

**SUMMARY OF PROPOSED CHANGES TO THE
ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
THE STANDARDS FOR ACCREDITATION OF A
RKANSAS PUBLIC SCHOOLS AND SCHOOL DISTRICTS**

The proposed changes amend the Standards for Accreditation and seek to streamline the process and make it easier to understand the requirements a school/district must follow in order to be accredited. The changes include corrections/deletions based in legislation, removes inconsistencies in reporting dates and requirements, and removes obsolete requirements to ensure schools/districts are being held to measureable standards.

The current Standards for Accreditation includes many outdated requirements, does not include current legal requirements, and has several requirements which are inconsistent with each other, with state law, or are unable to be measured for compliance by the districts.

The proposed Standards for Accreditation clarifies the process for determination of cited and probationary status, and streamlines the accreditation process including the timeframe for citations and probations and the enforcement and appeal rights. The proposed rules also outline the bi-annual process for the review and approval of the standards. This bi-annual review will ensure the Standards for Accreditation stay current with applicable law and rules.

Additionally, the Standards are realigned to match the systems prescribed by Act 930 of 2017, and are written such that each standard can be clearly measured by the school/districts and the Department. These measurable Standards allow for better monitoring by the Department in order to provide assistance to the districts. The Standards also incorporate other rules promulgated by the Department ensuring the schools and districts are held to consistent measures and requirements, in addition to, reducing the need for waivers from the Standards for Accreditation.

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING STANDARDS FOR ACCREDITATION OF ARKANSAS
PUBLIC SCHOOLS AND SCHOOL DISTRICTS**

August 2015 _____

1.0 REGULATORY AUTHORITY

- 1.01 ~~These rules shall be known as the Arkansas Department of Education Rules Governing the Standards for Accreditation of Arkansas Public Schools and School Districts.~~
- 1.02 ~~These rules are promulgated pursuant to Ark. Code Ann. §§ 6-11-105, 6-15-207, 6-15-202, 6-15-209, and 25-15-201 et seq.~~
- 1.03 ~~These rules replace previously adopted Rules Governing Standards for Accreditation of Arkansas Public Schools revised June 2009.~~

2.0 PURPOSE

- 2.01 ~~These rules are to set forth the Standards for Accreditation of Arkansas public schools and school districts.~~
- 2.02 ~~The purpose of these rules is to describe the process whereby Arkansas public schools or school districts will be cited or placed in probationary status for failure to meet Standards for Accreditation.~~
- 2.03 ~~The purpose of these rules is to set forth the enforcement actions that may be applied to Arkansas public schools or school districts that fail to meet Standards for Accreditation.~~

3.0 DEFINITIONS— For purpose of these Rules, the following terms mean:

- 3.01 ~~“Cited”~~ ~~Accredited cited status assigned to a school or school district that fails to meet any standard identified as a cited violation in these rules.~~
- 3.02 ~~“Core academic course” means a course taught in any of the following subject areas defined by NCLB: English, Reading or Language Arts, Mathematics, Science, Foreign Language, Social Studies, Arts.~~
- 3.03 ~~“Department”~~ ~~Arkansas Department of Education.~~
- 3.04 ~~“Enforcement action”~~ ~~intervention by the State to require compliance of a school or a school district that fails to meet Standards for Accreditation of Arkansas Public Schools and School Districts.~~
- 3.05 ~~“Highly qualified teacher” means a teacher who holds at least a Bachelor's Degree, holds full state license, and has demonstrated subject area competence in each of the core academic subjects in which the teacher teaches, and who meets such other necessary requirements as set forth in the Arkansas Department of Education Rules Governing Highly Qualified Teachers Pursuant to the No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq.~~

- 3.06 ~~"Probationary"—Accredited probationary status assigned to a school or school district that fails to meet any standard identified as a probationary violation in these rules or fails to correct by the specified deadline a violation for which it acquired cited status.~~
- 3.07 ~~"Public School District/Public School"—those school districts and schools (including open-enrollment charter schools) created pursuant to Title 6 of Arkansas Code and subject to the Arkansas Comprehensive Testing, Assessment and Accountability Program except specifically excluding those schools or educational programs created by or receiving authority to exist pursuant to Ark. Code Ann. §§ 6-15-501, 9-28-205, and 12-29-301, et seq., or other provisions of Arkansas law.~~
- 3.08 ~~"Standards for Accreditation"—a series of requirements that specify what a school or school district shall meet in order to be fully accredited by the Arkansas Department of Education.~~
- 3.09 ~~"State Board of Education"—Arkansas State Board of Education.~~

