and the Department with any additional information or documentation requested for the purpose of showing compliance with state laws, including but not limited to Ark. Code Ann. § 6-20-2208, federal laws and Department rules.

~~5.10~~ 8.10 The Department shall have the authority to review, analyze and inspect the financial records of any LEA ~~school district, open enrollment charter school or education service cooperative~~ in order to verify that a ~~school district, open enrollment charter school or education service cooperative~~ LEA is correctly and accurately reporting revenues and expenditures in accordance with the Arkansas Handbook.

~~5.11~~ 8.11 The Department shall submit a report titled "Annual Statistical Report (ASR)" to the Governor, the Senate Interim Committee on Education, and the House Interim Committee on Education by February 15 of each year concerning ~~public school and public school district~~ LEA revenue, expenditures, legal balances (total and unrestricted), FTEs, average salaries and any other financial information required by law.

- 8.11.1 The revenue and expenditures will reflect the prior year actual (ended June 30) and the current year budget (beginning July 1).
- 8.11.2 The total legal balance will be as of June 30 of the prior year and will contain the total balances of the Salary, Operating and Debt Service Funds.
- 8.11.3 The unrestricted legal balance will be the total legal balance less restricted funds.
- 8.11.4 The FTEs and average salaries will be for the prior year ended June 30.

~~6.00~~ 9.00 Required Reports

- ~~6.01~~ 9.01 The Department shall publish by July 1 of each year, via Commissioner's Memo, a list of all required financial accountability reports, that are not a part of a cycle report submitted through APSCN, with due dates.
- ~~6.02~~ 9.02 The Department shall submit a written notice via certified mail on or before February 15 of each year to those school districts, open enrollment charter schools and education service cooperatives whose budget or financial reports are identified as deficient. Likewise, the Department will issue a Commissioner's Memo on or before February 15 of each year indicating which school districts, open enrollment charter schools or education service cooperatives budgets are identified as approved.
- ~~6.03~~ 9.03 Each county clerk is required to provide to the Department an annual Abstract of Assessment by March 15 of each year.
 - ~~6.03.1~~ 9.03.1 The treasurer of the state shall withhold the monthly distribution of county aid from any county that fails to provide the annual Abstract of Assessment by March 15 for each school district located wholly or in part in the county.
 - ~~6.03.2~~ 9.03.2 The Department shall establish the required format for the Abstract of Assessment, to include:
 - ~~6.03.2.1~~ 9.03.2.1 The previous calendar year's property assessment that will be used for ad valorem tax collections in the current year.
 - ~~6.03.2.2~~ 9.03.2.2 The millage rates, which shall be listed by the type of millage, levied against that property assessment.
 - ~~6.03.2.3~~ 9.03.2.3 In cases that administratively consolidated school districts do not have a unified millage rate,

the county clerk shall submit the assessment data in a form specified by the Department.

~~6.03.3~~ 9.03.3 To consider a county in compliance with this filing requirement, the Department must receive all data no later than March 15 of each year.

9.04 By January 31, 2012, and by January 31 of each year thereafter, each county treasurer shall provide an annual summary report of all proceeds generated from ad valorem tax and distributed by the county to a school district for the period beginning January 1 and ending on December 31 of the preceding calendar year to the:

9.04.1 Treasurer of State;

9.04.2 Department of Education; and

9.04.3 Superintendent of the school district to which the proceeds from the uniform rate of tax are distributed by the county.

9.04.4 Failure of the county treasurer to report the annual summary required by 9.04 of this rule shall result in the withholding of all reappraisal funding provided under Ark. Code Ann. § 26-26-1907 until the county treasurer provides the annual summary report. Funds withheld are forfeited as follows:

9.04.4.1 Twenty percent (20%) of withheld reappraisal funds are forfeited every two (2) months of noncompliance; and

9.04.4.2 After ten (10) months of noncompliance, the total amount of withheld reappraisal funds are forfeited.

9.04.4.3 A county is not relieved of the requirement to reappraise property and funding for reappraisal shall be by local taxing unit sources until the county provides the required annual summary report.

9.04.4.4 The Department shall notify the Assessment Coordination Department if a county treasurer fails to comply with 9.04 of this rule and withholding of reappraisal funding is authorized by Ark. Code Ann. § 26-80-101.

9.05 By September 1 of each year, any school district that received court-ordered desegregation funding for the prior school year shall report to the Department the following:

9.05.1 The total amount of state funding received under the federal court order or settlement agreement in the prior school year;

9.05.2 A detailed statement outlining the school district's obligations under the federal court order, settlement agreement, or court-approved remedial plan, including without limitation:

9.05.2.1 Programs that the school district is required to administer;

9.05.2.2 Specific goals that the school district is required to reach;

- 9.05.2.3 Actions that the school district is required to take or are prohibited from taking;
 - 9.05.2.4 Problems that the school district is required to remedy;
 - 9.05.2.5 Overall purposes of the federal court order, settlement agreement, or court-approved remedial plan; and
 - 9.05.2.6 Any other pertinent information as determined by the department;
- 9.05.3 An itemized accounting of all expenditures made during the prior school year from state funds identified under section 9.05.1 and expended to comply with the school district's obligations identified under section 9.05.2;
 - 9.05.3.1 The accounting shall be specific and detailed and include an explanation of how each expenditure was necessary in order to comply with the school district's obligations under the federal court order, settlement agreement, or court-approved remedial plan;
 - 9.05.3.2 It is not sufficient to provide general statements, such as stating that the funds were used in magnet schools;
 - 9.05.3.3 As part of the explanation for each expenditure, the accounting shall identify the program, goal, action, problem, and/or purpose listed in response to Section 9.05.2 to which the expenditure is related;
- 9.05.4 The total amount of all state funds identified in response to section 9.05.1 and remaining in the school district's fund balances as of July 1; and
- 9.05.5 A statement that the sum total of all expenditures identified in response to sections 9.05.3 and 9.05.4 is equal to the sum total of state funding identified in response to section 9.05.1, or alternatively, an explanation of the discrepancy.
- 9.06 Unless the Department approves otherwise, any data to be reported under sections 9.05.1, 9.05.3, and 9.05.4 shall be submitted to the Department in electronic format as a Microsoft Excel file utilizing a template to be furnished by the Department no later than August 1.
 - 9.06.1 Unless the Department approves otherwise, any data to be reported under section 9.05.2 shall be submitted to the Department in electronic format as a Microsoft Word or Adobe Portable Document Format (PDF) file.
- ~~6.04~~ 9.07 The Department may withhold state aid from any school district, open enrollment charter school or education service cooperative LEA that

fails to file its budget or any other required report with the Department by the deadline established on the list of all required financial accountability reports, provided that the Department has met the deadline for providing information pertinent to meeting the deadlines.

7.00 10.00 Required Training

~~7.01~~ 10.01 The Department shall establish two (2) tiers of required training.

~~7.01.1~~ 10.01.1 Both tiers of required training shall apply to ~~public school districts, open enrollment charter schools and education service cooperatives~~ all LEAs.

~~7.01.2~~ 10.01.2 A minimum of two (2) persons per ~~educational entity LEA~~ LEA are required to attend an Initial and an Annual Tier I Training. The two persons shall include:

~~7.01.2.1~~ 10.01.2.1 The district superintendent or the education service cooperative director or the open enrollment charter school director; and

~~7.01.2.2~~ 10.01.2.2 A person whose job responsibilities include preparing the budget or overall accounting responsibility.

~~7.02~~ 10.02 The two (2) persons per ~~educational entity LEA~~ LEA required to attend shall each obtain twelve (12) hours of Initial Training and instruction necessary to demonstrate basic proficiency as determined by the Department, including but not limited to:

~~7.02.1~~ 10.02.1 School laws of Arkansas;

~~7.02.2~~ 10.02.2 Laws and rules governing expenditures, fiscal accountability, and school finance;

~~7.02.3~~ 10.02.3 Ethics; and

~~7.02.4~~ 10.02.4 Financial accounting and reporting of LEAs, ~~schools, school district, open enrollment charter schools, and education service cooperatives~~.

~~7.03~~ 10.03 After obtaining the Initial Training, the two (2) persons required to attend shall obtain four (4) hours of Tier I annual training and instruction in order to maintain basic proficiency in the topics described in Section ~~7.02~~ 10.02 of these rules.

~~7.03.1~~ 10.03.1 The two (2) persons per ~~educational entity LEA~~ LEA are required to attend the training under Section ~~7.01~~ 10.01 of these rules by December 31 of each year.

- ~~7.03.1.1~~ 10.03.1.1 The training may be provided by a higher education institution, the Department, the Arkansas Association of School Business Officials or from another provider.
- ~~7.03.1.2~~ 10.03.1.2 The training sessions may be held throughout the State, via distance learning, or from an online course.
- ~~7.03.1.3~~ 10.03.1.3 All providers for training shall apply for and receive approval from the Department prior to providing the training.
 - ~~7.03.1.3.1~~ 10.03.1.3.1 The provider shall submit a complete request for approval prior to the scheduled training.
 - ~~7.03.1.3.2~~ 10.03.1.3.2 The Department shall establish the request form.
 - ~~7.03.1.3.3~~ 10.03.1.3.3 The provider shall provide the Department with a list of persons who attended the training sessions.
 - ~~7.03.1.3.4~~ 10.03.1.3.4 The Department's administrative staff will review the request.
 - ~~7.03.1.3.5~~ 10.03.1.3.5 If additional information is requested, the provider will be responsible for providing an immediate response in order to gain approval in a timely manner.
 - ~~7.03.1.3.6~~ 10.03.1.3.6 Department staff will be allowed to attend all training sessions in order to monitor for quality and completeness.
 - ~~7.03.1.3.6.1~~ 10.03.1.3.6.1 Department staff will not be required to pay to attend the training
- ~~7.03.2~~ 10.03.2 Persons failing to obtain required training by the end of the calendar year and failing to receive training by March 1 of the following calendar year without filing a request for an extension shall be sanctioned by the State.
 - ~~7.03.2.1~~ 10.03.2.1 The request for an extension must be sent to the Department by certified mail, return receipt requested.
 - ~~7.03.2.2~~ 10.03.2.2 The request for an extension must be received by the Department prior to March 1.
 - ~~7.03.2.3~~ 10.03.2.3 The Department shall establish a form to be used in requesting an extension.

- ~~7.03.2.4~~ 10.03.2.4 The request shall include a corrective action plan for obtaining the required training in a timely manner.
- ~~7.03.2.4.1~~ 10.03.2.4.1 For each person failing to obtain the required training by March 1, the Department shall immediately notify the superintendent or director of the employing school district, open enrollment charter school, or education service cooperative.
- ~~7.03.2.4.2~~ 10.03.2.4.2 Notification will be sent by certified mail, return receipt requested.
- ~~7.03.2.4.3~~ 10.03.2.4.3 The Department will also notify the school board president.
- ~~7.03.3~~ 10.03.3 The superintendent or director of the school district, director of the open enrollment charter school, or education service cooperative director-LEA shall notify the person who failed to receive the required training, and the person shall be unable to continue in his or her position from the date of receipt of notification by the superintendent of the school district, director of the open enrollment charter school, or education service cooperative director.
- ~~7.03.3.1~~ 10.03.3.1 Notification will be by certified mail, return receipt requested.
- ~~7.03.3.2~~ 10.03.3.2 Any person receiving notice that he or she shall be unable to continue in his or her position solely because of his or her failure to obtain the required training may request a hearing before the SBE prior to his or her permanent dismissal.
- ~~7.03.4~~ 10.03.4 If the person fails to obtain all required training by December 31 following the March 1 extension deadline, this failure shall constitute one (1) citation against the school district, or the open enrollment charter school, as measured by the Standards for Accreditation of Arkansas Public Schools issued by the Department or an admonishment to the education service cooperative by the Department.
- ~~7.03.5~~ 10.03.5 If the person is unable to obtain the required training because of military service or illness as verified by a written sworn statement of the person's attending physician, the Department shall grant an extension permitting the person additional time to obtain the required training.

- ~~7.03.5.1~~ 10.03.5.1 The person shall submit the appropriate documentation of military service or illness to the Department.
- ~~7.03.5.2~~ 10.03.5.2 The documentation must be sent by certified mail, return receipt requested.
- ~~7.03.5.3~~ 10.03.5.3 The length of time of the extension will be determined on an individual basis at the discretion of the Department.
- ~~7.03.5.4~~ 10.03.5.4 The issuance of an extension shall not constitute a citation against the school district or the open enrollment charter school as measured by the Standards for Accreditation of Arkansas Public Schools issued by the Department or an admonishment to the education service cooperative by the department. Also the Department ~~and~~ shall not operate to remove the person from his or her job if an extension has been granted by the Department.
- ~~7.03.6~~ ~~The SBE shall modify the Standards for Accreditation of Arkansas Public Schools issued by the Department as may be required by this section.~~
- ~~7.03.7~~ 10.03.6 The Department shall maintain records of instructional hours of Tier I Training obtained by any individual covered under this section.
 - ~~7.03.7.1~~ 10.03.6.1 Each district shall provide a list of the names and positions of the persons covered by these rules, to the Department by December 31 of each year. The information shall be provided in a format approved by the Department.
 - ~~7.03.7.2~~ 10.03.6.2 Separate lists will be provided for persons obtaining the initial training to demonstrate basic proficiency and for those obtaining additional hours.
 - ~~7.03.7.3~~ 10.03.6.3 The trainer or the institution providing the training will provide verification of instructional hours.
 - ~~7.03.7.4~~ 10.03.6.4 The Department may publish a list identifying the persons required to receive training and the compliance status.
 - ~~7.03.7.5~~ 10.03.6.5 Persons employed as of July 1 shall be required to obtain training by December 31 of that year.

- ~~7.03.7.6~~ 10.03.6.6 Persons employed after July 1 shall be required to obtain training by December 31 of the next year.
- ~~7.03.7.7~~ 10.03.6.7 Persons changing employment will have their training history accepted by the new employer.

