



AGENDA

STATE BOARD OF EDUCATION

March 12, 2012
Arkansas Department of Education
Arch Ford Education Auditorium
9:00 AM

 [← Back](#)  [Print](#)

Reports

Report-1 Chair's Report

Presenter: Dr. Ben Mays

Report-2 Commissioner's Report

Presenter: Dr. Tom W. Kimbrell

Report-3 Recognition of 2011 Milken Educator

In 1987, education pioneer Lowell Milken established the National Educator Awards program. His main belief was that an effective way to advance the teaching profession is to reward educators' achievements, enhance their resources, and expand their professional interests. Arkansas was invited to participate in the Awards program in 1991. Since that time 66 Arkansas educators have been named Milken Educators. Today, we recognize the 2011 Arkansas Milken Educator Andrea Morales McKenna, a teacher at J.O. Kelly Middle School in the Springdale School District.

Presenter: Dr. Tom Kimbrell

Report-4 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 activities associated with college and career readiness.

Presenter: Dr. Laura Bednar

Report-5 Use of ITBS for Grades 1 and 2

ITBS is the assessment currently used to measure student performance as required by law at grades 1 and 2. A group of PARCC states is currently working on a joint request for information (RFI) for developmentally appropriate assessment instruments, which give formative and summative information for children at these grade levels.

Presenter: Dr. Gayle Potter

Report-6 Professional Licensure Standards Board Licensure Task Force Report

In 2011, a Professional Licensure Task Force was assembled with representatives from Public School Districts, ArkASPA, AEA, AAEA, Educational Service Cooperatives, ADE, Institutions of Higher Education and resource

members. Dr. Mary Gunter and Mr. Raymond Simon facilitated the meetings and discussions.

The purpose of the Task Force is to develop recommendations pertaining to rules and regulations that govern the licensing of P-12 Arkansas teachers and administrators in order to ensure the efficacy of these educators and to meet the educational needs of the children of Arkansas.

The Task Force completed its work and presented 31 recommendations to the Arkansas Professional Licensure Standards Board (PLSB). Mr. Don McGohan, PLSB Chair, will provide a report to the State Board of Education.

Presenter: Mr. Don McGohan, Chairman of Professional Licensure Standards Board

Consent Agenda

C-1 Minutes - February 13, 2012

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 March report summarizes the PMT for February.

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 local school districts to secure a waiver when classrooms are staffed with unlicensed teachers for longer than 30 days. Waiver requests were received from 19 school districts covering a total of 36 teaching positions. Seventeen school districts requested waivers for a total of 22 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 Voluntary Surrender of Teaching License - Leisa Wheeler

The Department received information that on November 8, 2011, in the Circuit Court of Newton County, Arkansas, Ms. Wheeler was convicted of two counts of felony Permitting Abuse of a Minor, one count of Battery in the Second Degree, and two counts of Aggravated Assault. Each of those offenses is a disqualifying offense for licensure under Ark. Code Ann. § 6-17-410.

The Arkansas Department of Education has access to and must consider any criminal background check reflecting a conviction (pleading guilty, or nolo contendere (no contest) or being found guilty by a jury or judge) for any offense listed in §6-17-410(c), including records that have been expunged, sealed, or subject to a pardon. The State Board of Education may revoke, suspend, or place a license on probation for cause under Ark. Code Ann. § 6-17-410(d)(2) for each of Ms. Wheeler's felony convictions. In addition, Ms. Wheeler has ten "true" findings against her in the Child Maltreatment Central Registry for reports in 2010. Each true report is a separate cause for the State Board to revoke her existing license, unless the revocation is waived or a license is suspended or placed on probation. Ark. Code Ann. § 6-17-410(c). Ms. Wheeler has waived her right to a hearing. The Department recommends permanent revocation of her license.

Presenter: Katherine Donovan

Action Agenda

A-1 Consideration of Resolution in Support of Breakfast in the Classroom

The Breakfast in the Classroom initiative takes the traditional school breakfast approach and improves it with one key ingredient: the classroom. Breakfast becomes available to everyone – no matter their income level – and it's served after the opening bell. This makes it easier for all children to easily participate. Children eat together in the classroom, and enjoy nutritionally well-balanced foods served directly in their classroom or grabbed from a cart in the hallway. Students who eat a healthy breakfast show improvement in academic performance. The State Board expresses support of this initiative with a resolution.

Presenter: Dr. Ben Mays

A-2 Consideration of Request to Transfer Slots

Child Development, Inc. (CDI) voluntarily relinquished 388 Arkansas Better Chance slots to the Division of Child Care and Early Childhood Education (DCCECE). Pursuant to Act 49, DCCECE requests the temporary transfer of 388 slots from CDI to Community Development Institute of Denver for the period of February 13, 2012 through June 30, 2012. In addition, we request the temporary transfer of 10 slots from Community Development Institute of Denver to the Booneville School District for the period of March 1, 2012 through June 30, 2012.

Presenter: Paige Cox

A-3 Petition for Voluntary Annexation: Lead Hill School District into the Ozark Mountain School District

On February 10, 2012, the Arkansas Department of Education received a Petition for the Voluntary Annexation of the Lead Hill School District into the Ozark Mountain School District pursuant to Ark. Code Ann. § 6-13-1401 et seq. Ark. Code Ann. § 6-13-1402 states that "[t]here shall not be any consolidation or annexation of any public school district with any other school district in the state without the prior consent and approval of the State Board of Education." Ark. Code Ann. § 6-13-1403(b) allows the State Board of Education to vote to approve, by a majority of a quorum present of the members of the State Board, the lawfully-proposed annexation of an affected district into a receiving district.

Presenter: Jeremy Lasiter

A-4 Request for District Conversion Public Charter School Charter Amendment: Cloverdale Aerospace Technology Conversion Charter Middle School

The State Board of Education approved the application for Cloverdale Aerospace Technology Conversion Charter Middle School at its February 19, 2010 meeting. Grades 6-8 are served with a maximum enrollment of 705. The entity is requesting a hearing before the State Board of Education to amend their current charter.

Presenter: Dr. Mary Ann Duncan

A-5 Hearing on Waiver Request for Certified Teacher License – Patricia Dale

Ms. Dale has applied for an initial license and requests a waiver of her 1991 guilty plea to felony burglary in Pennsylvania. The State Board of Education shall not issue an educator's license if the educator has been convicted of a disqualifying offense under Ark. Code Ann. § 6-17-410 unless a waiver is granted. Ms. Dale is not represented by counsel.

Presenter: Katherine Donovan

A-6 Hearing on Waiver Request for Certified Teacher License – Rebecca Holder

Ms. Holder holds a standard five year license in Early Childhood Education. In 2003, Ms. Holder entered a guilty plea to felony violation of the uniform controlled substances with intent to deliver and was found guilty by the court. However, the Circuit Court of Hot Spring County suspended the imposition of a sentence for three years conditioned upon not being convicted of any other felony offense. Her record was sealed upon successful completion of the three year period. Under Ark. Code Ann. § 6-17-410(c), the Board shall revoke the current license of any person who has pled guilty or been found guilty of a disqualifying offense. Ms. Holder requests that the Board waive her disqualifying conviction. She is not represented by counsel.

Presenter: Katherine Donovan

A-7 Hearing on Waiver Request for Certified Teacher License – Bobbie McLean

Ms. McLean's name is on the Child Maltreatment Registry for neglect dated 05/26/2006. Under Ark. Code Ann. § 6-17-410, her license is subject to revocation, suspension, or probation by the State Board of Education unless the Board grants a waiver. Her DHS appeal is set to be heard on February 21, 2012. If the DHS affirms its findings, the Department will present evidence to support suspension or revocation of her license. However, even if the Board grants a waiver, Ms. McLean will not be eligible to be employed in any public school as long as she remains on the Child Maltreatment Central Registry. Ark. Code Ann. § 6-17-411. Ms. McLean is not represented by counsel.

Presenter: Katherine Donovan

A-8 Hearing on Waiver Request for Certified Teacher License - Brenda Riddle

Brenda Riddle has applied for a lifetime teaching license and requests a waiver of her 1976 disqualifying federal conviction for felony forgery. The State Board of Education shall not issue an educator's license if the educator has been convicted of a disqualifying offense under Ark. Code Ann. § 6-17-410 unless a waiver is granted. Ms. Riddle is not represented by counsel.

Presenter: Katherine Donovan

A-9 Consideration to Suspend the Teaching License of Five (5) National Board of Professional Teaching Standards (NBPTS) Candidates Who Owe Money to ADE

As ADE continues to close outstanding NBPTS accounts; several balances are still unresolved. These cannot be waived or closed without the approval of the State Board. All of these are several years old and need to be resolved. Only one is currently employed in an Arkansas School District. The teachers are: Marcia Ashby, Angela Nelson-Yoder, Priscilla Stone, Gayla Sydoriak and Melanie Tubbs.

As provided in Ark. Code Ann. § 6-17-413 (b) (3) The State Board of Education may suspend the Arkansas teacher's license of any person that fails, when required to do so, to repay moneys contributed by the department for the certification program of the national board. All of these candidates were unsuccessful in completing the program and according to A.C.A. § 6-17-413 (b) (3) are required to repay the Department. Every effort has been made to contact these people and secure repayment of the funds due. All efforts have been unsuccessful.

The Office of Teacher Quality requests suspension of the above referenced teacher's license until such time as the fees owed have been repaid. Since one teacher is presently employed in Arkansas, the request is that June 1, 2012, be the effective date for the suspensions.

Presenter: Michael Rowland

A-10 Consideration of Approval for Public Comment: Proposed New Rules Governing Education Service Cooperatives

Act 739 of 2011, codified at Ark. Code Ann. 6-13-1021, requires the Arkansas Department of Education to promulgate rules concerning evaluations of education service cooperatives. Arkansas Department of Education staff respectfully requests that the State Board approve the proposed rules for public comment.

Presenter: Jeremy C. Lasiter and Dr. Charles Watson

A-11 Consideration of Final Approval: Revisions to Arkansas Department of Education Rules Governing Teacher Licensure by Reciprocity

On September 12, 2011, the State Board approved and released for public comment proposed revisions to these Rules to implement the many changes made by Act 1178 of 2011. As a result of comments received during the first public comment period, the Department substantially modified the proposed revisions, and the State Board approved and released a second version for public comment December 12, 2011. The Department received numerous written comments and held public hearings on the proposed rules September 27, 2011, and January 12, 2012. Additional minor changes have been made to the rule as a result of comments, as highlighted. The Department respectfully requests that the State Board give final approval to the proposed rule revisions as modified.

Presenter: Dr. Karen Cushman and Mark White

A-12 Consideration of Final Approval: Revisions to Arkansas Department of Education Rules Governing the Non-Traditional Licensure Program

On September 12, 2011, the State Board approved and released for public comment proposed revisions to these Rules to implement the many changes made by Act 1178 of 2011. As a result of comments received during the first public comment period, the Department substantially modified the proposed revisions, and the State Board approved and released a second version for public comment December 12, 2011. The Department received numerous written comments and held public hearings on the proposed rules September 27, 2011, and January 12, 2012. Additional minor changes have been made to the rule as a result of comments, as highlighted. The Department respectfully requests that the State Board give final approval to the proposed rule revisions as modified.

Presenter: Dr. Karen Cushman and Mark White

**Minutes
State Board of Education Meeting
Monday, February 13, 2012**

The State Board of Education met Monday, February 13, 2012, in the auditorium of the Department of Education building. Dr. Ben Mays, Chair, called the meeting to order at 9 a.m.

Present: Dr. Ben Mays, Chair; Jim Cooper, Vice Chair; Joe Black; Brenda Gullett (via telephone); Sam Ledbetter; Alice Mahony; Toyce Newton; Mireya Reith (via telephone); Vicki Saviers; Dr. Tom Kimbrell, Commissioner; and Kathy Powers, Teacher of the Year

Absent: None

Reports

Chair's Report:

Ms. Gullett said she recently attended the NASBE board meeting and a meeting of the state's Common Core Guiding Coalition. She complimented ADE's efforts on the implementation activities around Common Core.

Ms. Mahony represented the state at a meeting in San Antonio hosted by ACT in January. She, too, was complimentary of Department staff and their work implementing Common Core State Standards.

Commissioner's Report

Dr. Kimbrell explained that Dr. Laura Bednar, Assistant Commissioner of Learning Services, was unable to attend the meeting and would update the Board on Common Core and PARCC activities at the March meeting.

Informational Update on Common Core State Standards and PARCC

This report was postponed until the March meeting.

Breakfast in the Classroom Initiative

Joyce Hardy, No Kid Hungry Arkansas Campaign Manager, provided information on the Breakfast in the Classroom initiative aimed to increase breakfast consumption among school children and spark academic and nutritional gains associated with the morning meal. She said grants were available to help school districts that apply for the program.

Retired superintendent Danny Knight spoke in favor of the initiative and encouraged school leaders to improve access to programs that connect children with the nutritious food they need to lead healthy lives and thus improve student learning.

Request for ESEA Flexibility

Introducing the application for ESEA Flexibility, Commissioner Kimbrell said Arkansas's request aligns with the state's education priorities and goals. He said it provides a comprehensive, interconnected plan for education in critical areas-- implementation of Common Core State Standards and next generation assessments; a fair, yet strong accountability system that supports schools and districts and provides students with interventions they need to improve; and an evaluation and support system for teacher and principal effectiveness.

Dr. Kimbrell said the plan informs parents in a much simpler way the effectiveness of their schools in meeting the needs of all children.

Dr. Debbie Davis and Dr. Denise Airola, with the Arkansas Leadership Academy, assisted the Department of Education in developing the waiver proposal.

Dr. Airola gave an overview of the proposal. She said the plan calls for each school being held accountable for the achievement of not only its overall student group but also for a subgroup of at least 40 students who are either receiving special education services, are English learners or are from low-income families as determined by eligibility for federally subsidized school meals. Of Arkansas's 1,070 schools, 96 percent have special education students but only 16 percent of those schools have 40 or more special education students required for reporting the achievement of that NCLB subgroup.

Ninety percent of the schools would have 40 or more students in the Targeted Achievement Gap Group (TAGG)—the combination of special education, English learners and low socioeconomic students. By combining those groups into one, more schools will be held accountable for the achievement of at-risk students.

Schools will be held accountable for improving the percentages of students achieving and making gains by specific amounts over six years. High schools would be held accountable for improving graduation rates over the same time period.

The proposed waiver reduces the number of labels given schools from 16 to 5. The new system would rank schools as Exemplary, Achieving, Needs Improvement, Needs Improvement Focus and Needs Improvement Priority. The Priority Schools, mainly Title I schools, are the bottom five percent in terms of achievement. Focus Schools would be the 10 percent with the largest gaps in

achievement levels. Priority and Focus Schools would be required to develop intervention plans and work closely with ADE staff.

Ms. Saviers didn't see the plan as rigorous enough and said other states had proposed taking those failing schools out of local district control and placing them in achievement districts. She said it was time to get someone's attention. The final plan is to be submitted to the USDE by February 28.

Consent Agenda

Ms. Mahony asked to pull Agenda item C-7—PLSB Recommendation for Probation of License and Fine—Norman Ray Nassar and move to Action Agenda.

Mr. Cooper moved, seconded by Ms. Saviers, approval of the Consent Agenda with the exception of C-7. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes of the January 9, 2012 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
- Loan and Bond Applications—1 Revolving Loan—Deer Mt. Judea-\$49,091.00 Construction; 1 Second Lien Bond—Nettleton-\$1,300,000.00 Construction; 4 Voted Bond Applications—Augusta, Gravette, South Mississippi County and Two Rivers—\$28,490,000.00
- Community Service Site Application
- Sanction for Teachers as Recommended by the Professional Licensure Standards Board
 - Horace Ray Charles
 - Erik David Brown

Action Agenda

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

Arkansas Better Chance Transfer of Slots

The Arkansas Better Chance program requested the temporary transfer of 10 slots for the remainder of the school year from Salem Wee Care Day Care in Salem to Early Horizons Child Development Center in Salem. The Salem Wee Care Day Care is scheduled to close on January 31, 2012.

Mr. Cooper moved, seconded by Ms. Newton, approval. The motion carried unanimously.

Consideration of Jasper School District's Request for a Waiver from Rule 9.03.4.10 (Career and Technical Education) of the Rules Governing Standards for Accreditation

The Jasper School District requested a waiver of rule 9.03.4.10 (Career and Technical Education) of the rules governing Standards for Accreditation for the first semester of the 2011-12 school year. Department staff confirmed the district currently met all requirements.

Mr. Cooper moved, seconded by Mr. Black, approval of the waiver. The motion carried unanimously.

Classification of Pulaski County Special School District in Fiscal Distress

Kathleen Crain, Interim Assistant Commissioner of Fiscal Services, reported that on March 30, 2011, the Arkansas Department of Education identified the Pulaski County Special School District (PCSSD) as a school district in fiscal distress on the basis of material state or federal audit exceptions or violations. The State Board of Education classified the PCSSD as a district in fiscal distress May 16, 2011.

On January 19, 2012, the Department identified the PCSSD as being a school district in fiscal distress on the basis of a declining balance determined to jeopardize the fiscal integrity of a school district. The Department provided notice to the PCSSD by certified mail of the identification and the district's appeal rights. The district did not appeal the identification.

The Department recommended that the PCSSD be classified as being in Fiscal Distress on the basis of a declining balance determined to jeopardize the fiscal integrity of a school district.

Dr. Jerry Guess, PCSSD superintendent, said the district had identified more than \$6 million in cuts but needed to reduce \$7 million in employee benefits in excess of those required by the state. Dr. Guess said he would notify the unions of the District's intent to reopen negotiations. He said he would not approach negotiations with an attitude of not succeeding or in a threatening posture. He said he was committed to reaching and to having a productive 2012-13 school year for students.

Chief Financial Officer Bill Goff said without the cuts, the district would exceed revenue by \$13,633, 277. The identified cuts included the elimination of 77 positions (teaching, administrative and support staff) through retirements and resignations or if necessary a reduction in force for a savings of \$3.85 million; not filling positions already vacated for a savings of \$775, 328; maximize class size by state standards; a change in opening and dismissal times for schools; a \$1.5 million change in the employee's insurance package; and a new copier machine contract.

Other cuts identified by Mr. Goff were \$14.85 million in benefits not required by the state but included in the PACT contract. Another \$1.4 million in benefits could also be cut from the PASS contract. Some of the contract provisions being considered for reduction are reducing the teacher work year from 192 days to 190 days; payment for duties such as bus and recess duty; salary credits for professional growth; severance pay upon retirement; longevity pay; stipends to teachers who earned National Board certification; reducing the per month health insurance to employees to the state required \$131; and leave time in excess of one sick day per month.

Ms. Gullett asked why the district had to negotiate with anyone since it was under state takeover.

Commissioner Kimbrell said it was in the best interest of the students to reach an agreement and work together.

Ms. Newton moved, seconded by Ms. Saviers, to classify PCSSD in fiscal distress on the basis of a declining balance determined to jeopardize the fiscal integrity of a school district. The motion carried unanimously.

Hearing on Waiver Request for Certified Teacher's License – Kelvin Parker

Katherine Donovan, PLSB legal counsel, presented a request for waiver from Kelvin Parker. Mr. Parker, a nontraditional MAT educator, applied for the second renewal of his one-year provisional license when it was discovered he had a disqualifying conviction for felony theft of property committed in 1998. His record was sealed and the conviction was expunged.

Mr. Ledbetter moved, seconded by Ms. Newton, approval of the waiver with the stipulation of probation for a period of two years and no other qualifying conviction or violation of code of ethics. The motion carried unanimously.

Hearing on Waiver Request for Certified Teacher's License – Leisa Wheeler

At the request of the teacher, this item was postponed until the March meeting.

Request to Extend Science Textbook/Instructional Material Contracts

The Division of Learning Services, Curriculum and Instruction Unit, requested approval to extend the current Science Textbook and Instructional Material Contracts for a period of two (2) years effective July 1, 2013 and ending June 30, 2015. It was noted the state would have an opportunity to consider next generation science standards prior to the end of the extended contract.

Ms. Mahony moved, seconded by Ms. Newton, to approve the extension. The motion carried unanimously.

Consideration for Final Approval: Proposed Rules Governing Incentives for Teacher Recruitment and Retention in High Priority Districts with an Average Daily Membership of 1,000 or Fewer

These rule revisions implement definitional changes required by Act 1135 of 2011. In addition, two deadlines are being moved back. The deadline for the Arkansas Department of Education to identify high-priority districts is being moved from September 1 to February 15, and the deadline for districts to submit their list of eligible employees is being moved from July 1 to June 1 to allow payment of the incentive bonuses during the same fiscal year they are earned. A public hearing was held December 15, 2011, and only one written comment was received resulting in no changes to the proposed revisions. The State Board was requested to give final approval to the proposed rules.

Ms. Gullett moved, seconded by Ms. Saviers, final approval. The motion carried unanimously.

Consider Recommendation for New Praxis II Cut Scores in Special Education: Teaching Students with Visual Impairments, Special Education: Education of Deaf and Hard of Hearing Students, and Music: Content and Instruction to be Effective September 1, 2012

A recommendation was presented for new Praxis II Assessments and appropriate cut scores are as follows:

- Special Education: Teaching Students with Visual Impairments exam (#0282) with a recommended cut score of 163. This exam replaces exam #0281.
- Special Education: Education of Deaf and Hard of Hearing Students exam (#0272) with a recommended cut score of 160. This exam replaces exam # 0271.
- Music: Content and Instruction exam (#0114) with a recommended cut score of 162. This exam replaces exams #0111, #0112 and #0113.

The recommended effective date for all three exams is September 1, 2012.

Ms. Gullett moved, seconded by Ms. Mahony, approval. The motion carried

Consideration of Approval for Public Comment: Proposed Arkansas Department of Education Rules Governing Parental Involvement Plans

Act 1002 of 2011 directed the Department to develop rules governing parental involvement plans. Arkansas Department of Education staff requested the State Board approve the proposed rules for public comment.

Mr. Ledbetter moved, seconded by Ms. Saviers, approval to release the rules for public comment. The motion carried unanimously.

Consideration of Approval for Public Comment: Revisions to Arkansas Department of Education Rules Governing the Arkansas Better Chance Program

These proposed rule revisions were developed in consultation with the Arkansas Department of Human Services. The primary purpose of the proposed revisions is to assure public funds are spent in compliance with the First Amendment to the United States Constitution. Department staff requested the State Board approve the proposed revisions for public comment.

Board members voiced concern that low-income parents in rural communities might not have a choice of preschools funded by the grants leaving religious providers their only choice.

Ms. Newton moved, seconded by Ms. Saviers, approval to release the revised rules for public comment. The motion carried unanimously.

Consideration of Final Approval: Revisions to Arkansas Department of Education Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools

The Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols in Arkansas Public Schools, last approved by the State Board in 2007, need to be updated to be in accordance with applicable federal and state law. In its meeting of June 13, 2011, the State Board approved and released for public comment proposed revisions to the Rules. As a result of comments received during that public comment period, the Department substantially modified the proposed revisions.

In its meeting of November 14, 2011, the State Board approved and released the rule for a second public comment period. A second public hearing was held December 15, 2011, and no comments were received. The State Board was requested to give final approval to the proposed rules as modified.

Ms. Newton moved, seconded by Mr. Ledbetter, to give final approval to the rules as modified. The motion carried unanimously.

Consideration of Final Approval: Proposed Revisions to Arkansas Department of Education Rules Governing Highly Qualified Teachers Pursuant to the No Child Left Behind Act of 2001

Act 1178 of 2011 made significant changes in the area of non-traditional

licensure and reciprocity, and it created a new type of license, the Provisional Professional Teaching License. These rules are revised to implement changes required by Act 1178, to correct outdated test references and to clarify definitions. A public hearing was held December 15, 2011, and only one comment was received. Minor changes were made in response to the public comment. The State Board was requested to grant final approval to the rule revisions.

Mr. Black moved, seconded by Ms. Newton, final approval of the revised rules. The motion carried unanimously.

Consideration of Final Approval: Revisions to Arkansas Department of Education Rules Governing Professional Development

These rules are revised to incorporate new requirements imposed by Acts 770, 989, 1002, 1146, 1150, 1214, and 1236 of 2011. A public hearing was held January 12, 2012, and multiple written comments were received. Several minor changes were made to the revisions in response to the public comments. The State Board was requested to grant final approval to revisions.

Ms. Saviers moved, seconded by Ms. Mahony, final approval. The motion carried unanimously.

Consideration of Final Approval: Repeal of Arkansas Department of Education Rules and Regulations Governing Attendance at Instructional Professional Development Sessions Toward Fulfillment of the Five (5) Days of Required Staff Development

The rules were approved by the State Board December 8, 1995, and had not been amended since that time. The rules were based on old law and have been superseded by the Department's Rules Governing Professional Development. A public hearing was held January 12, 2012, and no oral or written comments were received. The State Board was requested to give final approval to repeal the rules.

Mr. Ledbetter moved, seconded by Ms. Saviers, final approval of the rules. The motion carried unanimously.

Consideration of Recommendation of the Professional Licensure Standards Board for Probation of License for Two (2) Years and Fine of \$75 for Case #11-073 Norman Ray Nassar

The Professional Licensure Standards Board's Subcommittee on Ethics recommended probation of the teaching license of Norman Ray Nassar for two (2) years and a fine of \$75 for violation of Standard 3: An educator honestly fulfills reporting obligations associated with professional practices and Standard

4: An educator entrusted with public funds and property honors that trust with honest, responsible stewardship. The educator accepted the recommendation of the Ethics subcommittee after the evidentiary hearing in writing.

Ms. Mahony moved to not accept the recommendation and to conduct a hearing. The motion failed for lack of a second.

Mr. Ledbetter moved, seconded by Ms. Newton, to accept the committee's recommendation. The motion carried. Ms. Mahony voted no.

Designation of Nominations Committee for 2012-2013

Dr. Mays announced the appointment of Ms. Gullett, Mr. Ledbetter and Ms. Newton to the nominations committee. The committee's report will be presented at the May meeting.

Adjournment

The meeting adjourned at 3:10 p.m.

These minutes were recorded by Phyllis Stewart.

NEWLY EMPLOYED FOR THE PERIOD OF January 21, 2012– February 17, 2012

Keri Burkman – Public School Program Advisor, Grade C122, Division of Learning Services, School Improvement, effective 01/30/12.

Jimmy Blevins – Public School Program Advisor, Grade C122, Division of Learning Services, Student Assessment, effective 01/23/12.

Beverly Carter – Administrative Specialist III, Grade C112, Division of Learning Services, Federal Programs, effective 02/6/12.

Regina Foster – APSCN Field Analyst, Grade C121, Division of Fiscal and Administrative Services, Arkansas Public School Computer Network (APSCN), effective 2/13/12.

*Tatiana Hicks – Administrative Specialist III, Grade C112, Division of Academic Accountability, effective 1/23/12.

Jason Kratz – Information Systems Business Analyst, Grade C122, Division of Research and Technology, Data Reporting and Systems, effective 01/23/12.

Delinda Rhoades – Administrative Specialist III, Grade C112, Division of Learning Services, Gifted and Talented, effective 2/13/12.

PROMOTIONS/LATERAL TRANSFERS FOR THE PERIOD OF January 21, 2012– February 17, 2012

Cody Decker – from ADE APSCN Director, Grade N908, Research and Technology, to ADE Director of Information Systems, Grade U122U, Division Research and Technology, effective 01/23/12. Promotion

Anita Sacrey – from Accounting Coordinator, Grade C121, Division of Fiscal and Administrative Services, Finance, to Program Fiscal Manager, C122, Division of Fiscal and Administrative Services, Finance, effective 01/23/12. Promotion

SEPARATIONS FOR THE PERIOD OF January 21, 2012– February 17, 2012

No terminations during this period.