4.0 CITED STATUS

- 4.01 ~~A school district, which is deemed to have failed to meet any standard defined with a cited status in these rules and is referenced as applicable to a school district, shall be assigned cited status.~~
- 4.02 ~~A school, which is deemed to have failed to meet any standard defined with a cited status in these rules and is referenced as applicable to a school, shall be assigned cited status.~~
- 4.03 ~~No school or school district shall maintain a cited status for violation of any particular standard for a time period greater than two (2) consecutive school years including the year the cited status is assigned, unless provided otherwise in these rules.~~
- 4.04 ~~Any school or school district that fails to remedy itself from cited status for violation of a particular standard after a two (2) year time period shall be assigned accredited probationary status.~~
- 4.05 ~~For the purpose of these Rules, D means district, S means school, C means cite, P means probation, and Policy means a policy is required.~~

5.0 PROBATIONARY STATUS

- 5.01 ~~A school district shall be assigned a probationary status which is deemed to have failed to meet any standard defined with a probationary status in these rules or was in cited status for the same violation the previous two (2) consecutive years and is referenced as applicable to a school district.~~
- 5.02 ~~A school shall be assigned a probationary status which is deemed to have failed to meet any standard defined with a probationary status in these rules or was in cited status for the same violation the previous two (2) consecutive years and is referenced as applicable to a school.~~
- 5.03 ~~No school or school district shall maintain a probationary status for violation of any standard for more than two (2) consecutive school years including the year the probationary status is declared.~~
- 5.04 ~~Any school or school district that fails to remedy itself from probationary status after the two (2) year time period will be subject to mandates of Ark. Code Ann. § 6-15-207 (Act 1467 of 2003).~~

STANDARDS FOR ACCREDITATION OF ARKANSAS PUBLIC SCHOOLS AND SCHOOL DISTRICTS

D/P 6.0 STANDARD I EQUAL EDUCATIONAL OPPORTUNITIES

- 6.01 ~~All school districts' policies and actions shall be nondiscriminatory and shall be in compliance with state and federal laws.~~
- 6.02 ~~Pursuant to Ark. Code Ann. § 6-15-202(a) and Act 829 of 2007, all school districts which have not obtained full and complete unitary status and have been released from court supervision over desegregation obligations are strongly encouraged to seek unitary status and obtain an appropriate court order proclaiming such unitary status from the respective federal courts in which their cases have been filed.~~
- 6.03 ~~By September 15 of each school year, any school district that has not been declared by court order to have reached complete and full unitary status shall file a report with the Arkansas Department of Education stating whether in the district's opinion the school district is unitary in status or not. Any school district that has not reached complete and full unitary status and has not been released from court supervision over desegregation obligations but which believes the district is in complete and full unitary status shall provide a written quarterly report to the Arkansas Department of Education by September 15 and the report shall provide a detailed plan with proposed time lines of how the district has complied with any desegregation plan or obligations and shall state how the district will seek to obtain a determination of full unitary status and release from court supervision and a release of any and all court ordered desegregation obligations.~~
- 6.04 ~~If by July 1, 2009 and each school year thereafter, the Arkansas Department of Education is unable to verify the district's attempts to comply with their submitted detailed plan for obtaining a determination of full unitary status and release from court supervision as required in §6.03 of these Rules, then the Department of Education shall report to the State Board of Education:~~
- ~~1) Whether the failure of the school district to obtain full and complete unitary status is having a negative impact on the state's overall obligation to provide a general, suitable and efficient school system; and~~
 - ~~2) Whether the school district should be placed on probationary status and subject to the provisions of Ark. Code Ann. § 6-15-201 et seq.~~
- 6.05 ~~The SBE shall consider the report issued by the ADE under § 6.04 of this Rule and may designate or classify a school district in probationary status and take any necessary intervention allowed under § 6-15-201 et seq. if the SBE determines the district's inability to obtain unitary status is having a negative impact on the obligation to provide a general, suitable and efficient education.~~

7.0 STANDARD II GOALS AND ADMINISTRATION OF ARKANSAS PUBLIC SCHOOLS AND SCHOOL DISTRICTS

- Policy** 7.01 ~~STATE AND NATIONAL GOALS~~

It is well established by history and law that education is a state responsibility. As a framework for school district planning, a set of statewide and national goals for education and a long term plan to meet these goals have been developed.