~~7.03.8~~ 10.03.7 Any school district or open enrollment charter school that does not follow the provisions of ~~this~~ Ark. Code Ann. Title 6, Chapter 20 and subchapter 22 shall be placed in fiscal distress.

~~7.03.9~~ 10.03.8 Any education service cooperative that does not follow the provisions of ~~this~~ Ark. Code Ann. Title 6, Chapter 20 and subchapter 22 shall be sanctioned by the SBE.

~~7.04~~ 10.04 Tier II training shall include, but is not limited to, employees who make decisions about selecting codes or who have a limited number of codes that they can use.

~~7.04.1~~ 10.04.1 Tier II training shall be developed by the Department in cooperation with representatives from the Arkansas Association of School Administrators, the Arkansas Association of School Business Officials, the Arkansas Education Association, the Legislative Joint Auditing Committee and education service cooperatives.

~~7.04.1.1~~ 10.04.1.1 The training shall be annual and shall be four (4) hours.

~~7.04.1.2~~ 10.04.1.2 ~~Districts~~ LEAs shall be responsible for providing the training to these employees.

~~7.04.1.3~~ 10.04.1.3 ~~District~~ LEAs' trainers are required to attend Initial and annual Tier I training.

~~7.04.1.4~~ 10.04.1.4 Each ~~district, open enrollment charter school or education service cooperative~~ LEA shall maintain files and records indicating all employees required to obtain and who have completed Tier II training.

~~7.04.1.5~~ 10.04.1.5 Each district superintendent, open enrollment charter school director or education service cooperative director shall provide the Department an assurance statement regarding the completion of Tier II training by the required individuals by the end of the fiscal year.

~~8.00~~ 11.00 Sanctions

- ~~8.01~~ 11.01 Any school district ~~or open enrollment charter school~~ that does not comply with and meet the requirements of these rules, shall, after receiving notice as required by law, be identified by the Department as being in fiscal distress.
- ~~8.01.1~~ 11.01.1 Any school district ~~or open enrollment charter school that is identified in fiscal distress by the Department~~ does not comply with and meet the requirements of these rules ~~is subject to having their charter removed or any and all sanctions permitted by law by the SBE after receiving proper notice and an opportunity for a hearing~~ may be referred to the SBE for possible modification, revocation, or denial of renewal of its charter pursuant to Ark. Code Ann. § 6-23-105 and the Department's Rules Governing Public Charter Schools.
- 8.02 11.02 Any education service cooperative that does not comply with and meet the requirements of these rules shall be sanctioned by the SBE.
- 8.03 11.03 Any licensed classroom teacher or administrator of a school, school district, open enrollment charter school or education service cooperative that provides false expenditure information may have his or her license placed on probation, suspended or revoked pursuant to procedures utilized in accord with Ark. Code Ann. § 6-17-410.
- 8.04 11.04 Persons failing to obtain required training by December 31 of the calendar year and who fails to cure any training deficiency by March 1 of the following year without filing a request for extension of time and after receiving proper notice shall be unable to continue in his or her position of employment effective on the date of receipt of notification from the superintendent of the school district, open enrollment charter school or education service cooperative.
- 8.05 11.05 If a person fails to obtain all required training by December 31, this failure shall constitute one (1) citation against the school district, the open enrollment charter school or an admonishment to the education service cooperative.
- ~~8.06~~ ~~Beginning in 2008-2009 school year, any school district that submits erroneous data to the Arkansas Department of Education that causes a material misstatement of any student or financial information shall receive a citation. A material misstatement is one in which the submitted data has more than a five percent variance from the correct data. If a material misstatement occurs for two consecutive years, the school district shall receive a probationary violation in the district's Standards for Accreditation report issued by the Arkansas Department of Education.~~

**Arkansas Department of Education
Rules Governing the Calculations of Miscellaneous Funds
December 2009**

1.00 Authority

1.01 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 Acts 154 and 1469 of 2009~~ and Act 266 of 2011.

1.02 These Rules shall be known as the Arkansas Department of Education Rules Governing the Calculations of Miscellaneous Funds (Rules).

2.00 Purpose

2.01 The purpose of these Rules is to define the procedures for the calculation of ~~M~~miscellaneous ~~F~~funds ~~to be used in calculating both for S~~state ~~F~~foundation ~~F~~funding ~~aid and for B~~bonded Debt ~~A~~assistance ~~Funding~~.

3.00 Definitions

For purposes of these Rules, the following terms mean:

3.01 "Miscellaneous ~~F~~funds" as used in calculating state Foundation ~~F~~funding and ~~B~~bonded ~~D~~debt ~~A~~assistance for public school districts ~~means is~~ the average of ~~these~~ funds collected in the five (5) school years immediately preceding the previous school year, ~~consisting of funds 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, ~~funds received by the school district~~ 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., 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.

3.02 "School year" is the year beginning July 1 of one calendar year and ending June 30 of the next calendar year.

3.03 "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.

4.00 Procedures for the Calculation of Miscellaneous Funds Used in the Foundation Funding Calculation

4.01 The calculation of state foundation funding aid for public school districts uses ~~M~~miscellaneous Funds listed in 3.021 of ~~this~~ these Rule Rules calculated pursuant to § 6-20-2303 (11) ~~amended by Act 154 and 1469 of 2009 as follows:~~

4.02 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.

~~4.01-103~~ If a school district did not receive funds from a category of ~~M~~miscellaneous Funds ~~calculated under Section 3.01 of this~~ list in 3.01 of these Rules during the most recent school year used to calculate the five-year average, then previous collections from ~~the~~ that category of ~~M~~miscellaneous Funds shall not be included in the five-year average calculation of ~~M~~miscellaneous Funds used in the calculation of state Foundation Funding aid and bonded debt assistance.

~~4.0204~~ The calculation of ~~M~~miscellaneous Funds shall be an annual calculation.

5.00 Procedures for Miscellaneous Funds Used in the Bonded Debt Assistance Funding Calculation

5.01 ~~The calculation of B~~bonded Debt Assistance Funding for public school districts uses ~~Miscellaneous Funds listed in Section 3.01 of this Rule~~ calculated pursuant to § 6-20-2503(11) ~~as amended by Acts 154 and 1469 of 2009 as follows:~~

5.01.1 ~~If a school district did not receive funds from a category of Miscellaneous Funds calculated under Section 3.01 of this Rule 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 Bonded Debt Assistance Funding.~~

~~5.02~~ ~~The calculations of Miscellaneous Funds shall be an annual calculation.~~

Arkansas Department of Education
Rules Governing the Regulatory Basis of Accounting
~~October 2009~~

1.00 Authority

- 1.01 The Arkansas State Board of Education's authority for promulgating these Rules is pursuant to Ark. Code Ann. §§ 6-11-105 and 6-20-401.
- 1.02 These rules shall be known as the Arkansas Department of Education Rules Governing the Regulatory Basis of Accounting.

2.00 Purpose

- 2.01 The purpose of these Rules is to establish a consistent basis of accounting for schools.

3.00 Definitions - For purposes of these Rules, the following terms mean:

- 3.01 "Accrue" – To record revenues when earned and to record expenditures as soon as they result in liabilities, regardless of when the revenue is actually received or the payment is actually made.
- 3.02 "Assets" – Probable future economic benefits obtained or controlled by a particular entity as a result of past transactions or events. Examples include: cash, investments, receivables, prepaid items, inventory, land, building, and equipment.
- 3.03 "Deferred Revenue" – Revenue received prior to the fiscal year in which it is earned. Deferred revenue is recorded as a liability when received and as revenue in the fiscal year it is earned.
- 3.04 "Expenditures" – Charges incurred, whether paid or unpaid, which are presumed to benefit the current fiscal year.
- 3.05 "Liabilities" – Debt or other legal obligations arising out of transactions in the past which are payable but not necessarily due.
- 3.06 "Regulatory Basis of Accounting" — A basis of accounting that the reporting entity (school) uses to comply with the requirements or financial reporting provisions of a governmental regulatory agency (Arkansas Department of Education) to whose jurisdiction the entity is subject.
- 3.07 "Revenues" – Additions to assets which do not increase a liability, do not represent the recovery of an expenditure, do not represent the cancelation of certain liabilities without a corresponding increase in other liabilities or decrease in assets and do not represent contributions of fund capital in Food Service and Pupil Activity Funds.

- 3.08 “School” — any public school district, charter school, educational cooperative, or any publicly supported entity having supervision over public educational entities.
- 3.09 “Uniform Rate of Tax (URT)” – Ad Valorem property tax of twenty-five (25) mills levied on the assessed value of all taxable real, personal, and utility property in the state to be used solely for maintenance and operations for the schools per Article 14, Section 3 of the Constitution of the State of Arkansas of 1874.

4.00 Financial Reporting-Regulatory Basis of Accounting

- 4.01 The financial statements shall be presented on a fund basis format. There shall be no entity-wide statements.
- 4.02 The financial statements shall consist of: Balance Sheet – Regulatory Basis; Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds - Regulatory Basis; Statement of Revenues, Expenditures and Changes in Fund Balances — Budget and Actual — General and Special Revenue Funds — Regulatory Basis.
- 4.03 There shall be included a Schedule of Capital Assets, including land, buildings and equipment, as supplemental information. The Capital Assets shall be reported net of accumulated depreciation.
- 4.04 Major governmental funds shall be defined as general and special revenue. Such funds shall be presented separately in the financial statements. All other governmental funds shall be presented in the aggregate. Fiduciary fund types shall be presented in a separate column in the Balance Sheet — Regulatory Basis.
- 4.05 Revenues, except for property taxes (see below), shall be reported in the financial statements in the accounting period in which they become susceptible to accrual — that is, when they become both measurable and available to finance expenditures of the fiscal period. Expenditures shall be reported in the financial statements when the related liability is incurred. Such expenditures shall not include accruals for interest payable, compensated absences, prepaid expenses or inventories. Reported liabilities, ~~except for deferred taxes~~, shall not include the current portion of long-term debt or deferred revenues. Property taxes shall be recorded in accordance with Ark. Code Ann. § 6-20-401. Property taxes shall be accrued or deferred, as applicable, in accordance with current approved guidelines issued by the Arkansas Department of Education (ADE). Arkansas law defines revenue receipts of a school district and includes forty percent (40%) of the proceeds of local taxes which are not pledged to secure bonded indebtedness or forty percent (40%) of the revenue from the uniform rate of tax whichever is greater collected in the succeeding calendar year, commonly known as 40% pullback, within that definition. School districts must utilize the 40% pullback amount, as calculated by the ADE and reflected on the respective county’s abstract of assessments, in recording property tax revenue as follows:

- ~~• If the amount of 40% pullback collected by June 30th is less than the calculated 40% pullback amount, the difference must be accrued;~~
- ~~• If the amount of 40% pullback collected by June 30th is more than the calculated 40% pullback amount, the excess must be recorded as deferred tax revenue.~~

- 4.06 Revenues shall be reported by major sources, and expenditures shall be reported by major function.
- 4.07 Other transactions which are not reported as revenues or expenditures shall be reported as other financing sources and uses. Transactions related to the recording of installment contracts, capital leases, and significant insurance recoveries shall be reported as other financing sources. Losses resulting from the impairment of capital assets shall not be reported in the financial statements.
- 4.08 The carrying value of sinking funds, required by the provisions of a Qualified Zone Academy Bond (QZAB), shall be reported at cost. Risk disclosures of the related investments, as addressed in Governmental Accounting Standards Board Statement No. 40, shall not be included in the Notes to Financial Statements.
- 4.09 The Notes To Financial Statements (NTFS) shall include those disclosures appropriate to the regulatory basis of accounting. The NTFS shall also include the following, if applicable: summarized reporting information, if material, pertaining to component units, related organizations, and other affiliated organizations (as defined by the Governmental Accounting Standards Board), changes in private- purpose trust funds, and required disclosures related to long-term debt.
- 4.10 There shall be no Management's Discussion and Analysis.
- 4.11 The Schedule of Expenditures of Federal Awards shall be reported on the same basis of accounting as the financial statements.
- 4.12 Those payments made by the Arkansas Department of Education (ADE) on behalf of schools, but not directly to schools, shall not be recorded as revenue and expenditures by the schools. (Example: Health Insurance; contributions paid by ADE in accordance with ~~Arkansas Code Annotated~~ Ark. Code Ann. §6-17-1117.)

5.00 Alternative Basis of Presentation

- 5.01 The governing body of a school district may adopt a resolution, not less than six months before the end of the school fiscal year, requiring their financial statements be presented in accordance with the standards established by the Governmental Accounting Standards Board, the American Institute of Certified Public Accountants, and the United States Government Accountability Office.

Once this resolution is made, it shall remain in effect until the governing board rules otherwise.

- 5.02 This resolution adopting the Alternative Basis of Presentation must be submitted to the Department of Education within ten (10) days of adoption by the local school board.

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE NON-TRADITIONAL
LICENSURE PROGRAM**

July 2007

1.0 PURPOSE

- 1.01** The purpose of these rules is to establish the requirements and procedures for obtaining teacher licensure through the Arkansas Department of Education (ADE) Non-Traditional Licensure Program.

2.0 REGULATORY AUTHORITY

- 2.01** These rules shall be known as the Arkansas Department of Education Rules Governing The Non-Traditional Licensure Program.
- 2.02** These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, ~~Ark. Code Ann. § 6-17-401, Ark. Code Ann. § 6-17-409 and Ark. Code Ann. § 25-15-204;~~ and Act 1178 of 2011.