*Minority

AASIS Codes:

Waivers for Teachers Teaching Out of Area for More than 30 Days
March 2012 State Board Agenda

LEA	District	# Waivers Requested	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
1701	Alma School District	1	Harris, Dee Ann	ECE P-4, MS English, Reading, Elementary, Guidance & Counseling	312	Building Administrator P-8	11-12	Granted
7401	Augusta School District	1	Greer, Richard	MS Math	200	Mathematics 7-12	11-12	Granted
6301	Bauxite School District	1	Ochoa, Amber	Middle Childhood Education	209	Algebra I Endorsement 8	11-12	Granted
	Benton Civitan Center	1	Hensley, Dawn	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
0401	Bentonville School District	10	Barnes, Rob	Social Studies, Speech/Drama, Coaching	236	Physical Education, Wellness & Leisure 7-12	11-12	Granted
			Davis, Randal Bryan	Social Studies	236	Physical Education, Wellness & Leisure 7-12	11-12	Granted
			Devaney, Michael	Social Studies	236	Physical Education, Wellness & Leisure 7-12	11-12	Granted
			Dewitt, Tricia	Social Studies	236	Physical Education, Wellness & Leisure 7-12	11-12	Granted
			Henry, Kristina	Vocational Home Economics	236	Physical Education, Wellness & Leisure 7-12	11-12	Granted
			Hutchens, Chris	Coaching, Social Studies, Secondary Principal	236	Physical Education, Wellness & Leisure 7-12	11-12	Granted
			Ramaker, Randall	Physical/Earth Science, Life/Earth Science; PE; coaching	236	Physical Education, Wellness & Leisure 7-12	11-12	Granted
			Rodriguez, Anna	Speech, English/Language Arts	307	English As A Second Language P-8	11-12	Granted
			Rodriguez, Anna	Speech, English/Language Arts	308	English As A Second Language 7-12	11-12	Granted
			Vavener, Maeghan	ECE P-4, 5th/6th Endorsement	230	Sp Education Instructional Specialist 4-12	11-12	Granted

Waivers for Teachers Teaching Out of Area for More than 30 Days
March 2012 State Board Agenda

LEA	District	# Waivers Requested	Teacher	License Areas	ALP Code	Out of Area	Yrs	
							ALP	Granted/ Denied
	Division of Youth Services	2	Roberts, Micah	Social Studies	166	English/ Language/ Arts 7-12	11-12	Granted
			Roberts, Micah	Social Studies	114	Speech Endorsement 7-12	11-12	Granted
2202	Drew Central School District	1	Hewitt, Sarah	ECE P-4	107	Grade 5/6 Endorsement (P-4)	11-12	Granted
2104	Dumas School District	1	Hauk, Kim	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
	Friendship Community Care	1	Watts, Kelsey	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Denied
	Friendship Pediatric Services	1	Breer, Tara	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
5602	Harrisburg School District	1	Ruff, Morgan	Agricultural Science, Tech/Careers	225	Business Technology 7-12	11-12	Granted
1202	Heber Springs School District	1	Brock, Whitney	ECE P-4	107	Grade 5/6 Endorsement (P-4)	11-12	Granted
6703	Horatio School District	2	Ayers, Patricia	ECE P-4	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
			Ayers, Patricia	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
3904	Lee County School District	1	Thomas, Trakia	Social Studies 7-12	230	Sp Education Instructional Specialist 4-12	10-11, 11-12	Granted
6001	Little Rock School District	6	Barrow, Anngelica	ECE P-4, 5th/6th Endorsement	230	Sp Education Instructional Specialist 4-12	11-12	Granted
			Barrow, Anngelica	ECE P-4, 5th/6th Endorsement	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
			Nelson, Damien	Elementary 1-6, MS Social Studies, ESL P-12	200	Mathematics 7-12	11-12	Denied

Waivers for Teachers Teaching Out of Area for More than 30 Days
March 2012 State Board Agenda

LEA	District	# Waivers Requested	Teacher	License Areas	ALP Code	Out of Area	Yrs ALP	Granted/ Denied
	Little Rock School District Continued		Ragsdale, Rachel	ECE P-4	107	Grade 5/6 Endorsement (P-4)	11-12	Granted
			Stewart, Stepheniq	ECE P-4	168	Science/Mathematics 4-8	11-12	Granted
			Stewart, Stepheniq	ECE P-4	002	English/Language/Social Studies 4-8	11-12	Granted
	North Central ESC	3	Gotte, Misty	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
			Gravins, Devin	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	10-11, 11-12	Granted
			Holowell, Gaila	ECE P-4	231	Sp Ed Ech Inst Specialist P-4	09-10, 10-11, 11-12	Granted
6006	Pulaski Co. Spec. School Dist.	1	Anderson W. Andra	Physical/Earth Science, Math, biology	335	Curr/Program Admin/Math P-12	11-12	Granted
4605	Texarkana School District	1	Lee, Nancy	ECE P-4, Middle Level Education	231	Sp Ed Ech Inst Specialist P-4	11-12	Granted
19	# School Districts Requesting Waivers this Month	36	# Waivers Requested this Month					
				Waivers Granted This Month				34
				Waivers Denied This Month				2
				Waivers Requested This Month				36

Substitute Waivers Requested
March 2012 State Board Agenda

LEA	District	# Substitute Waivers Requested	Substitute Name	Subject	Teacher of Record	Granted/ Denied	
0401	Bentonville School District	1	Garrett, Jessica	ESL	Escher, Coli	Granted	
3001	Bismarck School District	1	Knickerbocker, Jane	Physical Education	Hickenbottom, Charles Richard	Granted	
6303	Bryant School District	1	Cain, Mark	Mathematics	Joshi, Madmuhita	Granted	
1605	Buffalo Island Central School District	1	Stanfill, John	Environmental Science/Biology	Brightwell, Trisha	Granted	
2301	Conway School District	1	Bailey, Jason	Physical Science	Seymour, Ronald	Granted	
2602	Fountain Lake School District	1	Kelly, Clara Lindi	English	O'Shields, Timothy	Granted	
0203	Hamburg School District	1	Harrod, Brent	Mathematics	Alexander, Marcia	Granted	
5602	Harrisburg School District	1	Ballard, Chelsea	Physical Science	Forrester, Christina	Granted	
5903	Hazen School District	1	Metcalf, Vernard	Biology/Environmental Science	Chaney, Virginia	Granted	
6202	Hughes School District	1	Scofield, Katie	Physical Science	Clayton, Deloris	Granted	
5102	Jasper School District	3	Parrish, Rachel	Art	Sampley, Barbara	Granted	
			Reynolds, Stacy	Library Media	Koch, Nancy	Granted	
			Watson, Rachel	Science	South, Tina	Granted	
5703	Mena School District	2	Rowland, Rodney	Chemistry and Algebra 1	Roberts, Earl	Granted	
			Vizueth, Catalina	Spanish I	Roberts, Earl	Granted	
0303	Mountain Home School District	3	Bouck, Dr. John	Workforce Education - Cisco	Johnson, Dustin	Granted	
			Johnson, Dustin	Workforce Education - Cisco	Johnson, Dustin	Granted	
			Seaman, James	Workforce Education - Cisco	Johnson, Dustin	Granted	
2808	Paragould School District	1	Benefield, Tonya	Physical Education	Stewart, Kelly Cooper	Granted	
6502	Searcy School District	1	Ishmael, Eddie	World History/American Government	Holman, Catie	Granted	
	The Pointe Outpatient Center	1	Strohbein, Myla	Science/Social Studies	Halladay, Daniel	Granted	
7510	Two Rivers High School	1	Pool, Laura	Special Education	Kimzey, Patricia	Granted	
17	# Districts Requesting Substitutes this Month	22	# Substitutes Requested this Month	# Substitute Waivers Granted this month			22
				# Substitute Waivers Denied this Month			0
				# Substitutet Waivers Requested this Month			22

Licensure Taskforce Final Recommendations

The purpose of the Arkansas Licensure Ad Hoc Taskforce is to develop recommendations pertaining to rules and regulations that govern the licensing of P-12 Arkansas teachers and administrators in order to ensure the efficacy of these educators and to meet the educational needs of the children of Arkansas. The following represent the taskforce's recommendations, considerations for implementation and definitions.

Rationale for Recommended Changes:

- The ultimate success of the Teacher Excellence and Support System (Act 1209 of 2011) is predicated on the presence of highly effective teachers and principals in every school and classroom.
- Institutions of Higher Education preparing teacher candidates desire to operate under the one hundred twenty (120) semester hour requirement of Act 747 of 2011.
- The Common Core State Standards Initiative will require increased focus on content knowledge, helping ensure all students are college- and career-ready by high school graduation
- The most prevalent school configuration by grade level in Arkansas is K-6. (See Configuration Attachment)

Recommendations

All of the following recommendations were adopted by unanimous consent of all voting members of the Taskforce attending (19 present; 5 absent) during final consideration, with the exception of Recommendations 1 and 25. The vote for these is provided as (**# Voting Yes - # Voting No**). The rationale for those voting yes and those voting no is provided at the end of this report.

Levels of Licensure and Add-Ons

1. Levels of initial licensure will convert from P-4, 4-8, 7-12 to K-6, 4-8, and 7-12. ***(15-4)**
2. An initial Birth to Pre-kindergarten (B-PK) license and/or a B-PK endorsement to a K-6 license will be developed under a State Board of Education (State Board) approved program of study.
3. Initial licensure in special education shall be K-12 only. (Note: An examination of required subject matter content courses should be undertaken.)
4. An endorsement for content specialist at K-6 or 4-8 will require a minimum number of subject matter courses developed under a State Board approved program of study. (Note: hours may vary per content area.)
5. Candidates for 4-8 licensure must concentrate in two core subject areas of their choice (English, mathematics, science, social studies) and pass the appropriate content assessments. (Note: The intent is to have a middle level focus with the content study geared to teaching this age student.)

6. The current 5-6 endorsement for P-4 will be eliminated, but retained for 7-12. (Note: If this passes, the State must work with Educational Testing Service to coordinate examinations; the endorsement will remain for P-4 until full transition to K-6.)
7. Content area teachers, adding another level of licensure through testing, may only test one level above or below that of their initial license. Any level so added may not become a platform to test out of an additional level.
 - a. Anyone choosing to add an area more than one level above or below initial license must complete a program of study as identified by the State Board.
 - b. P-12 and K-12 areas can only add another area through a program of study as identified by the State Board.
 - c. Added endorsements as identified by the State Board may not be added to a current license through testing, but only by completing a program of study approved by the State Board and passing the required state-approved assessment(s).
8. Non-Instructional Student Services Personnel (who do not have a content area license), Career and Technical, and Adult Education teachers wishing to add a licensure area(s) shall complete a teacher preparation program (traditional or non-traditional) and other requirements as stipulated by the State Board.
9. The level of initial licensure for music, art, physical education/health, foreign language, and speech/drama will convert from P-12 (possessing both P-8 and 7-12 licenses) to K-12.
 - a. Such candidates will not be allowed to add PK or Adult Education endorsements through testing, but only by completing a State Board approved program of study.
 - b. P-12 or K-12 adding a K-6 and/or 4-8 will need to complete a program of study inclusive of reading, mathematics, and appropriate developmental psychology, as well as complete the required content assessment.
 - c. The only areas P-12 or K-12 can add through testing are at 7-12.
10. The 4-8 level of licensure for the Integrated Vocational Education areas of Industrial Technology Education, Family and Consumer Sciences, Agriculture Sciences and Technology, and Marketing Technology shall be discontinued.
11. The 4-8 and 7-12 levels of licensure for the Integrated Vocational Education area of Business Technology shall be retained as a 4-12 level.
12. The post-secondary level of licensure for the Integrated Vocational Education areas of Industrial Technology Education, Family and Consumer Sciences, Agriculture Sciences and Technology, Marketing Technology, and Business Technology shall be discontinued.
13. The process, procedures and requirements for adding additional licensure areas shall become the responsibility of the Arkansas Department of Education (Department) in consultation with the Institutions of Higher Education with final approval by the State Board.

Novice Teacher

14. A novice teacher, defined as one with no experience, will not be allowed to circumvent the experience requirement by becoming licensed in another state and being allowed to transfer a standard license to Arkansas without documentation of experience required by Arkansas rules. All novice teachers will be required to be mentored regardless of their pathway to licensure. It is the recommendation that the Department continue funding for mentoring. Failure to complete the mentoring program will result in a standards violation for the district (citation). (Note: Although this conflicts with current law, it is the recommendation that this law be revisited.)

Praxis III

15. At the end of May 2012, the Praxis III will no longer be required. Current novice teachers during 2011-12 will be required to successfully complete Praxis III. (Note: This is supported by the requirements of Act 1209 of 2011.)

National Council of Accreditation of Teacher Education and Specialty Area Programs

16. The partnership with the National Council for Accreditation of Teacher Education (NCATE) will be maintained, with the elimination of the Specialty Program Areas accreditation requirement at the end of the current cycle.
17. A partnership shall be entered into with the newly formed Council of Accreditation of Education Programs (CAEP) for *Option 1: NCATE Continuous Improvement*, with *Option 2: NCATE Transformational Initiative* as an alternative for those schools meeting all standards. There will be no state requirement for seeking national recognition from the specialized professional associations.

Endorsements

18. A subject-specific test will be obtained, as an option to the Principles of Learning and Teaching (PLT) exam, for use in adding English as a Second Language (ESL) endorsement. (Note: The State must work with Educational Testing Service to procure this test.)
19. A subject-specific test will be obtained for use in adding a journalism endorsement. (Note: The Department and State Board must work with Educational Testing Service to procure this test.)
20. A minimum 2.5 Grade Point Average will be required for any additional program of study taken to add an endorsement.

Administrator Licensure/Experience Requirements

21. Applicants from out of state seeking licensure through reciprocity must document required teaching experience as defined by Arkansas rules for that area.
22. When laws and rules are written, consider the group under which counselors and library media specialists are categorized (teacher, administrator, other). Consistency is needed in referencing librarians as media specialists.
23. Initial licensure for building level leaders (principal and curriculum program administrator) shall be discontinued.
24. First year building level leaders and district level leaders will be required to be mentored. Failure to complete the mentoring program will result in a standards violation (citation).
25. Four years of teaching experience shall be required for building level leader licensure. The 3 years of experience required at the level seeking licensure shall be deleted. **** (15-3)**
26. Two years of teaching experience shall be required for the licensure areas of Library Media Specialist and Counselor.
27. One year of experience as a building level leader (principal or curriculum program administrator) shall be required for district level administrator licensure.

Licensure Renewal

28. Professional development information shall be submitted on the August 15th reporting cycle to allow more time for renewal notification.

29. The necessary record keeping and timeline documentation for professional development requirements will be standardized.
30. Efforts to continue automatic renewal of license in a timely manner are essential.
31. The fee charged to add a degree to a license shall be discontinued.

Implementation Considerations

- Due to the volume of approvals that must be granted, and to allow students who are currently invested in a program of study the opportunity to complete requirements under current guidelines, there needs to be a minimum two-year time frame to redesign programs and allow these students to complete under their current guidelines. The earliest date for program of study redesign and approval would be July 2014.
- In transitioning to the new system, the Department will automatically update existing licenses to the new areas and levels where possible; no one will lose any area or level if a direct transition is not available.
- There should not be any Praxis II test changes for affected areas during transition.
- Any existing laws, rules, or regulations in conflict with any of these recommendations should be revisited.

Definitions

- B-PK: Licensure to teach children from birth through pre-kindergarten
- Content specialist: The specific subject area 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 Areas and Levels of Licensure chart.
- Experience: As defined by current regulations:
 - a. Teaching Experience (reciprocity 3.22) - Experience earned while employed as a licensed teacher, administrator, Library Media Specialist or counselor for a public or private school, agency or organization in a pre-kindergarten through grade 12 setting.
 - b. Teaching Experience (administration 3.08) - Employment as a licensed classroom teacher of record.
 - c. 3.08.1 Credit for one (1) year of classroom teaching requires a minimum of fifty percent of each day to be spent as a classroom teacher.
 - d. 3.08.2 One (1) year of classroom teaching experience shall equal a minimum of 120 days within a school year.
 - e. 3.08.3 Experience as an Educational Examiner, Adult Education, Athletic Director/Coaching, School Administrator, Speech Pathology (with the exception of Curriculum Program Administrators for Special Education) & School Psychology Specialist is not recognized as classroom teaching experience.
 - f. 3.08.4 Four (4) years of experience as a school counselor or school library media specialist may be counted towards the total of four (4) years of classroom teaching experience for Building Level Administration and Curriculum/Program Administrator for Curriculum only. (Note: This regulation does not support the combination of recommendations 25 and 26 as submitted by the taskforce.)
- Levels of licensure: The grade/age level parameter of the teaching license as approved by the State Board of Education. The recommendation of this task force is K-6, 4-8, 7-12; thus K-6 and 7-12 are not “one level above or below” each other.
- Non-Instructional Student Services Personnel: Individuals licensed as a Speech Pathologist or School Psychology Specialist. This license does not require licensure as a classroom teacher.
- Program of Study: A state approved teacher preparation curriculum based on the Arkansas Licensure Standards (or) coursework/degrees identified by the ADE and approved by the State Board of Education for adding additional areas of licensure to a current Arkansas teaching license.

***Rationale for Voting on Recommendation 1**

Voting For (15)

- Act 1178 (Reciprocity) requires ADE to issue licenses in the levels that they are originally issued.
- These levels of licensure are more aligned with the actual grade spans of schools in Arkansas and the U.S.
- These levels of licensure are more aligned with other states' licenses.
- There is a shortage of well-prepared 5th and 6th grade teachers. In many cases those positions are filled with NTL candidates or P-4 certified teachers with an add-on that requires no content training.
- Teachers who wish to focus on upper elementary content can still take advantage of the 4-8 license.
- The implementation of the CCSS will require a greater emphasis on content knowledge on the part of elementary school teachers, as pointed out by higher education representatives to the Task Force.
- These levels of licensure are not intended to eliminate an initial license in Pre-K.
- These levels of licensure will be best for kids.

Voting Against (4)

- Children will receive an education from teachers who have more specific content training and pedagogy designed for age groups.
- Common Core requires more content knowledge which P-4, 4-8 will deliver.
- Literacy in the early grades, math in the 3-6 grades will not have the emphasis needed due to course hour restrictions in the teacher preparation programs.
- Field experiences for P-4 include both a P-1 and 2-4 experience; 4-8 is generally 4-6 and 7-8 which better prepares teachers for those areas which increase the potential for retention of teachers in the profession.

****Rationale for Voting on Recommendation 25**

Voting For (15)

- As a shortage area, districts need the flexibility in hiring.

Voting Against (3)

- To be an instructional leader, a principal needs to understand the nature of the students and the curriculum in the area of licensure required for the school configuration.



ARKANSAS STATE BOARD OF EDUCATION Resolution to Promote School Breakfast

WHEREAS, the Arkansas State Board of Education values the 468,066 public school children in their trust as one of the State's most precious natural resources; and

WHEREAS, good and ample nutrition for children enhances and enables learning and attentiveness, and improves attendance and behavior at school; and

WHEREAS, scientific research indicates students who eat school breakfast show a general improvement in academic performance, including a general increase in math and reading scores and improvements in speed and memory in cognitive tests; and

WHEREAS, research concludes that children who eat school breakfast eat more fruits, drink more milk and consume less saturated fat and sugar than children who do not eat breakfast, thus helping to prevent childhood obesity; now, therefore, be it

RESOLVED, That, the Arkansas State Board of Education encourages local school districts to seek multiple and innovative ways of increasing school breakfast participation in their schools as an additional means of caring for and nurturing our public school children; and

THAT, the State Board encourages school districts to consider providing breakfast in the classroom during appropriate instructional and educational activities as one of the multiple options for removing barriers to participation in the school breakfast program; and

THAT, the State Board directs a copy of this resolution be entered into the official minutes of the meeting.

Dr. Ben Mays, Chairman

Dr. Tom W. Kimbrell, Commissioner

Date

NOTICE LETTER



ARKANSAS DEPARTMENT OF EDUCATION

Dr. Tom W. Kimbrell
Commissioner

February 15, 2012

**State Board
of Education**

Dr. Ben Mays
Clinton
Chair

Jim Cooper
Melbourne
Vice Chair

Joe Black
Newport

Brenda Gullett
Fayetteville

Sam Ledbetter
Little Rock

Alice Mahony
El Dorado

Toyce Newton
Crossett

Mireya Reith
Fayetteville

Vicki Saviers
Little Rock

Ms. Regina Brown, Superintendent
Lead Hill School District
P.O. Box 20
Lead Hill, Arkansas 72644

Mr. Joe Hulsey, Superintendent
Ozark Mountain School District
250 S. Hwy 65
St. Joe, Arkansas 72675

**Re: Petition for Voluntary Annexation of the Lead Hill School District into the
Ozark Mountain School District**

Dear Superintendent Brown and Superintendent Hulsey:

This letter is to notify you that the State Board of Education (State Board) will hold a hearing concerning the Petition for the Voluntary Annexation of the Lead Hill School District into the Ozark Mountain School District on **Monday, March 12, 2012, at 9:00 a.m. in the Auditorium of the Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas.** The hearing will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by Ark. Code Ann. § 6-13-1401 et seq.

As representatives of the Lead Hill and Ozark Mountain School Districts, you, along with any school board members and/or other representatives of your districts, are requested to attend the hearing to address any questions of the State Board. The superintendents of the contiguous school districts are also encouraged to attend the hearing. Any materials you choose to submit to the State Board should be provided to my office **no later than 12:00 noon on Wednesday, February 22, 2012.**

Thank you for your attention to this important matter. Please contact me at (501) 682-4227 should you have any questions or require additional information.

Respectfully,

Jeremy Lasiter
General Counsel

cc: Dr. Tom Kimbrell, Commissioner of Education
Mr. Tony Wood, Deputy Commissioner of Education
Ms. Phyllis Stewart, State Board Liaison
The Honorable Johnny Key, State Senator
The Honorable Randy Laverty, State Senator

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

The Honorable Jason Rapert, State Senator
The Honorable David Branscum, State Representative
The Honorable John Burris, State Representative
The Honorable Robert Dale, State Representative
The Honorable Karen Hopper, State Representative
The Honorable Bryan King, State Representative
The Honorable Kelly Linck, State Representative
Mr. Scott Smith, Arkansas Public School Resource Center
Mr. Joe B. Couch, Superintendent, Bergman School District
Mr. Richard Denniston, Superintendent, Deer-Mt. Judea School District
Mr. Dale Query, Superintendent, Flippin School District
Dr. Melinda Moss, Superintendent, Harrison School District
Mr. Kerry Saylor, Superintendent, Jasper School District
Dr. Lonnie Myers, Superintendent, Mountain Home School District
Mr. Jerry Parrett, Superintendent, Omaha School District
Mr. Andrew Vining, Superintendent, Searcy County School District
Mr. Charles Trammell, Superintendent, Valley Springs School District
Mr. Larry Ivens, Superintendent, Yellville-Summit School District

PETITION

LEAD HILL SCHOOL DISTRICT NO. 4

P. O. Box 20
6966 Milum Road
Lead Hill, AR 72644-0020

EXCELLENCE IN EDUCATION – *The School of Choice*

ADMINISTRATION

Regina Brown, Superintendent
(870) 436-5249
FAX: (870) 436-5946
Steve Williams, High School Principal
(870) 436-5677
FAX: (870) 436-6827
Debbie Richardson, Elementary Principal
(870) 436-2690

BOARD OF EDUCATION

Randy Rogers, President
Chad Yocham Vice-President
Kaleb Moon- Secretary
Troy Burleson
Bill Pearce

February 9, 2012

**RECEIVED
ATTORNEY'S OFFICE**

FEB 10 2012

Mr. Jeremy C. Lasiter
General Counsel
Arkansas Department of Education
4 Capitol Mall, Room 404-A
Little Rock, AR 72201-1019

**DEPARTMENT OF EDUCATION
GENERAL DIVISION**

RE: Petition for the Voluntary Annexation of the Lead Hill School District into the Ozark Mountain School District

Dear Mr. Lasiter:

On behalf of the Board of Directors of the Lead Hill School District, I am submitting to you a Petition for Annexation requesting the State Board of Education to annex our district into the Ozark Mountain School District effective July 1, 2012. The Petition and accompanying Annexation Agreement have been fully approved by both the Lead Hill and Ozark Mountain School District Boards of Directors.

The attached Petition for Annexation is the culmination of many months of self-study, planning and discussions leading up to our decision to request to be annexed into the Ozark Mountain School District.

I can relate to you and the State Board of Education that both the Lead Hill and Ozark Mountain School Districts are both in support of this requested annexation, and have invested much time and effort to ensure that this annexation will be of benefit to all of the students of the new Ozark Mountain School District.

The Lead Hill School District, which fell below 350 students for the first time this school year, has proactively sought out, and found, an annexation partner which we believe has the capability and capacity to provide our students with quality educational opportunities that will keep them on the path to successful futures.

The Lead Hill and Ozark Mountain School Districts look forward to formally presenting our Petition to the State Board of Education at its March meeting.

Please contact me at 870-436-5249, or Mr. Joe Hulsey, Superintendent of the Ozark Mountain School District, at 870-439-2213, if we may be of assistance.

Sincerely,

A handwritten signature in cursive script that reads "Regina Brown".

Regina Brown
Superintendent
Lead Hill School District

Attachments

cc: Lead Hill Board of Directors
 Mr. Joe Hulsey, Superintendent, Ozark Mountain School District
 Ozark Mountain Board of Directors

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

IN THE MATTER OF THE ANNEXATION OF THE LEAD HILL SCHOOL DISTRICT OF
BOONE AND MARION COUNTIES INTO THE OZARK MOUNTAIN SCHOOL DISTRICT
OF BOONE, MARION, NEWTON AND SEARCY COUNTIES

PETITION FOR ANNEXATION

COMES NOW the Ozark Mountain School District (OMSD) of Marion, Newton and Searcy Counties and the Lead Hill School District (LHSD) of Boone and Marion Counties (Petitioners) acting by and through their respective Superintendents(s) duly authorized, pursuant to A.C.A. § 6-13-1401 et seq., and petition the Arkansas State Board of Education (Board) to approve the annexation of the petitioning affected Lead Hill School District into the petitioning receiving Ozark Mountain School District, and hereby would submit to the Board as follows:

1. Pursuant to A.C.A. § 6-13-1401 et seq., the Petitioners hereby submit and incorporate in this petition as Exhibit A attached hereto, proof of legally binding local board resolutions approving this petition for annexation of the Lead Hill School District into the receiving Ozark Mountain School District as approved by a majority of the quorum present of the local boards of education of the respective Petitioners pursuant to the terms and conditions contained in the approved Voluntary Annexation Agreement attached hereto as Exhibit B.

2. The Petitioners hereby submit and incorporate in this petition as Exhibit C attached hereto, proof of public notice of intent to petition this Board to annex the Lead Hill School District into the receiving Ozark Mountain School District. The public notice of intent to annex was published in the local newspaper(s) of general circulation of the affected and

receiving districts for a time period of no less than once a week for two (2) consecutive weeks prior to the hearing of this petition by this Board.

3. Pursuant to A.C.A. §6-13-1401 et seq., the Petitioners hereby agree the resulting OMSD shall establish a seven (7) member interim school board to serve until the regular school election of 2013. The interim school board shall consist of five (5) board members of the current OMSD and two (2) board members of the LHSD. The respective interim board members from both the LHSD and OMSD school district shall be selected by voluntary resignation of board members and/or drawing of lots of remaining board members as necessary to select the initial respective interim board members to serve from each school district. As soon as feasible after the effective date of annexation, the interim board of education shall develop seven (7) single member zones for school board representation. The zones shall be established, as legally and reasonably possible, around the former school district communities of St. Joe, Bruno, Pyatt, Western Grove and Lead Hill in an effort to try to maintain five (5) board members from the OMSD and two (2) board members from the LHSD. The school board member zones shall be based on latest census data and shall meet state and federal legal requirements.

4. Pursuant to A.C.A. §6-13-1401 et seq., the Petitioners agree that at the regular school election of 2013 all seven (7) school board member zones shall be open for election so that a full school board election shall take place and that the former interim school board shall cease to serve as the school board as determined by the results of the September 2013 full school board election. At the first school board meeting after the full school board election of September 2013, the newly elected school board shall draw lots to stagger the terms of election so that no more than two (2) school board member zones shall be up for election in the same school year. For any newly elected school board members after September 2013, the term of

office for that member shall be a five (5) year term of office. At the first school board meeting after the September 2013 school election and after the board of directors have drawn lots for staggered terms the newly elected school board shall elect officers to serve on the board of directors.

5. The Petitioners submit that their respective school districts are geographically contiguous.

6. The Petitioners submit that they hereby request through the State Board, an Attorney General Opinion declaring whether the petitioned annexation will or will not hamper, delay or in any manner negatively affect the desegregation of another school district or districts in this state. Upon receipt, the resulting opinion shall be incorporated herein and attached hereto as Exhibit D.

7. Pursuant to A.C.A. § 6-13-1401 et seq., the Petitioners hereby submit and declare that the effective date of this petitioned annexation shall be July 1, 2012, and that there shall be only one local school board and the current one local superintendent of the receiving Ozark Mountain School District, Mr. Joe Hulsey, shall continue to be superintendent of the receiving Ozark Mountain School District.

8. The Petitioners hereby submit an affidavit of facts by the superintendent of the affected school district(s), which is incorporated as Exhibit E, concerning the relevant status of any federal court-ordered supervision or jurisdiction of desegregation cases involving the affected districts.

WHEREFORE, Petitioners request that the Board approve the annexation of the Lead Hill School District of Boone and Marion Counties into the receiving Ozark Mountain School

District of Marion, Newton and Searcy Counties; that it issue an Order dissolving the affected school districts and establishing the receiving Ozark Mountain School District; that it issue an Order establishing the boundary lines of the receiving school district and prepare a map of the resulting OMSD; and that it file its Order and map with the County Clerks of Boone, Marion, Newton and Searcy Counties, and the Arkansas Geographic Information Office.

Respectfully submitted,

Lead Hill School District

By: Regina Brown 1/17/12
Superintendent Date
Ruby Ryan 1/17/12
President, School Board Date

Ozark Mountain School District

By: Joe Hulsey 1-16-12
Superintendent Date
Jesse Rose 1-16-12
President, School Board Date

Exhibit A

School Board Resolution

COMES NOW the Lead Hill School District Board acting by and through its Superintendent duly authorized and do herein declare:

A special or regular school board meeting was held on 12/22/11, 2011, wherein a quorum was present and a majority of the quorum voted to approve the annexation of the Lead Hill School District into the Ozark Mountain School District, and the minutes of said meeting reflect such. Therefore, this document is to serve as the formal resolution of the Lead Hill School District Board of Directors, pursuant to Arkansas law, that said annexation is hereby approved.