D/C As one of these goals, pursuant to No Child Left Behind, teachers of core academic classes shall hold a designation as a Highly Qualified Teacher (HQT).

7.02 SCHOOL DISTRICT GOALS

D/P 7.02.1 Each school district in Arkansas shall be required to develop, with appropriate staff and community participation, a comprehensive plan. School district goals shall be compatible with state and national educational goals and shall address local needs. The plan shall be filed with and reviewed by the Department annually.

D/C 7.02.2 Each school district shall provide and publish, in a newspaper with general circulation in the district before November 15 of each school year, a report to the public detailing progress toward accomplishing program goals, accreditation standards, and proposals to correct deficiencies. If there is no paper media with general circulation, notification shall be mailed to parents.

S/C 7.02.3 Each school shall systematically and, at least annually, explain its policies, programs, and goals to the community in a public meeting that provides opportunities for parents and other members of the community to ask questions and make suggestions concerning the school program.

7.03 SCHOOL DISTRICT ADMINISTRATION

D/P 7.03.1 OPERATING POLICIES AND PROCEDURES

Each school board shall adopt written policies for the operation of the school district in accordance with guidelines established by the Department.

7.03.2 RECORDS AND REPORTS

S/P 7.03.2.1 Each school shall maintain all reports and records necessary for effective planning, operation, and education.

Policy 7.03.2.2 Each school district shall annually submit an accurate and timely report to the Department appraising its students' performance. The report shall be prepared in accordance with guidelines developed by the Department.

7.03.3 SCHOOL BOARDS

D/C 7.03.3.1 Each school board, prior to November 15 of each year, shall hold a public meeting, at a time and place convenient for a majority of the school patrons and employees, to review and discuss its annual report detailing progress toward accomplishing its district's program objectives, accreditation standards, and proposals to correct deficiencies.

D/C 7.03.3.2 All accreditation and evaluation studies and reports shall be reported and discussed in a public meeting at a time and place convenient for a majority of the school patrons and employees.

7.04 SCHOOL GOALS

S/P 7.04.1 The administrators, teachers, other school staff, and parents of each school shall develop the annual comprehensive school improvement plan to monitor that school's progress and to project its continuing needs. The annual school improvement plan shall be filed with and reviewed by the Department.

S/P 7.04.2 Schools shall review each curriculum area annually to ensure alignment with state standards.

8.0 STANDARD III ACTIVE COMMUNITY INVOLVEMENT

D/P 8.01 Each school district shall form a coalition of parents, and representatives of agencies and institutions, and of business and industry to develop and implement a comprehensive plan for effective and efficient community involvement in the delivery of comprehensive youth services and support.

S/C 8.02 Each individual school shall investigate and, where feasible, utilize community resources in the instructional program of the school.

9.0 STANDARD IV CURRICULUM

9.01 COURSE CONTENT FRAMEWORKS

Policy 9.01.1 The Department shall appoint committees to write curriculum frameworks based on the adopted Arkansas Student Learning Expectations. Each committee shall consist of teachers and instructional supervisory personnel from public schools assisted by teachers from institutions of higher education. Committees will meet periodically to review, revise, and update the curriculum frameworks.

S/P 9.01.2 Each accredited school shall use these curriculum frameworks to plan instruction leading to student demonstration of proficiency in the Arkansas content standards.

Policy 9.01.3 The Department, with advice from public schools and institutions of higher education, shall devise an assessment system that will measure progress toward meeting the content standards expressed in the Arkansas Curriculum Frameworks. These evaluations shall serve as a major factor in determining the accreditation status of public schools.

Policy 9.02 **EARLY CHILDHOOD EDUCATION CURRICULUM**

The early childhood education curriculum shall be developmentally appropriate for the age span of the children within the groups and implemented with attention to the different needs, interests, and developmental levels of those individual children. This curriculum shall be aligned to Arkansas Better Chance standards.