3.0 DEFINITIONS

For the purpose of these Rules the following terms shall be defined to mean:

- 3.01 Area of Licensure** - a particular content field as approved by the State Board of Education ~~identified in Appendix A, Areas and Levels of Licensure/Endorsement.~~
- 3.02 Induction** - the period of time beginning with a teacher's first employment as the teacher of record in an Arkansas public school, cooperative or agency that requires an Arkansas teaching license. The novice teacher, operating under an Initial License, is provided mentoring support and accelerated professional development during the Initial license period. The induction period concludes with successful completion of the state-mandated performance assessment.
- 3.03 Initial Teaching License** - a three-year teaching license, issued by the State Board of Education, which allows one to teach in Arkansas public schools and is issued only in areas and levels of licensure as approved by the State Board of Education.
- ~~**3.03.1** The Initial license is issued only in areas and levels of licensure as approved by the State Board of Education as referenced in Appendix A, Areas and Levels of Licensure/Endorsement, which are hereby incorporated into these rules.~~
- ~~**3.03.2** The Initial license may be issued to:~~
- ~~**3.03.2.1** Teachers who have completed an approved teacher education program from a regionally and/or National Council for Accreditation of Teacher Education accredited~~

- ~~college or university (including the appropriate state-mandated assessments)~~
- ~~3.03.2.2~~ ~~Teachers who have completed the Non Traditional Licensure Program (including the appropriate state-mandated assessments).~~
- ~~3.03.2.3~~ ~~Teachers who were prepared out of state but did not license.~~
- 3.04 Level of Licensure** - the grade/age level parameter of the teaching license content area as approved by the State Board of Education identified in Appendix A, Areas and Levels of Licensure/Endorsement.
- 3.05 Mentor** - a licensed master teacher with a minimum of three years successful teaching experience who is trained in the state-adopted mentoring model. Mentors are assigned in their districts to assist a novice teacher by providing focused feedback with regard to instructional skills, classroom management and professional behaviors.
- 3.06 Mentoring** - the act of a certified mentor providing support and focused feedback to a novice teacher (through the state-adopted mentoring model) with the goal of enhanced instructional skills, competency and professional development.
- 3.07 Non-Traditional Licensure Program (NTLP)** - 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 school via a Provisional license. The program requirements consist of two years of teaching and instructional modules, which must be completed within three years.
- 3.08 Non-Traditional Provisional License** – the provisional teaching license issued to participants in the Non-Traditional Licensure Program.
- 3.09 Novice Teacher** - any licensed teacher-of-record with less than one year of public school, or accredited private school, classroom-teaching experience, not including student internship or substitute teaching.
- ~~3.10 Out of Country Candidate~~ ~~a person from a foreign country who holds the equivalent of a four year degree, and who comes from a foreign country that does not have reciprocity with Arkansas.~~
- 3.101 Performance Assessment** - an assessment tool used for evaluation of the classroom performance of a novice teacher, conducted by a trained assessor who utilizes a framework of essential teaching skills in which the novice teacher must demonstrate competency in an authentic classroom setting.
- ~~3.101.1~~ Successful completion of the performance assessment is defined as meeting the state-adopted cut-score/minimum passing score.

3.112 Professional Teaching Permit – a one-year permit issued to an experienced professional to teach one or two classes per semester as teacher-of-record in an Arkansas public school. This may be issued under the auspices of the Non-Traditional Licensure Program to any active professional in the field related to the teaching/licensure subject area or any retired professional with at least three years of experience in the field related to the teaching/licensure subject area.

3.123 Program of Study - a ~~state approved teacher preparation~~ 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 ~~Arkansas college or university, based on the Arkansas Licensure Standards~~. The program requires a candidate to demonstrate and document competency in the specific knowledge, skills and dispositions for a particular licensure area and level.

3.13 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.

3.14 Provisional Teaching License - a temporary teaching license available to candidates who have not completed all requirements for the Initial or Standard Arkansas teaching license.

3.15 Standard Teaching License - a five-year renewable license, issued by the State Board of Education, which allows one to teach in Arkansas public schools. The Standard License is issued to:

- 3.15.1** Initial License holders who have successfully completed the state required induction for novice teachers and the performance assessment.
- 3.15.2** Provisional License holders who have successfully completed the Non-Traditional Licensure Program (including all appropriate assessments), the state required induction for novice teachers, and the performance assessment.
- 3.15.3** Teachers who have completed all requirements for standard licensure through reciprocity.
- 3.15.4** Teach for America participants who complete the requirements set forth in Section 10.0 of these Rules.
- 3.15.5** Individuals receiving a master's degree in teaching who complete the requirements set forth in Section 11.0 of these Rules.

3.16 Teach for America – the nationally-established program operated by Teach for America, Inc., consisting of recent college graduates and professionals of all academic majors and career interests who commit to a minimum of two (2) consecutive years of classroom teaching in a low-income urban or rural public school.

3.16 3.17 Teacher of Record - ~~an instructional teacher, who is officially responsible for a class and its grades, employed under contract (in a licensed staff position) by a school, school district or other Arkansas agency or organization requiring an Arkansas teaching license~~ individual who has been assigned lead responsibility for a student's learning in a subject/course with aligned performance measures.

4.0 REQUIREMENTS FOR ADMISSION TO THE NTL PROGRAM

4.01 The following is required for admission to the NTL program:

4.01.1 A completed Non-Traditional Licensure 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. ~~a regionally and/or National Council for Accreditation of Teacher Education (NCATE) accredited institution.~~

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 ~~accredited~~ 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 degree is to be evaluated by a private credential evaluation agency. This 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 or a minimum GPA of 2.75 on the last 60 credit hours of coursework.

4.01.3.1 Candidates for the NTLP 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.

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 NTL office.
- 4.01.3.1.5 Complete the regular NTL 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 Non-Traditional Licensure Program Fee which is established ~~annually~~ by the ~~Arkansas Department~~ State Board of Education pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C).
- 4.01.7 Applicable college/university coursework (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 ~~a regionally/nationally accredited institution recognized by the U. S. Department of Education or the Council for Higher Education Accreditation~~. Required coursework includes:
 - 4.01.7.1 Three (3) college credit-hours of *Arkansas History* (in advance) for the licenses of: Early Childhood Education (P-4), Middle Childhood Education (4-8), and Social Studies (7-12). Ark. Code Ann. § 6-17-418
 - 4.01.7.2 Six (6) college credit-hours in *Methods of Teaching Reading* (in advance, completed with a grade of "C" or better) for the licenses of: Early Childhood Education (P-4) and/or Middle Childhood Education (4-8).

5.0 **PROFESSIONAL TEACHING PERMIT OR LICENSE**

- 5.01 A Professional Teaching Permit (PTP):
 - 5.01.1 Is a one-year permit issued to an experienced professional for the purpose of teaching one or two classes per semester as teacher-of-record in an Arkansas public school.

5.01.2 Is issued for licensure content areas in grades ~~9-7~~-12 only.

~~5.01.2.1~~ **5.01.3** Any candidate who teaches for three (3) years with a PTP and applies to the Non-Traditional Licensure Program (NTLP) would be eligible for the NTLP “one-year” track.

5.02 To obtain a Professional Teaching Permit a candidate must:

5.02.1 ~~A Bachelors~~ Hold a bachelor’s degree with a minimum of three years of working experience in the content area of the class to be taught.

5.02.2 Be offered employment to teach one (1) or no more than two (2) regularly scheduled, for-credit classes in an AR public school.

5.02.3 Submit to the Office of Teacher Quality a complete PTP application.

5.02.4 Submit one (1) letter of justification from the applicant expressing the relevance of the applicants’ credentials to teach the subject in question.

5.02.5 Have two (2) professional letters of recommendation submitted by references to the Office of Teacher Quality.

5.02.6 Pass the appropriate Praxis II Content Knowledge test for the class to be taught.

5.02.7 Pass a non-criminal background check, Child Maltreatment Central Registry check, and other background checks required by law.

5.02.8 Successfully complete a thirty (30)-hour PTP pedagogy training within the first year of teaching. Reinforcement of pedagogical skills will be scheduled as needed by the ADE, Office of Teacher Quality.

5.03 A Provisional Professional Teaching License (PPTL):

5.03.1 Is 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.

5.03.2 Is issued for a licensure content area(s).

5.03.3 An individual who receives a Provisional Professional Teaching License shall have thirty (30) hours of training in pedagogy within one (1) year of the date of licensure.

5.03.3.1 The thirty (30) hours of training in pedagogy shall be in addition to and not considered a part of the professional development required for teachers by state law or by their employing school district or public school.

5.03.3.2 The Provisional Professional Teaching License shall be revoked if the professional fails to obtain the required training within one (1) year of the date of licensure.

5.04 To obtain a Provisional Professional Teaching License a candidate must:

5.04.1 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.

5.04.2 Have a minimum of three (3) years of working experience in the content area of the class to be taught.

- 5.04.3 Be offered employment to teach classes for credit in an Arkansas public school.
- 5.04.4 Submit one (1) letter of justification from the applicant expressing the relevance of the applicants' credentials to teach the subject in question.
- 5.04.5 Have two (2) professional letters of recommendation submitted by references to the Office of Professional Licensure.
- 5.04.6 Pass all appropriate state-mandated content-knowledge assessment(s) for the specific licensure area(s) sought.
- 5.04.7 Pass all appropriate state-mandated pedagogical assessment(s).
- 5.04.8 Pass a criminal background check, Child Maltreatment Central Registry check, and other background checks required by law.

5.05 To obtain a Standard Teaching License, an individual holding a Provisional Professional Teaching License must:

- 5.05.1 Undergo a summative evaluation at the end of three (3) years of provisional licensure.
- 5.05.2 Successfully complete a performance-based assessment that includes student achievement.
 - 5.05.2.1 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.
- 5.05.3 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 REQUIREMENTS FOR OBTAINING A (NON-TRADITIONAL) PROVISIONAL TEACHING LICENSE

- 6.01 To obtain a Provisional Teaching License through NTLP a candidate must:**
 - 6.01.1 Be admitted into the Arkansas Department of Education's Non-Traditional Teacher Licensure Program (NTLP);**
 - 6.01.2 Successfully complete the summer instructional modules; and**
 - 6.01.3 Document appropriate employment as teacher-of-record, teaching a minimum of five hours per day in the appropriate licensure area(s), with a certified mentor approved by the ADE in an Arkansas public school or a private school within the state of Arkansas accredited by a nationally recognized accrediting association during the provisional licensure period.**
 - 6.01.3.1 If employment is not secured by September 1, of the year of admission into the NTLP, the participant shall accept teaching employment (if offered) working in conjunction with the ADE Office of Teacher Recruitment.**
 - 6.01.3.2 If the candidate does not accept said employment, he or she may be administratively withdrawn from the program.**

- 6.01.3.3 If appropriate employment is not found by the candidate or the Office of Teacher Recruitment, the candidate shall be maintained on “hold” (one year only), until the following year.
 - 6.01.3.4 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 years of teaching within a three-year period.)
- 6.02 A one-year Provisional teaching license is:
 - 6.02.1 Issued to NTL participants at the beginning of each year of the program;
 - 6.02.2 Effective as of August first of the year of issue; and
 - 6.02.3 Active for one year;
- 6.03 Provisional licenses are issued to participants (in one license area, except as follows) based upon the areas and levels of teaching assignment approved by the State Board of Education according to Appendix A, NTL Teaching Areas and Levels of Licensure/Endorsement.
 - 6.03.1 Secondary NTLP participants teaching in the content licensure areas of Mathematics, English, Science, Social Studies, Speech/ Drama, or any Foreign Language may be issued a license in two (2) of these areas. Participants may be licensed in both areas if they have successfully completed all content specific licensure Praxis exams, and have a teaching assignment, in both licensure areas. (Those candidates wishing to add social studies must also complete the required three (3) college credit-hours of *Arkansas History*, in advance of licensure.)
 - 6.03.1.1 A Journalism endorsement may be added as the second area of licensure to any of these five areas if the required program of study for Journalism has been successfully completed (including the required Praxis II assessment) and the teacher has a teaching assignment in Journalism.
 - 6.03.1.2 An English Second Language (ESL) endorsement (grades 7-12) may be added as the second area of licensure to any of these five areas if the required program of study for ESL, or the ESL Academy for college credit, has been successfully completed (including the required Praxis II assessment) and the teacher has a teaching assignment in ESL.
 - 6.03.2 An ESL endorsement (P-8) may be added to an Early Childhood (P-4) or Middle Childhood (4-8) provisional license if the required program of study for ESL, or the ESL Academy for college credit, has been successfully completed and the teacher has a teaching assignment in ESL.
 - 6.03.2.1 The ESL endorsement does not allow teachers licensed in Early Childhood or Middle Childhood to “test-out” in any Secondary Licensure area.
 - 6.03.3 A Coaching endorsement may be added as the second area of licensure to any license area if the required program of study for Coaching and the

appropriate Praxis II assessment are successfully completed and the teacher has a position that requires a Coaching endorsement.

- 6.04** NTLP participants may not file an ALP or teach out-of- licensure area while enrolled in the NTLP.

7.0 **GENERAL POLICIES AND PROCEDURES RELATING TO THE NON-TRADITIONAL LICENSURE PROGRAM PROVISIONAL TEACHING LICENSE**

- 7.01** There are two tracks in the NTLP, a one-year program or a two-year program.
- 7.01.1** 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 years of the date of application.
- 7.01.2** 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 years before the date of application, must complete a two-year program.
- 7.02** Participants in the Non-Traditional Licensure Program shall:
- 7.02.1** Be employed as the teacher of record in an Arkansas school;
- 7.02.2** Teach a minimum of five hours per day in their licensure area(s);
- 7.02.2.1** Teach for one year, if in the one-year program; or
- 7.02.2.2** Teach for two years, if in the two-year program;
- 7.02.3** Be assigned to, and attend a Non-Traditional Licensure Program satellite site for instructional modules;
- 7.02.4** Be mentored according to the Arkansas Department of Education Teacher Induction Guidelines;
- 7.02.5** Complete all instructional modules prescribed by the Arkansas Department of Education;
- 7.02.6** Pass the appropriate state mandated pedagogical assessment;
- 7.02.7** Become eligible to participate in the state-mandated performance assessment in their final semester in the program, after the pedagogical assessment has been successfully completed; and
- 7.02.8** Adhere to and abide by all the policies and procedures as outlined in the published NTL Handbook for the year of admission.
- 7.03** The required NTL program prescribed by the Arkansas Department of Education includes:
- 7.03.1** Required Instructional Modules during the summer;
- 7.03.2** Required Instructional Modules during the school year;
- 7.03.3** Development of a professional portfolio;
- 7.03.4** Novice Teacher Induction (which includes Mentoring by a trained and certified mentor); and

7.03.5 Teaching a minimum of five hours per day (or the equivalent) in the licensure area(s).

7.04 Successful completion of the Non-Traditional Licensure Program may yield either an Initial or a Standard Teaching license:

7.04.1 To receive an Initial teaching license, the participant shall:

7.04.1.1 Complete all NTL program requirements prescribed by the Arkansas Department of Education, and

7.04.1.2 Pass the appropriate state mandated pedagogical assessment(s).

7.04.2 To receive a Standard teaching license, the participant shall:

7.04.2.1 Complete all NTL program requirements prescribed by the Arkansas Department of Education;

7.04.2.2 Pass the appropriate state mandated pedagogical assessment(s);
and

7.04.2.3 Successfully complete Induction and the state required performance assessment.

7.04.3 If the pedagogical assessment is not successfully completed within the NTLP program period, a subsequent license will not be issued. The participant will be allowed to attend ADE-scheduled remedial sessions for one year, during which time the participant may attempt to pass the assessment and, if successful, will be issued an Initial license.