Lead Hill School District

of Boone and Marion Counties

By:

Regina Brown
Superintendent

12/22/11
Date

Randy Ryan
President, School Board

12/22/11
Date

Exhibit A

School Board Resolution

COMES NOW the Ozark Mountain School District Board acting by and through its Superintendent duly authorized and do herein declare:

A special or regular school board meeting was held on January 16, 2012, wherein a quorum was present and a majority of the quorum voted to approve the annexation of the Lead Hill School District into the Ozark Mountain School District, and the minutes of said meeting reflect such. Therefore, this document is to serve as the formal resolution of the Ozark Mountain School District Board of Directors, pursuant to Arkansas law, that said annexation is hereby approved.

Ozark Mountain School District

of Marion, Newton and Searcy Counties

By:

Superintendent

Date

President, School Board

Date

[Signature] 1-16-12
[Signature] 1-16-12

Exhibit B

**AGREEMENT FOR AN VOLUNTARY ANNEXATION OF THE
LEAD HILL SCHOOL DISTRICT INTO THE OZARK MOUNTAIN SCHOOL DISTRICT**

WHEREAS, the Lead Hill School District (LHSD) of Boone and Marion Counties, and the Ozark Mountain School District, of the Marion, Newton and Searcy Counties, (OMSD), (together, LHSD and OMSD are the "schools"), and both LHSD and OMSD hereby agree to petition the Arkansas State Board of Education to cause the LHSD to be annexed into the resulting OMSD, pursuant to Ark. Code Ann § 6-13-1401 *et. seq.*, and

WHEREAS, both LHSD and OMSD agree that it would be in the best interest of the students, schools and their patrons for the Schools to enter into this Voluntary Annexation Agreement (Agreement), and

WHEREAS, the purpose of this Agreement is to set forth the terms and conditions of the proposed voluntary annexation so that the annexation may be accomplished in the best interest of the students, schools and the schools' patrons.

NOW THEREFORE, in consideration of their mutual promises and agreements, LHSD and OMSD agree as follows:

1. Effective date. The effective date of the voluntary annexation shall be July 1, 2012.
2. Names. The OMSD is willing to approve an annexation of the LHSD under the following terms of agreement. The resulting school district shall be known as the Ozark Mountain School District. The Lead Hill campus shall be known as the Lead Hill Campus and the Bruno-Pyatt, St. Joe and Western Grove campuses of the OMSD, shall continue to be so referenced after the annexation. Each of the campuses within the resulting OMSD shall continue to keep their same mascots, and each school host and play extracurricular events on their respective campuses until such time as determined otherwise by the OMSD board of directors.
3. Pursuant to A.C.A. §6-13-1401 *et seq.*, the Petitioners hereby agree the resulting OMSD shall establish a seven (7) member interim school board to serve until the regular school election of 2013. The interim school board shall consist of five (5) board members of the current OMSD and two (2) board members of the LHSD. The respective interim board members from both the LHSD and OMSD school district shall be selected by voluntary resignation of board members and/or drawing of lots of remaining board members as necessary to select the initial respective interim board members to serve from each school district. As soon as feasible after the effective date of annexation, the interim board of education shall develop seven (7) single member zones for school board representation. The zones shall be established, as legally and reasonably possible, around the former school district communities of St. Joe, Bruno, Pyatt, Western Grove and Lead Hill in an effort to try to maintain five (5) board members from the OMSD and two (2) board members from the LHSD. The school board member zones shall be based on latest census data and shall meet state and federal legal requirements.
4. Pursuant to A.C.A. §6-13-1401 *et seq.*, the Petitioners agree that at the regular school election of 2013 all seven (7) school board member zones shall be open for election so that a full school board election shall take place and that the former interim school board shall cease to serve as the school board as determined by the results of the September 2013 full school board election. At the first school board meeting after the full school board election of September 2013, the newly elected school

board shall draw lots to stagger the terms of election so that no more than two (2) school board member zones shall be up for election in the same school year. For any newly elected school board members after September 2013, the term of office for that member shall be a five (5) year term of office. At the first school board meeting after the September 2013 school election and after the board of directors have drawn lots for staggered terms the newly elected school board shall elect officers to serve on the board of directors.

5. Superintendent. Mr. Joe Hulsey shall remain under contract as superintendent of the Ozark Mountain School District.

6. School Employees Employment. All employees of LHSD employed as of July 1, 2012, shall become employees of the OMSD for the 2012-2013 school year only and shall be subject to all terms, conditions of contract, personnel and other policies of the OMSD. After evaluating the needs of the district during the 2012-2013 school year, all staff of the former LHSD shall be reviewed for continued employment needs and shall remain subject to reassignment of duties, non-renewal or termination of contract provisions as allowed by law and policies of OMSD.

All applicable Arkansas laws concerning personnel and interim and permanent personnel policy committees shall be complied with.

7. School Facilities. Both OMSD and LHSD agree that OMSD will allow the Lead Hill School campus to continue to operate both an elementary and high school system in the OMSD as long as deemed economically and educationally feasible and beneficial to the OMSD as a whole as determined by the school board of directors of the OMSD based on a periodic review as determined by the local board; and there shall be no specific test or determination or binding obligation on any future school board concerning the decision to open or close either or both of the schools in the district, including a school on the current Lead Hill School campus.

8. Millage Rates. During the 2012-2013 school year, the OMSD school board shall review the local millage rates to determine what uniform rate is best for the school district. However, the local millage rates shall remain the same until changed by the voters.

9. Petition. The attached petition of annexation (Attachment A) shall be approved by both the Lead Hill School Board and Ozark Mountain School Board and submitted to the State Board of Education on or about the week of December 12-15, 2011.

10. School Choice/Student Transfer. All students eligible for school choice under applicable law may exercise school choice option as allowed by law.

11. Entire Agreement. This Agreement along with the schools' Petition for Annexation (Attachment A) represents the entire proposal of annexation and no other terms or conditions or a proposed merger are contemplated or approved by either LHSD or OMSD at this time. The terms of this agreement are subject to and contingent upon the Arkansas State Board of Education approving the attached Petition for Annexation of the LHSD into the OMSD.

12. Applicable law. The annexation shall be effective in accordance with the laws and regulations of the state of Arkansas.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the 17th
day of January, 2012.

LEAD HILL SCHOOL DISTRICT OF BOONE AND MARION COUNTIES, ARKANSAS

By: Randy Ryan
President, Board of Directors

By: Kathy
Secretary, Board of Directors

OZARK MOUNTAIN SCHOOL DISTRICT OF MARION, NEWTON AND SEARCY COUNTIES, ARKANSAS

By: Jesse Rose
President, Board of Directors

By: Michael D. Eason
Secretary, Board of Directors

Exhibit C

Lead Hill Schools

Certificate of Publication

STATE OF ARKANSAS

SS

COUNTY OF BOONE

Carol Lawson

NOTICE OF INTENT

RELATIVES

The Ozark Mountain School District of Marion, Newell, and Seelye Counties and the Lead Hill School District of Boone and Marion Counties, Arkansas, hereby provide notice of the intent to file a petition with the Arkansas State Board of Education, requesting approval to annex the Lead Hill School District into the existing Ozark Mountain School District. On January 16, 2012, the Ozark Mountain School Board met and approved the petition and on December 22, 2011, the Lead Hill School Board met and approved the petition and both districts are hereby giving notice to the public of the district's intent to annex into one school district.

I, Carol Lawson, Business Manager of the HARRISON DAILY TIMES, a daily newspaper published at Harrison, Boone County, Arkansas, and that said newspaper has a bona fide circulation in said county, that the annex advertisement was inserted, and published, in said newspaper for 2 consecutive weeks, as follows: 1st insertion

on the 21 day of Jan 20 12

2nd on the 28 day of Jan 20 12

3rd on the ___ day of ___ 20__

4th on the ___ day of ___ 20__

5th on the ___ day of ___ 20__

6th on the ___ day of ___ 20__

Carol Lawson
Business Manager

Subscribed and sworn to before me this 28 day of Jan 20 12

FEE \$84.00

Ozark Mountain
School District
Certificate of Publication

STATE OF ARKANSAS

COUNTY OF BOONE

Intent to Annex
SS

Carol Lawson

I, _____ upon oath
state that I am Business Manager of the HARRISON DAILY TIMES, a
daily newspaper published at Harrison, Boone County, Arkansas, and

that said newspaper has a bona fide circulation in said county, that the annexed advertisement was inserted, and published, in said newspaper for 2 consecutive weeks, as follows: 1st insertion

on the 21 day of Jan 20 12

2nd on the 28 day of Jan 20 12

3rd on the _____ day of _____ 20 _____

4th on the _____ day of _____ 20 _____

5th on the _____ day of _____ 20 _____

6th on the _____ day of _____ 20 _____

Carol Lawson
Business Manager

Subscribed and sworn to before me
this 31 day of Jan 20 12

Allen J. Horton
FEE 48400

NOTICE OF INTENT
TO ANNEX
The Ozark Mountain
School District of Marion,
Newton and Searcy
Counties and the Lead Hill
School District of Boone
and Marion Counties
hereby provide lawful
notice of the intent to file a
petition with the Arkansas
State Board of Education
requesting approval to
annex the Lead Hill School
District into the receiving
Ozark Mountain School
District. On January 18,
2012, the Ozark Mountain
School Board met and
approved the petition and
on December 22, 2011, the
Lead Hill School Board met
and approved the petition
and both districts are
hereby giving notice to the
public of the district's intent
to annex into one school
district.
The superintendent of
each school district has
been granted the authority
to petition the State Board
of Education for
annexation. Said petition
shall be filed with the State
Board of Education at
least thirty days prior to
the meeting when the
petition will be presented
for the consideration of the
State Board of Education.
1st pub 1/21/12 2T

Exhibit E

Affidavit Concerning Desegregation Orders

COMES NOW the Ozark Mountain School District, acting by and through its Superintendent, and hereby states and represents to the State Board of Education that, to the best of my knowledge, the Ozark Mountain School District currently is not involved in desegregation litigation in a United States Federal Court or is under the continuing jurisdiction of a United States Federal Court Order regarding desegregation of a public school or schools (see "*" at bottom of affidavit).

FURTHER the affiant sayeth not.

IN WITNESS WHEREOF, I hereunto set my hand this 17th day of

January, 2012.

County of Boone
State of Arkansas

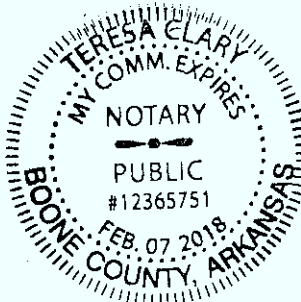
Joe Hulsey
Superintendent

Sworn and subscribed before me, Notary Public, this 17th day of January, 2012.

Teresa Clary
Notary Public

My Commission expires

Feb 7, 2018



* = If you answered, "is involved in desegregation litigation, etc." above, please attach a copy of any applicable Court orders or other relevant documentation.

Exhibit E

Affidavit Concerning Desegregation Orders

COMES NOW the Lead Hill School District, acting by and through its Superintendent, and hereby states and represents to the State Board of Education that, to the best of my knowledge, the Lead Hill School District currently is not involved in desegregation litigation in a United States Federal Court or is under the continuing jurisdiction of a United States Federal Court Order regarding desegregation of a public school or schools (see "*" at bottom of affidavit).

FURTHER the affiant sayeth not.

IN WITNESS WHEREOF, I hereunto set my hand this 17th day of

January, 2011.

Regina Brown
Superintendent

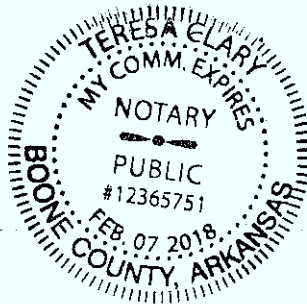
County of Boone
State of Arkansas

Sworn and subscribed before me, Notary Public, this 17th day of January, 2011.

Teresa Clary
Notary Public

My Commission expires

Feb 7, 2018



* = If you answered, "is involved in desegregation litigation, etc." above, please attach a copy of any applicable Court orders or other relevant documentation.

APPLICABLE LAWS

View Full

A.C.A. § 6-13-1401

Return to Search Results

A.C.A. § 6-13-1401 (Copy w/ Cite)

Pages: 2

A.C.A. § 6-13-1401

Arkansas Code of 1987 Annotated Official Edition
© 1987-2011 by the State of Arkansas
All rights reserved.

*** Legislation is current through the 2011 Regular Session and updates ***
*** received from the Arkansas Code Revision Commission through ***
*** November 16, 2011. ***

Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 13 School Districts
Subchapter 14 -- Consolidation, Annexation, and Formation

A.C.A. § 6-13-1401 (2011)

6-13-1401. Definitions.

As used in this subchapter:

(1) "Affected district" means a school district that:

(A) Loses territory or students as a result of annexation; or

(B) Is involved in a consolidation;

(2) "Aggrieved district" means the lawfully constituted and existing board of directors of a school district that gains or loses territory or students as a result of an annexation or consolidation;

(3) "Annexation" means the joining of an affected school district or part thereof with a receiving district;

(4) "Consolidation" means the joining of two (2) or more affected school districts or parts thereof to create a new single school district;

(5) "Receiving district" means a school district or districts that receive territory or students, or both, from an affected district as a result of annexation; and

(6) "Resulting district" means the new school district created from an affected district or districts as a result of consolidation.

HISTORY: Acts 2001, No. 1225, § 1; 2011, No. 989, § 5; 2011, No. 1217, § 1.

View Full

A.C.A. § 6-13-1401

Return to Search Results

A.C.A. § 6-13-1401 (Copy w/ Cite)

Pages: 2

[View Full](#)[A.C.A. § 6-13-1402](#)[Return to Search Results](#)**A.C.A. § 6-13-1402** (Copy w/ Cite)

Pages: 1

A.C.A. § 6-13-1402

Arkansas Code of 1987 Annotated Official Edition

© 1987-2011 by the State of Arkansas

All rights reserved.

*** Legislation is current through the 2011 Regular Session and updates ***

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

*** November 16, 2011. ***

Title 6 Education

Subtitle 2. Elementary And Secondary Education Generally

Chapter 13 School Districts

Subchapter 14 -- Consolidation, Annexation, and Formation

A.C.A. § 6-13-1402 (2011)

6-13-1402. Consolidation and annexation authority.

There shall not be any consolidation or annexation of any public school district with any other school district in the state without the prior consent and approval of the State Board of Education.

HISTORY: Acts 2001, No. 1225, § 1.[View Full](#)[A.C.A. § 6-13-1402](#)[Return to Search Results](#)**A.C.A. § 6-13-1402** (Copy w/ Cite)

Pages: 1

In

About LexisNexis | Privacy Policy | Terms & Conditions | Contact Us
Copyright © 2012 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

[View Full](#)[A.C.A. § 6-13-1403](#)[Return to Search Results](#)**A.C.A. § 6-13-1403** (Copy w/ Cite)*A.C.A. § 6-13-1403*

Pages: 4

Arkansas Code of 1987 Annotated Official Edition
© 1987-2011 by the State of Arkansas
All rights reserved.

*** Legislation is current through the 2011 Regular Session and updates ***
*** received from the Arkansas Code Revision Commission through ***
*** November 16, 2011. ***

Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 13 School Districts
Subchapter 14 -- Consolidation, Annexation, and Formation

A.C.A. § 6-13-1403 (2011)

6-13-1403. Conditions under which the State Board of Education may annex school districts.

(a) The State Board of Education shall consider the annexation of an affected school district or districts to a receiving district or districts under the following conditions:

(1) The state board, after providing thirty (30) days written notice to the affected school districts, determines that annexation is in the best interest of the affected district or districts and the receiving district based upon failure to meet standards for accreditation or failure to meet academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., and the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.;

(2) (A) The affected district or districts file a petition with the state board requesting annexation to a particular receiving district or districts, and a copy of the petition is filed with the county clerk's office of each county where the affected district or districts are located;

(B) The county clerk's office of each county where the affected district or districts are located certifies in writing that the petition has been signed by a majority of the qualified electors of the affected district or districts; and

(C) The receiving district or districts provide to the state board written proof of consent to receive the affected district or districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education or by a vote to approve annexation by a majority of the qualified electors of the receiving district as provided for in § 6-14-122;

(3) (A) A majority of the qualified electors in the affected district or districts vote to approve the annexation of an affected school district or districts to a receiving district or districts as provided for in § 6-14-122; and

(B) The receiving district or districts provide to the state board written proof of consent to receive the affected district or districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education

or by a vote to approve annexation by a majority of the qualified electors of the receiving district as provided in § 6-14-122; or

(4) (A) The local board of education of the affected district or districts votes to approve by resolution the annexation of the affected district or districts to a receiving district or districts by a majority of the members of the local board of education of the affected district or districts; and

(B) The receiving district or districts provide to the state board written proof of consent to receive the affected district or districts by annexation as evidenced by either a vote to approve annexation by resolution by a majority of the members of the local receiving board of education or by a vote to approve annexation by a majority of the qualified electors of the receiving districts as provided for in § 6-14-122.

(b) The state board may vote to approve, by a majority of a quorum present of the members of the state board, the annexation of the affected districts into a receiving district:

(1) The state board, after providing thirty (30) days written notice to the affected districts, may on its own motion based on a school district's failure to meet standards for accreditation or failure to meet academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., and the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.; or

(2) Upon receipt of a valid petition for annexation and after receiving proof from the petitioning party of at least one (1) of the required conditions set forth in subsection (a) of this section and upon receipt of proof of the issuance of public notice of the intent to annex affected districts into a receiving district or districts in the local newspapers of general circulation in the affected districts for a time period of no less than one (1) time a week for two (2) consecutive weeks immediately prior to the time the petition is filed with the state board.

(c) (1) In order for the petition for annexation to be valid, it shall be filed with the state board at least thirty (30) days prior to the next regularly scheduled state board meeting, at which time the petition will be presented for hearing before the state board.

(2) However, no petition is required for the state board to annex a school district or districts upon a motion of the state board as allowed in subsection (b).

(d) (1) Upon determination by the state board to annex a school district or approval of a petition requesting annexation, the state board shall issue an order dissolving the affected districts and establishing the receiving school district or districts.

(2) (A) The state board shall issue an order establishing the boundary lines of the receiving district or districts.

(B) It shall be the duty of the Department of Education to make changes in the maps of the school districts to properly show the boundary lines of the receiving district or districts.

(e) (1) The state board shall:

(A) Issue an order establishing the changed boundaries; and

(B) File the order with the:

(i) County clerk of each county where a receiving district is located;

(ii) Secretary of State; and

(iii) Arkansas Geographic Information Office.

(2) The county clerk shall make a permanent record of the order.

(3) The boundaries established under this subsection shall be the boundaries of the receiving district until changes are made according to the provisions of law.

(f) The state board shall not annex affected districts that are not geographically contiguous unless the following limited conditions are determined to be valid reasons for annexation:

(1) The annexation will result in the overall improvement in the educational benefit to students in all the school districts involved; or

(2) The annexation will provide a significant advantage in transportation costs or service to all the school districts involved.

HISTORY: Acts 2001, No. 1225, § 1; 2003, No. 1467, § 19; 2011, No. 989, § 6.

View Full

◀ A.C.A. § 6-13-1403 ▶



Return to Search Results

A.C.A. § 6-13-1403 (Copy w/ Cite)

Pages: 4

In

About LexisNexis | Privacy Policy | Terms & Conditions | Contact Us
Copyright © 2012 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

View Full

A.C.A. § 6-13-1408

Return to Search Results

A.C.A. § 6-13-1408 (Copy w/ Cite)

A.C.A. § 6-13-1408

Pages: 2

Arkansas Code of 1987 Annotated Official Edition
© 1987-2011 by the State of Arkansas
All rights reserved.

*** Legislation is current through the 2011 Regular Session and updates ***
*** received from the Arkansas Code Revision Commission through ***
*** November 16, 2011. ***

Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 13 School Districts
Subchapter 14 -- Consolidation, Annexation, and Formation

A.C.A. § 6-13-1408 (2011)

6-13-1408. Annexation or consolidation not to negatively impact state-assisted desegregation.

(a) The State Board of Education shall not order any annexation or consolidation under this subchapter or any other act or any combination of acts which hampers, delays, or in any manner negatively affects the desegregation efforts of a school district or districts in this state.

(b) Prior to the entry of any order under this subchapter, the state board shall seek an advisory opinion from the Attorney General concerning the impact of the proposed annexation or consolidation on the effort of the state to assist a school district or districts in desegregation of the public schools of this state.

(c) Any order of annexation or consolidation or combination thereof that violates the provisions of this section shall be null and void.

HISTORY: Acts 2001, No. 1225, § 1.

View Full

A.C.A. § 6-13-1408

Return to Search Results

A.C.A. § 6-13-1408 (Copy w/ Cite)

Pages: 2

In

About LexisNexis | Privacy Policy | Terms & Conditions | Contact Us
Copyright © 2012 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

[View Full](#)[A.C.A. § 6-13-1409](#)[Return to Search Results](#)**A.C.A. § 6-13-1409** (Copy w/ Cite)Pages: **2**

A.C.A. § 6-13-1409

Arkansas Code of 1987 Annotated Official Edition
© 1987-2011 by the State of Arkansas
All rights reserved.

*** Legislation is current through the 2011 Regular Session and updates ***
*** received from the Arkansas Code Revision Commission through ***
*** November 16, 2011. ***

Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 13 School Districts
Subchapter 14 -- Consolidation, Annexation, and Formation

A.C.A. § 6-13-1409 (2011)

6-13-1409. State Board of Education.

(a) The State Board of Education shall have the following duties regarding consolidations and annexations:

(1) To form local school districts, change boundary lines of school districts, dissolve school districts and annex the territory of those school districts to another school district, create new school districts, and perform all other functions regarding changes in school districts in accordance with the law;

(2) To transfer funds and attach territory that is in no school district to other school districts as may seem best for the educational welfare of the children; and

(3) To enact rules and regulations regarding the consolidation and annexation of school districts under this title.

(b) The millage rate of the electors of the affected district shall remain the same until an election may be held to change the rate of taxation for the resulting district or receiving district.

HISTORY: Acts 2001, No. 1225, § 1; 2003, No. 1467, § 20.

[View Full](#)[A.C.A. § 6-13-1409](#)[Return to Search Results](#)**A.C.A. § 6-13-1409** (Copy w/ Cite)Pages: **2**

In

About LexisNexis | Privacy Policy | Terms & Conditions | Contact Us
Copyright © 2012 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

[View Full](#)[← A.C.A. § 6-13-1410 →](#)[Return to Search Results](#)**A.C.A. § 6-13-1410** (Copy w/ Cite)

Pages: 1

A.C.A. § 6-13-1410

Arkansas Code of 1987 Annotated Official Edition

© 1987-2011 by the State of Arkansas

All rights reserved.

*** Legislation is current through the 2011 Regular Session and updates ***
*** received from the Arkansas Code Revision Commission through ***
*** November 16, 2011. ***

Title 6 Education

Subtitle 2. Elementary And Secondary Education Generally

Chapter 13 School Districts

Subchapter 14 -- Consolidation, Annexation, and Formation

A.C.A. § 6-13-1410 (2011)

6-13-1410. Appeal and election.

Notwithstanding any other provision of law, the decision of the State Board of Education regarding a consolidation or annexation shall be final with no further right of appeal except that only an aggrieved district may appeal to Pulaski County Circuit Court pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

HISTORY: Acts 2003, No. 1467, § 21; 2011, No. 989, § 8.[View Full](#)[← A.C.A. § 6-13-1410 →](#)[Return to Search Results](#)**A.C.A. § 6-13-1410** (Copy w/ Cite)

Pages: 1

In

About LexisNexis | Privacy Policy | Terms & Conditions | Contact Us
Copyright © 2012 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

[View Full](#)[A.C.A. § 6-13-1411](#)[Return to Search Results](#)**A.C.A. § 6-13-1411** (Copy w/ Cite)

Pages: 2

A.C.A. § 6-13-1411

Arkansas Code of 1987 Annotated Official Edition
© 1987-2011 by the State of Arkansas
All rights reserved.

*** Legislation is current through the 2011 Regular Session and updates ***
*** received from the Arkansas Code Revision Commission through ***
*** November 16, 2011. ***

Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 13 School Districts
Subchapter 14 -- Consolidation, Annexation, and Formation

*A.C.A. § 6-13-1411 (2011)***6-13-1411. Use of fund balances.**

(a) Unless otherwise approved by a unanimous vote of the board of directors of the resulting district, the fund balances of any school district that is consolidated, annexed, or otherwise reorganized shall be used by the resulting district solely for the construction of facilities or the operation, maintenance, or support of the schools that were located in the affected school district from which the fund balance was derived if any of the facilities of the affected district from which the fund balance was derived remain open.

(b) The provisions of this section shall not apply if the consolidation or annexation is because of the school district's failure to meet standards for accreditation or failure to meet academic or fiscal distress requirements pursuant to The Quality Education Act of 2003, § 6-15-201 et seq., the Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, § 6-15-401 et seq., or the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.

HISTORY: Acts 2003 (2nd Ex. Sess.), No. 71, § 1.

[View Full](#)[A.C.A. § 6-13-1411](#)[Return to Search Results](#)**A.C.A. § 6-13-1411** (Copy w/ Cite)

Pages: 2

In

About LexisNexis | Privacy Policy | Terms & Conditions | Contact Us
Copyright © 2012 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

[View Full](#)[A.C.A. § 6-13-1416](#)[Return to Search Results](#)**A.C.A. § 6-13-1416** (Copy w/ Cite)

Pages: 4

A.C.A. § 6-13-1416

Arkansas Code of 1987 Annotated Official Edition
© 1987-2011 by the State of Arkansas
All rights reserved.

*** Legislation is current through the 2011 Regular Session and updates ***
*** received from the Arkansas Code Revision Commission through ***
*** November 16, 2011. ***

Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 13 School Districts
Subchapter 14 -- Consolidation, Annexation, and Formation

A.C.A. § 6-13-1416 (2011)

6-13-1416. Voluntary consolidation or annexation -- Effective date -- Interim board of directors.

(a) This section applies to any petition for consolidation or annexation of a school district submitted to the State Board of Education by a school district.

(b) The effective date of a petition for consolidation or annexation of a school district shall be the July 1 after the state board approves the consolidation or annexation petition unless the state board approves an alternative effective date or determines otherwise.

(c) (1) Each board of directors of an affected district and receiving district shall enter into a written agreement approved by the quorum of the members of each board of directors present and executed by the president and secretary of each school board of directors.

(2) The written agreement may prescribe the effective date of the annexation of the affected district to the receiving district or the effective date of the formation of the resulting district from consolidation of affected districts, subject to approval by the state board.

(3) (A) The written agreement may prescribe the number of members of the permanent board of directors of the resulting district or receiving district and the manner of formation of the permanent board of directors of the resulting district or receiving district under § 6-13-1417 or as allowed by law.

(B) (i) If the written agreement prescribes the formation of a new permanent board of directors, the written agreement shall specify whether the new permanent board of directors will be elected at the first or second school election after the effective date of consolidation or annexation.

(ii) The election of a new permanent board of directors may take place during the second school election after the effective date of consolidation or annexation only if additional time is necessary to implement single-member zoned elections.

(d) The written agreement may prescribe for the formation of an interim board of directors, including the number of members, the length of member terms, and the manner of formation as follows:

(1) Establish an interim board of directors to govern the resulting district or receiving district that consists of either five (5) or seven (7) members selected from the boards of directors from the affected districts and receiving districts based on the proportion of the student population of each of the affected districts and receiving districts before consolidation or annexation;

(2) Designate the existing board of directors of one (1) affected district in a consolidation or the existing board of directors of the receiving district in an annexation as the interim board of directors; or

(3) Determine that an interim board of directors is not necessary and may designate the existing board of directors of one (1) affected district in a consolidation or the existing board of directors of the receiving district in an annexation to remain as the permanent school board of directors.

(e) (1) If the written agreement prescribes the formation of an interim board of directors, the interim board of directors shall serve until the first school election after the effective date of consolidation or annexation unless:

(A) Any members of the permanent board of directors of the resulting district or receiving district are elected from single-member zones, then the interim board of directors may serve until the second school election after the effective date of consolidation or annexation under subdivision (c)(3)(B) of this section; or

(B) All the members of the permanent board of directors of the resulting district or receiving district are elected at-large, then the state board may stagger the terms of the interim board of directors, which shall be determined by lot so that no more than two (2) members' terms expire during any one (1) year.

(2) If the written agreement prescribes formation of an interim board of directors, the board of directors of the affected district before the consolidation or the affected district and receiving district before annexation may determine independently how to select members of the existing board of directors to serve on the interim board of directors by:

(A) The voluntary resignation of one (1) or more members of the existing board of directors;

(B) Selecting one (1) or more members of the existing board of directors by a majority vote of the school board; or

(C) Selecting one (1) or more members of the existing board of directors by a random lot drawing.

(3) If the written agreement in an administrative consolidation or an administrative annexation under § 6-13-1603 requires the formation of an interim board of directors, the interim board of directors shall be established by May 31 preceding the effective date of the administrative consolidation or administrative annexation.

(f) (1) An executed copy of the written agreement shall be attached to the petition for consolidation or annexation submitted to the state board.

(2) If the written agreement is approved by the state board, the terms of the written agreement shall be binding upon the affected districts, receiving districts, and resulting districts, including the interim and permanent school boards of directors.

(3) A written agreement under this section shall not be effective without approval from the state board.