S/P 9.03 CURRICULUM

S/P 9.03.1 SMART CORE AND CORE

- 9.03.1.1 Guidelines for the development of Smart Core curriculum policies and informed consent document shall be established by the Department. Each school district shall adopt written Smart Core curriculum policies consistent with those guidelines.
- 9.03.1.2 The Smart Core curriculum is contained within the 38 units that must be taught each year (See 14.03.1 for a listing of Smart Core requirements).
- 9.03.1.3 In order to ensure that every child has access to a rigorous curriculum, beginning with the seventh grade class of 2004-2005, the Smart Core curriculum and core curriculum will be a standard component of the required course of study to graduate from Arkansas public schools.
- 9.03.1.4 All students will participate in the Smart Core curriculum unless the parent or guardian waives the student's right to participate. In such case of a waiver, the student will be required to participate in the core.
- 9.03.1.5 Each school district shall adopt written policies that inform parents about the Smart Core curriculum and the required course of study for graduation.
- 9.03.1.6 Each district's written policies regarding Smart Core curriculum and the required course of study for graduation shall be included in the student handbook and filed with the Department.
- 9.03.1.7 Local districts and individual schools shall involve parents, staff, and students in the formulation and review of the Smart Core curriculum and the course of study for the graduation policy.
- 9.03.1.8 Students and parents shall acknowledge that they have received the school's policy regarding Smart Core curriculum and the required course of study for graduation by a signed statement. The school shall document procedures and methods used to inform parents and students of this policy. Parents shall sign an Informed Consent document provided by the Department. Teachers, administrators, and counselors shall be provided with appropriate training in this policy.
- 9.03.1.9 The core curriculum for grades K-8 shall encompass all types of developmentally appropriate learning experiences and provide for differences in rates of learning among children. It shall emphasize overarching processes of reasoning and problem solving, communicating, connecting (linking knowledge, skills, and other understandings within and across disciplines to real-life situations), and internalizing (acting on the learning to make it meaningful, useful, and

worthwhile). English Language Acquisition Standards shall also be used for all English Language Learners (ELL) students at all grade levels.

S/P

9.03.2 GRADES K-4

Reading, writing, and mathematics shall be incorporated into all curriculum areas. All students shall receive instruction in each content area annually.

9.03.2.1 Language Arts

Reading
Writing
Listening, Speaking, Viewing

9.03.2.2 Mathematics

Number sense, properties, and operations
Measurement
Geometry and spatial sense
Data analysis and statistics
Patterns, algebra, and functions

9.03.2.3 Social Studies

History and culture of Arkansas (a unit at each grade level with emphasis at grade 4), the nation, and the world (including foreign language experiences)
Geography
Economics
Civic education
Social sciences processes and skills

9.03.2.4 Science

Life science systems
Earth/space systems
Physical systems
Environmental education

9.03.2.5 Tools for Learning

Technical skills: research and information skills, use of computers and calculators
Data gathering: use of data banks, atlases, dictionaries, almanacs, networks, news sources, and interviews

9.03.2.6 Fine Arts

Visual arts instruction, appreciation, and application
Performing arts instruction, appreciation, and application

9.03.2.7 Practical Living Skills/Career Exploration

9.03.2.8 Health and Safety Education and Physical Education

S/P

9.03.3 GRADES 5-8

Reading, writing, and mathematics shall be incorporated into all curriculum areas. All students shall receive instruction in each content area annually.

9.03.3.1 Language Arts

Reading
Writing
Listening, Speaking,
Viewing

9.03.3.2 Mathematics

Number sense, properties,
and operations
Measurement
Geometry and spatial sense
Data analysis and statistics
Patterns, algebra, and functions

9.03.3.3 Science

Life science systems
Earth/space systems
Physical systems
Environmental education

9.03.3.4 Social Studies

History and culture of Arkansas (a unit at grades 5 and 6, with emphasis at grade 5), the nation, and the world (including foreign language experiences)
Geography
Economics
Civic education
Social science process skills

9.03.3.5 Physical Education

9.03.3.6 Fine Arts

Visual arts instruction, appreciation, and application
Performing arts instruction, appreciation, and application

9.03.3.7 Health and Safety

9.03.3.8 Tools for Learning

Technical skills: research and information skills, use of computers and calculators

Data gathering: use of data banks, atlases, dictionaries, almanacs, networks, news sources, and interviews

9.03.3.9 Career and Technical Education

9.03.3.10 Each school shall teach annually reading and mathematics skills to assist those students who need such additional instruction to make satisfactory progress in their required courses.