7.04.4 If the pedagogical assessment is not successfully completed within the remedial year, the participant will be administratively withdrawn from the program.

7.05 Annual enrollment in the NTL program may be limited by:

7.05.1 Licensure requirements.

7.05.2 Licensure area and level of candidates (shortage areas may be given preference).

7.05.3 Program capacity (in which case applications will not be accepted after capacity is reached).

8.0 RULES PERTAINING TO NOVICE TEACHER INDUCTION FOR NON-TRADITIONAL NOVICE TEACHERS

8.01 All Arkansas School Districts shall implement, support, and monitor the quality of mentoring as outlined in ADE Induction Guidelines and the district's approved plan for mentoring.

8.01.1 Implementation of the district mentoring plan shall include:

8.01.1.1 Selecting mentor candidates according to the Arkansas Mentor Qualifications form; and

8.01.1.2 Providing a trained mentor for each NTL enrollee.

8.01.2 Support includes:

- 8.01.2.1** Providing a minimum of two (2) hours every two weeks of released time (on average) during the contract day for the mentor and novice teacher to work together.
- 8.01.2.2** Assisting the novice and mentor to schedule focused observations and professional development activities, and
- 8.01.2.3** Providing activities for mentors and novice teachers, which engage them in collaborative dialogue, problem solving, and professional development

8.01.3 Monitoring of the quality of the district program is achieved by review of the required mentoring documentation by the District Project Director.

8.01.4 ~~All other mentoring observation documents shall become the sole possession of the novice teacher and shall not be utilized for employment decisions or employment evaluation decisions~~ be collected and maintained by the District's Project Director. At the conclusion of Induction all documentation, exclusive of the timesheets, end of the school year, the Professional Growth Plan and Observation forms shall become the sole possession of the Novice Teacher and shall not be utilized for employment decisions or employment evaluation decisions.

8.02 Mentoring observational information shall not be utilized in any way to make employment decisions unless students are at risk, either physically or emotionally.

9.0 GENERAL POLICIES PERTAINING TO LICENSES

9.01 NTL participants are issued the Provisional License in level(s)/area(s) of licensure based on having passed the assessment(s) in that licensure level(s)/area(s) and securing appropriate teaching employment in that level(s)/area(s) in accordance with the published NTL Handbook for the year of admission.

9.02 NTL participants will be issued either the Initial or Standard Teaching License in the level(s)/area(s) of licensure based on having passed the assessment(s) in that licensure level(s)/area(s) and successfully completing two years of employment in that level(s)/area(s) in accordance with the published NTL Handbook for the year of admission. (One year of teaching is permitted for those candidates who have been identified in the "one-year" program).

9.03 NTL teachers must teach in a traditional classroom setting. An ESL endorsement is granted to allow the NTL teacher to work with ELL students in the regular classroom environment. (This excludes the NTL teacher from being assigned to a transitional or any other non-regular classroom setting.)

9.04 Teachers who need a duplicate Arkansas teaching license must submit a completed application form (indicating "duplicate") to the Office of Professional Licensure.

9.04.1 A duplicate license will be issued only for a license that is current.

- 9.05** All information and documentation submitted for an Arkansas Teacher License must be timely, accurate, authentic and unaltered in any way.
- 9.05.1** Any license issued as a result of information submitted that is not in compliance with section ~~8.04~~ 9.05 will be null and void and shall be rescinded by the Office of Professional Licensure, as authorized by the State Board of Education.
- 9.06** The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas Teacher License that has been issued in error.
- 9.07** The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to non-renew a Non-Traditional Provisional License if the licensee does not successfully complete the required preparation modules, and non-renewal is recommended by the Non-Traditional Licensure Office. The Office of Professional Licensure shall not convert a provisional license to an initial license if the candidate fails to meet all criteria of the NTL program.

10.0 TEACH FOR AMERICA PROVISIONAL AND STANDARD LICENSURE

- 10.01** A Teach for America Provisional License is a provisional license issued to participants in Teach for America and is valid for up to two (2) years so long as the individual:
- 10.01.1** Is a participant in Teach for America;
- 10.01.2** Passes a criminal background check, Child Maltreatment Central Registry check, and other background checks required by law;
- 10.01.3** 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;
- 10.01.4** Satisfies all professional development obligations required by law;
- 10.01.5** Is teaching in an Arkansas public school; and
- 10.01.6** Successfully completes three (3) college credit-hours of *Arkansas History*, if required by the grade level or content area in which the participant is teaching, 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, within one (1) year of the issuance of the provisional license.
- 10.02** So long as an individual possesses a Teach for America Provisional License, the individual must participate in mentoring as provided in Section 8.0 of these Rules, or its substantial equivalent as offered by Teach for America.

10.03 To obtain a Standard Teaching License, an individual holding a Teach for America Provisional License must:

10.03.1 Submit an application for licensure;

10.03.2 Furnish evidence of successful completion of the two-year Teach for America program;

10.03.3 Pass a criminal background check, Child Maltreatment Central Registry check, and other background checks required by law;

10.03.4 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

10.03.5 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.

10.03.6 A one-year, non-renewable provisional teaching license shall be available for an applicant who has never held a Teach for America Provisional License under Section 10.01 and who has not completed the three-hour *Arkansas History* course, but who meets the remaining qualifications of this Section 10.03.

11.0 MASTER'S DEGREE IN TEACHING STANDARD LICENSURE

11.01 To obtain a Standard Teaching License under these Rules, an individual holding a master's degree in teaching (MAT, M.Ed., or MTLL) must:

11.01.1 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:

11.01.1.1 Regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation; or

11.01.1.2 Accredited by the National Council for Accreditation of Teacher Education (NCATE); or

11.01.1.3 Approved by a member entity of the National Association of State Directors of Teacher Education and Certification (NASDTEC);

11.01.2 Pass a criminal background check, Child Maltreatment Central Registry check, and other background checks required by law;

11.01.3 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);

- 11.01.4** 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; and
- 11.01.5** 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 in *Methods of Teaching Reading* (completed with a grade of “C” or better) 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.
- 11.01.6** A one-year, non-renewable provisional teaching license shall be available for an applicant who holds a master’s degree in teaching but has not successfully completed the required three (3) hours of *Arkansas History* or six (6) hours of *Methods of Teaching Reading*.
- 11.02** An individual receiving a Standard Teaching License under these Rules shall participate in mentoring as provided in Section 8.0 of these Rules, unless the individual has completed mentoring or its substantial equivalent within one (1) year prior to the date of licensure.

Appendix A
Arkansas Department of Education
NTL Teaching Areas and Levels of Licensure/Endorsement

Areas of Licensure	Grade Levels*		
Early Childhood	P-4	-	-
Middle Childhood: Math/Science	4-8	-	-
Middle Childhood: English Lang Arts/Social Studies	4-8	-	-
Mathematics	-	7-12	-
English	-	7-12	-
Social Studies	-	7-12	-
Physical/Earth Science	-	7-12	-
Life/Earth Science	-	7-12	-
Drama/Speech	-	7-12	-
P.E., Wellness & Leisure	P-8	7-12	
Art	P-8	7-12	
Music, Vocal, & Instrumental	P-8	7-12	
Spanish	P-8	7-12	
French	P-8	7-12	
German	P-8	7-12	
Family & Consumer Science	4-8	7-12	4-12
Agriculture	4-8	7-12	4-12
Industrial Technology	4-8	7-12	4-12
Business Technology	4-8	7-12	4-12
Marketing Technology	4-8	7-12	4-12
Areas of Endorsement	-	-	-
Coaching		7-12	
ESL	P-8	7-12	
Journalism	-	7-12	-
Mandarin Chinese		7-12	

* Level of licensure issued is determined based on grade level(s) taught in the NTL program.

**ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING TEACHER
LICENSURE BY RECIPROCITY**
September 2009

1.00 REGULATORY AUTHORITY

- 1.01** These rules shall be known as the Arkansas Department of Education Rules Governing Teacher Licensure by Reciprocity.
- 1.02** These regulations are enacted pursuant to the authority of the State Board of Education under Ark Code Ann. §§ 6-11-105, 6-17-402, 6-17-410, 6-17-424, 25-15-204, and Act 1178 of 2011 ~~Acts 733 and 1173 of 2009.~~

2.00 PURPOSE

- 2.01** These rules amend the previous Rules Governing the Certification Laws and Regulations. These rules govern provisional, initial, standard, or ~~standard/professional~~ advanced licensure through reciprocity.

3.00 DEFINITIONS- For the purpose of these Rules, the following terms shall mean:

- 3.01 Additional Licensure Plan (ALP)-** the recognized process for allowing a licensed teacher to be employed in an out-of-field teaching position while meeting the program of study requirements ~~at an Arkansas University/College~~ and/or assessment requirements for said position.
- 3.02 Advanced License-** a standard Arkansas teaching license that is issued upon the request of a teacher who has documented the completion of a Master's Degree and three years of teaching experience or who had documented current National Board Certification.
- 3.032 Building Level Administrator-** a principal, assistant principal or vice principal. ~~(grade levels P-8 and/or 7-12)~~
- 3.043 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.
- 3.054 Content/Standard Teaching Area-** the specific subject areas listed under Integrated Curriculum Humanities, Integrated Science Curriculum, Integrated Visual and Performance Arts, Integrated Vocational Education, Integrated Physical Education and Health and Special Education as listed in the State Board Approved Levels and Areas of Licensure.

3.065 Curriculum/Program Administrator-an individual who is responsible for program development and administration, and/or employment evaluation decisions. Each Curriculum/Program Administrator license is limited to the following areas:

3.065.1 Special Education; ~~(grade levels P-4 and/or 4-12, or P-12)~~

3.065.2 Gifted & Talented Education; ~~(grade levels P-8 and/or 7-12)~~

3.065.3 Career and Technical Education; ~~(grade levels 4-8, 7-12 and/or Post-Secondary)~~

3.065.4 Content Area Specialist in an area approved by the State Board of Education; or ~~(grade levels P-8 and/or 7-12)~~

3.05.4.1 ~~———— The areas of licensure for Content Area Specialist are listed in Appendix A.~~

3.065.5 Curriculum Program Administrator; ~~(grade levels P-8, and/or 7-12)~~

3.076 District Level Administrator- a superintendent, assistant or associate superintendent, or deputy superintendent. ~~(grade level P-12)~~

3.087 Endorsement- teaching or administrative licensure areas, which require an initial, ~~or standard,~~ or advanced teaching license, prior to the endorsement being added.

3.098 Induction-the period of time beginning with a teacher's or administrator's first employment as the ~~teacher-of-record~~ teacher-of-record or administrator in an Arkansas public school, cooperative, or agency that requires an Arkansas Initial teaching or initial administrator license.

3.1009 Initial Teaching License- a three (3)-year teaching license, issued by the State Board of Education, which allows the license holder to teach in Arkansas public schools.

3.110 Level and Area of Licensure:

a.) Level of licensure - the grade/age level parameters of the teaching license, such as P-4, 4-8, P-8, P-12, 7-12 and PS (post-secondary).

b.) Area of licensure- the particular content field, including but not limited to, Early Childhood, Middle Childhood Science/Mathematics, Social Studies, and Family and Consumer Sciences.

3.124 Mentoring- the act of a certified mentor providing support and focused feedback to a novice teacher/administrator through the state-adopted mentoring model as a part of the Induction process.

3.132 Novice teacher- any licensed teacher-of-record with less than one (1) year of public school, or accredited private school, classroom teaching experience, not including student internship or substitute teaching.

3.143 Performance Assessment-an assessment tool used for evaluation of the classroom performance of a novice teacher, as part of the Induction process.

~~**3.14 Professional License** a standard Arkansas teaching license that is issued upon the request of a teacher who has documented the completion of a Master's Degree and three years of teaching experience or who had documented current National Board Certification.~~

3.15 Program of Study - a state approved teacher preparation 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 an Arkansas college or university, based on the ~~Arkansas Licensure Standards~~. The program requires a candidate to demonstrate and document competency in the specific knowledge, skills, and dispositions for a particular licensure area and level.

3.16 Provisional License by Reciprocity- one (1) year teaching license that (may be renewable or non-renewable) allows a teacher coming from out of state or out of country to be employed as a teacher while completing all requirements necessary for the Initial, Standard, or ~~Standard/Professional~~ Advanced teaching license. Applicants who have participated in, but not completed, an alternate route to licensure in another state are excluded from provisional licensure.