(g) (1) A consolidation or annexation petition approved by the state board along with an executed copy of the written agreement shall be filed with the:

(A) County clerk of each county that contains school district territory of each affected district, receiving district, or resulting district;

(B) Secretary of State; and

(C) Arkansas Geographic Information Office.

(2) An approved consolidation or annexation petition shall include a map of the boundaries of the resulting district or receiving district.

(3) An approved consolidation or annexation petition filed with the Secretary of State and the Arkansas Geographic Information Office shall include a digital map showing the boundaries of the resulting district or receiving district in a format prescribed by the Arkansas Geographic Information Office.

HISTORY: Acts 2011, No. 1217, § 4.

View Full



◀ A.C.A. § 6-13-1416 ▶



Return to Search Results

A.C.A. § 6-13-1416 (Copy w/ Cite)

Pages: 4

In

About LexisNexis | Privacy Policy | Terms & Conditions | Contact Us
Copyright © 2012 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

[View Full](#)[A.C.A. § 6-13-1417](#)[Return to Search Results](#)**A.C.A. § 6-13-1417** (Copy w/ Cite)Pages: **3***A.C.A. § 6-13-1417*

Arkansas Code of 1987 Annotated Official Edition
© 1987-2011 by the State of Arkansas
All rights reserved.

*** Legislation is current through the 2011 Regular Session and updates ***
*** received from the Arkansas Code Revision Commission through ***
*** November 16, 2011. ***

Title 6 Education
Subtitle 2. Elementary And Secondary Education Generally
Chapter 13 School Districts
Subchapter 14 -- Consolidation, Annexation, and Formation

*A.C.A. § 6-13-1417 (2011)***6-13-1417. Formation of a permanent board of directors.**

(a) (1) A permanent board of directors shall have either five (5) or seven (7) members unless the school district is allowed to have nine (9) members under § 6-13-604.

(2) The length of the terms of the board of directors may be for the time period prescribed by law and:

(A) Prescribed in the written agreement under § 6-13-1416; or

(B) Determined by the permanent board of directors.

(3) At the first meeting of the permanent board of directors, the members shall determine the terms of the board of directors by lot so that not more than two (2) members' terms expire during any one (1) year.

(4) A vacancy on the board of directors shall be filled as prescribed by law.

(b) (1) If single-member election zones are not necessary to comply with the Voting Rights Act of 1965 or with any other federal or state law, any or all of the members of the permanent board of directors may be elected at large.

(2) A minimum of five (5) members of a permanent board of directors shall be elected from single-member election zones if one (1) or more of the following applies:

(A) Single-member election zones are required to comply with the Voting Rights Act of 1965 or other federal law;

(B) The resulting district or receiving district after consolidation or annexation is required to be zoned under § 6-13-631 or other state law; or

(C) The boards of directors of the affected districts before consolidation or the boards of directors of the affected districts and receiving districts before annexation agree that the permanent board of directors shall be elected from single-member election zones.

(3) If single-member election zones are necessary to comply with the Voting Rights Act of 1965, other federal law, or state law, the resulting district or receiving district shall:

(A) Review the demographic makeup and boundaries of the zones based on the latest decennial census data of the resulting district or receiving district after consolidation or annexation and rezone the resulting district or receiving district as necessary to comply with the Voting Rights Act of 1965, other federal law, or state law;

(B) Complete the election rezoning no later than one hundred twenty (120) calendar days before the second school election following the effective date of the consolidation or annexation; and

(C) File a digital map detailing the election zone boundaries of the resulting district or receiving district with the Secretary of State and the Arkansas Geographic Information Office in a format prescribed by the Arkansas Geographic Information Office no later than one hundred twenty (120) calendar days before the second school election following the effective date of the consolidation or annexation.

HISTORY: Acts 2011, No. 1217, § 4.

View Full

◀ A.C.A. § 6-13-1417 ▶



[Return to Search Results](#)

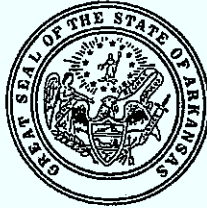
A.C.A. § 6-13-1417 (Copy w/ Cite)

Pages: 3

In

[About LexisNexis](#) | [Privacy Policy](#) | [Terms & Conditions](#) | [Contact Us](#)
Copyright © 2012 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

ATTORNEY GENERAL'S OPINION



RECEIVED
COMMISSIONER'S OFFICE

FEB 21 2012

THE ATTORNEY GENERAL
STATE OF ARKANSAS
DUSTIN McDANIEL

DEPARTMENT OF EDUCATION

Warren T. Readnour
Senior Assistant Attorney General

Direct dial: (501) 682-2016
Facsimile: (501) 682-2591
E-mail: warren.readnour@arkansasag.gov

February 17, 2012

Dr. Tom Kimbrell
Commissioner of Education
Arkansas Department of Education
4 State Capitol Mall
Little Rock, Arkansas 72201-1019

Re: Proposed Annexation of the Lead Hill School District

Dear Dr. Kimbrell:

This is in response to correspondence from Department of Education General Counsel Jeremy Lasiter dated February 14, 2012, in which he asks for our advice, pursuant to Ark. Code Ann. § 6-13-1408(b), concerning the desegregation effects of a proposed annexation of the Lead Hill School District to the contiguous Ozark Mountain School District. Section 6-13-1408(b) provides that, prior to the entry of any order annexing or consolidating school districts, "the state board shall seek an advisory opinion from the Attorney General concerning the impact of the proposed annexation or consolidation on the effort of the state to assist a school district or districts in desegregation of the public schools of this state."

Under United States Supreme Court precedent, the term "desegregation" is a legal term of art that describes the process by which a school district eliminates, to the extent practicable, the lingering effects or "vestiges" of prior *de jure* racial discrimination. Thus, in the absence of a finding that a school district has engaged in the past in activities prohibited by the Fourteenth Amendment to the United States Constitution, and that there are presently lingering effects or vestiges of that discrimination that remain unaddressed, a school district is not "desegregating" as that term is used in case law.

In this case, the State Board is considering the possible annexation of the Lead Hill School District to the contiguous Ozark Mountain School District. If approved, the annexation would result in the creation of a new larger district. The Department of Education

RECEIVED
FEB 22 2012

that the school districts that would share a border with the newly formed school district would be the Bergman, Deer-Mt. Judea, Flippin, Harrison, Jasper, Mountain Home, Omaha, Searcy County, Valley Springs, and Yellville-Summit School Districts. Based on information provided by the Department of Education, we are unaware of any pending desegregation court decrees in Lead Hill, Ozark Mountain, or the surrounding districts. Therefore, we cannot say that the proposed annexation will have any negative effect on any desegregation efforts in those districts.

As will be the case in any proposed annexation or consolidation, the Board must be cognizant that it may not order or approve any proposed annexation or consolidation with the purpose or intent to create racially segregated schools. As the Supreme Court noted in *Missouri v. Jenkins*, 515 U.S. 70, 115 (1995):

[I]n order to find unconstitutional segregation, we require that plaintiffs "prove all of the essential elements of *de jure* segregation—that is, stated simply, a current condition of segregation resulting from *intentional state action directed specifically* to the [allegedly segregated] schools." *Keyes v. School Dist. No. 1, Denver*, 413 U.S. 189, 205-206 (1973) (emphasis added). "[T]he differentiating factor between *de jure* segregation and so-called *de facto* segregation . . . is purpose or *intent* to segregate." *Id.*, at 208 (emphasis in original).

There are numerous cases that discuss legal challenges to school district annexations and consolidations in the context of desegregation litigation, but in each case the question of whether a particular annexation or consolidation (or series of annexations or consolidations) were done with the requisite unconstitutional intent is a highly fact-specific inquiry.

To assist the State Board, we note that the 2011-2012 enrollment figures provided to us by the Department of Education reflect that the Lead Hill School District has a student population that is approximately 99% White and 0% Black. The Ozark Mountain School District has a student population that is approximately 96% White and 0% Black. A combined Lead Hill and Ozark Mountain district would have a student population that is approximately 97% White and 0% Black. The ten school districts that would share a border with the newly formed district have varying student racial compositions ranging from approximately 89% White to approximately 97% White. As indicated by this data, Lead Hill, Ozark Mountain, and the bordering school districts have student populations that are at least 89% White. It is difficult to conclude, examining this data alone, that the approval of the proposed annexation could be viewed as motivated by impermissible intent to segregate schools. Nevertheless, while neither state nor federal law requires the Board to create school districts in a manner that would achieve any particular "racial balance" in the student population of a school district¹, we advise the Board to scrutinize this proposed annexation with great care and to satisfy itself that there are legitimate, non-racially-motivated reasons for the annexation of Lead Hill to Ozark Mountain.

¹ It should be noted that a decision made solely on a racial basis, even for laudable purposes such as diversity in education or the prevention of (re)segregation, would be subject to "strict scrutiny" analysis. *Parents Involved in Community Schools v. Seattle School Dist. No. 1*, 127 S.Ct. 2738 (2007).

Dr. Tom Kimbrell
February 17, 2012
Page 3

Sincerely,

A handwritten signature in black ink that reads "Warren Readnour". The script is cursive and fluid, with the first name "Warren" and last name "Readnour" clearly distinguishable.

WARREN T. READNOUR
Senior Assistant Attorney General

DEMOGRAPHIC INFORMATION

Demographic Information

Source: ADE Data Center 2011-2012 School Year

Petitioning Districts

LEA	DISTRICT	2 OR MORE RACES	ASIAN	BLACK	HISPANIC	NATIVE AMERICAN/ NATIVE ALASKAN	NATIVE HAWAIIAN/ PACIFIC ISLANDER	WHITE	MALE	FEMALE	TOTAL
0506000	LEAD HILL SCHOOL DISTRICT	0	1	0	2	0	0	329	172	160	332
6505000	OZARK MOUNTAIN SCHOOL DISTRICT	1	0	0	18	9	0	631	336	323	659

Contiguous Districts

LEA	DISTRICT	2 OR MORE RACES	ASIAN	BLACK	HISPANIC	NATIVE AMERICAN/ NATIVE ALASKAN	NATIVE HAWAIIAN/ PACIFIC ISLANDER	WHITE	MALE	FEMALE	TOTAL
0502000	BERGMAN SCHOOL DISTRICT	5	3	4	25	18	3	1032	554	536	1090
5106000	DEER/MT. JUDEA SCHOOL DISTRICT	20	1	1	0	14	0	301	199	138	337
0503000	HARRISON SCHOOL DISTRICT	43	27	7	73	19	5	2577	1435	1316	2751
5102000	JASPER SCHOOL DISTRICT	4	1	1	12	10	2	860	449	441	890

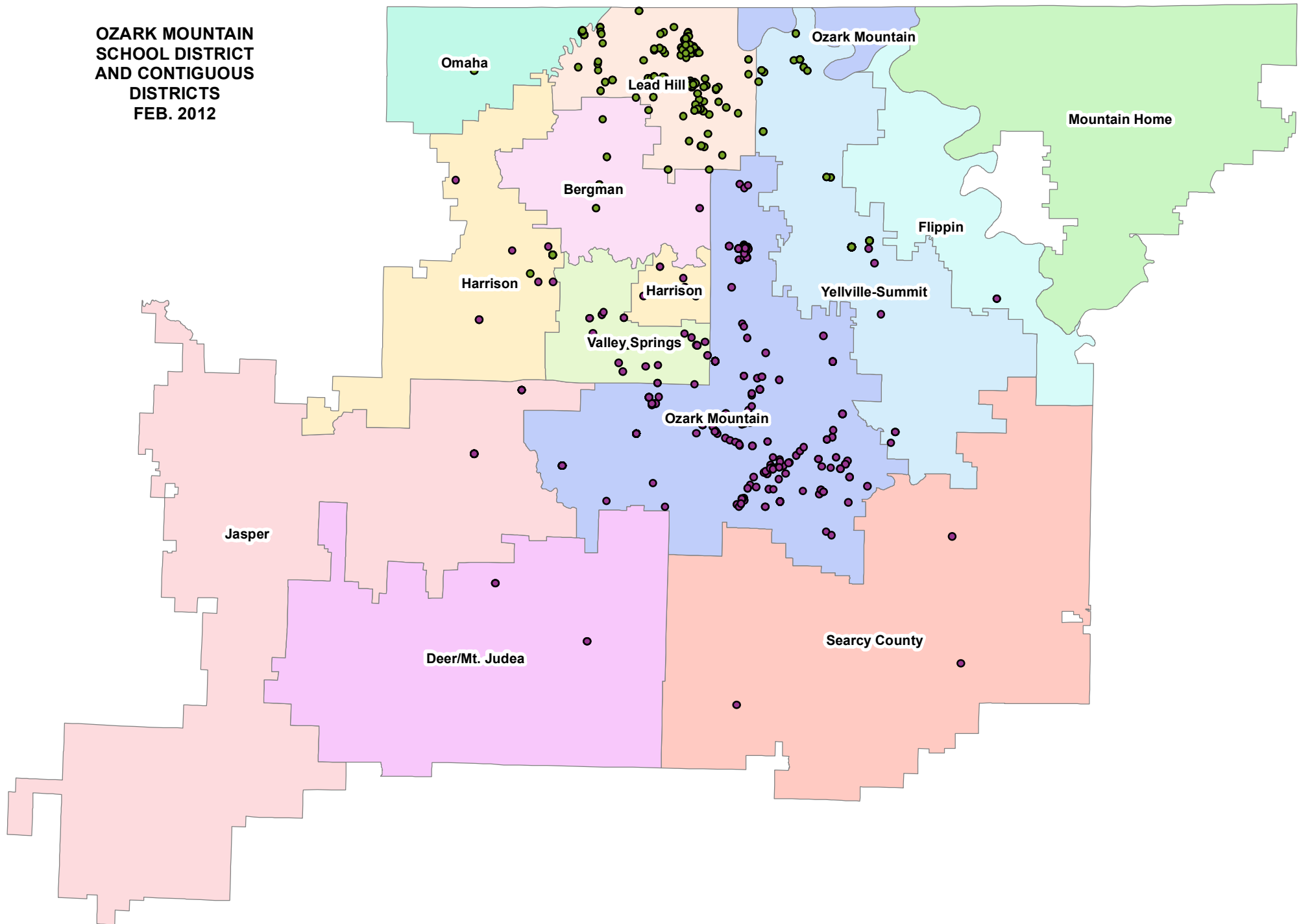
Contiguous Districts – Continued

LEA	DISTRICT	2 OR MORE RACES	ASIAN	BLACK	HISPANIC	NATIVE AMERICAN/ NATIVE ALASKAN	NATIVE HAWAIIAN/ PACIFIC ISLANDER	WHITE	MALE	FEMALE	TOTAL
0303000	MOUNTAIN HOME SCHOOL DISTRICT	135	23	12	130	11	2	3713	2084	1942	4026
0504000	OMAHA SCHOOL DISTRICT	0	4	4	8	6	1	405	234	194	428
6502000	SEARCY COUNTY SCHOOL DISTRICT	3	0	1	17	10	5	899	477	458	935
0505000	VALLEY SPRINGS SCHOOL DISTRICT	10	1	2	8	4	0	955	500	480	980
4502000	YELLVILLE-SUMMIT SCHOOL DIST.	0	6	2	9	3	3	757	396	384	780
4501000	FLIPPIN SCHOOL DISTRICT	20	2	0	18	1	0	762	412	391	803

MAPS

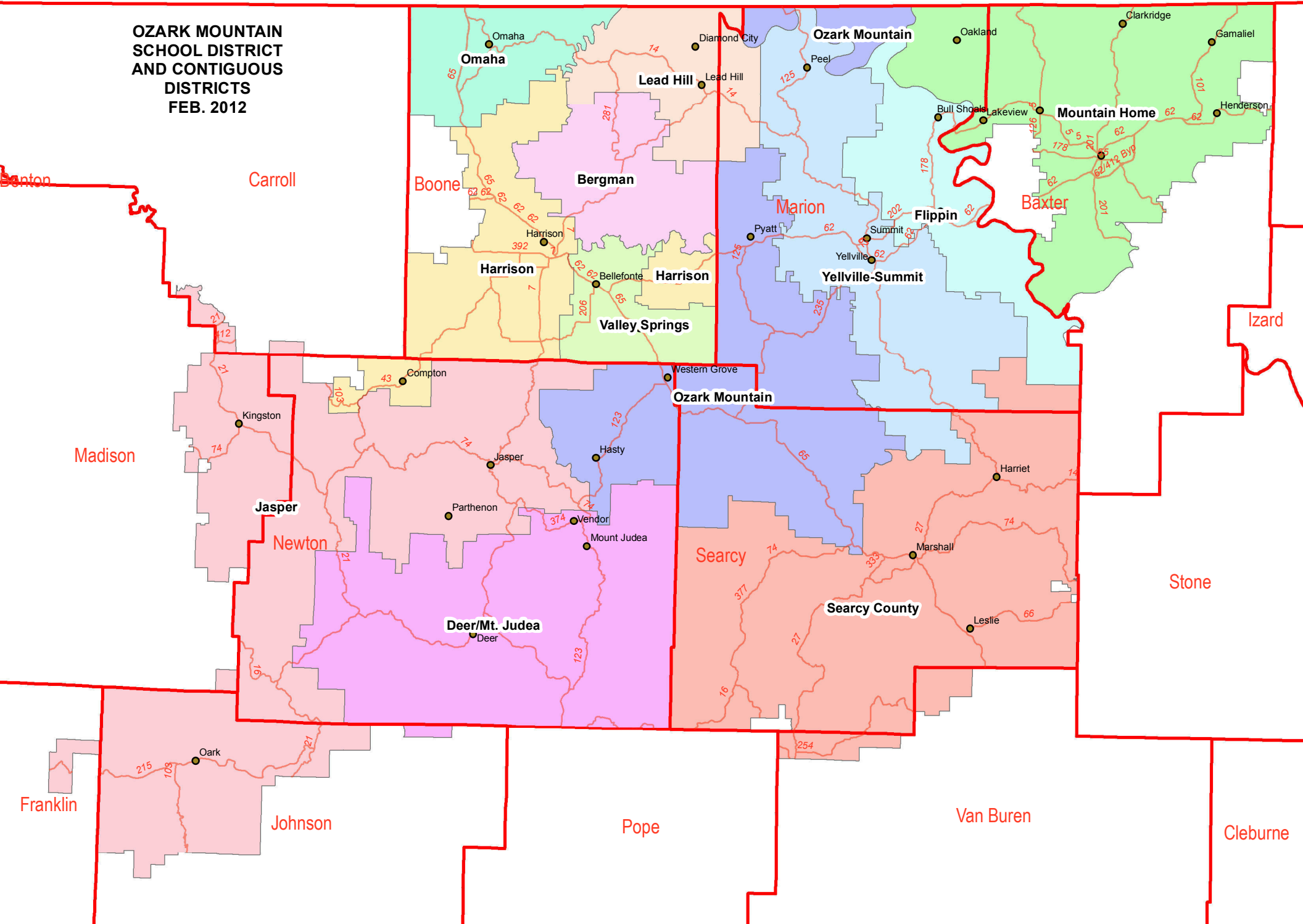


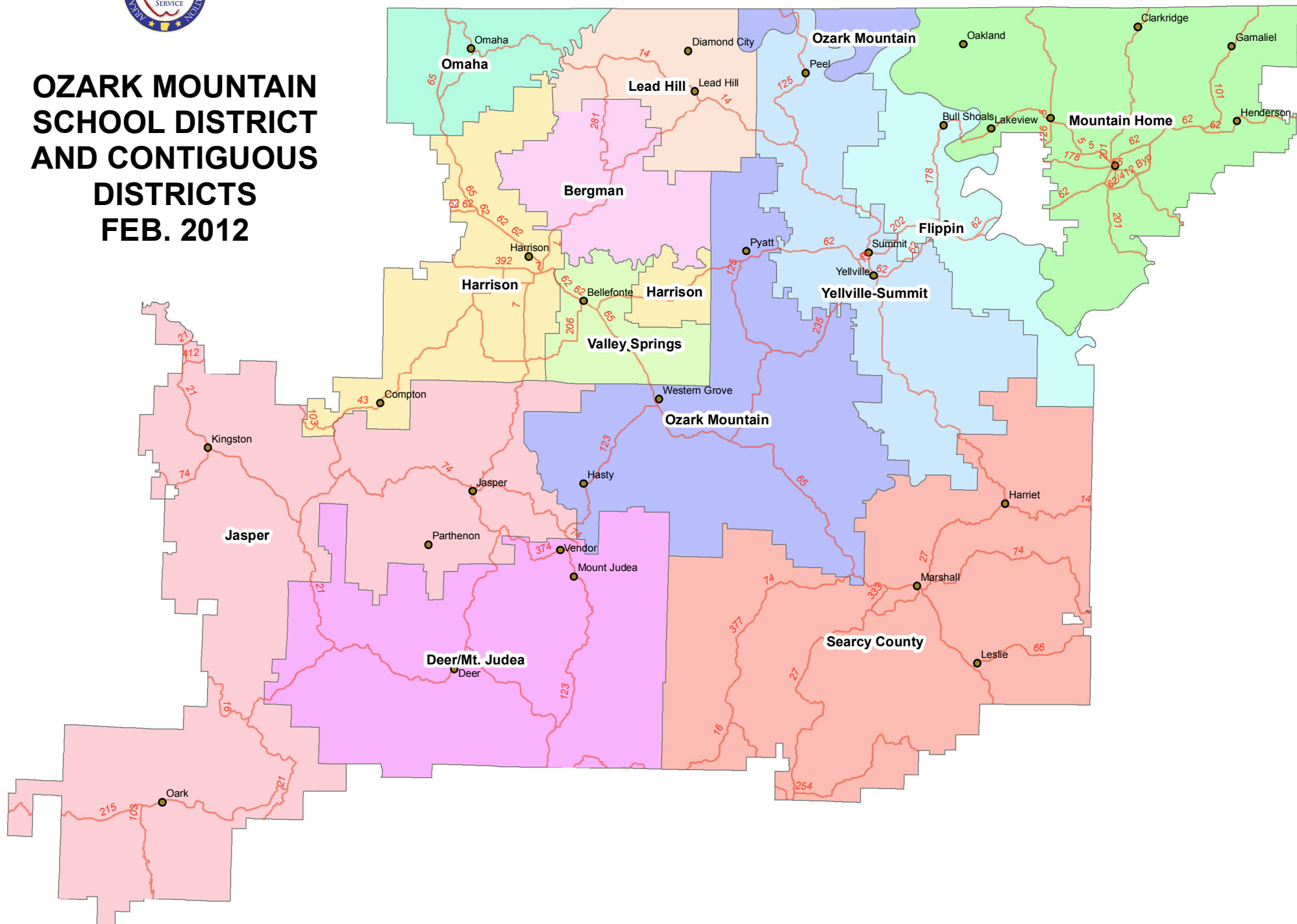
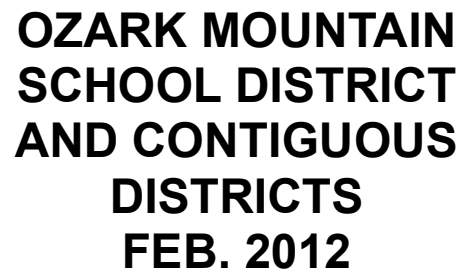
**OZARK MOUNTAIN
SCHOOL DISTRICT
AND CONTIGUOUS
DISTRICTS
FEB. 2012**





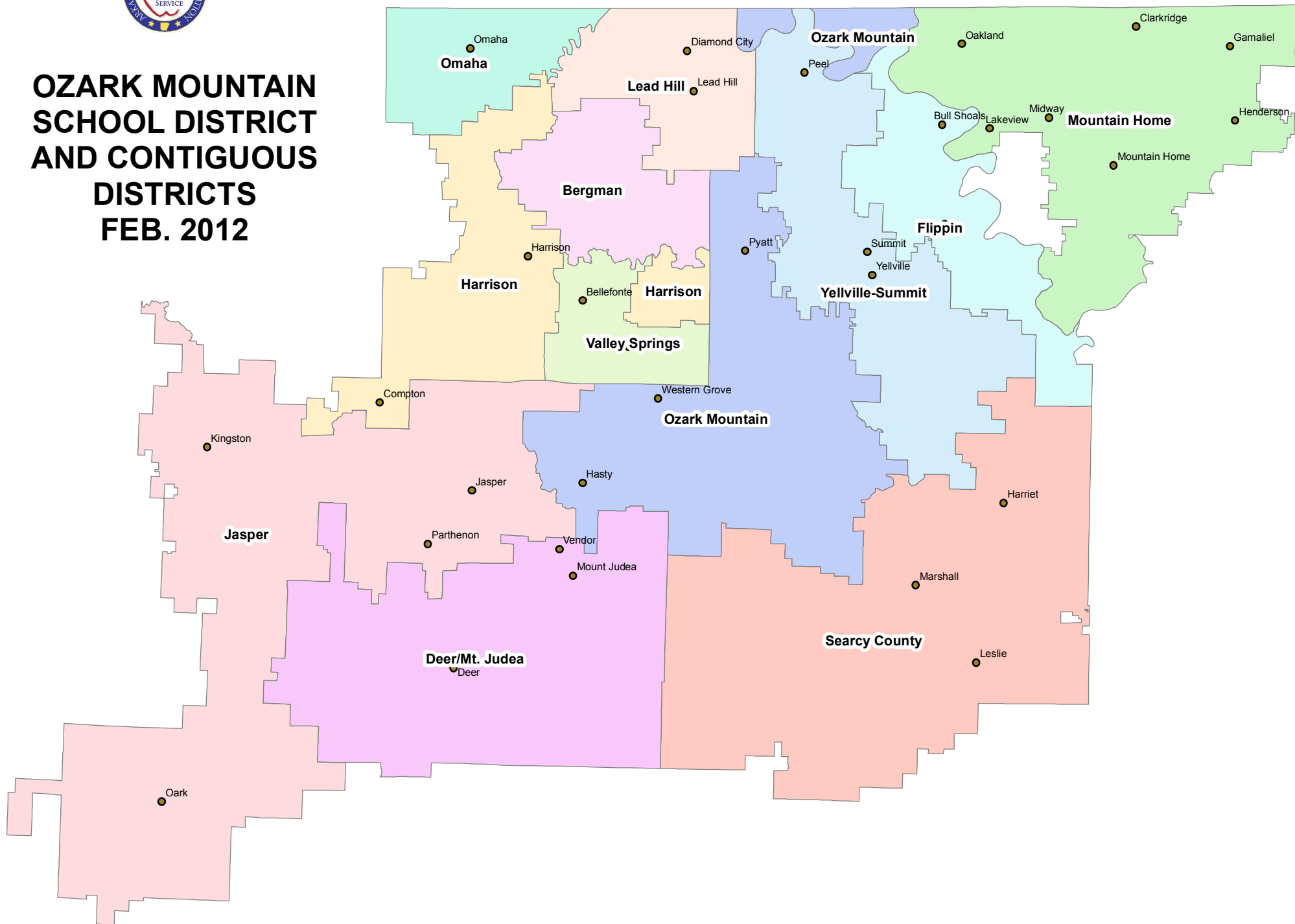
**OZARK MOUNTAIN
SCHOOL DISTRICT
AND CONTIGUOUS
DISTRICTS
FEB. 2012**







OZARK MOUNTAIN SCHOOL DISTRICT AND CONTIGUOUS DISTRICTS FEB. 2012





LITTLE ROCK SCHOOL DISTRICT

OFFICE OF THE SUPERINTENDENT

February 19, 2012

Dr. Mary Ann Duncan
Division of Learning Services
Public Charter Schools/Home Schools
Arkansas Department of Education
Four Capitol Mall
Little Rock, AR 72201

RECEIVED
FEB 21 2012

CHARTER SCHOOL OFFICE

Dear Dr. Duncan:

The Little Rock School District requests a hearing before the State Board of Education to amend the charter for Cloverdale Aerospace Technology Conversion Charter Middle School to establish an 8-periods/day schedule. The middle schools in the District have been on an A/B Block Schedule for years with the exception of Mann Magnet Middle School, which used an A/B Block Schedule before returning to a 7-period day this year. The administration is recommending an 8-period middle school schedule for all the middle schools for the 2012-13 school term. The charter agreement for Cloverdale includes language that the school's day will be from 8:30 – 4:00 with instructional blocks of 90 minutes. The District would like to make the case to the State Board that an 8-period day would benefit the students at Cloverdale and that having all middle schools on the same daily schedule would benefit all our middle schools.

The District has been studying and discussing an 8-period day for a couple of years. Recently, the District convened a committee consisting of parents, teachers, administrators, the president of the Little Rock Education Association, and a Board member to identify the benefits and disadvantages of an 8-period schedule and to work out the logistics should such a change occur. The committee agreed that the benefits were many and the disadvantages few. The committee met with the District's Middle School Task Force, which has been working on middle school reforms for several years, to discuss the proposed schedule. The Task Force reacted favorably and endorsed a process to take the proposal to the teachers and the community at each middle school. The District is holding eight different forums—four with teachers at the middle schools and four with the parents and community members for the middle schools. Little Rock School District Board members are attending the forums to get the sense of what the community wants. Thus far, the reaction of both teachers and parents is very positive.