9.03.3.11 A unit of Arkansas history shall be taught as a social studies subject at each elementary grade level in every public elementary school in this state with greater emphasis at the fourth (4th) and fifth (5th) grade levels, and at least one (1) full semester of Arkansas history shall be taught to all students at the 7th, 8th, 9th, 10th, 11th, or 12th grade level in every public secondary school in this state.

9.03.3.12 Upon approval by the Department, courses taught in grades 5-8 may be offered for high school graduation credit. Courses shall have the same rigor as those taught in high school, but content for a single course may be taught over a two-year period. Teachers shall be certified in the subject area taught with students participating in appropriate End-of-Course examinations. Schools shall have appropriate follow-up curriculum in place for students adopting an accelerated schedule.

S/P

9.03.4 GRADES 9-12

Reading, writing, and mathematics shall be incorporated into all curriculum areas. The following courses shall be taught annually for a total of 38 units, except as otherwise allowed in Ark. Code Ann. §§ 6-15-213 and 6-15-214, as articulated in these rules.

9.03.4.1 Language Arts—6 units

4 units English

1 unit oral communications or ½ unit oral communications and ½ unit drama

1 unit journalism

(Other options as approved by the Department)

9.03.4.2 Science—5 units (Active student participation in laboratory experience is required for a minimum of 20% of instructional time.)

1 unit biology

1 unit chemistry

1 unit physics

(Other options as approved by the Department)

9.03.4.3 Mathematics—6 units

1 unit Algebra I
1 unit geometry
1 unit Algebra II
1 unit pre-calculus mathematics to include trigonometry
(Other options as approved by the Department)

9.03.4.4 Computer Science—1 unit
1 Unit Essentials of Computer Programming, Computer Science and Mathematics, AP Computer Science, IB Computer Science, or other options as approved by the Department

9.03.4.5 Foreign Languages—2 units of the same language

9.03.4.6 Fine Arts—3 ½ units
1 unit art
1 unit instrumental music
1 unit vocal music
½ unit survey of fine arts or an advanced art or an advanced music course

9.03.4.7 Computer Applications with emphasis on current applications—1 unit

9.03.4.8 Social Studies—4 units

1 unit American history with emphasis on 20th Century America
1 unit world history
½ unit civics
½ unit of Arkansas history if not taught in grade 7 or 8
(Other options as approved by the Department)

9.03.4.9 Economics—½ unit

The Economics course must be taught by a teacher appropriately licensed in either Social Studies or Business Education. The appropriate licensure code must be used to differentiate between the area of social studies and the area of career focus elective credit to meet the requirements of the 38 units.

9.03.4.10 Health and Safety Education and Physical Education—1½ units
1 unit physical education
½ unit health and safety education

9.03.4.11 Career and Technical Education—9 units of sequenced career and technical education courses (programs of study) representing three (3) occupational areas.
In addition to the currently approved programs, districts may develop and request approval for innovative programs of study based on community and student needs.

9.03.4.12 ~~The course offerings should include appropriate Advanced Placement (AP) courses. Weighted credit/additional quality points for designated AP courses will be contingent upon the teacher completing training as required by the Department and the student taking the applicable AP examinations.~~

9.03.4.12.1 ~~Any school district meeting the following conditions may petition the Department to count an appropriate approved AP course in the place of a specified required 38 unit course in the subject areas of mathematics, English, science and social studies under the following conditions:~~

9.03.4.12.2 ~~The public school district has a qualified teacher for the required 38 unit course;~~

9.03.4.12.3 ~~No students enrolled in the required 38 unit course;~~

9.03.4.12.4 ~~An AP course in the same subject area as the required course has students enrolled in the course;~~

9.03.4.12.5 ~~The public school district teaches all other 38 unit courses required by the Standards for Accreditation; and~~

9.03.4.12.6 ~~The public school district teaches the required 38 unit course to any student who enrolls in the public school district after the school year begins.~~

9.03.4.12.7 ~~The public school district may teach the required course to a new student:~~

- ~~i. In a traditional classroom setting;~~
- ~~ii. Through distance learning with a qualified teacher, or~~
- ~~iii. By making individual modifications for the required course from the AP course syllabus to accommodate the new student.~~

9.03.4.12.8 ~~The public school district shall notify the Department in writing after registration in the spring prior to the beginning of the new school year and immediately after the school year begins if no students enrolled in the required course and the public school district will seek to meet the Standards for Accreditation using the AP course.~~