- a.) ~~A non-renewable teaching license issued to applicants holding an out of state license and that have been required to test and/or take Arkansas History; or~~
- b.) ~~A non-renewable teaching license issued to applicant that have completed their degree in teacher preparation program out of state, but did not license, and that have been required to test and/or take Arkansas History; or~~
- c.) ~~A non-renewable teaching license issued to applicant out of country that have met the provisions of section 4.02.6 of this Rule and have been required to test and/or take Arkansas History; or~~
- d.) ~~A renewable teaching license issued to applicants from out of state when the teaching areas are not recognized by Arkansas, and they have been required to complete a program of study or additional coursework for Arkansas licensure. It may be renewed twice.~~

- 3.17 Reciprocity-** the recognition of a teaching license from another state or country based on the terms of the interstate contract agreement and National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement for Educator Licensure or Arkansas rules governing licensure by reciprocity.
- 3.18 Standard Non-Instructional License-** a five (5)-year renewable license, issued by the state, which allows one to practice in Arkansas public schools as a School Psychology Specialist or Speech Language Pathologist.
- 3.19 Standard Teaching License-** a five (5)-year renewable license, issued by the State Board of Education, which allows the license holder to teach in Arkansas public schools.
- 3.20 State Board Required Assessments-** specific performance –based assessments approved by the State Board of Education.
- 3.21 Teacher-of-Record-** ~~an instructional teacher employed under contract (in a licensed staff position) by a school district or other Arkansas agency or organization requiring an Arkansas teaching license~~ individual who has been assigned lead responsibility for a student's learning in a subject/course with aligned performance measures.
- 3.22 Teaching experience-** experience earned while employed as a licensed teacher, administrator, librarian, or counselor for a public or private school, agency or organization in a pre-kindergarten through grade 12 setting.

4.00 REQUIREMENTS FOR OBTAINING INITIAL, STANDARD, OR ADVANCED STANDARD/PROFESSIONAL TEACHING LICENSE BY RECIPROCITY

4.01 Eligibility

- 4.01.1** Applicants ~~shall hold~~ holding a valid or expired, initial or standard/~~professional~~ teaching license from another state or country.
 - 4.01.1.1** Applicants licensing in Added Endorsement Areas as identified in the Areas and Levels of Licensure ~~shall hold~~ holding or who have held a “content teaching area” of licensure.
 - 4.01.1.2** Applicants holding a current, valid, standard teaching license or its equivalent issued by another state may choose to qualify for an Arkansas standard or advanced license under Section 14.0 of these Rules in lieu of the requirements of Section 4.0.

4.01.2 Any applicant that has completed a teacher preparation program from another state or country but did not license.

4.02 General Requirements

4.02.1 Teachers licensing through reciprocity with less than one year of teaching experience shall be issued an Initial / Provisional License and participate in the Induction Program (mentoring and the state mandated performance assessment

4.02.2 Any individual who holds a valid teaching license from another state, and who has not graduated from a college/university holding regional/national accreditation and/or a teacher preparation program that holds a national accreditation approved by the U.S. Department of Education, or that is a state approved preparation program, is not eligible for licensure in Arkansas.

4.02.3 Specialty area assessments required for out-of state teacher licensure may be accepted for Arkansas teacher licensure.

4.02.4 Required assessments for Arkansas licensure through reciprocity shall be waived upon providing the following documentation:

4.02.4.1 Valid out-of-state teaching license as a teacher, administrator, librarian, counselor or in other compatible licensure areas as identified in the areas and levels of licensure as adopted by the State Board of Education.

4.02.4.2 Three years of teaching experience as documented on school district, agency or organization letterhead.

OR

4.02.4.3 Score report reflecting a passing score for the Specialty Area Assessment(s) required for the out-of-state teaching license (OR) written verification from the licensing agency that the required Specialty Area Assessment(s) for licensure were successfully completed.

4.02.5 All out-of-country applicants shall have their credentials evaluated by one of the ADE approved private credential evaluation agencies located in the United States.

4.02.5.1 The private evaluation agency shall complete a course-by-course evaluation of the applicant's transcript, indicate the applicant's major area of study and document whether the

applicant's degree is equivalent to one that would have been completed 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 ~~a regionally accredited institution or an institution of higher education in the United States that holds national accreditation that is approved by the U.S. Department of Education.~~

- 4.02.5.2** The private evaluation agency shall also document whether the professional preparation for teacher licensure out-of-country and the areas of teacher licensure represented by the out-of-country license are equivalent to ~~the~~ a teacher preparation program in the United States that holds national accreditation approved by the US Department of Education, or that is state approved.
- 4.02.5.3** This evaluation will determine eligibility for teacher licensure in Arkansas.
- 4.02.6** Applicants from out of state or out of country with an expired license shall take and pass the Praxis II Specialty Area Test(s) for all areas of standard/~~professional~~ licensure and the Praxis II Principles of Learning and Teaching for the appropriate level of teacher licensure to be eligible for a standard/~~professional~~ Arkansas teaching license. Applicants with an expired license from out-of-state or out-of-country shall be eligible for a provisional license.
- 4.02.7** Out-of-state applicants for teacher licensure whose current license was granted without a specialty area assessment or who cannot document at least three years of teaching experience shall take and pass the Praxis II Specialty Area Test for all areas of standard licensure and endorsements and the Praxis II Principles of Learning and Teaching for one of their levels of teacher licensure.
- 4.02.8** All candidates with licensure areas/endorsements from other states with reciprocity agreements through ~~NASDTEC~~ the National Association of State Directors of Teacher Education and Certification (NASDTEC) shall receive the Arkansas equivalent licensure area(s)/endorsements, provided all other licensure requirements have been met.
- 4.02.9** Applicants from out-of-state or out-of-country with a license in special education or a related service area(s), i.e. Visual Specialist or Hearing Specialist, seeking a standard teaching license shall initially meet the standards established for such licensure in Arkansas to receive a

standard teaching license. A one year, renewable twice, provisional teaching license shall be available for those applicants not meeting the established standards for special education licensure. The applicant shall meet the standards established for special education licensure within three years of receiving a provisional license to be in keeping with the "highest standards" of the Individuals with Disabilities Education Act Amendments of 1997 pertaining to qualified personnel. The Office of Special Education will assist the Office of Professional Licensure in identifying the course of action for meeting Arkansas standards for licensure in special education or related service area(s). The provisional license shall be converted to a standard/professional or advanced license upon meeting the established standards including the required Praxis II Specialty Area Assessments for Arkansas special education licensure.

- 4.02.10** Teachers and/or administrators being licensed in Early Childhood P-4, Middle Childhood 4-8 or Secondary Social Studies, shall complete a three-hour course in Arkansas History before receiving a ~~an initial~~ standard, or advanced Arkansas teaching license. A one-year, non-renewable provisional teaching license shall be available for those that have not completed the three-hour Arkansas History course.
- 4.02.11** Applicants whose standard teaching area(s) are not recognized by Arkansas shall receive the teaching area and level that most closely parallels their out-of-state or out-of-country licensure area(s).
- 4.02.12** Applicants whose endorsement(s) are not equivalent to an Arkansas endorsement area, shall take the required Praxis II Specialty Area Exam(s) for the Arkansas endorsement area(s) that most closely parallels their out-of-state or out-of-country endorsement area(s) in order to add the Arkansas endorsement area(s) to their standard or advanced teaching license. In cases where the endorsement area does not have a subject specific Praxis II Specialty Area Exam, the applicant shall complete the prescribed program of study for the endorsement area and Praxis II Exam assigned to that endorsement area.
- 4.02.13** ~~Standard/professional~~ and advanced teaching licenses will become effective January 1 of the year the license is issued and shall expire December 31 of the last year the license is valid. A ~~standard/professional or advanced~~ teaching license issued after ~~January 1, 2002~~ shall be valid for five years.

4.02.14 Candidates who completed an out-of-state teacher preparation program but never licensed, shall meet the following requirements for their Initial Arkansas teaching license.

4.02.14.1 Submit an application for teacher licensure.

4.02.14.2 Submit documentation of having completed a teacher preparation program that holds national accreditation recognized by the U.S. Department of Education, or that is state approved.

4.02.14.3 Submit an official transcript(s) reflecting the completion of a Bachelor's Degree (Master's Degree when required), 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 ~~accredited or that holds national accreditation that is approved by the U.S. Department of Education.~~

4.02.14.4 Document successful passing of the state required basic skills assessment(s), specialty area assessment(s) for each licensure/endorsement area, and pedagogical assessment for one of their levels of licensure.

4.02.14.5 Successfully clear a background check through the Child Maltreatment Central Registry, Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann. § 6-17-410.

4.02.14.6 Successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services.

4.02.14.7 Successfully complete the three-hour, college level, Arkansas History course when required.

4.02.14.8 The initial teaching license shall be converted to the five-year, ~~standard/professional~~ Arkansas teaching license upon successful completion of Induction (mentoring and Praxis III-Performance Assessment).

4.02.15 Only the areas of licensure and/or endorsement listed on an out-of-state or out-of-country license shall be recognized for licensure through reciprocity.

4.02.16 Candidates from out of state that have completed a teacher education program and hold an initial or provisional teaching license shall meet the following requirements for their Arkansas three-year initial teaching license.

4.02.16.1 Submit an application for teacher license.

4.02.16.2 Submit an official transcript reflecting the completion of a teacher preparation program with a minimum of a bachelor's degree (Master's degree when required), 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 ~~accredited or that holds national accreditation recognized by the U.S. Department of Education~~, or that is state approved. The specific program, as well as the institution shall meet these criteria.

4.02.16.3 Submit an official transcript reflecting the completion of a Bachelor's Degree (Master's Degree when required), 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 ~~accredited or that holds national accreditation that is recognized by the U.S. Department of Education~~ .

4.02.16.4 Document testing that was required for the out-of-state initial teaching license. When it cannot be documented that the applicant has met the requirements of Section 4.02.4 of these Rules, the applicant shall successfully complete the state required basic skills assessments(s), specialty area assessment(s) for each licensure/endorsement area and pedagogical assessment at one of their levels of licensure.

4.02.16.5 Successfully clear a background check through the Child Maltreatment Central Registry, Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann 6-17-410.

4.02.16.6 Successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services.

- 4.02.16.7** Candidates shall provide a copy of their out-of-state teaching license to the Office of Professional Licensure.
- 4.02.16.8** Candidates receiving the Initial Arkansas teaching license shall complete Induction (mentoring and Praxis III-Performance Assessment).
- 4.02.16.9** Candidates shall successfully complete the three-hour, college level, Arkansas History course when required.
- 4.02.16.10** The initial teaching license shall be converted to the five-year, standard/~~professional~~ or advanced Arkansas teaching license upon the successful completion of mentoring and the Praxis III – Performance Assessment.
- 4.02.17** The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas teaching license that has been issued in error.
- 4.02.18** Candidates from out of state that have completed a teacher preparation program and hold a standard teaching license shall meet the following requirements for their five-year, standard or advanced Arkansas teaching license.
 - 4.02.18.1** Submit an application for teacher licensure.
 - 4.02.18.2** Submit an official transcript reflecting the completion of a Bachelor's Degree (Master's Degree when required), 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 ~~accredited or that holds national accreditation that is recognized by the U.S. Department of Education.~~
 - 4.02.18.3** Successfully clear a background check through the Child Maltreatment Central Registry, Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann 6-17-410.
 - 4.02.18.4** Successfully clear a child maltreatment central registry check to be conducted by Department of Human Services.

- 4.02.18.5** Provide verification of three years of teaching experience or verification of having successfully passed a specialty area assessment(s) required for the out-of-state teaching license.
- 4.02.18.6** Candidates that cannot verify experience or testing shall successfully pass the state required specialty area assessment(s) for each licensure/endorsement area and pedagogical assessment at one of their levels of licensure.
- 4.02.18.7** Candidates shall provide a copy of their out-of-state teaching license.
- 4.02.18.8** Candidates shall pass the three-hour Arkansas History course when required.
- 4.02.19** Candidates from out-of –state that have completed a teacher preparation program and hold either an expired initial or expired standard teaching license, shall complete the following requirements for their initial, standard, or advanced standard/professional teaching license.
 - 4.02.19.1** Submit an application for teacher licensure.
 - 4.02.19.2** Submit an official transcript reflecting the completion of a Bachelor's Degree (Master's Degree when required), 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 ~~accredited or that holds national accreditation that is recognized by the U.S. Department of Education.~~
 - 4.02.19.3** Successfully clear a background check through the Child Maltreatment Central Registry, Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann 6-17-410.
 - 4.02.19.4** Successfully clear a child maltreatment central registry check to be conducted by Department of Human Services.
 - 4.02.19.5** Submit a copy of their expired out-of-state-teaching license.

- 4.02.19.6** Successfully pass the state required specialty area assessment for each licensure/ endorsement area, and the state required pedagogical assessment for one of their levels of licensure.
- 4.02.19.7** Candidates shall successfully pass a three-hour, Arkansas history course when required.
- 4.02.19.8** Candidates receiving the initial Arkansas teaching license shall complete Induction (mentoring and Praxis III-Performance Assessment).
- 4.02.19.9** The initial license shall be converted to the five-year, standard/~~professional~~ or advanced Arkansas teaching license upon the successful completion of mentoring and the Praxis III- Performance.
- 4.02.19.10** Candidates holding an expired teaching license shall be eligible for a provisional teaching license.
- 4.02.20** Candidates who completed an out-of-country teacher preparation program shall meet the following requirements for their initial, Arkansas teaching license.
 - 4.02.20.1** Submit an application for teacher licensure.
 - 4.02.20.2** Document successful passing of the state required basic skills assessment, specialty area assessment(s) for each licensure/endorsement area, and pedagogical assessment at one of their levels of licensure.
 - 4.02.20.3** Successfully clear a background check through the Child Maltreatment Central Registry, Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann § 6-17-410.
 - 4.02.20.4** Successfully clear a child maltreatment central registry check to be conducted by Department of Human Services.
 - 4.02.20.5** Meet the requirements of section 4.02.6 of these rules.
 - 4.02.20.6** Successfully pass the three-hour college level Arkansas History course when required.
 - 4.02.20.7** The initial teaching license shall be converted to the five-year, standard/~~professional~~ or advanced Arkansas

teaching license upon successful completion of Induction (Mentoring and Praxis III-Performance Assessment).