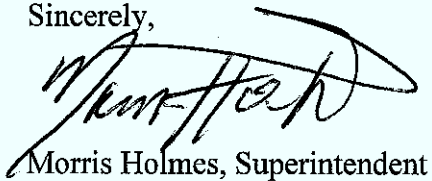
The District believes that the students at Cloverdale Aerospace Technology Conversion Charter Middle School should be on the same schedule as the other middle schools. A mobility rate of 6-7% each quarter in our middle schools makes common schedules among all middle schools an important factor in serving students who move from school to school during the year. In addition the current 90-minute block schedule doesn't fit the

developmental needs of middle school students. Middle school students have short attention spans, need frequent movement, and learn content/skills better in small chunks of time (spaced or distributed learning). An 8-period day would address those needs. Our own examination of student achievement data for our middle schools shows that little upward movement in student achievement is occurring.

Information related to our proposal to place all our middle schools on an 8-period schedule is attached. Since our bargaining agreement requires teachers to vote on any changes in the daily schedule, March 2 has been set aside for teachers to vote the 8-period schedule up or down. The Little Rock School Board will consider the matter at a special Board meeting that will be held on March 8. The results of both votes will be made available to the State Board of Education.

Thanks for your assistance in placing this item before the State Board of Education.

Sincerely,

A handwritten signature in black ink, appearing to read "Morris Holmes", with a large, sweeping flourish extending from the end of the signature.

Morris Holmes, Superintendent

Cc: Board of Directors

Attachment

**Little Rock School District
Amendment Request to State Board of Education**

March 14, 2012

RECEIVED
FEB 21 2012
CHARTER SCHOOL OFFICE

Request:

The Little Rock School District requests approval to amend the charter for Cloverdale Aerospace Technology Conversion Charter Middle School to establish an 8-period period daily schedule.

The Little Rock School District Board of Directors and administration recommend an 8-period middle school schedule for all the middle schools for the 2012-13 school term. The charter agreement for Cloverdale includes language that the school's day will be from 8:30 – 4:00 with instructional blocks of 90 minutes. The district believes that a common 8-period day at all middle schools would benefit the students at Cloverdale. An amendment to the charter agreement for Cloverdale is necessary to implement a common schedule across all the middle schools in the district.

Background:

The district has been studying and discussing an 8-period day for a couple of years. Recently, the district convened a committee consisting of parents, teachers, administrators, the president of the Little Rock Education Association, and a board member to identify the benefits and disadvantages of an 8-period schedule and to work out the logistics should such a change occur. The committee agreed that the benefits were many and the disadvantages few. The committee met with the district's Middle School Task Force, which has been working on middle school reforms for several years, to discuss the proposed schedule. The Task Force reacted favorably and endorsed a process to take the proposal to the teachers and the community at each middle school. The district is holding eight different forums—four with teachers at the middle schools and four with the parents and community members for the middle schools. Little Rock School District board members are attending the forums to get the sense of what the community wants. Thus far, the reaction of both teachers and parents is very positive.

Supporting Documents:

Benefits of an Eight-Period Day (for all middle schools)

Parent FAQ's for Proposed Middle School Schedule for 2012-13

Proposed Bell Schedule for Cloverdale

Proposed Bell Schedule for other middle schools

Sample schedule configuration for Cloverdale sixth grade (other grades would be similar)

Data for Cloverdale Aerospace Technology Conversion Charter Middle School

Benefits of an 8-period schedule compared to A/B Block Schedule

Terms: 8-period schedule—consists of eight 45-minute class periods that meet every day

A/B block schedule—consists of four 90-minute class periods that meet every other day

1. The “spacing effect” – Eight-period day gives more distributed (spaced) practice.

"One of the most dependable findings from psychology holds up in classroom research: that 'spaced' practices over several lessons or study periods is superior to equal amounts of time spent in 'massed' practice (concentrated, possibly in one session). Indeed, two spaced presentations or practice sessions are about twice as effective as two successive massed presentations of the same lengths." ("Productive Use of Time," in *Timepiece: Extending and Enhancing Learning Time*, ed. L.W. Anderson and H.J. Walberg, National Association of Secondary School Principals, Reston, VA, 1993, p. 6, as cited by Jeff Lindsay at <http://www.jefflindsay.com/Block.shtml>)

2. Adolescent attention span – Eight-period day considers adolescent's short attention span.

"Middle school brains learn in different ways. The attention span of the average middle school student is 10 to 12 minutes, and there is little evidence that their brains can be trained to develop a longer span. So, direct instruction should be kept to no more than this span of time." ("Mining Middle School Minds," in *Middle Matters*, David Vawter, National Association of Elementary School Principals, Alexandria, VA, March 2009, p. 1. Retrieved February 17, 2012, from http://www.naesp.org/resources/2/Middle_Matters/2009/MM2009v17n4a2.pdf)

3. Teachers report that less content can be addressed in a Block Schedule – Teachers address more content in two 45 minute periods than one 90 minute period.

"Overall, the majority of studies indicate that some reduction or elimination of content has occurred with a block schedule. Teachers find that there is not enough time to cover all of the material previously covered in the traditional schedule." (L. Reid, *Perceived Effects of Block Scheduling on the Teaching of English*, report prepared March 15, 1995, ERIC Doc. Rep. Service No. ED 382 950) cited by Jeff Lindsay at <http://www.jefflindsay.com/Block.shtml>

4. Need for physical movement in middle school students – Frequent class changes allow middle school students to stretch their legs, which enhances the ability to concentrate.

"...a government review of research shows that kids who take breaks from their class work to be physically active during the school day are often better able to concentrate on their school work and may do better on standardized tests." ("Study: Physical activity can boost student performance," in *USA Today*, Nancy Helmich, 2010). Retrieved February 17, 2012 from http://www.usatoday.com/news/education/2010-04-14-letsmoveinschool15_ST_N.htm

5. Students want electives in their school schedule – Students have more opportunities for electives when double-blocked classes are not required for all students in a subject area.
6. Teachers and students benefit from collaboration time – The eight-period schedule provides time for daily teacher collaboration during the regular school day.

“Schools and teachers benefit in a variety of ways when teachers work together. A small but growing body of evidence suggests a positive relationship between teacher collaboration and student achievement.” (Goddard, Y. L., Goddard, R. D., Tschannen-Moran, M. (2007). A theoretical and empirical investigation of teacher collaboration for school improvement and student achievement in public elementary schools. *Teachers College Record*, 109(4), 877-896 as reported in *District Administration*, 9-1-2008). Retrieved February 17, 2012 from <http://www.districtadministration.com/article/benefits-teacher-collaboration>).

7. Interdisciplinary Teams will meet three times a week every week of the school year to support students with their personal, social and academic needs (e.g., depression, self-esteem, behavior problems, academic efficacy).

“Several large-scale and comprehensive studies have been conducted that successfully demonstrate the positive effects of teaming on student outcomes. In one study, more highly implemented schools (e.g., teaming, common planning time, small teams, advisory) were found to have higher levels of student achievement and student self-esteem than less implemented schools.” (Felner, R. D., Jackson, A. W., Kasak, D., Mulhall, P., Brand, S., & Flowers, N. (1997). The impact of school reform for the middle years: Longitudinal study of a network engaged in Turning Points-based comprehensive school transformation. *Phi Delta Kappan*, 78 (7), 528-532, 541-550 as reported in *Association for Middle Level Education*, May, 2004). Retrieved February 17, 2012 from <http://www.amle.org/Research/ResearchSummaries/Summary21/tabid/250/Default.aspx>

8. Consistency among the middle school schedules will benefit mobile students who move from one school to another during the school year.

LRSD Proposed Middle School Schedule 2012-13

Parent FAQ's

1. **Why move to an eight-period day?** The move to an eight-period day better fits the developmental needs of middle school students, allows time for teachers to collaborate during the normal school day, is aligned with the current middle school reforms, and allows students to take more electives.
2. **Because of the reduced time in each period, will the eight-period day mean less time for student centered activities and more time for teacher centered lecture?** No, teachers and academic coaches will be in-serviced by the district on using time effectively in the shortened periods.
3. **Will the move to the eight-period day produce more discipline problems in the school because students are in the hallway more?** Every school has a plan that focuses on the location and duties of school personnel between classes. The school staff will be in a proactive mode so as to prevent problems before they can happen. Also, frequent class changes give the students more opportunities to get up and move around. Physical activity, which helps in maintaining attention and focus during class, will be increased by class changes for an eight-period day.
4. **Which subjects will be helped most by the eight-period day?** Since students will have more opportunity for electives, classes such as art, music and foreign languages will have more students. Math also will be helped by this schedule as math classes will meet every day and the retention of mathematical concepts should be enhanced by repetition. Students who have deficits in math or literacy will have a built-in intervention period during the school day. As all classes will be more focused and students more engaged, students should benefit in all classes from the eight-period day.
5. **If this schedule is so great, why isn't everyone doing it?** Good question, as we think that all middle schools should be doing it. There are some middle schools in the state and elsewhere who have implemented an eight-period day.

6. **Why eight periods and not seven periods?** Improved knowledge and concept retention. Built-in collaboration period for teacher every day. All middle schools on the same schedule. Eliminates double-blocking. Increases the number of electives available. Built-in intervention period. Students will be able to meet all their courses every day.
7. **Will the eight-period day result in more tardies for students?** Students who have a tendency to be tardy could receive more tardies as there are (8) classes a day instead of (4) classes in the current block schedule at most middle schools.
8. **Will the move to this schedule make my child less prepared for high school since most high schools are on a block schedule?** The answer here is no. In fact, the move to an eight-period day will should prepare your child more for high school since more electives will be offered. These electives will help prepare your child for the electives in high school. This schedule should also provide a stronger foundation in the core curriculum as core courses will meet every day.
9. **Will students have time to do lab activities in science classes in the eight- period day?** Labs can be developed to extend over a two or three day period which will allow students more productive time for lab activities. A pre-lab one day will prepare students to conduct a lab for the full 45 minutes the next day, followed by a post-lab the next day. Currently, the pre/post lab and the actual lab are being done on the same day in most cases. This does not provide enough time for students to analyze lab data prior to the post lab discussion. Also, the teacher gets to leave the materials for lab out on just one day rather than two days with the A/B Block Schedule. This minimizes interference with other classes using the same room.
10. **Will it cause a more hurried instructional day?** No. Each period will be 45 minutes. Instruction will be better aligned with adolescent attention-span and physiological development. Smaller chunks of materials allow for greater mastery of concepts.
11. **Will this change the length of the school day?** No.

- 12. Will this schedule interfere with or change middle school teaming?** No, schools will still be able to team. Team time is built into the schedule three days per week, in fact, to make sure effective teaming is in place.
- 13. How will this schedule impact the core classes?** This schedule will grant greater opportunity for mastery of concepts and a deeper understanding of materials without gaps in instruction.
- 14. If the eight periods are needed to provide electives, what advantage is there over eight blocks in two days? Or put another way is, why don't you just quit double blocking?** The eight shorter periods allows for a greater degree of content mastery because instruction is presented in smaller incremental chunks. The eight-period day also allows for more electives. And allowing students to meet each teacher/class every day eliminates gaps in instruction and retention.
- 15. My school already has teaming, what will I see different because of this?** Two things you will see different are built-in collaboration and team time periods every day at all middle schools. Another difference is students will no longer be double blocked. This schedule also allows for a consistent middle school teaming focus that is pervasive across all middle schools in the district.
- 16. How will this help recruit the students we lose each year in middle school?** This schedule allows for greater academic autonomy for students. It ensures students who need extra help receive it, and it ensures students who are proficient/advanced are challenged. Middle schools should be the fun, engaging, and productive places our students deserve.

Proposed Bell Schedule for Eight-period Day

Cloverdale Middle School, 2012-13

<u>First Lunch Schedule</u>	<u>Second Lunch Schedule</u>	<u>Third Lunch Schedule</u>
8:40 First Bell	8:40 First Bell	8:40 First Bell
8:45 – 9:32 First Period*	8:45 – 9:32 First Period*	8:45 – 9:32 First Period*
9:36 – 10:21 Second Period	9:36 – 10:21 Second Period	9:36 – 10:21 Second Period
10:25 – 11:10 Third Period	10:25 – 11:10 Third Period	10:25 – 11:10 Third Period
11:10 – 11:40 Lunch	11:14 – 11:59 Fourth Period	11:14 – 11:59 Fourth Period
11:44 -12:29 Fourth Period	11:59 – 12:29 Lunch	12:03 – 12:48 Fifth Period
12:33 – 1:18 Fifth Period	12:33 – 1:18 Fifth Period	12:48 – 1:18 Lunch
1:22 – 1:48 TP Period	1:22 – 1:48 TP Period	1:22 – 1:47 TP Period
1:52 – 2:37 Sixth Period	1:52 – 2:37 Sixth Period	1:52 – 2:37 Sixth Period
2:41 – 3:26 Seventh Period	2:41 – 3:26 Seventh Period	2:41 – 3:26 Seventh Period
3:30 – 4:15 Eighth Period	3:30 – 4:15 Eighth Period	3:30 – 4:15 Eighth Period

* First period is 47-minutes long to accommodate announcements.

Test Prep precedes sixth period for all and is 26-minutes long.

All other classes are 45 minutes with 4-minute class changes.

Schools may decide locally how many lunch periods are needed.

Proposed Bell Schedule for Eight-period Day

Middle Schools, 2012-13

<u>First Lunch Schedule</u>	<u>Second Lunch Schedule</u>	<u>Third Lunch Schedule</u>
8:40 First Bell	8:40 First Bell	8:40 First Bell
8:45 – 9:32 First Period*	8:45 – 9:32 First Period*	8:45 – 9:32 First Period*
9:36 – 10:21 Second Period	9:36 – 10:21 Second Period	9:36 – 10:21 Second Period
10:25 – 11:10 Third Period	10:25 – 11:10 Third Period	10:25 – 11:10 Third Period
11:10 – 11:40 Lunch	11:14 – 11:59 Fourth Period	11:14 – 11:59 Fourth Period
11:44 – 12:29 Fourth Period	11:59 – 12:29 Lunch	12:03 – 12:48 Fifth Period
12:33 – 1:18 Fifth Period	12:33 – 1:18 Fifth Period	12:48 – 1:18 Lunch
1:22 – 2:07 Sixth Period	1:22 – 2:07 Sixth Period	1:22 – 2:07 Sixth Period
2:11 – 2:56 Seventh Period	2:11 – 2:56 Seventh Period	2:11 – 2:56 Seventh Period
3:00 – 3:45 Eighth Period	3:00 – 3:45 Eighth Period	3:00 – 3:45 Eighth Period

* First period is 47 minutes long to accommodate announcements.

All other classes are 45 minutes with 4-minute class changes.

Schools may decide locally how many lunch periods are needed.

Possible Schedule Reconfigurations
Cloverdale Middle School Grade 6

Schedule Alpha

Sixth Grade, Non-Proficient Math and English

	A DAY	B DAY
1	English	English
2	English Intervention (Alpha Period)	Math Intervention (Alpha Period)
3	Math	Math
4	Music/Art	Music/Art
5	Science	Science
6	Social Studies	Social Studies
7	PE/Health	Aerospace Investigations
8	Elective	Elective

Schedule Beta

Sixth Grade, Non-Proficient Math OR English

	A DAY	B DAY
1	English	English
2	Music/Art	Music/Art
3	Math	Math
4	English or Math Intervention (Beta Period)	Elective Wheel (Beta Period)
5	Science	Science
6	Social Studies	Social Studies
7	PE/Health	Aerospace Investigations
8	Elective	Elective

Schedule Gamma

Sixth Grade, Proficient/Advanced Math and English

	A DAY	B DAY
1	English	English
2	Music/Art	Music/Art
3	Math	Math
4	GT Seminar (Gamma Period)	Elective Wheel (Gamma Period)
5	Science	Science
6	Social Studies	Social Studies
7	PE/Health	Aerospace Investigations
8	Elective	Elective

Note - A test prep period occurs between fifth and sixth period each day.

Quarterly Progress Report to the Board on District Goals and Initiatives

School Report (Middle School) Name of School: CLOVERDALE MAGNET MIDDLE SCHOOL

Dimension	2008	2009	2010	2011	Goal 2011	Goal 2012	Goal 2013	Goal 2014	Goal 2015
Student Achievement - State Benchmark Exams									
Grade 6 Literacy - Percent Proficient and Advanced									
Black	22.89%	23.0%	35.9%	32.1%	41.9%	47.9%	53.9%	59.9%	65.9%
White	20.00%	50.0%	50.0%	57.1%	55.0%	60.0%	65.0%	70.0%	75.0%
Hispanic	18.52%	20.0%	16.7%	20.6%	21.7%	26.7%	31.7%	36.7%	41.7%
Asian	0.00%	0.0%	33.3%	100.0%	38.3%	43.3%	48.3%	53.3%	58.3%
Other	50.00%	0.0%	0.0%	100.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Total	22.50%	22.7%	32.8%	33.0%	37.8%	42.8%	47.8%	52.8%	57.8%
Grade 7 Literacy - Percent Proficient and Advanced									
Black	22.16%	24.9%	32.7%	29.2%	38.7%	44.7%	50.7%	56.7%	62.7%
White	25.00%	0.0%	66.7%	0.0%	71.7%	76.7%	81.7%	86.7%	91.7%
Hispanic	24.53%	18.8%	28.9%	19.4%	33.9%	38.9%	43.9%	48.9%	53.9%
Asian	0.00%	0.0%	0.0%	0.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Other	25.00%	50.0%	0.0%	50.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Total	22.69%	23.6%	32.5%	26.8%	37.5%	42.5%	47.5%	52.5%	57.5%
Grade 8 Literacy - Percent Proficient and Advanced									
Black	36.63%	41.6%	47.2%	42.4%	53.2%	59.2%	65.2%	71.2%	77.2%
White	80.00%	50.0%	33.3%	66.7%	38.3%	43.3%	48.3%	53.3%	58.3%
Hispanic	26.83%	51.0%	31.0%	47.2%	36.0%	41.0%	46.0%	51.0%	56.0%
Asian	0.00%	0.0%	100.0%	0.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Other	0.00%	66.7%	50.0%	100.0%	55.0%	60.0%	65.0%	70.0%	75.0%
Total	35.89%	43.9%	44.8%	44.0%	49.8%	54.8%	59.8%	64.8%	69.8%
Grade 6 Literacy - Percent Advanced									
Black	3.48%	3.7%	5.9%	6.4%	11.9%	17.9%	23.9%	29.9%	35.9%
White	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Hispanic	3.70%	5.0%	0.0%	5.9%	4.0%	8.0%	12.0%	16.0%	20.0%
Asian	0.00%	0.0%	0.0%	100.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Other	0.00%	0.0%	0.0%	40.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Total	3.33%	3.9%	4.8%	7.4%	8.8%	12.8%	16.8%	20.8%	24.8%

Quarterly Progress Report to the Board on District Goals and Initiatives

School Report (Middle School) Name of School: CLOVERDALE MAGNET MIDDLE SCHOOL

Dimension	2008	2009	2010	2011	Goal 2011	Goal 2012	Goal 2013	Goal 2014	Goal 2015
Grade 7 Literacy - Percent Advanced									
Black	0.52%	1.1%	4.2%	4.9%	10.2%	16.2%	22.2%	28.2%	34.2%
White	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Hispanic	3.77%	0.0%	5.3%	3.2%	9.3%	13.3%	17.3%	21.3%	25.3%
Asian	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Other	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Total	1.15%	0.9%	4.4%	4.4%	8.4%	12.4%	16.4%	20.4%	24.4%
Grade 8 Literacy - Percent Advanced									
Black	5.45%	4.0%	6.7%	6.0%	12.7%	18.7%	24.7%	30.7%	36.7%
White	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Hispanic	4.88%	10.2%	0.0%	8.3%	4.0%	8.0%	12.0%	16.0%	20.0%
Asian	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Other	0.00%	0.0%	0.0%	100.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Total	5.24%	5.2%	5.5%	6.8%	9.5%	13.5%	17.5%	21.5%	25.5%
Grade 6 Mathematics - Percent Proficient and Advanced									
Black	37.80%	47.1%	49.7%	49.4%	55.7%	61.7%	67.7%	73.7%	79.7%
White	40.00%	50.0%	100.0%	42.9%	100.0%	100.0%	100.0%	100.0%	100.0%
Hispanic	34.50%	50.0%	56.7%	47.1%	61.7%	66.7%	71.7%	76.7%	81.7%
Asian	0.00%	0.0%	66.7%	100.0%	71.7%	76.7%	81.7%	86.7%	91.7%
Other	0.00%	0.0%	0.0%	100.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Total	37.20%	47.6%	51.3%	50.2%	56.3%	61.3%	66.3%	71.3%	76.3%
Grade 7 Mathematics - Percent Proficient and Advanced									
Black	18.00%	31.5%	38.2%	41.7%	44.2%	50.2%	56.2%	62.2%	68.2%
White	37.50%	40.0%	33.3%	75.0%	38.3%	43.3%	48.3%	53.3%	58.3%
Hispanic	20.80%	31.3%	50.0%	51.6%	55.0%	60.0%	65.0%	70.0%	75.0%
Asian	0.00%	0.0%	0.0%	100.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Other	50.00%	50.0%	0.0%	0.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Total	19.60%	31.8%	40.3%	44.3%	45.3%	50.3%	55.3%	60.3%	65.3%
Grade 8 Mathematics - Percent Proficient and Advanced									
Black	17.00%	20.2%	28.2%	25.2%	34.2%	40.2%	46.2%	52.2%	58.2%
White	40.00%	50.0%	50.0%	33.3%	55.0%	60.0%	65.0%	70.0%	75.0%
Hispanic	14.00%	32.7%	34.5%	36.1%	39.5%	44.5%	49.5%	54.5%	59.5%
Asian	0.00%	0.0%	100.0%	0.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Other	0.00%	33.3%	0.0%	100.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Total	16.90%	23.5%	29.9%	27.7%	34.9%	39.9%	44.9%	49.9%	54.9%

Quarterly Progress Report to the Board on District Goals and Initiatives

School Report (Middle School) Name of School: CLOVERDALE MAGNET MIDDLE SCHOOL

Dimension	2008	2009	2010	2011	Goal 2011	Goal 2012	Goal 2013	Goal 2014	Goal 2015
Grade 6 Mathematics - Percent Advanced									
Black	10.45%	12.3%	15.0%	15.4%	21.0%	27.0%	33.0%	39.0%	45.0%
White	10.00%	0.0%	50.0%	14.3%	54.0%	58.0%	62.0%	66.0%	70.0%
Hispanic	17.24%	10.0%	3.3%	26.5%	7.3%	11.3%	15.3%	19.3%	23.3%
Asian	0.00%	0.0%	33.3%	100.0%	37.3%	41.3%	45.3%	49.3%	53.3%
Other	0.00%	0.0%	0.0%	40.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Total	11.16%	11.8%	13.8%	18.2%	17.8%	21.8%	25.8%	29.8%	33.8%
Grade 7 Mathematics - Percent Advanced									
Black	0.52%	6.6%	5.5%	8.3%	11.5%	17.5%	23.5%	29.5%	35.5%
White	0.00%	20.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Hispanic	5.66%	9.4%	5.3%	3.2%	9.3%	13.3%	17.3%	21.3%	25.3%
Asian	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Other	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Total	1.54%	7.3%	5.3%	7.1%	9.3%	13.3%	17.3%	21.3%	25.3%
Grade 8 Mathematics - Percent Advanced									
Black	2.00%	1.7%	3.7%	4.6%	9.7%	15.7%	21.7%	27.7%	33.7%
White	20.00%	0.0%	16.7%	0.0%	20.7%	24.7%	28.7%	32.7%	36.7%
Hispanic	2.33%	6.1%	6.9%	8.3%	10.9%	14.9%	18.9%	22.9%	26.9%
Asian	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Other	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Total	2.42%	2.6%	4.5%	5.2%	8.5%	12.5%	16.5%	20.5%	24.5%
Algebra I - Percent Proficient and Advanced									
Black	74.10%	92.0%	97.8%	77.8%	100.0%	100.0%	100.0%	100.0%	100.0%
White	100.00%	100.0%	100.0%	0.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Hispanic	100.00%	75.0%	100.0%	75.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Asian	0.00%	0.0%	0.0%	0.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Other	0.00%	100.0%	0.0%	100.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Total	77.40%	86.4%	98.1%	78.1%	100.0%	100.0%	100.0%	100.0%	100.0%
Geometry - Percent Proficient and Advanced									
Black	0.00%	0.0%	0.0%	75.0%	6.0%	12.0%	18.0%	24.0%	30.0%
White	0.00%	0.0%	0.0%	0.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Hispanic	0.00%	0.0%	0.0%	100.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Asian	0.00%	0.0%	0.0%	0.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Other	0.00%	0.0%	0.0%	0.0%	5.0%	10.0%	15.0%	20.0%	25.0%
Total	0.00%	0.0%	0.0%	78.6%	5.0%	10.0%	15.0%	20.0%	25.0%

Quarterly Progress Report to the Board on District Goals and Initiatives

School Report (Middle School) Name of School: CLOVERDALE MAGNET MIDDLE SCHOOL

Dimension	2008	2009	2010	2011	Goal 2011	Goal 2012	Goal 2013	Goal 2014	Goal 2015
Algebra I - Percent Advanced									
Black	14.81%	20.0%	35.6%	7.4%	41.6%	47.6%	53.6%	59.6%	65.6%
White	0.00%	0.0%	100.0%	0.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Hispanic	66.67%	6.3%	83.3%	25.0%	87.3%	91.3%	95.3%	99.3%	100.0%
Asian	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Other	0.00%	0.0%	0.0%	100.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Total	19.35%	13.6%	43.4%	12.5%	47.4%	51.4%	55.4%	59.4%	63.4%
Geometry - Percent Advanced									
Black	0.00%	0.0%	0.0%	0.0%	6.0%	12.0%	18.0%	24.0%	30.0%
White	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Hispanic	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Asian	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Other	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Total	0.00%	0.0%	0.0%	0.0%	4.0%	8.0%	12.0%	16.0%	20.0%
Number of "Pass" Algebra I students			53	31					
Number of "No Pass" Algebra I students			0	1					

Quarterly Progress Report to the Board on District Goals and Initiatives

School Report (Middle School) Name of School: CLOVERDALE MAGNET MIDDLE SCHOOL

Dimension	Oct 1 2010	Oct 3 2011	1st Q 2010-11	1st Q 2011-12	2nd Q 2010-11	2nd Q 2011-12	3rd Q 2010-11	3rd Q 2011-12	4th Q 2010-11	4th Q 2011-12
Number of Classroom Walkthroughs (CWT) completed & uploaded			39	213	123	153				
Mobility Rate (% students who moved in or out during the quarter)			9.7%	10.7%	13.7%	10.3%	14.0%		5.6%	
% Eligible for Free and Reduced Lunch	95.1%	93.8%	90.9%	89.6%	95.5%	0.0%	95.3%		95.0%	
Grade Distribution										
A			851	1,575	866	1,458	798		1,079	
B			1,029	1,290	967	1,174	1,082		1,289	
C			1,013	1,040	1,070	1,225	1,154		1,184	
D			608	621	784	872	866		722	
F			196	342	449	457	443		443	
Student Attendance (Average Daily Membership)			598.90	651.33	590.02	665.27	588.68		593.06	
Student Attendance (Average Daily Attendance)			576.38	620.85	558.85	615.78	497.78		565.56	
Student Attendance (Average Absences Each Day)			22.52	30.48	31.17	49.49	90.90		27.50	
School Based Certified Staff Attendance (Total number of absences)										
Absences - Sick Leave			78.0	139.0	93.0	146.5	110.0		142.5	
Absences - Personal Leave			16.5	17.5	14.5	31.0	21.0		35.5	
Absences - Professional Leave			42.0	59.0	50.5	48.5	68.5		49.0	
Student Tardies (Number of students with one or more tardies)			307	387	292	444	348		343	
Student Tardies (Total number of tardies)			579	939	585	1,194	801		862	
Truancies (Total reported truancies)										
Black Male				3						
White Male				0						
Hispanic Male				0						
Asian Male				0						
Other Male				0						
Black Female				0						
White Female				0						
Hispanic Female				1						
Asian Female				0						
Other Female				0						
Total				4						
Discipline Referrals Level 1										
Black Male			7	4	7	5	11		4	
White Male			0	0	0	0	0		0	
Hispanic Male			1	0	3	2	0		3	
Asian Male			0	0	0	0	1		0	
Other Male			0	0	0	0	1		0	

Quarterly Progress Report to the Board on District Goals and Initiatives

School Report (Middle School) Name of School: CLOVERDALE MAGNET MIDDLE SCHOOL

Dimension	Oct 1 2010	Oct 3 2011	1st Q 2010-11	2nd Q 2010-11	2nd Q 2011-12	3rd Q 2010-11	3rd Q 2011-12	4th Q 2010-11	4th Q 2011-12
Black Female			7	3	6	1	3	3	
White Female			1	0	0	0	0	0	
Hispanic Female			0	0	1	0	0	0	
Asian Female			0	0	0	0	0	0	
Other Female			0	0	0	1	1	0	
Total			16	7	17	9	17	10	
Discipline Referrals Level 2									
Black Male			25	51	54	65	66	81	
White Male			0	0	0	0	2	2	
Hispanic Male			4	5	5	4	3	5	
Asian Male			0	0	0	0	0	0	
Other Male			0	0	0	0	1	0	
Black Female			14	20	27	32	47	43	
White Female			0	0	0	1	2	0	
Hispanic Female			0	0	1	2	1	3	
Asian Female			0	0	0	0	0	0	
Other Female			0	0	0	1	0	1	
Total			43	76	87	105	122	135	
Discipline Referrals Level 3									
Black Male			0	2	3	0	3	1	
White Male			0	0	0	0	0	0	
Hispanic Male			0	0	1	0	0	0	
Asian Male			0	0	0	0	0	0	
Other Male			0	0	0	0	0	0	
Black Female			0	0	0	1	1	0	
White Female			0	0	0	0	0	0	
Hispanic Female			0	0	0	0	0	0	
Asian Female			0	0	0	0	0	0	
Other Female			0	0	0	0	0	1	
Total			0	2	4	1	4	2	
Discipline Referrals Total									
Black Male			32	57	64	70	80	86	
White Male			0	0	0	0	2	2	
Hispanic Male			5	5	9	6	3	8	
Asian Male			0	0	0	0	1	0	
Other Male			0	0	0	0	2	0	