9.03.4.12.9 ~~Upon receiving the public school district's written notification and after spring registration and after verifying the information, the Department shall permit the public school district to meet the Standards for Accreditation by teaching the AP course in place of the required course.~~

9.03.4.12.10 ~~If a new student enrolls in the required course, the public school district shall immediately notify the Department in writing.~~

- 9.03.4.13 ~~Additional foreign language courses such as the Level III and IV of the same foreign language and other foreign language should be included.~~
- 9.03.4.14 ~~If a course required to be taught by a school district under the State Board of Education's Standards for Accreditation has an enrollment of one (1) or more students and all students enrolled in the course leave the school district after the course has commenced but before the completion of the course in each given school year or school semester the course is to be taught, and no other students that are eligible to take the course enroll to attend the school district campus where the course is required to be taught, the course shall be considered as taught by the school district in compliance with the Standards for Accreditation under the following conditions:~~
- 9.03.4.14.1 ~~The school district superintendent certifies in writing that no student was enrolled in the district and was eligible to take the required course enrolled to attend the school district campus where the course was required to be taught after the initial student or students left the school district;~~
- 9.03.4.14.2 ~~The school district provides written proof, as required by the Department, that the school district had the course scheduled to be taught on the school district's master course schedule during the entire time the course was required to be taught;~~
- 9.03.4.14.3 ~~The school district provides written proof, as required by the Department, that the school district had a properly certified teacher employed and able to teach the required course during the entire time the course was required to be taught and the course was listed on the school district's master course schedule;~~
- 9.03.4.14.4 ~~The Department, upon review of proper records of the district and information certified by the school district superintendent, confirms that the school district satisfied the requirements of Sections 9.03.4.12–9.03.4.12.3 of these rules and verifies that the information submitted pursuant to Sections 9.03.4.12–9.03.4.12.3 of these rules is correct; and~~
- 9.03.4.14.5 ~~At the end of the school semester in which the course was required to be taught, the school district petitions the State Board of Education, in writing, for a waiver of the Standards for Accreditation requirement that the particular course be taught for that school semester.~~
- 9.03.4.14.6 ~~The State Board of Education shall waive the requirement for only the semester in which the student or students left the school district.~~

- 9.03.4.14.7 The superintendent and the school board president of the school district seeking the waiver shall appear before the State Board of Education to present their request for a waiver.
- 9.03.4.14.8 Representatives of the Department shall appear before the State Board of Education to confirm and verify the information required to be filed with the Department under this section.
- 9.03.4.14.9 Upon satisfaction of the requirements of Sections 9.03.4.12–9.03.4.12.8 of these rules, the State Board of Education shall waive the requirement that the course be taught on a semester basis

S/P

9.04

COMBINING OR EMBEDDING CURRICULUM

- 9.04.1 The State Board of Education may grant a waiver of a standard for accreditation for a period of longer than one (1) school year to a school district for the purpose of combining or embedding the curriculum frameworks from two (2) separate courses into one (1) combined or embedded course if:
 - 9.04.1.1 The school district applies to the Department’s Office of Curriculum and Instruction for approval of the combined or embedded course on or before May 1 for the following school year, using the Course Approval Request Form at <http://www.arkansased.org/divisions/learning-services/curriculum-and-instruction/course-approvals>;
 - 9.04.1.2 The proposed combined or embedded course meets all requirements for course approval outlined in the Course Approval Request Form;
 - 9.04.1.3 The school district submits a letter certifying to the State Board of Education that all the curriculum frameworks for the two (2) separate courses will be fully taught in the proposed combined or embedded course; and
 - 9.04.1.4 The Department verifies in writing to the State Board of Education that all of the curriculum frameworks for the two (2) separate courses are included in the proposed combined or embedded course.
 - 9.04.1.5 The State Board of Education will only grant a waiver of a standard of accreditation for proposed combined or embedded courses in grades five (5) through twelve (12).
 - 9.04.1.6 If the State Board of Education subsequently revises the curriculum frameworks for either of the separate courses that are combined or embedded into a single course, a school district must submit a new waiver request for a combined or embedded course in accordance with 9.04.1 of these Rules.
 - 9.04.1.7 It is a violation of the Standards for Accreditation of Arkansas Public Schools and School Districts for a school to fail to teach the curriculum

frameworks for each separate course that is combined or embedded in a single course.