- 4.02.21** Candidates adding additional licensure/endorsement areas by reciprocity to a current Arkansas teaching license, shall meet the requirements of the Rules Governing the Addition of Areas of Licensure or Endorsement.
- 4.02.22** Candidates choosing not to transfer all licensure/endorsement areas by reciprocity when licensing initially in Arkansas, shall meet the requirements of the Rules Governing the Addition of Areas of Licensure or Endorsement if/when the candidate chooses to add those licensure/endorsement areas at a later date.
- 4.02.23** All candidates for licensure by reciprocity shall clear the required Child Maltreatment Central Registry, State Police and Federal Bureau of Investigation background checks regardless of previous background checks already completed.
- 4.02.24** All candidates for licensure by reciprocity shall clear a child maltreatment central registry check to be conducted by the Department of Human Services.
- 4.02.25** ~~Effective May 1, 2007, teachers~~ Teachers licensing in P.E./Wellness/Leisure by reciprocity, shall be given the licensure code numbers of 227 and/or 228 upon documentation of one year or more of prior coaching experience or eligibility to be employed as a coach.
 - 4.02.25.1** A coaching endorsement will not be added automatically to license with these codes, but the teacher will be allowed to coach.
- 4.02.26** When prior coaching experience or eligibility to be employed as a coach cannot be documented, the new licensure code numbers for P.E./Wellness/Leisure of 235 and/or 236 shall be assigned.
 - 4.02.26.1** Teachers holding the new licensure code numbers of 235 and/or 236 shall not be automatically approved to be employed as a coach in the public schools of Arkansas.
 - 4.02.26.2** Teachers holding the new licensure code of 235 and/or 236, employed as coaches shall work under the ALP

(Additional Licensure Plan) for the coaching endorsement (7-12).

4.02.27 Individuals licensing as a Speech Language Pathologist shall meet the following requirements.

4.02.27.1 Document completion of a Master's Degree in Speech Language Pathology from a regionally accredited college/university.

4.02.27.2 Document successful passing of the required specialty area assessment.

4.02.27.3 Successfully clear the required Child Maltreatment Central Registry, State Police and FBI background checks.

4.02.27.4 Successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services.

4.02.28 Individuals licensing as a School Psychology Specialist shall meet the following requirements.

4.02.28.1 Document completion of an advanced degree in School Psychology 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; ~~a regionally accredited college/university~~ or

4.02.28.2 Document completion of a Master's Degree in Counseling/Psychology with a graduate level program of study in School Psychology 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 ~~a regionally accredited college/university~~.

4.02.28.3 Document successful passing of the required Specialty area assessment.

4.02.28.4 Successfully clear the required Child Maltreatment Central Registry, State Police and FBI background checks.

4.02.28.5 Successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services.

4.02.29 The Office of Professional Licensure reserves the right to license individuals by Reciprocity that have met their state's degree/program of study requirements and testing requirement but have not fulfilled other ancillary requirements for licensure.

5.00 REQUIREMENTS FOR OBTAINING A PROVISIONAL TEACHING LICENSE BY RECIPROCITY

5.01 A one-year non-renewable provisional teaching license shall be issued to:

5.01.1 Out-of state or out-of country applicants who:

5.01.1.1 Have completed a teacher preparation but have not licensed or,

5.01.1.2 Hold a provisional, initial, or standard teaching license and,

5.01.1.3 Have been required to take Arkansas History or State-required licensure assessments.

5.02 The one-year non-renewable provisional teaching license shall be issued upon providing the following documentation, to the Office of Professional Licensure.

5.02.1 A completed licensure application form

5.02.2 Written documentation of transcript evaluation by a State approved, independent Evaluation agency located in the United States that meets the requirements of Section 4.02.6 of these rules.

5.02.3 Successfully clear the Child Maltreatment Central Registry, Arkansas State Police and Federal Bureau of Investigation background checks required by Ark. Code Ann. § 6-17-410.

5.02.4 Successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services

5.02.5 Official transcripts

5.02.6 Copy of out-of state or out-of country teaching license.

5.02.7 Proof of employment on the Verification of Provisional Licensure Eligibility Form that reflects the employing school district and hire date.

5.03 Eligibility for a one-year renewable (two times) provisional teaching license:

5.03.1 Out-of-state or out-of-country applicants who

5.03.1.1 Completed a teacher preparation program but have not licensed or,

5.03.1.2 Holds an initial, provisional, or standard teaching license and,

5.03.1.3 Holds licensure/endorsement area (s) that are not equivalent with Arkansas licensure/endorsement areas and,

5.03.2 Completion of one-third of the program of study (coursework) shall be completed before renewing the provisional license for each of the two renewals allowed.

5.03.3 Completion of the program of study (coursework and testing) is required to convert the provisional to a standard or advanced Arkansas license.

5.04 The one-year renewable (two times) provisional teaching license shall be issued upon providing the following documentation.

5.04.1 A complete licensure application form.

5.04.2 Written documentation of transcript evaluation by a state approved, independent evaluation agency located in the United States that meets the requirements of Section 4.02.6 of these rules.

5.04.3 Successfully clearing the State required, Child Maltreatment Central Registry, Arkansas State Police and Federal Bureau of Investigation background checks.

5.04.4 Successful clearance of a child maltreatment central registry check to be conducted by the Department of Human Services

5.04.5 Official transcripts reflecting completion of one-third of required coursework with no less than six hours per year.

5.04.6 Copy of out-of -state or out-of -country teaching license.

5.04.7 Proof of employment on the Verification of Provisional Licensure Eligibility Form that reflects the employing school district and hire date.

5.05 Applicants wishing to renew the provisional teaching license shall submit the following.

5.05.1 A completed application form

5.05.2 Proof of employment on the Verification of Provisional Licensure Eligibility that reflects the employing school district and hire date.

5.05.3 Verification of having completed the required coursework the preceding year.

5.06 A provisional teaching license shall become effective for one year from the date the teacher/administrator is hired.

5.07 A provisional license shall not be issued to any person possessing a valid Arkansas ~~standard/initial~~ initial, standard, or advanced teaching license.

6.00 REQUIREMENTS FOR CONVERTING A PROVISIONAL TEACHING LICENSE TO AN INITIAL, STANDARD, OR ~~STANDARD/PROFESSIONAL~~ ADVANCED TEACHING LICENSE BY RECIPROCITY

6.01 The one-year non-renewable provisional teaching license shall be converted to the three-year Initial or five-year Standard/~~Professional~~ or Advanced teaching license when the following documentation has been submitted to the Office of Professional Licensure.

6.01.1 A completed application for licensure requesting the conversion of the provisional teaching license.

6.01.2 Score reports reflecting successful completion of the state required basic skills assessment (all parts), specialty area assessment(s) and pedagogical assessment when required.

6.01.3 Official transcript(s) reflecting the successful completion of a three (3)-hour Arkansas History course when required.

6.02 The one-year renewable provisional teaching license shall be converted to the three-year initial or ~~standard/professional~~ five-year standard or advanced teaching license when the following documentation has been submitted to the Office of Professional Licensure.

- 6.02.1** A completed application for licensure requesting conversion of the provisional to the three-year initial or five-year standard/~~professional~~ or advanced teaching license.
- 6.02.2** Official transcript reflecting successful completion of a three (3) hour Arkansas History course when required.
- 6.02.3** Score report reflecting successful completion of state required content assessment(s), pedagogical assessment and basic skills assessments (all parts) when required.
- 6.02.4** Official transcript and documentation of successful completion of program of study (coursework) when required.

7.00 REQUIREMENTS FOR CONVERTING AN INITIAL TEACHING LICENSE TO A STANDARD/~~PROFESSIONAL~~ OR ADVANCED TEACHING LICENSE.

- 7.01** The three-year, initial teaching license shall be converted to the five year standard/~~professional~~ or advanced teaching license upon providing the following documentation.

- 7.01.1** Verification of the successful completion of Induction (Mentoring and the Praxis III-Performance Assessment).

8.00 REQUIREMENTS FOR OBTAINING AN INITIAL BUILDING LEVEL OR CURRICULUM PROGRAM ADMINISTRATOR LICENSE BY RECIPROCITY

8.01 ELIGIBILITY

- 8.01.1** The applicant shall hold or have previously held a standard “teaching area” of licensure in another state or country.
- 8.01.2** The applicant shall hold a valid Initial Administrator license or its equivalent in another state or country.

- 8.01.2.1** There are two Initial Administrator licenses.

- 8.01.2.1.1** Building Level Administrator,

AND

- 8.01.2.1.2** Curriculum Program Administrator

- 8.01.3** Applicants shall have completed a graduate degree from a college/university holding regional/national accreditation recognized by the U.S. Department of Education.

8.01.4 If the graduate degree is not in Educational Leadership, the applicant shall have completed in addition to the degree: a graduate level Educational Leadership program of study 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 ~~holding regional/national accreditation recognized by the U.S. Department of Education in addition to the degree.~~

8.01.5 If the applicant's graduate degree and program of study are not from a college/university holding NCATE or TEAC national accreditation as recognized by the US Department of Education then:

8.01.5.1 An applicant with at least one year of administrative experience, in the licensure area sought, shall receive an appropriate ~~(Initial / Standard Initial or Standard)~~ Administrator's License.

An applicant with less than one year of administrative experience, in the licensure area sought, shall complete an Administrator Licensure Completion Plan (ALCP) of study ~~from an approved Arkansas College/University.~~

8.01.6 The applicant seeking licensure as an Initial Building Level Administrator shall have a minimum of four years of teaching experience, with three years of classroom teaching experience at the level of licensure being sought.

8.01.6.1 Four (4) years of experience as a school counselor or librarian may be counted toward the total of four (4) years of classroom teaching experience for Building Level Administrator only.

8.01.7 The applicant seeking licensure as an Initial Curriculum Program Administrator shall have a minimum of four years of teaching experience with at least three years of teaching experience at the level or in the area in which the applicant is seeking licensure.

8.01.8 Applicants for licensure as an Initial Curriculum Program Administrator shall also hold Arkansas licensure in the specialty area where applicable.

8.01.8.1 If the specialty area is an added endorsement area gained without a program of study, it will not serve as a platform for gaining the Curriculum Program Administrator License.

9.00 CONVERTING THE INITIAL BUILDING LEVEL ADMINISTRATOR LICENSE TO A STANDARD BUILDING LEVEL ADMINISTRATOR LICENSE

9.01 The Initial Building Level Administrator License shall be converted to a Standard Building Administrator license when:

9.01.1 A minimum of one-year work experience as a Building Level Administrator is verified.

9.01.2 The applicant has completed one year of the state mentoring program for Building Level Administrators.

9.01.3 The applicant has passed and submitted a score report for the School Leaders Licensure Assessment.

9.02 If experience and/or testing and/or mentoring were completed out of state, and/or verified, they shall be waived in Arkansas.

10.00 CONVERTING THE INITIAL CURRICULUM PROGRAM ADMINISTRATOR LICENSE TO A STANDARD CURRICULUM PROGRAM ADMINISTRATOR LICENSE

10.00 The Initial Curriculum Program Administrator license shall be converted to a Standard Curriculum Program Administrator license when:

10.00.1 A minimum of one-year work experience as a Curriculum Program Administrator is verified.

10.00.2 The applicant has completed one year of the state mentoring program for Curriculum Program Administrator.

10.00.3 The applicant has passed and submitted a score report for the School Leaders Licensure Assessment.

10.02 If experience and/or testing and/or mentoring were completed out of state, and/or verified, they shall be waived in Arkansas.

11.00 REQUIREMENTS FOR OBTAINING A STANDARD/PROFESSIONAL BUILDING LEVEL OR CURRICULUM PROGRAM ADMINISTRATOR LICENSE BY RECIPROCITY

11.01 ELIGIBILITY

11.01.1 The applicant shall hold or shall have previously held a Standard teaching area of licensure in another state or country.

11.01.2 The applicant shall hold a valid Standard Building Level or Curriculum Program Administrator license or the equivalent in another state or country.

11.01.3 Applicants shall have satisfied all requirements in Section 8.01 of these Rules.

11.01.4 The applicant shall have successfully completed a specialty area assessment in Educational Leadership.

11.01.4.1 If no assessment was required out of state, but the applicant has completed three years of employment as an administrator, the Arkansas-required assessment shall be waived.

11.01.4.2 If no assessment was required out of state and the applicant has completed **less than** three years of employment as an administrator, he/she shall take and successfully complete the Arkansas-required assessment for these areas of administration.

11.01.5 ~~When~~ Upon being licensed as an Administrator in Arkansas, and employed as such, the administrator shall attend the Beginning Administrator Induction and Follow-up training sessions conducted as part of the State Mentoring Program for Administrators.

12.00 REQUIREMENTS FOR OBTAINING A STANDARD/PROFESSIONAL DISTRICT LEVEL ADMINISTRATOR LICENSE BY RECIPROCITY

12.01 Applicants shall hold or shall have previously held a Standard teaching area of licensure in another state or country.

12.02 Applicants shall hold a valid Standard District Level Administrator license in another state or country.

12.03 Applicants shall hold a valid Standard Building or Curriculum Program Administrator license in another state or country, or

12.03.1 Document a minimum of five years experience as a District Level Administrator

12.04 Applicants shall have satisfied all requirements contained in Section 8.01 of these Rules.

12.04.1 The preparation for District Level Administrator shall consist of an advanced degree in Educational Leadership, or a graduate level degree with an advanced program of study in Educational Leadership.

12.05 District Administrator licensure requires the School Superintendent's Assessment. This test may be waived if:

12.05.1 The applicant successfully completed an assessment out-of-state for this area.

OR

12.05.2 The applicant has completed three years or more of employment as a District Administrator.

13.00 REQUIREMENTS FOR ADDING ADDITIONAL AREAS OF LICENSURE/ENDORSEMENT BY RECIPROCITY

13.01 Applicants shall submit a completed application requesting the addition of the area(s) of licensure or endorsement.

13.02 Applicants shall meet the requirements of the Rules Governing the Addition of Areas of Licensure or Endorsement and/or rules governing a particular licensure/endorsement area.

13.02.1 Applicants shall meet degree, program of study (coursework), Praxis Assessment and experience requirements when required for adding areas of licensure/endorsement.