Quarterly Progress Report to the Board on District Goals and Initiatives

School Report (Middle School) Name of School: CLOVERDALE MAGNET MIDDLE SCHOOL

Dimension	Oct 1 2010	Oct 3 2011	1st Q 2010-11	1st Q 2011-12	2nd Q 2010-11	2nd Q 2011-12	3rd Q 2010-11	3rd Q 2011-12	4th Q 2010-11	4th Q 2011-12
Black Female			21	23	33	34	51		46	
White Female			1	0	0	1	2		0	
Hispanic Female			0	0	2	2	1		3	
Asian Female			0	0	0	0	0		0	
Other Female			0	0	0	2	1		2	
Total			59	85	108	115	143		147	
Enrollment (The enrollment is based on October 1 for the 1st Quarter Report)										
Enrollment - Grade 06										
Black	158	182	175	219	163	0	165		163	
White	10	8	13	10	11	0	12		12	
Hispanic	38	42	46	61	40	0	36		34	
Asian	1	0	1	0	1	0	1		1	
Other	0	1	0	2	0	0	0		0	
Total	207	233	235	292	215	0	214		210	
Enrollment - Grade 07										
Black	151	173	169	193	152	0	150		152	
White	6	11	6	13	6	0	6		6	
Hispanic	32	35	35	41	33	0	33		32	
Asian	2	1	2	1	2	0	2		2	
Other	0	0	0	0	0	0	1		1	
Total	191	220	212	248	193	0	192		193	
Enrollment - Grade 08										
Black	154	159	166	172	156	0	157		156	
White	5	2	5	5	5	0	4		4	
Hispanic	36	33	40	37	37	0	35		37	
Asian	0	1	0	2	0	0	0		0	
Total	195	195	211	216	198	0	196		197	
Gifted and Talented (Number of students identified and receiving services)										
Black Male	8	20	8	20	10	0	10		11	
White Male	1	1	1	1	1	0	1		1	
Hispanic Male	2	6	2	7	3	0	3		3	
Asian Male	0	0	0	0	0	0	0		0	
Black Female	23	33	23	33	20	0	20		20	
White Female	1	2	1	2	2	0	2		2	
Hispanic Female	2	6	2	7	2	0	2		2	
Asian Female	0	0	0	0	0	0	0		0	

Quarterly Progress Report to the Board on District Goals and Initiatives

School Report (Middle School) Name of School: CLOVERDALE MAGNET MIDDLE SCHOOL

Dimension	Oct 1 2010	Oct 3 2011	1st Q 2010-11	1st Q 2011-12	2nd Q 2010-11	2nd Q 2011-12	3rd Q 2010-11	3rd Q 2011-12	4th Q 2010-11	4th Q 2011-12
Other Female	0	0	0	0	0	0	0	0	0	0
Total	37	68	37	70	38	0	38		39	
Gifted and Talented (% of sub-population identified and receiving services)										
Black Male	3.2%	7.3%	3.0%	6.3%	4.0%	0.0%	3.9%		4.3%	
White Male	9.1%	9.1%	9.1%	5.9%	9.1%	0.0%	9.1%		9.1%	
Hispanic Male	3.4%	11.1%	3.0%	10.1%	5.0%	0.0%	5.5%		5.8%	
Asian Male	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%		0.0%	
Black Female	10.7%	13.7%	9.6%	12.4%	9.1%	0.0%	9.2%		9.2%	
White Female	10.0%	20.0%	7.7%	18.2%	18.2%	0.0%	18.2%		18.2%	
Hispanic Female	4.3%	10.7%	3.6%	10.0%	4.0%	0.0%	4.1%		3.9%	
Asian Female	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%		0.0%	
Other Female	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%		0.0%	
Total	6.2%	10.5%	5.6%	9.3%	6.3%	0.0%	6.3%		6.5%	
Special Education (Number of students identified and receiving services)										
Black Male	46	50	49	55	50	0	50		50	
White Male	3	4	3	7	4	0	3		3	
Hispanic Male	2	1	3	1	2	0	2		2	
Asian Male	1	0	1	1	1	0	1		1	
Black Female	20	20	23	23	23	0	23		22	
White Female	2	1	2	1	3	0	3		3	
Hispanic Female	0	1	0	1	0	0	0		0	
Asian Female	0	0	0	0	0	0	0		0	
Other Female	0	0	0	0	0	0	0		0	
Total	74	77	81	89	83	0	82		81	
Special Education (% of sub-population identified and receiving services)										
Black Male	18.5%	18.3%	18.1%	17.3%	19.8%	0.0%	19.7%		19.7%	
White Male	27.3%	36.4%	27.3%	41.2%	36.4%	0.0%	27.3%		27.3%	
Hispanic Male	3.4%	1.9%	4.5%	1.4%	3.3%	0.0%	3.6%		3.8%	
Asian Male	50.0%	0.0%	50.0%	50.0%	50.0%	0.0%	50.0%		50.0%	
Black Female	9.3%	8.3%	9.6%	8.6%	10.5%	0.0%	10.6%		10.1%	
White Female	20.0%	10.0%	15.4%	9.1%	27.3%	0.0%	27.3%		27.3%	
Hispanic Female	0.0%	1.8%	0.0%	1.4%	0.0%	0.0%	0.0%		0.0%	
Asian Female	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%		0.0%	
Other Female	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%		0.0%	
Total	12.5%	11.9%	12.3%	11.8%	13.7%	0.0%	13.6%		13.5%	
Pre-Advanced Placement Enrollment (Duplicated Count)										17

Quarterly Progress Report to the Board on District Goals and Initiatives

Middle School Report

Dimension	2008	2009	2010	2011	Goal 2011	Goal 2012	Goal 2013	Goal 2014	Goal 2015
Student Achievement - State Benchmark Exams									
Grade 6 Literacy - Percent Proficient and Advanced									
Black	35.10%	38.0%	50.1%	49.5%	56.1%	62.1%	68.1%	74.1%	80.1%
White	80.30%	82.8%	85.3%	87.2%	90.3%	95.3%	100.0%	100.0%	100.0%
Hispanic	42.00%	43.0%	48.1%	46.6%	53.1%	58.1%	63.1%	68.1%	73.1%
Asian	75.00%	90.5%	85.0%	100.0%	90.0%	95.0%	100.0%	100.0%	100.0%
Other	48.70%	60.0%	75.4%	70.0%	80.4%	85.4%	90.4%	95.4%	100.0%
Total	45.10%	47.1%	57.1%	56.9%	62.1%	67.1%	72.1%	77.1%	82.1%
Grade 7 Literacy - Percent Proficient and Advanced									
Black	35.50%	40.4%	45.8%	46.7%	51.8%	57.8%	63.8%	69.8%	75.8%
White	79.50%	79.4%	87.4%	80.1%	92.4%	97.4%	100.0%	100.0%	100.0%
Hispanic	30.80%	35.3%	48.4%	49.6%	53.4%	58.4%	63.4%	68.4%	73.4%
Asian	68.00%	73.7%	95.2%	89.2%	100.0%	100.0%	100.0%	100.0%	100.0%
Other	47.20%	62.9%	64.1%	70.4%	69.1%	74.1%	79.1%	84.1%	89.1%
Total	43.40%	48.1%	54.0%	54.1%	59.0%	64.0%	69.0%	74.0%	79.0%
Grade 8 Literacy - Percent Proficient and Advanced									
Black	46.90%	51.5%	59.1%	56.9%	65.1%	71.1%	77.1%	83.1%	89.1%
White	86.60%	84.3%	89.0%	92.6%	94.0%	99.0%	100.0%	100.0%	100.0%
Hispanic	39.80%	57.0%	51.3%	59.7%	56.3%	61.3%	66.3%	71.3%	76.3%
Asian	92.60%	81.8%	76.0%	90.9%	81.0%	86.0%	91.0%	96.0%	100.0%
Other	74.50%	69.0%	81.8%	76.2%	86.8%	91.8%	96.8%	100.0%	100.0%
Total	54.80%	57.9%	64.7%	64.4%	69.7%	74.7%	79.7%	84.7%	89.7%
Grade 6 Literacy - Percent Advanced									
Black	11.10%	8.2%	13.4%	14.5%	19.4%	25.4%	31.4%	37.4%	43.4%
White	51.60%	45.9%	49.8%	61.6%	53.8%	57.8%	61.8%	65.8%	69.8%
Hispanic	16.80%	9.1%	14.5%	16.1%	18.5%	22.5%	26.5%	30.5%	34.5%
Asian	55.00%	42.9%	60.0%	80.0%	64.0%	68.0%	72.0%	76.0%	80.0%
Other	23.10%	15.0%	41.0%	44.0%	45.0%	49.0%	53.0%	57.0%	61.0%
Total	20.10%	15.2%	21.2%	24.2%	25.2%	29.2%	33.2%	37.2%	41.2%

Quarterly Progress Report to the Board on District Goals and Initiatives

Middle School Report

Dimension	2008	2009	2010	2011	Goal 2011	Goal 2012	Goal 2013	Goal 2014	Goal 2015
Grade 7 Literacy - Percent Advanced									
Black	6.80%	8.0%	9.0%	10.1%	15.0%	21.0%	27.0%	33.0%	39.0%
White	37.80%	42.2%	50.2%	45.6%	54.2%	58.2%	62.2%	66.2%	70.2%
Hispanic	4.50%	9.5%	14.8%	14.1%	18.8%	22.8%	26.8%	30.8%	34.8%
Asian	28.00%	36.8%	61.9%	62.2%	65.9%	69.9%	73.9%	77.9%	81.9%
Other	13.90%	17.1%	15.4%	31.5%	19.4%	23.4%	27.4%	31.4%	35.4%
Total	12.40%	14.9%	17.2%	18.1%	21.2%	25.2%	29.2%	33.2%	37.2%
Grade 8 Literacy - Percent Advanced									
Black	9.60%	8.9%	14.0%	12.1%	20.0%	26.0%	32.0%	38.0%	44.0%
White	42.70%	43.1%	57.9%	53.2%	61.9%	65.9%	69.9%	73.9%	77.9%
Hispanic	14.20%	12.4%	14.8%	16.0%	18.8%	22.8%	26.8%	30.8%	34.8%
Asian	59.30%	40.9%	44.0%	68.2%	48.0%	52.0%	56.0%	60.0%	64.0%
Other	29.80%	13.8%	21.2%	19.0%	25.2%	29.2%	33.2%	37.2%	41.2%
Total	17.00%	15.2%	22.6%	20.6%	26.6%	30.6%	34.6%	38.6%	42.6%
Grade 6 Mathematics - Percent Proficient and Advanced									
Black	41.40%	56.5%	51.4%	52.1%	57.4%	63.4%	69.4%	75.4%	81.4%
White	82.90%	89.5%	88.6%	87.2%	93.6%	98.6%	100.0%	100.0%	100.0%
Hispanic	57.00%	62.0%	68.7%	62.7%	73.7%	78.7%	83.7%	88.7%	93.7%
Asian	90.00%	100.0%	90.0%	100.0%	95.0%	100.0%	100.0%	100.0%	100.0%
Other	56.40%	82.5%	77.0%	74.0%	82.0%	87.0%	92.0%	97.0%	100.0%
Total	51.40%	63.6%	60.3%	60.0%	65.3%	70.3%	75.3%	80.3%	85.3%
Grade 7 Mathematics - Percent Proficient and Advanced									
Black	30.50%	41.4%	47.5%	48.6%	53.5%	59.5%	65.5%	71.5%	77.5%
White	76.00%	80.1%	84.9%	84.2%	89.9%	94.9%	99.9%	100.0%	100.0%
Hispanic	28.60%	48.3%	55.7%	61.5%	60.7%	65.7%	70.7%	75.7%	80.7%
Asian	76.00%	89.5%	95.2%	94.6%	100.0%	100.0%	100.0%	100.0%	100.0%
Other	41.70%	71.4%	61.5%	74.1%	66.5%	71.5%	76.5%	81.5%	86.5%
Total	39.10%	50.2%	55.3%	57.3%	60.3%	65.3%	70.3%	75.3%	80.3%
Grade 8 Mathematics - Percent Proficient and Advanced									
Black	27.70%	32.0%	33.5%	32.6%	39.5%	45.5%	51.5%	57.5%	63.5%
White	73.20%	81.1%	82.9%	79.8%	87.9%	92.9%	97.9%	100.0%	100.0%
Hispanic	27.80%	39.7%	48.7%	49.6%	53.7%	58.7%	63.7%	68.7%	73.7%
Asian	85.20%	86.4%	80.0%	86.4%	85.0%	90.0%	95.0%	100.0%	100.0%
Other	48.90%	62.1%	48.5%	52.4%	53.5%	58.5%	63.5%	68.5%	73.5%
Total	37.10%	41.8%	44.5%	43.5%	49.5%	54.5%	59.5%	64.5%	69.5%

Quarterly Progress Report to the Board on District Goals and Initiatives

Middle School Report

Dimension	2008	2009	2010	2011	Goal 2011	Goal 2012	Goal 2013	Goal 2014	Goal 2015
Grade 6 Mathematics - Percent Advanced									
Black	14.80%	19.8%	16.7%	20.4%	22.7%	28.7%	34.7%	40.7%	46.7%
White	55.90%	62.2%	61.5%	66.5%	65.5%	69.5%	73.5%	77.5%	81.5%
Hispanic	28.90%	26.4%	32.1%	28.0%	36.1%	40.1%	44.1%	48.1%	52.1%
Asian	60.00%	90.5%	70.0%	95.0%	74.0%	78.0%	82.0%	86.0%	90.0%
Other	30.80%	40.0%	41.0%	48.0%	45.0%	49.0%	53.0%	57.0%	61.0%
Total	24.60%	28.8%	27.0%	30.4%	31.0%	35.0%	39.0%	43.0%	47.0%
Grade 7 Mathematics - Percent Advanced									
Black	6.40%	13.0%	11.2%	12.2%	17.2%	23.2%	29.2%	35.2%	41.2%
White	46.20%	56.8%	59.3%	55.9%	63.3%	67.3%	71.3%	75.3%	79.3%
Hispanic	10.50%	20.7%	23.0%	21.5%	27.0%	31.0%	35.0%	39.0%	43.0%
Asian	44.00%	47.4%	90.5%	75.7%	94.5%	98.5%	100.0%	100.0%	100.0%
Other	13.90%	28.6%	20.5%	38.9%	24.5%	28.5%	32.5%	36.5%	40.5%
Total	14.20%	22.3%	21.4%	22.3%	25.4%	29.4%	33.4%	37.4%	41.4%
Grade 8 Mathematics - Percent Advanced									
Black	4.80%	5.6%	5.8%	6.1%	11.8%	17.8%	23.8%	29.8%	35.8%
White	39.20%	44.1%	49.0%	41.8%	53.0%	57.0%	61.0%	65.0%	69.0%
Hispanic	11.30%	10.7%	12.2%	10.9%	16.2%	20.2%	24.2%	28.2%	32.2%
Asian	59.30%	63.6%	36.0%	77.3%	40.0%	44.0%	48.0%	52.0%	56.0%
Other	14.90%	6.9%	15.2%	14.3%	19.2%	23.2%	27.2%	31.2%	35.2%
Total	12.30%	13.1%	14.7%	14.0%	18.7%	22.7%	26.7%	30.7%	34.7%
Algebra I - Percent Proficient and Advanced									
Black	76.50%	88.8%	82.2%	87.6%	88.2%	94.2%	100.0%	100.0%	100.0%
White	94.90%	97.6%	98.7%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Hispanic	64.30%	81.0%	84.4%	93.5%	89.4%	94.4%	99.4%	100.0%	100.0%
Asian	100.00%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Other	83.30%	100.0%	88.9%	100.0%	93.9%	98.9%	100.0%	100.0%	100.0%
Total	82.90%	91.7%	88.1%	93.0%	93.1%	98.1%	100.0%	100.0%	100.0%
Geometry - Percent Proficient and Advanced									
Black	90.60%	92.1%	78.8%	93.3%	84.8%	90.8%	96.8%	100.0%	100.0%
White	100.00%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Hispanic	83.30%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Asian	100.00%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Other	100.00%	0.0%	66.7%	80.0%	71.7%	76.7%	81.7%	86.7%	91.7%
Total	95.80%	95.7%	90.4%	95.6%	95.4%	100.0%	100.0%	100.0%	100.0%

Quarterly Progress Report to the Board on District Goals and Initiatives

Middle School Report

Dimension	2008	2009	2010	2011	Goal 2011	Goal 2012	Goal 2013	Goal 2014	Goal 2015
Algebra I - Percent Advanced									
Black	20.80%	31.5%	29.6%	29.7%	35.6%	41.6%	47.6%	53.6%	59.6%
White	54.20%	71.5%	79.7%	78.6%	83.7%	87.7%	91.7%	95.7%	99.7%
Hispanic	32.10%	19.0%	37.5%	51.6%	41.5%	45.5%	49.5%	53.5%	57.5%
Asian	63.20%	85.7%	73.7%	77.8%	77.7%	81.7%	85.7%	89.7%	93.7%
Other	41.70%	36.4%	33.3%	100.0%	37.3%	41.3%	45.3%	49.3%	53.3%
Total	34.30%	45.5%	46.9%	51.0%	50.9%	54.9%	58.9%	62.9%	66.9%
Geometry - Percent Advanced									
Black	12.50%	10.5%	21.2%	28.3%	27.2%	33.2%	39.2%	45.2%	51.2%
White	65.00%	64.0%	90.0%	82.8%	94.0%	98.0%	100.0%	100.0%	100.0%
Hispanic	33.30%	0.0%	21.4%	30.0%	25.4%	29.4%	33.4%	37.4%	41.4%
Asian	100.00%	83.3%	100.0%	66.7%	100.0%	100.0%	100.0%	100.0%	100.0%
Other	14.30%	0.0%	33.3%	40.0%	37.3%	41.3%	45.3%	49.3%	53.3%
Total	45.30%	35.7%	49.4%	46.0%	53.4%	57.4%	61.4%	65.4%	69.4%
Number of "Pass" Algebra I students			512	386					
Number of "No Pass" Algebra I students			9	1					

Quarterly Progress Report to the Board on District Goals and Initiatives

Middle School Report

Dimension	Oct 1 2010	Oct 3 2011	1st Q 2010-11	1st Q 2011-12	2nd Q 2010-11	2nd Q 2011-12	3rd Q 2010-11	3rd Q 2011-12	4th Q 2010-11	4th Q 2011-12
Mobility Rate (% students who moved in or out during the quarter)			5.2%	6.8%	8.0%	7.6%	11.4%		3.3%	
Student Attendance (Average Daily Membership)			5,162.77	5,095.87	5,116.47	5,067.65	5,053.70		5,027.44	
Student Attendance (Average Daily Attendance)			4,986.62	4,949.86	4,848.55	4,797.11	4,731.92		4,757.34	
Student Attendance (Average Absences Each Day)			176.15	146.01	267.92	270.54	321.78		270.10	
School Based Certified Staff Attendance (Total number of absences)										
Absences - Sick Leave			907.5	1,096.5	1,300.0	1,588.0	1,521.5		1,469.0	
Absences - Personal Leave			100.5	121.5	146.0	182.0	210.5		220.5	
Absences - Professional Leave			504.0	389.5	436.5	392.0	527.0		452.0	
Student Tardies (Number of students with one or more tardies)			2,270	2,379	2,472	2,762	2,703		2,520	
Student Tardies (Total number of tardies)			4,768	5,588	6,573	7,757	8,488		7,202	
Truancies (Total reported truancies)										
Black Male				6						
White Male				0						
Hispanic Male				0						
Asian Male				0						
Other Male				0						
Black Female				2						
White Female				0						
Hispanic Female				1						
Asian Female				0						
Other Female				0						
Total				9						
Discipline Referrals Level 1										
Black Male			38	46	55	115	58		100	
White Male			2	3	2	5	3		1	
Hispanic Male			1	2	4	3	2		7	
Asian Male			0	0	0	0	1		0	
Other Male			1	0	0	2	1		0	
Black Female			18	22	38	76	39		93	
White Female			1	3	0	1	1		3	
Hispanic Female			0	1	2	3	0		1	
Asian Female			0	0	0	0	0		0	
Other Female			0	1	0	2	1		0	
Total			61	78	101	207	106		205	
Discipline Referrals Level 2										
Black Male			225	247	362	425	478		514	22

Quarterly Progress Report to the Board on District Goals and Initiatives

Middle School Report

Dimension	Oct 1 2010	Oct 3 2011	1st Q 2010-11	1st Q 2011-12	2nd Q 2010-11	2nd Q 2011-12	3rd Q 2010-11	3rd Q 2011-12	4th Q 2010-11	4th Q 2011-12
White Male			10	17	21	13	28		34	
Hispanic Male			13	9	24	15	13		22	
Asian Male			0	0	0	0	4		4	
Other Male			6	6	3	11	15		11	
Black Female			141	134	201	201	294		289	
White Female			3	5	7	6	8		6	
Hispanic Female			2	0	6	11	2		9	
Asian Female			0	0	0	1	0		0	
Other Female			1	0	1	6	3		3	
Total			401	418	625	689	845		892	
Discipline Referrals Level 3										
Black Male			5	16	13	14	22		11	
White Male			1	1	1	4	2		1	
Hispanic Male			1	2	2	0	0		1	
Asian Male			0	0	0	0	0		0	
Other Male			0	0	0	0	0		1	
Black Female			9	1	1	7	11		3	
White Female			1	0	0	1	2		1	
Hispanic Female			0	0	1	0	1		0	
Asian Female			0	0	0	0	0		0	
Other Female			0	0	1	0	0		2	
Total			17	20	19	26	38		20	
Discipline Referrals Total										
Black Male			268	309	430	554	558		625	
White Male			13	21	24	22	33		36	
Hispanic Male			15	13	30	18	15		30	
Asian Male			0	0	0	0	5		4	
Other Male			7	6	3	13	16		12	
Black Female			168	157	240	284	344		385	
White Female			5	8	7	8	11		10	
Hispanic Female			2	1	9	14	3		10	
Asian Female			0	0	0	1	0		0	
Other Female			1	1	2	8	4		5	
Total			479	516	745	922	989		1,117	
Enrollment (The enrollment is based on October 1 for the 1st Quarter Report)										
Enrollment - Grade 06										23

Quarterly Progress Report to the Board on District Goals and Initiatives

Middle School Report

Dimension	Oct 1 2010	Oct 3 2011	1st Q 2010-11	1st Q 2011-12	2nd Q 2010-11	2nd Q 2011-12	3rd Q 2010-11	3rd Q 2011-12	4th Q 2010-11	4th Q 2011-12
Black	1,248	1,211	1,329	1,303	1,260	0	1,274		1,238	
White	320	267	358	294	323	0	336		325	
Hispanic	129	138	142	171	128	0	126		125	
Asian	20	14	20	21	20	0	20		20	
Other	15	25	15	26	15	0	18		17	
Total	1,732	1,655	1,864	1,815	1,746	0	1,774		1,725	
Enrollment - Grade 07										
Black	1,216	1,244	1,262	1,297	1,228	0	1,225		1,197	
White	325	309	335	325	326	0	334		323	
Hispanic	136	131	143	139	138	0	141		138	
Asian	39	21	40	23	39	0	38		37	
Other	16	18	19	20	17	0	21		20	
Total	1,732	1,723	1,799	1,804	1,748	0	1,759		1,715	
Enrollment - Grade 08										
Black	1,184	1,203	1,231	1,249	1,203	0	1,196		1,149	
White	328	300	342	318	333	0	327		317	
Hispanic	123	137	128	143	124	0	121		123	
Asian	23	36	24	39	23	0	23		23	
Other	15	19	15	19	17	0	19		18	
Total	1,673	1,695	1,740	1,768	1,700	0	1,686		1,630	
Gifted and Talented (Number of students identified and receiving services)										
Black Male	236	251	236	257	236	0	231		230	
White Male	220	209	224	211	222	0	221		221	
Hispanic Male	30	28	31	31	31	0	29		29	
Asian Male	20	22	23	23	24	0	24		24	
Other Male	6	10	6	12	6	0	7		8	
Black Female	386	449	385	454	384	0	383		383	
White Female	245	236	247	237	249	0	249		248	
Hispanic Female	55	55	54	56	53	0	55		55	
Asian Female	17	15	17	16	17	0	18		18	
Other Female	14	11	15	11	13	0	14		14	
Total	1,229	1,286	1,238	1,308	1,235	0	1,231		1,230	
Gifted and Talented (% of sub-population identified and receiving services)										
Black Male	12.9%	13.9%	12.3%	13.4%	12.7%	0.0%	12.4%		12.8%	
White Male	44.6%	45.9%	42.7%	43.3%	44.6%	0.0%	43.6%		45.0%	
Hispanic Male	16.0%	14.4%	15.6%	14.1%	16.7%	0.0%	15.6%		15.8% ²⁴	

Quarterly Progress Report to the Board on District Goals and Initiatives

Middle School Report

Dimension	Oct 1 2010	Oct 3 2011	1st Q 2010-11	1st Q 2011-12	2nd Q 2010-11	2nd Q 2011-12	3rd Q 2010-11	3rd Q 2011-12	4th Q 2010-11	4th Q 2011-12
Asian Male	42.6%	55.0%	47.9%	51.1%	51.1%	0.0%	51.1%		52.2%	
Other Male	28.6%	27.8%	27.3%	32.4%	28.6%	0.0%	29.2%		33.3%	
Black Female	21.3%	24.2%	20.2%	23.5%	20.9%	0.0%	20.9%		21.4%	
White Female	51.0%	56.1%	48.3%	52.7%	51.4%	0.0%	50.8%		52.3%	
Hispanic Female	27.5%	26.1%	25.2%	24.0%	26.0%	0.0%	27.2%		27.1%	
Asian Female	47.2%	48.4%	45.9%	42.1%	48.6%	0.0%	52.9%		52.9%	
Other Female	53.8%	42.3%	53.6%	39.3%	46.4%	0.0%	41.2%		45.2%	
Total	23.9%	25.3%	22.9%	24.3%	23.8%	0.0%	23.6%		24.3%	
Special Education (Number of students identified and receiving services)										
Black Male	297	300	310	315	309	0	310		298	
White Male	54	51	59	57	58	0	58		56	
Hispanic Male	12	18	13	18	12	0	12		14	
Asian Male	3	1	3	2	3	0	3		3	
Other Male	1	3	1	3	1	0	1		1	
Black Female	134	134	147	139	145	0	141		136	
White Female	26	25	26	28	28	0	29		29	
Hispanic Female	7	7	7	8	7	0	7		7	
Asian Female	0	0	0	0	0	0	0		0	
Other Female	1	1	1	1	2	0	3		3	
Total	535	540	567	571	565	0	564		547	
Special Education (% of sub-population identified and receiving services)										
Black Male	16.2%	16.6%	16.2%	16.5%	16.7%	0.0%	16.7%		16.6%	
White Male	11.0%	11.2%	11.3%	11.7%	11.6%	0.0%	11.4%		11.4%	
Hispanic Male	6.4%	9.2%	6.5%	8.2%	6.5%	0.0%	6.5%		7.7%	
Asian Male	6.4%	2.5%	6.3%	4.4%	6.4%	0.0%	6.4%		6.5%	
Other Male	4.8%	8.3%	4.5%	8.1%	4.8%	0.0%	4.2%		4.2%	
Black Female	7.4%	7.2%	7.7%	7.2%	7.9%	0.0%	7.7%		7.6%	
White Female	5.4%	5.9%	5.1%	6.2%	5.8%	0.0%	5.9%		6.1%	
Hispanic Female	3.5%	3.3%	3.3%	3.4%	3.4%	0.0%	3.5%		3.4%	
Asian Female	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%		0.0%	
Other Female	3.8%	3.8%	3.6%	3.6%	7.1%	0.0%	8.8%		9.7%	
Total	10.4%	10.6%	10.5%	10.6%	10.9%	0.0%	10.8%		10.8%	
Pre-Advanced Placement Enrollment (Duplicated Count)										
Black Male			2,112	2,382	2,208	2,520	2,315		2,335	
White Male			1,112	1,174	1,141	1,190	1,186		1,191	
Hispanic Male			192	249	196	269	209		203	25

Quarterly Progress Report to the Board on District Goals and Initiatives

Middle School Report

Dimension	Oct 1 2010	Oct 3 2011	1st Q 2010-11	1st Q 2011-12	2nd Q 2010-11	2nd Q 2011-12	3rd Q 2010-11	3rd Q 2011-12	4th Q 2010-11	4th Q 2011-12
Asian Male			142	146	145	146	145		147	
Other Male			146	187	151	191	163		161	
Black Female			2,945	3,612	3,016	3,777	3,208		3,191	
White Female			1,197	1,192	1,207	1,205	1,253		1,250	
Hispanic Female			304	396	307	415	322		309	
Asian Female			110	115	115	119	116		116	
Other Female			176	186	182	192	190		189	
Total			8,436	9,639	8,668	10,024	9,107		9,092	
Pre-Advanced Placement Enrollment (Deduped Count)										
Black Male			754	788	791	832	817		831	
White Male			328	313	334	316	343		346	
Hispanic Male			67	88	68	98	72		72	
Asian Male			38	36	38	36	38		39	
Other Male			46	55	47	55	50		50	
Black Female			970	1,122	997	1,168	1,044		1,059	
White Female			344	318	345	321	354		355	
Hispanic Female			103	127	105	133	108		108	
Asian Female			29	29	29	30	29		29	
Other Female			51	51	52	53	54		54	
Total			2,730	2,927	2,806	3,042	2,909		2,943	
Pre-Advanced Placement Enrollment (% of sub-population enrolled)										
Black Male			47.7%	47.0%	48.3%	47.6%	47.1%		47.0%	
White Male			80.4%	80.9%	80.9%	80.2%	80.1%		79.7%	
Hispanic Male			40.4%	47.3%	39.8%	50.5%	40.7%		39.3%	
Asian Male			84.4%	90.0%	84.4%	87.8%	84.4%		84.8%	
Other Male			68.7%	76.4%	70.1%	75.3%	70.4%		70.4%	
Black Female			60.2%	64.0%	59.7%	64.6%	59.7%		59.5%	
White Female			85.4%	88.3%	85.2%	88.7%	85.1%		84.7%	
Hispanic Female			54.8%	62.9%	54.7%	64.3%	54.8%		54.0%	
Asian Female			85.3%	96.7%	85.3%	96.8%	85.3%		85.3%	
Other Female			73.9%	76.1%	74.3%	76.8%	73.0%		71.1%	
Total			59.7%	61.3%	59.7%	61.8%	59.1%		58.7%	
Enrollment in Music			1,162	1,636	1,202	1,687	1,223		1,254	
Enrollment in Art			1,012	1,329	1,054	1,398	1,142		1,153	
Enrollment in Foreign Languages (all languages combined)			1,010	1,013	1,033	1,042	1,050		1,073	

Quarterly Progress Report to the Board on District Goals and Initiatives

Middle School Report

Dimension	Oct 1 2010	Oct 3 2011	1st Q 2010-11	1st Q 2011-12	2nd Q 2010-11	2nd Q 2011-12	3rd Q 2010-11	3rd Q 2011-12	4th Q 2010-11	4th Q 2011-12
Enrollment in Algebra I			360	449	368	459	380		385	
Enrollment in Geometry			107	59	108	57	126		113	

**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 has 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~~ library media specialist, 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 12.0 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~~ library media specialist, 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 **or advanced** 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 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 or advanced 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 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 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 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 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 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 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 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 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, 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 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.