10.0 — STANDARD V — INSTRUCTION

10.01 — REQUIRED TIME FOR INSTRUCTION AND SCHOOL CALENDAR

- D/P** 10.01.1 Student teacher interaction time shall be for a minimum of 178 days, except as waived by the Department for professional development.
- D/P** 10.01.2 All public school teacher/administrator contracts (elementary, secondary, vocational—exception vocational agriculture) shall be a minimum of 190 days.
- D/P** 10.01.3 At least ten (10) days or sixty (60) hours shall be used for professional development and in-service training and at least two (2) days shall be used for parent/teacher conferences.
- D/S/P** 10.01.4 The planned instructional time in each school day shall not average less than six (6) hours per day or thirty (30) hours per week.

10.02 — CLASS SIZE AND TEACHING LOAD

- Policy** 10.02.1 Early childhood education programs shall be no more than ten (10) students to one (1) teacher in a classroom or no more than twenty (20) students to one (1) teacher and a qualified adult aide.
- S/P** 10.02.2 Kindergarten shall be no more than twenty (20) students to one (1) teacher in a classroom. However, kindergarten class maximum may be no more than twenty two (22) with a one half time instructional aide being employed for those classes.
- S/P** 10.02.3 The average student/teacher ratio for grades one through three in a school district shall be no more than twenty three (23) students per teacher in a classroom. There shall be no more than twenty five (25) students per teacher in any classroom.
- S/P** 10.02.4 The average student/teacher ratio for grades four through six in a school district shall be no more than twenty five (25) students per teacher in a classroom. There shall be no more than twenty eight (28) students per teacher in any classroom.
- S/P** 10.02.5 In grades seven through twelve, a teacher shall not be assigned more than one hundred fifty (150) students; an individual academic class shall not exceed thirty (30) students, provided that, in exceptional cases or for courses that lend themselves to large group instruction, these ratios may be increased.

D/C 10.03 — INSTRUCTIONAL MATERIALS

School districts shall adopt instructional materials which provide complete coverage of a subject as described in that subject's curriculum frameworks and which fit the achievement levels of the students assigned to each teacher.

10.04 DISCIPLINE

- ~~D/P~~ 10.04.1 Guidelines for the development of student discipline policies shall be established by the Department. Each school district shall adopt written discipline policies consistent with those guidelines that include a code of student behavior.
- ~~D/P~~ 10.04.2 Each district's written policies shall be filed with the Department.
- ~~D/S/P~~ 10.04.3 Local districts and individual schools shall involve parents, staff, and students in the formulation and review of their student discipline policies, rules, and procedures.
- ~~S/P~~ 10.04.4 Schools shall inform students and parents of the rules and procedures by which the school is governed. Schools shall make the students aware of the behavior that will call for disciplinary action, as well as the types of corrective actions that may be imposed.
- ~~S/P~~ 10.04.5 Students and parents shall acknowledge that they have received the school's discipline policies by a signed statement. The school shall document procedures and methods used to inform parents and students of the policy.
- ~~D/S/P~~ 10.04.6 Teachers and administrators, classified school employees, and volunteers shall be provided with appropriate student discipline training as required by Ark. Code Ann. § 6-18-502.

~~D/C~~ 10.05 EXTRACURRICULAR ACTIVITIES

~~Each school district shall adopt a written policy on extracurricular and non-instructional activities and their appropriate place in the school program. The policy shall limit and control interruptions of instructional time in the classroom and the number of absences for such activities.~~

~~D/C~~ 10.06 REQUIREMENTS FOR PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

~~Each school district shall adopt a written policy specifying the requirements students must meet to be eligible to participate in extracurricular activities.~~

~~D/C~~ 10.07 HOMEWORK AND INDEPENDENT STUDY SKILLS

~~Each school district shall adopt a written policy for appropriate and meaningful homework. The policy shall promote the development of students' independent study skills and work to be done outside the classroom which will reinforce and strengthen academic skills, broaden the educational experiences of students, and relate those experiences to the real life of the community. Parents shall be notified of the policy at the beginning of each school year.~~

D/C 11.0 STANDARD VI ATTENDANCE AND ENROLLMENT

11.01 MANDATORY ATTENDANCE

All children who are ages five (5) through seventeen (17) on or before the date set forth in Ark. Code Ann. § 6-18-207 are required to be in school that school year with the exception of five-year-old children for whom kindergarten has been waived by the parent, guardian, or person having custody or charge; students who have received a high school diploma or its equivalent; or students who are enrolled in a postsecondary vocational technical institution, a community college, or a two-year or four-year institution of higher education.