13.03 Arkansas required Praxis Assessment(s) shall be waived upon providing documentation of having completed the specialty area assessment required for the out-of-state licensure area.

13.03.1 When testing was not required for the out-of-state teaching license, or the licensure area being added by reciprocity is incompatible with the equivalent Arkansas licensure/endorsement area, the applicant shall successfully complete the required Arkansas Praxis Assessment(s).

13.04 A Master's Degree in an area other than Education Leadership shall be a Master's Degree in Education or a Master's Degree in a content/added endorsement area as identified in the areas and levels of licensure as approved by the State Board of Education.

14.0 ACT 1178 OF 2011 STANDARD LICENSE RECIPROCITY

14.01 A teacher holding a current, valid, standard teaching license or its equivalent from another state may apply for and receive an Arkansas five-year Standard or Advanced Teaching License upon meeting the following requirements:

14.01.1 Provide a copy of the out-of-state teaching license to the Office of Professional Licensure;

14.01.2 Submit proof that the applicant is in good standing with the licensing state, and that the applicant has been in good standing with the licensing state during the most recent two (2) years of the applicant's teaching experience, if any;

14.01.2.1 For the purpose of this section, "good standing" is defined as holding a current, unrestricted, non-probationary, non-provisional license to teach in the licensing state, with no ethics or similar proceedings pending against the license;

14.01.3 Successfully pass a criminal background check, Child Maltreatment Central Registry check, and other background checks as required by law;

14.01.4 Submit higher education transcripts evidencing the award of at least a bachelor's degree by 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;

14.01.5 Submit reports evidencing all test scores required for licensing in the licensing state;

14.01.5.1 This requirement to submit test scores may be waived by submitting documentation of three (3) years of teaching experience as documented on school district, agency, or organization letterhead;

14.01.6 Submit documentation of one (1) of the following:

14.01.6.1 Completion of a program of teacher education 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

14.01.6.2 Completion of a program of teacher education accredited by the National Council for Accreditation of Teacher Education (NCATE); or

14.01.6.3 Certification from the National Board of Professional Teaching Standards; and

14.01.7 Pay applicable licensure fees as established by the State Board of Education pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C).

14.02 An applicant seeking licensure in Early Childhood P-4, Middle Childhood 4-8 or Secondary Social Studies, shall successfully complete 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 before receiving an Arkansas five-year Standard or Advanced Teaching License.

14.02.1 A one-year, non-renewable provisional teaching license shall be available for an applicant who has not completed the three-hour *Arkansas History* course.

14.03 An applicant whose standard teaching area(s) are not recognized by Arkansas shall receive the teaching area and level that most closely parallels their out-of-state licensure area(s).

14.03.1 If none of the Applicant's standard teaching area(s) parallel an Arkansas teaching area, the Office of Professional Licensure shall issue a license reflecting the same area reflected on the out-of-state license, with a notation that the identified license area is by reciprocity and is not an approved Arkansas teaching area.

14.04 Standard or advanced teaching licenses will become effective January 1 of the year the license is issued and shall expire December 31 of the last year the license is valid. A standard or advanced teaching license shall be valid for five years.

14.05 The areas of licensure and/or endorsement listed on an out-of-state license shall be recognized for licensure through reciprocity.

14.06 The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas teaching license that has been issued in error.

~~Arkansas Department of Education
Rules and Regulations
Governing Mobile Phone Usage by School Bus Drivers
August 13, 2001~~

~~1.00 Regulatory Authority~~

~~1.01 These Rules and Regulations shall be known as the Arkansas Department of Education Rules and Regulations Governing Mobile Phone Usage by School Bus Drivers.~~

~~1.02 These regulations are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §6-19-101.~~

~~2.00 Purpose of Regulations~~

~~The purpose of these regulations is to prohibit the use of a mobile phone while operating a school bus.~~

~~3.00 Definitions~~

~~3.01 "School Bus". For purposes of this regulation, a school bus means every motor vehicle owned by a public or government agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school or school sponsored activity.~~

~~3.02 "School Bus Driver". Anyone operating a vehicle that meets the definition of a school bus.~~

~~3.03 "Mobile phone". Any wireless communication device used to make or receive telephone calls, including hands free headphones.~~

~~4.00 Requirements~~

~~4.01 Mobile phones shall not be used by the bus driver while the vehicle is in motion or stopped for a traffic signaling device.~~

~~4.02 Usage shall only be when the school bus is safely off the roadway with the parking brake engaged.~~

~~4.03 Only district authorized mobile phones shall be operated on an Arkansas school bus.~~

~~4.04 The Arkansas Association of Pupil Transportation shall emphasize this prohibition in its annual school bus driver training.~~

~~5.00 Penalty~~

~~In compliance with the procedures established in Ark. Code Ann. §6-17 Subchapter 17 (Repl. 1999), if a school bus driver violates this regulation, the school superintendent shall impose the appropriate discipline or penalty, as approved by the local board.~~

~~ARKANSAS DEPARTMENT OF EDUCATION
RULES AND REGULATIONS IDENTIFYING AND GOVERNING SELF-
CONSTRUCTION PROJECTS BY PUBLIC EDUCATION ENTITIES
August 13, 2001~~

~~1.00—REGULATORY AUTHORITY~~

~~1.01—These regulations shall be known as the Arkansas Department of Education's Rules and Regulations Identifying and Governing Self-Construction Projects by Public Education Entities.~~

~~1.02—These regulations are enacted pursuant to the Arkansas State Board of Education's authority under Ark. Code Ann. § 6-11-105 and Act 1204 of 2001.~~

~~2.00—PURPOSE~~

~~2.01—The purpose of these regulations is to describe how the department will identify, assist, monitor and address public educational entities that self-construct.~~

~~3.00—DEFINITIONS~~

~~3.01—"Public educational entities" (Entities) is defined to mean Arkansas public school Entities, charter schools, educational cooperatives or any publicly-supported entity having supervision over public educational entities.~~

~~3.02—"Self-construction" is defined to mean any construction where the public educational entity uses its own employees, acts as a general contractor or uses a construction manager while acting as a general contractor.~~

~~3.03—"Construction project" is defined to mean making or forming an improvement by combining parts, labor or materials; the erection or alteration that exceeds a cost of \$20,000 of a structure or physical object under the supervision or ownership of a public educational entity.~~

~~3.04—"Design professional" is defined to mean a person or firm who provides professional expertise in order to carry out a capital erection, repair or improvement project. Design professionals may include, but may not be limited to the following professionals: planners (land, city, utilities, etc.), architects, landscape architects, surveyors (land), engineers (consulting and professional engineers providing expertise in various licensed fields such as civil, electrical, mechanical, structural, sanitary, etc.).~~

~~3.05—"Maintenance work" is defined to mean the repair but not the replacement or alterations that exceed a cost of \$20,000 of existing facilities when the size, capacity and type of the existing facility or equipment is not thereby substantially changed or increased.~~

~~3.06 “Commodities” is defined to mean all supplies, goods, material, equipment, machinery, facilities, and personal property purchased for or on behalf of an Entity.~~

~~3.07 “Open market purchases” is defined to mean those purchases of commodities by any purchasing official in which competitive bidding is not required.~~

~~3.08 “Administrator” is defined to mean a school Entity superintendent, an educational cooperative director, the Administrator, Director, Chairman, or President of a charter school, or other educational entity.~~

~~4.00 NOTIFICATION OF INTENT~~

~~4.01 When an Entity board votes to self-construct, the Administrator of the Entity shall notify the office of School Plant Services of the action. This notification shall be made in writing by electronic submission or by a letter submitted by U.S. mail. This notification shall include a description of the construction project. Approval may be granted by the office of School Plant Services at that time.~~

~~4.02 If additional information is needed after receiving the written notification of an Entity's decision to self-construct, the office of School Plant Services will provide the Entity with a document for reporting this information. The document to be used for the additional information needed of an Entity's intent to self-construct will be the Arkansas Department of Education School Site Approval Form. The Administrator of the Entity shall provide all information requested by the Arkansas Department of Education in the School Site Approval Form.~~

~~4.03 Upon receiving an Entity's notification of intent to self-construct, the office of School Plant Services shall provide by certified mail a copy of the “Rules and Regulations Identifying and Governing Self-Construction Projects by Public Education Entities” to the Entity's Administrator and board president.~~

~~4.04 Upon receiving an Entity's notification of intent to self-construct, the office of School Plant Services shall provide a written assessment of the Entity's decision to self-construct.~~

~~5.00 APPROVAL PROCEDURES~~

~~5.01 Upon receiving an Entity's notification of intent to self-construct and it is determined that additional information is needed, the office of School Plant Services shall mail to the Entity: (1) a site approval form, and (2) a list of the Arkansas agencies required to review and approve the final construction documents before the project can be put out for bid or before self-construction may begin.~~

~~5.02 When an Entity develops plans for a self-construction project to be submitted to the office of School Plant Services for approval, the Entity shall ensure that~~

~~the design and plans satisfy all Arkansas legal requirements including, but not limited to, the following:~~

- ~~A. All construction plans, specifications and estimates shall be made by and the construction executed under the observation of the appropriate design professional. (Ark. Code Ann. § 22-9-101)~~
- ~~B. If the total cumulative and fair market value of construction or capital improvement is greater than \$25,000, an engineer, registered or licensed in the State of Arkansas, shall provide the required engineering services. (Ark. Code Ann. § 22-9-101 (b) (1))~~
- ~~C. If the total cumulative and fair market value of construction or capital improvement is greater than \$100,000, an architect registered or licensed in the State of Arkansas shall provide the required architectural services. (Ark. Code Ann. § 22-9-101 (b) (2))~~

~~6.00 BID, BOND AND LICENSING REQUIREMENTS~~

~~6.01 When an Entity self constructs, the Entity shall ensure by written report compliance to all Arkansas laws, including the following:~~

~~6.02 Commodities Purchasing~~

- ~~A. Open market purchases may be made where the purchase price is less than \$10,000.~~
- ~~B. In each instance where the estimated purchase price shall equal or exceed \$10,000, the commodity shall be procured by soliciting bids. (Ark. Code Ann. § 6-21-301)~~

~~6.03 Bidding Requirements~~

- ~~A. When all estimated construction costs do not exceed \$20,000, the contract shall be solicited according to local school board policy.~~
- ~~B. When all estimated construction costs exceed \$20,000, the Entity shall publish public notice of intent to receive bids a minimum of one (1) time per week for two (2) consecutive weeks. The bids may be opened one (1) week after the last date of publication. (Ark. Code Ann. § 22-9-203 as amended by Act 1051 of 2001)~~

~~6.04 When giving public notice of intent to receive bids for construction, an Entity may include alternates in the bid specifications. If the Entity includes alternates in the bid specifications, the alternates must be deductive, no more than three (3) alternates may be used and the alternates must be set forth and considered in numerical order. (Ark. Code Ann. § 22-9-203 as amended by Act 921 of 2001)~~

~~6.05 When advertising for bids for construction, an Entity may negotiate a final contract amount with the successful bidder if the low bid is within twenty five percent (25%) of the amount appropriated for the project and all alternates have been exhausted. (Ark. Code Ann. § 22-9-203 as amended by Act 921 of 2001)~~

~~6.06 A five percent (5%) corporate bid bond or a certified check in the amount of five percent (5%) of the bid shall accompany all submitted bids on construction contracts that exceed \$20,000. (Ark. Code Ann. § 22-9-203 (2) (A) (D))~~

~~6.07 The successful bidder on construction that exceeds \$20,000 shall provide the owner a performance and payment bond for one hundred percent (100%) of the contract amount. This bond must be filed in the county where the work is being performed before authorization to proceed is granted. (Ark. Code Ann. § 18-44-503)~~

~~6.08 Any sub trades contractor doing work in areas such as electrical, plumbing, HVAC, etc. must hold the required trades' licenses from the State of Arkansas. This applies to Entity personnel, as well as sub trades contractors not employed by the Entity. Any contractor who performs a job that exceeds \$20,000 must also hold an Arkansas contractor's license. (Ark. Code Ann. § 17-25-101 (a))~~

~~7.00 ENFORCEMENT~~

~~7.01 Any Entity Administrator or certified employee that knowingly submits to the Arkansas Department of Education or the office of School Plant Services a false report or false information required by Arkansas law or these rules and regulations shall be subject to having his license revoked, suspended or placed on probation pursuant to Ark. Code Ann. § 6-17-410.~~

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE
COLLEGE PREPARATORY ENRICHMENT PROGRAM**

January 2010

1.00 College Preparatory Enrichment Program

- 1.01—~~These regulations shall be known as the Arkansas Department of Education Regulations Governing the College Preparatory Enrichment Program.~~
- 1.02—~~The State Board of Education enacted these regulations pursuant to its authority under Arkansas Code Annotated § 6-16-604, as amended by Act 1469 of 2009.~~

2.00 Purpose of Regulations

- 2.01—~~The purpose of these regulations is to establish guidelines for the appropriate administration of a summer remedial program designed for twelfth-grade students and high school graduates who will enter their freshman year of college in the fall immediately following the completion of their senior year and who scored less than the minimum score set by the State Board of Higher Education on the American College Test (ACT).~~
- 2.02—~~A further purpose of these regulations is to establish a distribution formula for implementing the College Preparatory Enrichment Program.~~

3.00 Definitions/Acronyms

- 3.01—~~Site Advisory Committee: educators including counselors representing local districts within the service area site who are responsible for the selection of participants.~~
- 3.02—~~State Board of Higher Education cut-off scores: scores below 19 on the ACT.~~
- 3.03—~~Service Area Sites: facilities within school districts accredited by the Arkansas Department of Education (ADE), accredited public institutions of higher learning, and Arkansas Educational Service Cooperatives.~~
- 3.04—~~ACT: American College Test~~
- 3.05—~~ADE: Arkansas Department of Education~~
- 3.06—~~CPEP: College Preparatory Enrichment Program~~