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) 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.~~

~~8.01.56.1~~ Four (4) years of experience as a school counselor or librarian library media specialist may be counted toward the total of four (4) years of classroom teaching experience for Building Level Administrator only.

~~8.01.67~~ 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.~~

~~8.01.78~~ Applicants for licensure as an Initial Curriculum Program Administrator shall also hold Arkansas licensure in the specialty area where applicable.

~~8.01.78.1~~ 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 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.~~

113.00 REQUIREMENTS FOR ADDING ADDITIONAL AREAS OF LICENSURE/ENDORSEMENT BY RECIPROCITY

113.01 Applicants shall submit a completed application requesting the addition of the area(s) of licensure or endorsement.

113.02 Applicants seeking to add content teaching areas, adult education, added endorsement areas, non-instructional student services areas, and professional and technical areas to an Arkansas license by reciprocity 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.~~

113.03 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.

113.03.1 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).

113.04 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.

12.0 ACT 1178 OF 2011 STANDARD LICENSE RECIPROCITY

12.01 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:

12.01.1 Provide a copy of the out-of-state teaching license to the Office of Professional Licensure;

12.01.2 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;

12.01.2.1 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;

12.01.3 Successfully pass a criminal background check and Child Maltreatment Central Registry check;

12.01.4 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;

12.01.5 Submit reports evidencing all test scores required for licensing in the licensing state;

12.01.5.1 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;

12.01.6 Submit documentation of one (1) of the following:

12.01.6.1 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

12.01.6.2 Completion of a program of teacher education accredited by the National Council for Accreditation of Teacher Education (NCATE).

Teacher Education Accreditation Council (TEAC),
or Council for Accreditation of Educator
Preparation (CAEP); or

12.01.6.3 Certification from the National Board of
Professional Teaching Standards; and

12.01.7 Pay applicable licensure fees as established by the State
Board of Education pursuant to Ark. Code Ann. § 6-17-
422(h)(3)(C).

12.02 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.

12.02.1 A one-year, non-renewable provisional teaching license
shall be available for an applicant who has not completed
the three-hour *Arkansas History* course.

12.03 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).

12.03.1 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.

12.04 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.

12.05 The areas of licensure and/or endorsement listed on an out-of-state
license shall be recognized for licensure through reciprocity.

12.06 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.

SUMMARY OF PROPOSED CHANGES TO THE
ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
TEACHER LICENSURE BY RECIPROCITY

Changes Made Before Public Comment Period:

The rule has been amended throughout to replace the term “standard/professional license” with “advanced license” to make this rule consistent with the Department’s other rules. Along the same lines, a definition of “advanced license” was added in section **3.02**.

The accompanying appendix listing areas of licensure, along with grade-level restrictions on licensure areas, have been deleted so that these rules need not be amended every time the State Board approves a new licensure area.

Sections **3.15** and **8.01.5** have been amended to clarify that required coursework may be taken at an out-of-state college or university, so long as the institution is accredited. Also, the phrase used to define accreditation has been amended for clarity in this section and in sections **4.02.5.1, 4.02.14.3, 4.02.16.2, 4.02.18.2, 4.02.19.2, 4.02.28, and 8.01.4**.

The definition of “Provisional License by Reciprocity” in section **3.16** has been amended to delete redundant provisions regarding provisional licenses that can be found in the Department’s other rules.

The definition of “Teacher-of-Record” in section **3.21** has been updated in anticipation of the new teacher evaluation system to be implemented pursuant to Act 1209 of 2011.

Section **4.01.1.2** has been amended and section **14.0** has been added to implement Section 1 of Act 1178 of 2011. The provisions of the Act have been clarified and implemented by adding a definition of “Good Standing” (section **14.01.2.1**); by noting the criminal and other background checks required by Ark. Code Ann. § 6-17-401 et seq. (section **14.01.3**); by noting the Arkansas History course requirement of Ark. Code Ann. § 6-17-418 (section **14.02**); by establishing a procedure for determining how licensure areas and endorsements will be determined (section **14.03**); and by establishing a license term consistent with that of other Arkansas standard licenses (section **14.04**).

Changes Made After First Public Comment Period:

Grammatical and stylistic changes have been made to sections **3.02, 3.22, 4.02.4.1, 8.01.5.1**

Redundant references to the Child Maltreatment Central Registry check have been removed from sections **4.02.14.5, 4.02.16.5, 4.02.18.3, 4.02.19.3, 4.02.20.3, 4.02.23, 4.02.27.3, 4.02.28.4, 5.02.3, 5.04.3,**

Section **8.01.3** has been amended to use the same phrase to define accreditation as is used in the remainder of the rule.

Section **8.01.5** has been deleted to remove the additional experience requirements currently placed on individuals seeking administrative licensure who obtain the required coursework at institutions of higher education that are not accredited by NCATE or TEAC. This change is being made to provide more opportunities for Arkansans living in border cities where it may be more convenient to obtain coursework at an out-of-state school.

Sections **8.01.5** and **8.01.6** (formerly numbered **8.01.6** and **8.01.7**) have been revised to remove the requirement that individuals seeking administrative licensure have classroom teaching experience at the licensure level being sought. The rule as revised will now require only that these individuals have four years of teaching experience at any level.

Former sections **11.0** and **12.0** have been deleted as their requirements are now moot due to the changes made by Act 1178 of 2011.

Section **11.02** (formerly numbered **13.02**) has been revised to complement the changes in **8.01.5** allowing individuals to seek administrative licensure with coursework from non-NCATE or non-TEAC accredited institutions of higher education.

Section **13.02.1** has been deleted as it is redundant to other rules.

Section **12.01.6.2** (formerly numbered as **14.01.6.2**) has been amended to recognize education degrees not only from institutions accredited by the National Council for Accreditation of Teacher Education (NCATE), but also from the Teacher Education Accreditation Council (TEAC) and the Council for Accreditation of Educator Preparation (CAEP). NCATE and TEAC have merged, and the combined organization is now known as CAEP. This change is made to reflect the merger, so that the rules will not refer to an organization that no longer exists.

Changes Made After Second Public Comment Period:

Sections **4.02.6** and **4.02.14.8** have been amended to replace the term “standard/professional license” with “advanced license” to make this rule consistent with the Department’s other rules.

Section **12.01.3** has been revised to conform the language of the rule to the language of the statute.

Public Comments: ADE Rules Governing Teacher Licensure by Reciprocity – Sept./Oct. 2011, Dec. 2011/Jan. 2012

Date, Name, Affiliation	Section & Comment	Resolution
<p>September 27, 2011 Mr. Don McGohan Bryant Public Schools</p>	<p>12.01.6.1 (formerly 14.01.6.1) – Has heard concerns from others about recognizing degrees from institutions other than NCATE-accredited programs.</p> <p>3.01, 3.15 & 8.01.5 – Has heard concerns from others about the deletion of the requirement that a program of study be completed at an Arkansas college or university.</p>	<p>Comment considered. New section 14.0 allows the award of a standard license via reciprocity, and the only education requirement is that the licensee must have completed a teacher education program at a regionally or nationally accredited institution of higher education, or at a program accredited by NCATE. Act 1178 specifically allows reciprocity for individuals holding degrees from institutions other than those that are NCATE-accredited.</p> <p>Comment considered. The U.S. Constitution forbids the state from burdening interstate commerce, meaning the state as a general rule may not impose a regulation that discriminates against out-of-state entities in favor of in-state entities. The current regulation does not articulate a legally-significant rationale for its preferential treatment of in-state institutions of higher education.</p>
<p>September 27, 2011 Ms. Sheri Neil, President Arkansas School Counselor Association</p>	<p>12.01.2 (formerly 14.01.2) – The last two words of this section, “if any”, are not contained in Act 1178 and should not be added. If an applicant seeking reciprocity does not have any teaching experience, then the rules for an Initial or Provisional license should apply. Some states allow individuals to be professional school counselors with no experience in the classroom. Currently, to become licensed as a school counselor in Arkansas an individual must hold a teacher’s license, complete at least two years of classroom experience, obtain a master’s degree, and pass the Praxis II content area and pedagogical assessments. The ArSCA Board believes this experience is important</p>	<p>Comment considered. Per Act 1178, new section 14.0 allows the award of a standard license via reciprocity for individuals holding a standard license or its equivalent from another state. Act 1178 does not explicitly require applicants for reciprocity to have prior teaching experience. The question, then, is whether Section 1, paragraph (c)(1)(B) of Act 1178 implicitly requires experience, given that one requirement for reciprocity is that the license must have “been in good standing during the most recent two (2) years of the applicant's teaching experience.”</p> <p>The Department’s opinion is that it was not the Legislature’s intent for Act 1178 to implicitly require two years of teaching experience prior to reciprocity being granted. Rather, the Department believes the Legislative</p>

Public Comments: ADE Rules Governing Teacher Licensure by Reciprocity – Sept./Oct. 2011, Dec. 2011/Jan. 2012

	<p>to understand and experience the dynamics of the school environment to work most effectively with students, teachers, and administrators. In the school setting, counselors are dealing with not only the social and emotional well-being of the student, but also the academic and career development of the student. School counselors must prepare and teach lessons to students in a classroom while maintaining the classroom atmosphere in addition to individual and small group counseling sessions. School counselors work with the faculty and staff in a myriad of activities for the well-being of the individual student as well as the entire student body. Professional counselors who enter the school setting with no teaching experience will encounter a learning curve much greater than a school counselor who had the training and experience to become a classroom teacher and performed those duties for at least two years. Providing for an initial or provisional license for individuals coming to Arkansas with no teaching experience would afford mentoring support during those first two years.</p>	<p>intent was to allow reciprocity for any individual holding a standard license or its equivalent from another state, regardless of classroom experience, so long as the applicant's license was in good standing up to two years prior. Therefore, the Department added "if any" to the phrase in 14.01.2 to reflect that determination.</p>
<p>September 28, 2011 Dr. Mitch Holifield Arkansas Professors of Educational Administration</p>	<p>3.01, 3.15 & 8.01.5 – In the September 2009 revision of the "Arkansas Department of Education Rules Governing Teach Licensure by Reciprocity," an out-of-state program of study was to be accredited by an agency approved by the Federal State Department of Education. Two agencies were recognized as being appropriate: NCATE and TEAC, which</p>	<p>Comment considered. The current rules confine the definition of "program of study" to only Arkansas colleges and universities. The current rules do not limit reciprocity to individuals holding degrees from NCATE or TEAC-accredited institutions; rather, reciprocity is currently permitted to an individual holding a degree from any institution of higher education that is regionally or nationally accredited, or approved by a state, and that</p>

Public Comments: ADE Rules Governing Teacher Licensure by Reciprocity – Sept./Oct. 2011, Dec. 2011/Jan. 2012

	<p>are now merging. Currently, programs in Arkansas universities and colleges that prepare teachers and administrators must be NCATE accredited. The new rules and regulations implementing Act 1178 should require that teachers and administrators from other states seeking an Arkansas license must have graduated from a college/university that is NCATE or TEAC accredited. If a candidate comes from a program without this accreditation, he/she should complete an abbreviated program of study—based on Arkansas licensure standards— at an Arkansas institution.</p> <p>8.01.5.1 – The new rules and regulations indicate that out-of-state candidates seeking an administrator’s license who have less than one year of administrative experience and had graduated from a program that was not NCATE or TEAC accredited “. . . shall complete an Administrator Licensure Completion Plan (ALCP) of study (Section 8.01.5.1). The September 2009 rules and regulations required that such candidates must complete the ALCP at an approved Arkansas College/University; the old rule seems more congruent with the requirement that Arkansas be an NCATE state, especially in light of the fact that if the candidate is on an ALCP, he/she is working in an Arkansas school district while completing this program of study.</p>	<p>accreditation is not limited to NCATE or TEAC. Act 1178 explicitly allows reciprocity for individuals holding degrees from non-NCATE accredited schools; therefore, the comment cannot be accepted without exceeding the Department’s statutory authority. The change requested by the commenter may be made only by the General Assembly.</p> <p>Comment considered. The U.S. Constitution forbids the state from burdening interstate commerce, meaning the state as a general rule may not impose a regulation that discriminates against out-of-state entities in favor of in-state entities. The current regulation does not articulate a legally-significant rationale for its preferential treatment of in-state institutions of higher education. Because of the removal of the in-state preference, and in light of the provisions of the Act 1178, the Department now proposes deleting sections 8.01.5 and 8.01.5.1 in their entirety.</p>
--	--	--

Public Comments: ADE Rules Governing Teacher Licensure by Reciprocity – Sept./Oct. 2011, Dec. 2011/Jan. 2012

<p>October 31, 2011 Richard Hutchinson, Arkansas Education Association</p>	<p>3.21 – The proposed language suggests that someone other than a licensed teacher could be Teacher-of-Record. We believe that the language should read: “an instructional teacher licensed by the State of Arkansas in the area in which they are teaching and employed under contract by a school district or other Arkansas agency or organization requiring an Arkansas teaching license who has been assigned lead responsibility for a student’s learning in a subject/course with aligned performance measures.”</p> <p>3.01, 3.15 & 8.01.5 – In the September 2009 revision of the “Arkansas Department of Education Rules Governing Teach Licensure by Reciprocity,” an out-of-state program of study was to be accredited by an agency approved by the Federal State Department of Education. Two agencies were recognized as being appropriate: NCATE and TEAC, which are now merging. Currently, programs in Arkansas universities and colleges that prepare teachers and administrators must be NCATE accredited. The new rules and regulations implementing Act 1178 should require that teachers and administrators from other states seeking an Arkansas license must have graduated from a college/university that is NCATE or TEAC accredited. If a candidate comes from a program without this accreditation, he/she should complete an abbreviated program of study—based on Arkansas licensure standards— at an Arkansas institution.</p>	<p>Comment considered. Because most open-enrollment public charter schools have waivers from the teacher licensure requirements, it is likely that they will have individuals designated as teacher-of-record who nonetheless are not licensed.</p> <p>Comment considered. The current rules confine the definition of “program of study” to only Arkansas colleges and universities. The current rules do not limit reciprocity to individuals holding degrees from NCATE or TEAC-accredited institutions; rather, reciprocity is currently permitted to an individual holding a degree from any institution of higher education that is regionally or nationally accredited, or approved by a state, and that accreditation is not limited to NCATE or TEAC. Act 1178 explicitly allows reciprocity for individuals holding degrees from non-NCATE accredited schools; therefore, the comment cannot be accepted without exceeding the Department’s statutory authority. The change requested by the commenter may be made only by the General Assembly.</p>
--	---	--

Public Comments: ADE Rules Governing Teacher Licensure by Reciprocity – Sept./Oct. 2011, Dec. 2011/Jan. 2012

October 31, 2011 Richard Hutchinson, Arkansas Education Association (continued)	8.01.5.1 – The new rules and regulations indicate that out-of-state candidates seeking an administrator’s license who have less than one year of administrative experience and had graduated from a program that was not NCATE or TEAC accredited “. . . shall complete an Administrator Licensure Completion Plan (ALCP) of study (Section 8.01.5.1). The September 2009 rules and regulations required that such candidates must complete the ALCP at an approved Arkansas College/University; the old rule seems more congruent with the requirement that Arkansas be an NCATE state, especially in light of the fact that if the candidate is on an ALCP, he/she is working in an Arkansas school district while completing this program of study.	Comment considered. The U.S. Constitution forbids the state from burdening interstate commerce, meaning the state as a general rule may not impose a regulation that discriminates against out-of-state entities in favor of in-state entities. The current regulation does not articulate a legally-significant rationale for its preferential treatment of in-state institutions of higher education. Because of the removal of the in-state preference, and in light of the provisions of the Act 1178, the Department now proposes deleting sections 8.01.5 and 8.01.5.1 in their entirety.
October 31, 2011 Tripp Walter, Staff Attorney Arkansas Public School Resource Center	3.15 – The proposed new language is not contained in Act 1178. The Rules should not contain language that goes beyond the Act. 12.01.3 (formerly 14.01.3) – This section requires the successful passing of “other background checks as required by law,” along with passing the statutorily required criminal background checks and Child Maltreatment Central Registry check. Neither Act 1178, nor other statutes, requires passing “other background checks” as a prerequisite to license. The Rules should not contain language that goes beyond the Act and the licensure statutes.	Comment considered. Section 3.15 defines “program of study”; Act 1178 does not address programs of study, and the proposed revisions are unrelated to Act 1178. Comment accepted.

Public Comments: ADE Rules Governing Teacher Licensure by Reciprocity – Sept./Oct. 2011, Dec. 2011/Jan. 2012

	<p>12.01.5 (formerly 14.01.5) – This section should also include the waiver of examination requirements provision of Ark. Code Ann. § 6-17-402(d).</p> <p>12.02.1 (formerly 14.02.1) – This section authorizes the ADE to issue a one-year, non-renewable provisional teaching license to an applicant who has not completed the Arkansas History course. The intent of Act 1178 would seem to indicate that an applicant who is just lacking the Arkansas History course should be issued a standard teaching license, with a requirement to submit proof of completion of the course to the ADE within a certain period of time.</p> <p>12.03.1 (formerly 14.03.1) – Before this language is placed in final Rule form, we would ask the Department to review all of its licensure areas to see how many (if any) out-of-state licensure areas are anticipated not to match Arkansas' licensure areas. A clear intent of Act 1178 is for an out-of-state teacher, upon the presentation of the proof required by the Act to the Department, to receive a standard Arkansas teaching license for the same grade levels and areas as reflected on the out-of-state license.</p>	<p>Comment considered. The waiver provisions are included in section 12.01.5.1.</p> <p>Comment considered. Ark. Code Ann. § 6-17-418(b) specifically requires the issuance of a provisional license in place of a standard license for applicants who do not meet the Arkansas History requirements. Act 1178 did not repeal or modify any portion of § 6-17-418; therefore, the Department must continue to enforce § 6-17-418 as it currently exists.</p> <p>Comment considered. The language of 12.03.1 ensures that every eligible applicant will receive a standard license as required by Act 1178, regardless of what licensure area they may have.</p>
--	---	--

Public Comments: ADE Rules Governing Teacher Licensure by Reciprocity – Sept./Oct. 2011, Dec. 2011/Jan. 2012

<p>January 17, 2012 Matthew B. Miller Administrator, Administrative Rules Review, Bureau of Legislative Research</p>	<p>3.06 – Are the areas of licensure and grade levels not placed in a rule? It seems those would meet the definition of a rule (statement of general applicability that implements policy). Deleting the appendix seems to remove them from the rule.</p>	<p>Comment considered. The areas of licensure are presently listed in multiple rules, meaning that if any change is made, all of the rules must be changed. We are eliminating the list from all but one of the rules, for simplicity and to prevent any future conflicts between the various versions.</p>
	<p>4.0 - Looking at 6-17-403, it appears there are 2 ways for a person licensed in another state to obtain licensure – a one-year non-renewable provisional license or a five-year teaching license if the new standards are met. That being the case, some of the rule confuses me. For instance, 4.02.16 and 18, isn't this allowing 3 and 5 year licenses for out-of state folks? I wasn't sure why 6-17-403 wasn't the final word on reciprocity and more of this rule wasn't moot.</p>	<p>Comment considered. Nothing in Act 1178 indicates that the Act was intended to cover the entire subject matter of reciprocity and repeal by implication existing statutes or regulations. In addition, Act 1178 addresses only a limited number of reciprocity situations; for instance, it does not address reciprocity for individuals holding an initial or provisional license from another state. Therefore, the Department recommends maintaining parallel tracks for reciprocity – the track under the existing regulations, and the track created by Act 1178.</p>
	<p>4.02.6 – Just wanted to make sure you didn't mean to add "advanced" here.</p>	<p>Comment accepted.</p>
	<p>4.02.10 – Could a person previously not get an advanced license under this section?</p>	<p>Comment considered. An "advanced" license (previously known as a "professional" license) was and is available to any teacher holding a standard license who has a master's degree or national board certification. This section is being changed to clarify that advanced licenses are available via reciprocity for those teachers meeting the criteria.</p>
	<p>4.02.12 – Was a person able to add endorsement areas to an advanced license before this rule? See also 3.08.</p>	<p>Comment considered. Yes.</p>
	<p>4.02.14.8 – Just wanted to make sure you didn't mean to add "advanced" here.</p>	<p>Comment accepted.</p>

Public Comments: ADE Rules Governing Teacher Licensure by Reciprocity – Sept./Oct. 2011, Dec. 2011/Jan. 2012

<p>January 17, 2012 Matthew B. Miller Administrator, Administrative Rules Review, Bureau of Legislative Research (continued)</p>	<p>4.02.28.1. and 2. – Is this rule now saying a nationally accredited school qualifies? It only said “regionally accredited” before.</p> <p>5.03.3 – Will this rule now allow conversion to an advanced license that was not previously allowed? Similarly, 5.07 now includes advanced where it was not there before.</p> <p>Former 11.00 and 12.00 – it wasn’t clear to me why these sections specifically were moot. As noted above, it seemed to me other sections of the rule would be moot as well – I wasn’t sure why these sections were singled out.</p> <p>12.01.4. – Act 1178 requires a bachelor’s degree, but does not require that it be from an accredited institution.</p> <p>12.01.5.1 – This is a requirement of Act 1178 – there is no provision for a waiver in the law, but the rule allows this requirement to be waived.</p>	<p>Comment considered. The phrases “regionally accredited” and “nationally accredited” are ambiguous. For clarity, all references to accreditation are being revised to utilize the same language which references the actual accreditation process.</p> <p>Comment considered. No, this change is not substantive. The phrase “or advanced” is being added only for clarity.</p> <p>Comment considered. Because both of these sections were applicable only to individuals holding a standard license or its equivalent, they are duplicative of the standard license provisions in Act 1178.</p> <p>Comment considered. This section is essentially a definition of the statutory term “baccalaureate degree”. The Department does not believe the Legislature intended for teaching licenses to be granted to individuals holding “degrees” from diploma mills or other non-accredited institutions of higher education. In addition, the proposed language matches the requirements of the “Highly Qualified Teacher” requirements of the No Child Left Behind Act of 2001.</p> <p>Comment considered. Under the existing regulations, testing may be waived by a teacher with documented teaching experience. Because a teacher could accomplish waiver by applying under the old regulations, the Department felt it appropriate to allow the same waiver in this section, since the teacher would reach licensure regardless of which track was followed.</p>
--	---	--

Public Comments: ADE Rules Governing Teacher Licensure by Reciprocity – Sept./Oct. 2011, Dec. 2011/Jan. 2012

<p>January 17, 2012 Matthew B. Miller Administrator, Administrative Rules Review, Bureau of Legislative Research (continued)</p>	<p>12.01.6.1. – Act 1178 only references “regionally” accredited institutions. This section adds “or nationally”.</p> <p>12.01.6.2. – This language mirrors Act 1178 (which only mentions NCATE), but I gather from the summary that you feel NCATE now includes TEAC and CAEP?</p> <p>12.02 – Act 1178 has no provisions requiring a person to meeting the Arkansas History requirement to obtain a license by reciprocity.</p>	<p>Comment considered. The phrases “regionally accredited” and “nationally accredited” are ambiguous. For clarity, all references to accreditation are being revised to utilize the same language which references the actual accreditation process.</p> <p>Comment considered. NCATE and TEAC are in the process of merging to form a new organization known as CAEP. Because of this merger, the Department felt the legislative intent would be best met by recognizing all three organizations.</p> <p>Comment considered. Ark. Code Ann. § 6-17-418 expressly requires coursework in Arkansas History for any individual seeking licensure as an elementary or social studies teacher. Act 1178 did not repeal or modify any portion of § 6-17-418; therefore, the Department must enforce § 6-17-418 as it currently exists.</p>
<p>January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center</p>	<p>3.15 – The proposed new language is not contained in Act 1178. The Rules should not contain language that goes beyond the Act.</p> <p>4.02.16.10 & 4.02.19.9 – Why is the “Praxis III” assessment still being referenced?</p> <p>12.01.3 (formerly 14.01.3) – This section requires the successful passing of “other background checks as required by law,” along with passing the statutorily required criminal background checks and Child Maltreatment Central Registry check. Neither Act 1178, nor other statutes, requires passing “other background checks” as a prerequisite to license. The Rules should not contain language that goes beyond the Act and the licensure statutes.</p>	<p>Comment considered. Section 3.15 defines “program of study”; Act 1178 does not address programs of study, and the proposed revisions are unrelated to Act 1178.</p> <p>Comment considered. No change was made by Act 1178 to these provisions.</p> <p>Comment accepted.</p>

Public Comments: ADE Rules Governing Teacher Licensure by Reciprocity – Sept./Oct. 2011, Dec. 2011/Jan. 2012

<p>January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>12.02.1 (formerly 14.02.1) – This section authorizes the ADE to issue a one-year, non-renewable provisional teaching license to an applicant who has not completed the Arkansas History course. The intent of Act 1178 would seem to indicate that an applicant who is just lacking the Arkansas History course should be issued a standard teaching license, with a requirement to submit proof of completion of the course to the ADE within a certain period of time.</p> <p>12.03.1 (formerly 14.03.1) – Before this language is placed in final Rule form, we would ask the Department to review all of its licensure areas to see how many (if any) out-of-state licensure areas are anticipated not to match Arkansas’ licensure areas. A clear intent of Act 1178 is for an out-of-state teacher, upon the presentation of the proof required by the Act to the Department, to receive a standard Arkansas teaching license for the same grade levels and areas as reflected on the out-of-state license.</p>	<p>Comment considered. Ark. Code Ann. § 6-17-418(b) specifically requires the issuance of a provisional license in place of a standard license for applicants who do not meet the Arkansas History requirements. Act 1178 did not repeal or modify any portion of § 6-17-418; therefore, the Department must continue to enforce § 6-17-418 as it currently exists.</p> <p>Comment considered. The language of 12.03.1 ensures that every eligible applicant will receive a standard license as required by Act 1178, regardless of what licensure area they may have.</p>
---	--	--

**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.

~~3.11.1 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 or retired 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); and 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 Individuals holding a Provisional Professional Teaching License who complete the requirements set forth in Section 5.05 of these Rules.

3.15.5 Teach for America participants who complete the requirements set forth in Section 10.0 of these Rules.

3.15.6 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~~ state-mandated content-knowledge assessment(s) for the class to be taught.
- 5.02.7 Pass a ~~non-criminal~~ background check and Child Maltreatment Central Registry check.
- 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).

5.04 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 and Child Maltreatment Central Registry check.**

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 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; and
- 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~~
- 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 as long as the individual:

10.01.1 Is a participant in Teach for America;

10.01.2 Passes a criminal background check and Child Maltreatment Central Registry check;

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 Is teaching in an Arkansas public school; and

10.01.5 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 and Child Maltreatment Central Registry check;

- 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** Nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation;
 - 11.01.1.2** Accredited by the National Council for Accreditation of Teacher Education (NCATE), Teacher Education Accreditation Council (TEAC), or Council for Accreditation of Educator Preparation (CAEP); or
 - 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 and Child Maltreatment Central Registry check;
 - 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.

SUMMARY OF PROPOSED CHANGES TO THE
ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
THE NON-TRADITIONAL LICENSURE PROGRAM

Changes Made Before Public Comment Period:

The accompanying appendix listing areas of licensure, along with grade-level restrictions on licensure areas, have been deleted so that these rules need not be amended every time the State Board approves a new licensure area.

Redundant provisions contained in other rules have been deleted (section **3.03.1 & 3.03.2**).

Section **3.12** (previously numbered as **3.12**) has been amended to clarify that required coursework may be taken at an out-of-state college or university, so long as the institution is accredited. Also, the phrase used to define accreditation has been amended for clarity in this section and in sections **4.01.2** and **4.01.7**.

New sections **3.13**, **3.15.4**, **3.15.5**, **3.15.6**, **5.03**, **10.0**, and **11.0** have been added to implement Section 2 of Act 1178 of 2011.

The definition of “Teacher-of-Record” in section **3.17** (previously numbered as **3.16**) has been updated in anticipation of the new teacher evaluation system to be implemented pursuant to Act 1209 of 2011.

The statutory requirement of a Child Maltreatment Registry background check has been noted by amending sections **4.01.5** and **5.02.7**.

Section **4.01.6** was amended and section **5.05.3** added to make explicit the statutory authority for charging fees.

Section **8.01.4** has been rewritten to clarify the language and remove grammatical errors.

Changes Made After First Public Comment Period:

Sections **3.02**, **3.11.1**, **3.15.2**, **5.05.2**, and **7.04.2.3** have been amended, and section **7.02.7** deleted, to clarify that non-traditional licensees are no longer required to take the Praxis III as a requirement for standard licensure.

New section **3.15.4** has been added to clarify that individuals holding a Provisional Professional Teaching License are eligible to seek standard licensure.

Section **5.02.6** has been amended to utilize the same language as is used in the Department’s other rules to refer to the state-mandated content-knowledge assessment. The assessment currently being used by the Department is the Praxis II, and that will not change as a result of this modification.

Proposed section **5.03.3** has been deleted to remove the requirement of 30 hours of training for individuals seeking a Provisional Professional Teaching License. This change is in response to public comment objecting to the Department requiring both training and passage of a pedagogical assessment. The rule as revised will require only that PPTL applicants pass the state-mandated pedagogical assessment.

Proposed section **10.01.4** has been deleted, and subsequent sections renumbered, to remove language requiring Teach for America Provisional License applicants to meet all professional development obligations. This requirement is already imposed by other rules, and no purpose is served by repeating the requirement in these rules. This change is in response to public comment.

Section **11.01.1.2** has been amended to recognize master's degrees in teaching not only from institutions accredited by the National Council for Accreditation of Teacher Education (NCATE), but also from the Teacher Education Accreditation Council (TEAC) and the Council for Accreditation of Educator Preparation (CAEP). NCATE and TEAC have merged, and the combined organization is now known as CAEP. This change is made to reflect the merger, so that the rules will not refer to an organization that no longer exists.

Changes Made After Second Public Comment Period:

Sections **5.02.7**, **5.04.8**, **10.01.2**, **10.03.3**, and **11.01.2** have been amended to delete any reference to other background checks.

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 1

Date, Name, Affiliation	Section & Comment	Resolution
September 27, 2011 Mr. Don McGohan, Bryant Public Schools	4.01.2 & 11.01.1.2 – Has heard concerns from others about recognizing degrees from institutions other than NCATE-accredited programs.	Comment considered. The current language of 4.01.2 allows admission to the NTL program with a bachelor's or higher degree from an institution of higher education that is regionally accredited or NCATE accredited. NCATE does not accredit institutions generally, it only accredits teacher education programs, and the NTL program is generally not intended for graduates of teacher education programs. The proposed language clarifies that an NTL candidate must hold a degree from a regionally or nationally-accredited institution.
	7.02.7 – Has heard concerns from others about NTL candidates being exempted from the Praxis III performance assessment.	Comment considered. The Department is presently evaluating future uses of the Praxis III with regards to all licensure candidates.
	3.12 (formerly 3.13) – Has heard concerns from others about the deletion of the requirement that a program of study be completed at an Arkansas college or university.	Comment considered. The U.S. Constitution forbids the state from burdening interstate commerce, meaning the state as a general rule may not impose a regulation that discriminates against out-of-state entities in favor of in-state entities. The current regulation does not articulate a legally-significant rationale for its preferential treatment of in-state institutions of higher education.

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 2

<p>October 7, 2011 Dr. David B. Burks, President, Harding University</p>	<p>The focus of this comment is the inequity created by the proposed rules for the Teach for America candidates. The rules remove many of the rigid standards placed on candidates being prepared in the Teacher Education Programs in the institutions of higher education in Arkansas. This highly disadvantages candidates who are pursuing traditional licensure in Arkansas. I acknowledge the need for additional teachers in Arkansas, especially in the Delta region, but disagree with allowing shortcuts for the candidates who are a part of the Teach for America program, while, in the name of quality and excellence, forcing those who pursue licensure through teacher education programs, to meet high standards. No doubt many who seek positions through the Teach for America program are strong students and have the capacity to become excellent teachers; nevertheless, their skills should be developed and evaluated in a manner that is as nearly equal as possible to the methods used to develop and evaluate the skills of candidates trained through the teacher education process in the institutions of higher education in our state.</p> <p>I am certainly not against quality standards. Teacher education programs in the institutions of higher education are held accountable by NCATE and the content area SPA organizations, and the candidates are evaluated rigorously by the Pathwise system in order to achieve, first, provisional and</p>	<p>Comment considered. The comment cannot be accepted without violating the express provisions of Act 1178 of 2011. The concerns of the comment appear to be not with the specific details of the proposed rules, but with the overall provisions of Act 1178. The changes sought by the commenter may be made only by the General Assembly.</p>
--	---	--

<p>October 7, 2011 Dr. David B. Burks, President, Harding University (continued)</p>	<p>then initial and finally standard licensure. Based on the information I have seen, candidates through the Teach for American program would face none of these assessments and accountability pieces and would, without a clear reason, skip from provisional to standard licensure. If quality is a legitimate concern in regard to candidates being trained through teacher education programs and the assessment and accountability processes are efforts to ensure that quality, then it does not seem fair to allow other candidates to bypass all of these measures and then receive standard licenses in an expedited manner.</p> <p>Graduates of the Harding University teacher education program consistently do well on standardized assessments, perform well on the Pathwise evaluations, and are sought by school districts in Arkansas, numerous other states, and even other nations. We have been recognized by NCATE as fully accredited for over forty years. Our program enrolls high quality candidates and prepares them for the rigor of teaching in a complex and challenging professional environment, and we take appropriate pride that our candidates are well prepared. We believe in quality and support standards for quality. However, we also believe in fairness and equity of treatment for all candidates. In regard to the proposed rules, we do not see equity in play.</p>	
--	--	--

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 4

<p>October 31, 2011 Tripp Walter, Staff Attorney Arkansas Public School Resource Center</p>	<p>3.12 – The proposed new language is not contained in Act 1178. The Rules should not contain language that goes beyond the Act.</p> <p>5.02.7, 5.04.8, 10.01.2, 10.03.3, & 11.01.2 – These sections require the successful passing of “other background checks as required by law,” along with passing the statutorily required criminal background checks and Child Maltreatment Central Registry check. Neither Act 1178, nor other statutes, requires passing “other background checks” as a prerequisite to license. The Rules should not contain language that goes beyond the Act and the licensure statutes.</p> <p>5.03.3 – This section, as written, does not capture the language or intent of Act 1178. It is suggested that the language be rewritten as follows: “An individual who receives a Professional Provisional Teaching License shall pass the Praxis II Pedagogy or have thirty (30) hours of training in pedagogy, and submit proof of same to the Office of Professional Licensure before he/she is eligible to receive a standard teaching license.”</p>	<p>Comment considered. Section 3.12 defines “program of study”; Act 1178 does not address programs of study, and the proposed revisions are unrelated to Act 1178.</p> <p>Comment accepted. The language has been deleted.</p> <p>Comment accepted in part. Act 1178 contains conflicting provisions as to whether or not the Praxis II Pedagogy assessment is mandatory. It amended Ark. Code Ann. § 6-17-409(f)(2)(A)(i) to state that to receives a PPTL one “shall pass the Praxis II Pedagogy assessment <u>or</u> have thirty (30) hours of training in pedagogy.” However, the Act also amended § 6-17-409(f)(1)(F) to make a passing score on the Praxis II Pedagogy assessment a pre-requisite for receiving a PPTL. The State Board lacks the authority to resolve this contradiction. The language proposed in the comment directly contradicts the requirements of § 6-17-409(f)(1)(F). The Department initially proposed requiring both the training and the Praxis II, but in response to this comment, the Department elected to drop the training. It should be noted that Ark. Code Ann. § 6-15-1004(b) requires a pedagogical assessment of every teacher before a license is granted; nothing in Act 1178 repealed or modified that requirement.</p>
---	--	---

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 5

<p>October 31, 2011 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>5.03.3.2 – The current language is not contained within Act 1178 and should be deleted. The Rules should not contain language that goes beyond the Act.</p> <p>5.03.3.2 – Add the following language: “The thirty (30) hours of training in Pedagogy may be provided by the Department through its NTLT, or by an organization which the Department contracts with to provide teacher training instruction and programs, as long as the training by such organization provides the instructional components deemed necessary by the Department to fulfill the pedagogy requirement.”</p> <p>5.04.1 – As written, this section’s language goes beyond the scope of Act 1178. The Rules should not contain language that goes beyond the Act. The current language should be replaced with the following to match the Act: “Submit to the Department higher education transcripts evidencing the award of at least a baccalaureate degree.”</p>	<p>Comment accepted. Because of the deletion of the training requirement, 5.03.3.2 is now unnecessary.</p> <p>Comment considered. Because of the deletion of the training requirement, 5.03.3.2 is now unnecessary.</p> <p>Comment considered. This section is essentially a definition of the statutory term “baccalaureate degree”. The Department does not believe the Legislature intended for teaching licenses to be granted to individuals holding “degrees” from diploma mills or other non-accredited institutions. The proposed language matches the “Highly Qualified Teacher” requirements of federal law.</p>
---	--	--

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 6

<p>October 31, 2011 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>10.01.3 – This requirement from Act 1178 appears to apply to the issuance of the Standard Teaching License, as opposed to the Provisional Teaching License. The Rules should not contain language that goes beyond the Act.</p>	<p>Comment considered. Act 1178 does not prohibit the State Board from requiring applicants for provisional licensure to pass the relevant content-area assessment, to ensure that the applicant possesses the content knowledge necessary for the licensure area sought. This is a testing requirement, not an “academic or experience” requirement, and Act 1178 only prohibits additional “academic or experience” requirements. The State Board has broad authority by Act 350 of 1985 to implement a licensed personnel testing program; nothing in Act 1178 purports to exempt TFA candidates from these long-standing requirements. In addition, Ark. Code Ann. § 6-15-1004(a) requires a content-area assessment of every Arkansas teacher, and nothing in Act 1178 repealed or modified that requirement.</p>
	<p>10.01.4 – While this may be a requirement for provisional licensure in general, it is not a requirement imposed by Act 1178. The Rules should not contain language that goes beyond the Act.</p>	<p>Comment accepted. Section 10.01.4 is being deleted so as to be consistent with the State Board’s other licensure rules.</p>
	<p>10.01.6 & 10.03.6 – The provisions of these sections are not contained in Act 1178. The Rules should not contain language that goes beyond the Act. The completion of the Arkansas History course, where necessary, is a requirement of obtaining a standard Arkansas teaching license, not for obtaining or maintaining a provisional license.</p>	<p>Comment considered. Ark. Code Ann. § 6-17-418 prohibits the granting of any license for teaching social studies or elementary school if the applicant has not successfully completed of at least three (3) hours of college course work in Arkansas history. The statute does not limit its reach to standard licenses, nor does it exempt provisional licenses generally. Act 1178 did not repeal or modify any portion of § 6-17-418; therefore, the State Board must continue to enforce § 6-17-418 as it currently exists.</p>

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 7

<p>October 31, 2011 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>10.03.5 & 11.01.4 – Amend current language to read as follow: “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 <i>Arkansas History</i> at an institution of higher education which provides such coursework, or through the completion of such coursework as may be offered through the Department through its NTLP, or by an organization which approved by the Department contracts with to provide teacher training instruction and programs, as long as the training by such organization provides the instructional components deemed necessary by the Department to fulfill the pedagogy requirement.”</p> <p>11.01.1 – Replace current Section 11.01.1 to read as follows: “Submit official transcript(s) documenting an awarded master’s degree in teaching from an accredited program at an institution of higher education.”</p> <p>11.01.1.1 – 11.01.1.3 – Delete these subsections in their entirety.</p> <p>11.01.5 – Amend current language to read as follows: “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 <i>Methods of Teaching Reading</i> (completed with a grade of “C” or better) at an institution of higher education that is regionally or</p>	<p>Comment considered. Ark. Code Ann. § 6-17-418 specifically requires three (3) hours of “college course work” (emphasis added). Act 1178 did not repeal or modify any portion of § 6-17-418; therefore, the State Board must continue to enforce § 6-17-418 as it currently exists. The proposed language would directly contradict § 6-17-418 by accepting non-college course work.</p> <p>Comment considered. Because Act 1178 does not define the term “accredited program”, it is appropriate and necessary for these Rules to define that term, so as to prevent confusion in the future as the provisions of the Act are implemented.</p> <p>Comment considered. See explanation above for section 11.01.1</p> <p>Comment considered. As noted above, the State Board lacks authority to waive the requirement that <i>Arkansas History</i> be provided by an institution of higher education, rather than a non-college provider. For consistency with the <i>Arkansas History</i> requirement, and to ensure the standards of the required coursework, the Department prefers to require that <i>Methods of Teaching Reading</i> also be completed at an institution of higher education.</p>
---	--	---

<p>October 31, 2011 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation at an institution of higher education which provides such coursework, or through the completion of such coursework as may be offered through the Department through its NTLT, or by an organization which approved by the Department contracts with to provide teacher training instruction and programs, as long as the training by such organization provides the instructional components deemed necessary by the Department to fulfill the pedagogy requirement.</p> <p>11.02 – The provision of this Section are contrary to the express language of Act 1178 contained in the proposed Ark. Code Ann. § 6-17-409(e)(4) (page 4, lines 7-13 of the Act), as they impose an additional requirement upon licensure candidates coming out of the Teach for America and Master’s In Teaching Licensure options. The Rules should not contain language that goes beyond the Act.</p>	<p>Comment considered. Act 1178 only addresses prerequisites for receiving a teaching license; it does not address requirements which the State Board may or may not impose on already-licensed teachers. The requirement of mentoring is not imposed on applicants, it is a requirement that applies to all newly-licensed teachers, after they are licensed. For this reason, the proposed language does not contradict Act 1178. The comment does not identify a rationale for why the named candidates should be exempted from the mentoring requirements that apply to every other licensed teacher. In addition, it should be noted the Department’s proposed language specifically exempts those individuals who have already undergone the “substantial equivalent” of mentoring, such as that provided by Teach for America.</p>
---	--	---

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 9

January 16, 2012 Don McGohan, Chairman Professional Licensure Standards Board	10.03 - Section 4.01.7.2 dealing with requirements for admission into the non-traditional licensure program states 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). Section 10 Teach for America does not require these same reading courses. The PLSB believes the courses specified in section 4.01.7.2 are important for any teacher, no matter the path to licensure. Therefore, the PLSB questions the absence of these courses for TFA.	Comment considered. Act 1178 of 2011 specifically exempts individuals who have completed the two-year Teach for America program from taking Methods of Teaching Reading. The exemption is now codified at Ark. Code Ann. § 6-17-409(e)(3)(B)(ii). Given this statutory language, the State Board lacks the authority to require this course for individuals in the TFA program.
January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center	3.12 – The proposed new language is not contained in Act 1178. The Rules should not contain language that goes beyond the Act. 5.02.7, 5.04.8, 10.01.2, 10.03.3, & 11.01.2 – These sections require the successful passing of “other background checks as required by law,” along with passing the statutorily required criminal background checks and Child Maltreatment Central Registry check. Neither Act 1178, nor other statutes, requires passing “other background checks” as a prerequisite to license. The Rules should not contain language that goes beyond the Act and the licensure statutes.	Comment considered. Section 3.12 defines “program of study”; Act 1178 does not address programs of study, and the proposed revisions are unrelated to Act 1178. Comment accepted. The language has been deleted.

<p>January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>5.04 – Where is the Act 1178 requirement to pass the Praxis II pedagogy assessment or have 30 hours of training in pedagogy?</p>	<p>Comment considered. Act 1178 contains conflicting provisions as to whether or not the Praxis II Pedagogy assessment is mandatory. It amended Ark. Code Ann. § 6-17-409(f)(2)(A)(i) to state that to receives a PPTL one “shall pass the Praxis II Pedagogy assessment <u>or</u> have thirty (30) hours of training in pedagogy.” However, the Act also amended § 6-17-409(f)(1)(F) to make a passing score on the Praxis II Pedagogy assessment a pre-requisite for receiving a PPTL. The State Board lacks the authority to resolve this contradiction. The Department initially proposed requiring both the training and the Praxis II, but in response to comments elected to drop the training option. It should be noted that Ark. Code Ann. § 6-15-1004(b) requires a pedagogical assessment of every teacher before a license is granted; nothing in Act 1178 repealed or modified that requirement. Because of the conflict within Act 1178, and the requirement of Ark. Code Ann. § 6-15-1004(b), the Department believes its only legally-permissible option is to require the Praxis II pedagogy assessment.</p>
	<p>5.04.1 – As written, this section’s language goes beyond the scope of Act 1178. The Rules should not contain language that goes beyond the Act. The current language should be replaced with the following to match the language of the Act: “Submit to the Department higher education transcripts evidencing the award of at least a baccalaureate degree.”</p>	<p>Comment considered. This section is essentially a definition of the statutory term “baccalaureate degree”. The Department does not believe the Legislature intended for teaching licenses to be granted to individuals holding “degrees” from diploma mills or other non-accredited institutions. The proposed language matches the “Highly Qualified Teacher” requirements of federal law.</p>

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 11

<p>January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>10.01.3 – This requirement from Act 1178 appears to apply to the issuance of the Standard Teaching License, as opposed to the Provisional Teaching License. The Rules should not contain language that goes beyond the Act.</p>	<p>Comment considered. Act 1178 does not prohibit the State Board from requiring applicants for provisional licensure to pass the relevant content-area assessment, to ensure that the applicant possesses the content knowledge necessary for the licensure area sought. This is a testing requirement, not an “academic or experience” requirement, and Act 1178 only prohibits additional “academic or experience” requirements. The State Board has broad authority by Act 350 of 1985 to implement a licensed personnel testing program; nothing in Act 1178 purports to exempt TFA candidates from these long-standing requirements. In addition, Ark. Code Ann. § 6-15-1004(a) requires a content-area assessment of every Arkansas teacher, and nothing in Act 1178 repealed or modified that requirement.</p>
	<p>10.01.6 & 10.03.6 – The provisions of these sections are not contained in Act 1178. The Rules should not contain language that goes beyond the Act. The completion of the Arkansas History course, where necessary, is a requirement of obtaining a standard Arkansas teaching license, not for obtaining or maintaining a provisional license.</p>	<p>Comment considered. Ark. Code Ann. § 6-17-418 prohibits the granting of any license for teaching social studies or elementary school if the applicant has not successfully completed of at least three (3) hours of college course work in Arkansas history. The statute does not limit its reach to standard licenses, nor does it exempt provisional licenses generally. Act 1178 did not repeal or modify any portion of § 6-17-418; therefore, the State Board must continue to enforce § 6-17-418 as it currently exists.</p>

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 12

<p>January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>10.03.5 & 11.01.4 – Amend current language to read as follow: “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 <i>Arkansas History</i> at an institution of higher education which provides such coursework, or through the completion of such coursework as may be offered through the Department through its NTLP, or by an organization which approved by the Department contracts with to provide teacher training instruction and programs, as long as the training by such organization provides the instructional components deemed necessary by the Department to fulfill the pedagogy requirement.” [sic]</p> <p>11.01.1 – Replace current Section 11.01.1 to read as follows: “Submit official transcript(s) documenting an awarded master’s degree in teaching from an accredited program at an institution of higher education.”</p> <p>11.01.1.1 – 11.01.1.3 – Delete these subsections in their entirety.</p> <p>11.01.5 – Amend current language to read as follows: “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 <i>Methods of Teaching Reading</i> (completed with a grade of “C” or better) at an institution of higher education that is regionally or</p>	<p>Comment considered. Ark. Code Ann. § 6-17-418 specifically requires three (3) hours of “college course work” (emphasis added). Act 1178 did not repeal or modify any portion of § 6-17-418; therefore, the State Board must continue to enforce § 6-17-418 as it currently exists. The proposed language would directly contradict § 6-17-418 by accepting non-college course work.</p> <p>Comment considered. Because Act 1178 does not define the term “accredited program”, it is appropriate and necessary for these Rules to define that term, so as to prevent confusion in the future as the provisions of the Act are implemented.</p> <p>Comment considered. See explanation above for section 11.01.1</p> <p>Comment considered. As noted above, the State Board lacks authority to waive the requirement that <i>Arkansas History</i> be provided by an institution of higher education, rather than a non-college provider. For consistency with the <i>Arkansas History</i> requirement, and to ensure the standards of the required coursework, the Department prefers to require that <i>Methods of Teaching Reading</i> also be completed at an institution of higher education.</p>
---	--	---

<p>January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation at an institution of higher education which provides such coursework, or through the completion of such coursework as may be offered through the Department through its NTLP, or by an organization which approved by the Department contracts with to provide teacher training instruction and programs, as long as the training by such organization provides the instructional components deemed necessary by the Department to fulfill the pedagogy requirement.</p> <p>11.02 – The provision of this Section are contrary to the express language of Act 1178 contained in the proposed Ark. Code Ann. § 6-17-409(e)(4) (page 4, lines 7-13 of the Act), as they impose an additional requirement upon licensure candidates coming out of the Teach for America and Master’s In Teaching Licensure options. The Rules should not contain language that goes beyond the Act.</p>	<p>Comment considered. Act 1178 only addresses prerequisites for receiving a teaching license; it does not address requirements which the State Board may or may not impose on already-licensed teachers. The requirement of mentoring is not imposed on applicants, it is a requirement that applies to all newly-licensed teachers, after they are licensed. For this reason, the proposed language does not contradict Act 1178. The comment does not identify a rationale for why the named candidates should be exempted from the mentoring requirements that apply to every other licensed teacher. In addition, it should be noted the Department’s proposed language specifically exempts those individuals who have already undergone the “substantial equivalent” of mentoring, such as that provided by Teach for America.</p>
---	--	---

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 14

<p>January 19, 2012 Mr. Matthew B. Miller Administrator, Administrative Rules Review, Bureau of Legislative Research</p>	<p>3.01 – Are the areas of licensure not placed in a rule? It seems those would meet the definition of a rule (statement of general applicability that implements policy). Deleting the appendix seems to remove them from the rule.</p> <p>3.10 – Just curious, why was the definition of out-of-country candidate deleted?</p> <p>5.02 – Is the professional teaching permit statutory? The new provisional permit is in the law, but I wasn't sure about the professional teaching permit.</p> <p>5.04.1. -- 6-17-409(f)(1)(A) requires a provisional professional teaching license applicant to hold a bachelor's degree, but does not require that it be from an accredited institution (as seen in the rule).</p>	<p>Comment considered. The areas of licensure are presently listed in multiple rules, meaning that if any change is made, all of the rules must be changed. We are eliminating the list from all but one of the rules, for simplicity and to prevent any future conflicts between the various versions.</p> <p>Comment considered. The definition served no purpose, as it merely duplicated requirements reflected in section 4.01.2.1.</p> <p>Comment considered. The Professional Teaching Permit is not statutory, it was created by the State Board through rulemaking, pursuant to the Board's authority under Ark. Code Ann. § 6-17-409 to create and operate a non-traditional licensure program.</p> <p>Comment considered. Comment considered. This section is essentially a definition of the statutory term "baccalaureate degree". The Department does not believe the Legislature intended for teaching licenses to be granted to individuals holding "degrees" from diploma mills or other non-accredited institutions of higher education. In addition, the proposed language matches the requirements of federal law and the "Highly Qualified Teacher" requirements of the No Child Left Behind Act of 2001.</p>
--	---	--

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 15

<p>January 19, 2012 Mr. Matthew B. Miller Administrator, Administrative Rules Review, Bureau of Legislative Research (continued)</p>	<p>5.04 -- The rule does not include 6-17-409(f)(2), which says a person must pass Praxis II OR have 30 hours of training in pedagogy. The summary of changes after the public comment period suggests the intent is to only require Praxis II, but the statute seems to provide an alternate route.</p> <p>5,05.1 – The provision on undergoing an evaluation is not part of the criteria for a standard license under 6-17-409 – its inclusion in this section of the rule suggests a person can't receive a standard license until the end of the 3-year provisional licensure, while 6-17-409 (f)(4) suggests the conversion can occur between the 1st and 3rd years of provisional licensure.</p>	<p>Comment considered. Act 1178 contains conflicting provisions as to whether or not the Praxis II Pedagogy assessment is mandatory. The Act amended Ark. Code Ann. § 6-17-409(f)(2)(A)(i) to state that an individual who receives a PPTL “shall pass the Praxis II Pedagogy assessment <u>or</u> have thirty (30) hours of training in pedagogy.” However, the Act also amended § 6-17-409(f)(1)(F) to state that a passing score on the Praxis II Pedagogy assessment is a prerequisite for receiving a PPTL. The State Board lacks the authority to resolve this contradiction. The Department initially proposed requiring both the training and the Praxis II, but in light of comments received in the first public comment period, the Department elected to drop the training requirement.</p> <p>Comment considered. Ark. Code Ann. § 6-17-409(f)(3) expressly requires that an individual receiving the provisional license “undergo a summative evaluation” after three years of “provisional” licensure. Given the language of (f)(3), the Department does not believe the State Board has authority to award a standard license before completion of the summative evaluation required by (f)(3).</p>
--	--	---

<p>January 19, 2012 Mr. Matthew B. Miller Administrator, Administrative Rules Review, Bureau of Legislative Research (continued)</p>	<p>10.01 – 6-17-409(e)(2) provides for a provisional teaching license for a person enrolled in the Teach for America program with no mention of other requirements. Section 10.01 makes an applicant for a TFA provisional license meet the standards for receiving a standard five-year license under 6-17-409(e)(1) (passing content knowledge test, Arkansas History, etc.). Is this section requiring more than the statute for the provisional license? 6-17-409(e)(4) says that no additional academic or experience requirements can be imposed.</p> <p>10.02 and 11.02 – Is this mentoring requirement an additional experience requirement on top of 6-17-409? That statute doesn't mention mentoring. The difference may be that the person has been issued the license, while 6-17-409 says additional requirements cannot be imposed to obtain the license.</p>	<p>Comment considered. Act 1178 does not prohibit the State Board from requiring applicants for provisional licensure to pass the relevant content-area assessment, to ensure that the applicant possesses the content knowledge necessary for the licensure area sought. This is a testing requirement, not an “academic or experience” requirement. The State Board was given broad authority by Act 350 of 1985 to implement a licensed personnel testing program; nothing in Act 1178 purports to exempt Teach for America candidates from these long-standing testing requirements. As for Arkansas History, Ark. Code Ann. § 6-17-418 bars the State Board from granting a license to an elementary or social studies teacher who does not have at least three hours credit in Arkansas History; it also allows only a one-year, nonrenewable, provisional license for individuals who lack the required credit. Nothing in Act 1178 repealed or modified 6-17-418, therefore the State Board must continue to enforce that statute.</p> <p>Comment considered. No, the mentoring requirement is neither an “academic” nor “experience” requirement. Act 1178 only addresses the prerequisites for obtaining a license; nothing in Act 1178 addresses or limits the State Board’s authority to regulate licensees after they receive their license.</p>
--	---	---

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 17

<p>January 19, 2012 Mr. Matthew B. Miller Administrator, Administrative Rules Review, Bureau of Legislative Research (continued)</p>	<p>10.03.5 – In the first sentence, the statute says “grade level and content area”, not “grade level or content area” as seen in the rule.</p> <p>10.03.6 and 11.01.6 – Can you explain these sections to me? These licenses doesn’t seem to fit with 6-17-409.</p>	<p>Comment considered. Ark. Code Ann. § 6-17-418 imposes the Arkansas History requirement on the basis of either grade level (elementary) or content area (social studies). Therefore, because nothing in Act 1178 repealed or modified Ark. Code Ann. § 6-17-418, “or” better reflects the overall statutory requirements.</p> <p>Comment considered. These sections are required to comply with Ark. Code Ann. § 6-17-418 and its requirement that no license be issued to an elementary or social studies teacher who does not have at least three (3) hours credit in Arkansas History.</p>
--	--	---