- 3.07—~~Capital Outlay: tangible personal property having a useful life of more than one year and an acquisition cost of \$300 or more per unit (computers, printers, televisions, VCRs, overhead projectors, other instructional equipment, and furniture).~~
- 3.08—~~Diagnosed Reading Problem: disorder/disability in the area of reading identified through observation and examination with instruments that have been proven reliable and valid.~~
- 3.09—~~Project ACT: special administration of the ACT for students completing CPEP.~~
- 3.10—~~CPEP Index: the ratio of the number students eligible for free or reduced lunch in the school district from the October 1 Enrollment Report of the current fiscal year over the total enrollment of the school district, expressed as a percentage rounded to the nearest hundredth of a percentage.~~
- 3.11—~~Student Eligibility for Program: twelfth grade students and high school graduates who will enter their freshman year of college in the fall immediately following completion of their senior year, and who scored less than the minimum scores set by the State Board of Higher Education on the American College Test (ACT).~~
- 3.12—~~Student Eligibility for Funding: for each school district, the number of students enrolled in grade ten (10), eleven (11), and twelve (12) retrieved from the current fiscal year October 1 Enrollment Report, times the CPEP Index.~~

4.00 Student Eligibility

- 4.01—~~Rising twelfth grade students and high school graduates who will enter their freshman year of college in the fall immediately following completion of their senior year, and who scored less than the minimum scores set by the State Board of Higher Education on the math or English portions of the American College Test (ACT) are eligible for the program.~~
- 4.02—~~All students who have taken the ACT and completed their junior year of high school may enroll in the program.~~
- 4.03—~~If space is available after the site advisory committee has completed its recruitment efforts, rising eleventh grade students may enroll in the program. Documentation of recruitment efforts for rising twelfth graders and high school graduates who will enter their freshman year of college in the fall immediately following completion of their senior year shall be maintained at the school site for audit purposes.~~

- ~~4.04 The site advisory committee, composed of educators including counselor(s) representing local school districts within the service area, will be responsible for the selection of the participants using the student eligibility guidelines listed in 4.01–4.04.~~

5.00 Site Eligibility

- ~~5.01 The following educational organizations may serve as a service area site: school districts accredited by the Arkansas Department of Education (ADE), accredited public institutions of higher learning, and Arkansas Education Service Cooperatives.~~
- ~~5.02 The service area site shall maintain and keep in a central location for monitoring and auditing purposes a documentation file containing a list of personnel who will be working in the program, disciplinary policies which will govern participants, program descriptions, and student schedules.~~
- ~~5.03 Each service area site shall have the discretion to determine the number of students to serve based on the amount of allocation received.~~
- ~~5.04 Every effort shall be made to fill all existing CPEP sites to capacity.~~
- ~~5.05 Priority for the expansion of existing CPEP sites will be given to those geographical areas where the percentage of students requiring remediation is the highest.~~
- ~~5.06 Priority for the creation of new CPEP sites will be given to those districts and counties where programs do not exist and where remediation levels are the highest.~~

6.00 Staffing

- ~~6.01 Each service area site shall employ a program manager to administer the instructional program.~~
- ~~6.02 The program manager's duties include counseling students, scheduling, facilitating staff selection, coordinating the preparation of individualized plans for students entering and leaving the program, completing ADE CPEP reports in an accurate and timely manner, and performing other administrative duties to assure the operation at the site. Because of the duties of the program manager, a certified, secondary counselor is preferred. If such a person is unavailable, the program manager must be a certified secondary principal or administrator. (Individuals holding a twelve-month contract may not be paid from CPEP funds for administering a CPEP program.)~~

- ~~6.03 — Teachers must hold secondary certification in the field to be taught and must have demonstrated successful and innovative teaching techniques.~~
- ~~6.04 — Teachers must attend scheduled in-service training administered by the ADE.~~
- ~~6.05 — The maximum class size will be ten (10) with administrative flexibility to make reasonable adjustments and a minimum class size will be five (5).~~
- ~~6.06 — The staff who will assist students with diagnosed reading problems must hold the Reading Specialist or Reading Endorsement. Other applicants eligible to receive either endorsement must meet the requirements established by the State Board of Education.~~

7.00 Distribution of CPEP Funds

- ~~7.01 — For each school district, a CPEP Index shall be calculated equal to the ratio of the number of students eligible for free or reduced lunch in the school district over the total enrollment of the school district, expressed as a percentage rounded to the nearest hundredth of a percentage. Each of the figures in this ratio shall be from the October 1 Enrollment Report for the current fiscal year.~~
- ~~7.02 — For each school district, the number of students eligible for CPEP funds shall be calculated as the product of the total number of students enrolled in grades ten (10), eleven (11), and twelve (12) times the CPEP Index. The enrollment figures shall be from the October 1 Enrollment Report of the current fiscal year.~~
- ~~7.03 — The CPEP funding factor shall be equal to the statewide total number of students eligible for CPEP funds divided into the total amount of funds budgeted for CPEP.~~
- ~~7.04 — For each school district, the CPEP funds to be distributed to that school district shall be equal to the product of the number of students eligible for CPEP funds times the CPEP funding factor.~~
- ~~7.05 — The Department of Education may expend funds to implement assessment programs to assist in educational and guidance instruction.~~
- ~~7.06 — Districts are to limit the use of CPEP funding for those costs directly related to the proper administration of the service area site(s) such as, but not limited to, the following: administrative costs, stipends, instructional materials, site operational cost, etc.~~

- ~~7.07 — School districts cannot expend CPEP funds to purchase capital outlay items.~~
- ~~7.08 — The Department of Education may expend funds from this appropriation to implement assessment programs such as PLAN and EXPLORE to assist in educational and guidance instruction.~~
- ~~7.09 — Any balance of CPEP funds on hand in any school district or site at the end of the program shall be returned with End of Program Reports to the Arkansas Department of Education.~~

8.00 Instructional Program

- ~~8.01 — It is the intent of this program to provide instruction in the areas of math and language arts. Each service areas site must provide all students who enroll with individualized plans for the summer enrichment program and their senior year of high school, individualized counseling, and other forms of assistance.~~
- ~~8.02 — Each service area site must select instructional materials which provide enrichment as well as reinforcement in basic skills.~~
- ~~8.03 — Each service area site shall have the discretion to schedule the instructional day for no less than three hours with appropriate time for independent study. The length of the summer term shall be five (5) weeks, during which time a school shall provide no less than twenty (20) days and no less than seventy five (75) hours of instruction.~~
- ~~8.04 — Each service area site shall maintain, for auditing and monitoring purposes, the project director and participant records, teacher contract, and all details of the planned instructional program (i.e., master schedules, materials, curriculum, methodologies, etc.)~~

9.00 Administration

- ~~9.01 — A local district, college or university, or regional service cooperative may be eligible to operate a service area site. Each service area site must identify the individual who will serve as project director. The ADE anticipates that the project director will be a local superintendent, college administrator, developmental program director or cooperative director. The project director should be a bonded official of the host agency. The ADE expects that the project director will currently hold a twelve-month contract with a local education agency; therefore, he/she will be ineligible for a salary position with this program.~~

~~9.02 The ADE will encourage sites to accommodate students who have summer jobs and cannot forfeit the income from summer employment. Sites may hold CPEP sessions in the evening if they meet the requirements set forth in Section 8.03 of these Rules.~~

~~9.03 Each service area shall mail the Project ACT answer documents to the appropriate vendor no later than the Monday immediately following administration of the test.~~

10.00 Program Evaluation

~~10.01 Following the summer program the individualized plan and progress report shall be provided to the students' school counselors or other school representative for documentation. The Project ACT scores shall be reported to the ADE on the Student Data Form.~~

~~10.02 Students who complete the CPEP program successfully and enroll in senior year courses deemed to be appropriate for pre-collegiate preparation may have their senior year Project ACT test cost paid by the state.~~

~~10.03 Each service area site will provide the ADE a list of students who enrolled in the program, were successful in completing the course study, and took the Project ACT. Each service site area will maintain a list in a central location for monitoring purposes.~~

~~10.04 The Departments of Education and Higher Education will collect and analyze data on program participants to assess the impact of the program on improved pre-collegiate preparation. This data will include ACT scores for seniors who completed the program, college remedial placement status, and first year college grades in core subjects.~~

~~10.05 The project director shall submit to the ADE an end-of-year program evaluation and accounting.~~

Summary of Changes

Changes made after public comment period:

- Section 4.07 clarified to reflect existing practice by deleting reference to the Student Services Plan.
- Section 5.01 revised to extend application deadline for 2011 to Sept. 30.
- Section 8.01 clarified to make it explicit that these programs may be funded from At-Risk Funding.
- Section 8.03 clarified to provide that NSLA funds may be used so long as the use is properly planned and reported in the district's ACSIP plan.
- Section 8.04 clarified to preserve the ability of school districts to expend NSLA funds on other postsecondary programs by limiting the restriction to Department funds.
- Corrected section numbering in section 10.0.
- Section 10.05 added to make clear that placement tests will be paid for only to the extent that funds are appropriated and authorized for that purpose.

Changes made before public comment period:

- Definitions added for "college readiness benchmark", "designated college readiness course", "eligible student", "EXPLORE", "placement test", "PLAN", "postsecondary preparatory program", and "PSAT".
- Section 5.0 was added to implement the approval of postsecondary preparatory programs.
- Section 6.0 was added to implement enrollment requirements for postsecondary preparatory programs.
- Section 7.0 was added to implement requirements for the operation of postsecondary preparatory programs.
- Section 8.0 was added to explain the funding mechanisms for the Arkansas College and Career Readiness Planning Program and for postsecondary preparatory programs.
- Section 9.0 was added to set forth the evaluation requirements for postsecondary preparatory programs.
- Section 10.0 was added to implement the placement test required under the Rules and Act 879 of 2011.

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE ARKANSAS COLLEGE AND CAREER
READINESS PLANNING PROGRAMS**

~~November 2010~~

1.00 REGULATORY AUTHORITY

- 1.01 These regulations are enacted pursuant to the authority contained in Ark. Code Ann. §§ 6-11-105, ~~and 6-15-441, 6-16-601 et seq., 25-15-201 et seq.,~~ and Act 879 of 2011.

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 ~~future~~ postsecondary learning that and is administered pursuant to these Rules or is used by institutions of higher education as part of their admissions, placement, and scholarship processes and/or high schools to improve college and workforce readiness.

3.02.1 “College readiness assessment” includes without limitation the EXPLORE, PLAN, and PSAT assessments.

~~“College and career readiness” means that a student is academically ready to succeed in college level courses or in the workforce without the need to enroll in remedial courses during the student’s first year.~~

- 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.

~~3.03-3.07~~ “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.

~~3.04-3.09~~ “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.

~~3.05~~ 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 PROGRAM IMPLEMENTATION COLLEGE AND CAREER READINESS PLANNING PROGRAM – IMPLEMENTATION

4.01 ~~Beginning with the 2010-2011 school year, e~~ 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 ~~Beginning with the 2010-2011 school year, e~~ 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 ~~Arkansas Department of Education (ADE)~~ using at-risk funding or other funds appropriated and authorized for this purpose.

4.04 Each public school district ~~administering the college readiness assessments under this section~~ 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 By the 2011-2012 school year, e-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 PROGRAM EVALUATION 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.

8.01.2.1 Funding provided by the Department may not be used to pay or purchase incentives for students.

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

9.02.10An 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.

~~5.04~~9.05 Data collection shall be maintained by the ~~ADE~~ Department for the purpose of:

~~5.01.1~~ 9.05.1 Increasing college and career readiness skills;

~~5.01.2~~ 9.05.2 Improving instruction;

~~5.01.3~~ 9.05.3 Enhancing school improvement plans; ~~and~~

~~5.01.4~~ 9.05.4 Reducing the college remediation rates of students; and

9.05.5 Developing and implementing postsecondary preparatory programs under these Rules.

~~5.02~~ 9.06 The ~~ADE~~ Department shall report to the House Committee on Education and the Senate Committee on Education no later than ~~September 30~~ 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.

- ~~5.02 School guidance counselors serving students in Grades 8–12 shall provide career guidance utilizing the results of college readiness assessments in the college and career planning process. The ADE shall monitor the utilization of these assessments through the Student Services Annual Reports and the Public School Student Services Plan to ensure public school compliance.~~

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.

**Rules and Regulations
Governing Waivers of Minimum Salaries for
Certified Personnel**

1.00 Regulatory Authority

1.01 These regulations shall be known as the Department of Education Regulations governing the waiving of minimum salaries to be paid certified personnel.

1.02 These regulations are enacted pursuant to the State Board of Education's specific authority under Arkansas Codes Annotated 6-17-1001 and 6-11-105 (Repl. 1993).

2.00 Purpose

2.01 It is the purpose of these regulations to set general guidelines for granting waivers to school districts which cannot meet the provisions of Arkansas Code Annotated 6-17-1001.

3.00 Filing a Request

3.01 School district requests for waivers shall be on forms provided by the Arkansas Department of Education.

4.00 District Eligibility Criteria

4.01 School districts shall meet the minimum expenditure requirements of Ark. Code Ann. 6-20-310 (Supp. 1995) for the school year for which the request is made.

4.02 School districts shall have a base millage of no less than 25 mills available for maintenance and operation.

4.03 A school district must show that its combined teacher salary, operating and debt service fund balances will be depleted within three years if relief is not granted.

4.04 Prior to receiving a waiver, a school district shall seek assistance from the Department of Education in developing and filing a plan with the Department for the purpose of eliminating the need for a waiver as soon as possible.

4.05 Prior to receiving a waiver, the school board shall review in a regularly scheduled public meeting the need for a waiver, the plan to eliminate the future needs for a waiver which is to be filed with the Department, and implications for all educational programs should the waiver be granted.

5.00 Review and Approval of Requests

5.01 A committee appointed by the Director of the Department of Education shall review waiver applications and make recommendations. The Director shall have final authority in the disposition of requests.

5.02 One year approved waivers shall be tentative subject to findings which reflect compliance with all eligibility criteria.

5.03 Relief shall not be granted beyond an amount necessary to prevent the district from depleting its balances within three years.

5.04 Final approval by the Director shall identify that district as meeting the requirements of a Phase I fiscal distress district.