S/C 11.02 INITIAL ENROLLMENT

A birth certificate, Social Security Number, or other documentation, as provided by law, shall be required to enroll in school.

Policy 11.03 EARLY CHILDHOOD EDUCATION PROGRAMS

It is recommended that school districts provide the opportunity for each child age three (3) on or before the date set forth in Ark. Code Ann. § 6-18-230 to enroll in an approved early childhood education program. No parent or guardian shall be required to enroll a child in an early childhood education program at age three (3).

D/P 11.04 KINDERGARTEN

11.04.1 Each school district must provide a full-day kindergarten for each child age five (5) on or before the date set forth in Ark. Code Ann. § 6-18-207. A parent or guardian shall sign a waiver if they elect not to enroll a child in kindergarten at age five (5).

11.04.2 Any six-year-old child who has not completed a state-accredited kindergarten program prior to public school enrollment shall be evaluated by the school district to determine whether placement for the child shall be in kindergarten or the first grade.

11.04.3 Any child who has been enrolled in the first grade in a state-accredited or state-approved elementary school in another state or in the first grade equivalent in another country for a period of at least sixty (60) days, who will become six (6) years of age during the school year in which the child is enrolled in grade one (1), and who meets the basic residency requirement for school attendance may be enrolled in the first grade.

D/S/P 11.05 IMMUNIZATION REQUIREMENTS

All schools and school districts shall meet immunization requirements established by state and federal laws.

All enrolling kindergarten students shall furnish evidence of a comprehensive and developmental preschool examination.

12.0 STANDARD VII STUDENT PERFORMANCE

D/S/P	12.01	PERFORMANCE OF ALL STUDENTS	Schools shall be responsible for assessing each student's progress at each grade level in acquiring mastery of the competencies, skills, and other subjects required by law and Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) regulations. Assessment data may include performance assessments, competency test scores, standardized test scores, subject matter mastery test scores, and observations of teachers and parent(s) or guardian(s).
S/P	12.02	GRADING	Grades assigned to students for performance in a course shall reflect only the extent to which a student has achieved the expressed academic objectives of the course. Grades that are aligned with other educational objectives such as the student learning expectations contained in the curriculum frameworks may also be given.
S/P	12.03	SPECIAL EDUCATION STUDENTS	Students with special needs shall have equal access to programs that meet the criteria for their identified Individualized Education Program and shall receive services in the least restrictive environment that meets their needs.
	12.04	SCHOOL REPORTING OF STUDENTS' PERFORMANCE	
D/C	12.04.1	Each local district shall adopt a written policy requiring teachers to communicate with the parent(s) or guardian(s) of each student during the school year to discuss the student's academic progress and requiring more frequent communication with the parent(s) or guardian(s) of students not performing at the level expected for their grade.	
S/C	12.04.2	Each school shall schedule no fewer than two (2) parent teachers conferences per school year to encourage communication with parents.	
S/C	12.04.3	All grade level conferences with parent(s) and or guardian(s) shall be scheduled at a time and place to best accommodate those participating in the conference. The school shall document participation or nonparticipation in required conferences. If a student is to be retained at any grade level, notice of retention and the reasons for retention shall be communicated promptly in a personal conference.	
	12.05	TRANSFER BETWEEN SCHOOLS	
D/C	12.05.1	Any student transferring from a school accredited by the Department to another school accredited by the Department shall be placed into the same grade the student would have been in had the student remained at the former school.	
D/C	12.05.2	Any student transferring from home school or a school that is not accredited by the Department to a school that is accredited by the Department shall be evaluated by the	

staff of that accredited school to determine that student's proper placement in the accredited school.

~~13.0 — STANDARD VIII — SCHOOL PERFORMANCE~~

~~Data from the performance indicators shall be used by the Department and schools in establishing goals and objectives for school improvement.~~

~~14.0 — STANDARD IX — GRADUATION REQUIREMENTS~~

~~D/S/P~~

~~14.01 Specifically, for the graduating classes of 2009–2010, 2010–2011, 2011–2012, 2012–2013, the required twenty two (22) units, at a minimum, shall be taken from the "Smart Core" curriculum or from the "Core" curriculum. Only one (1) of the required units may be in a physical education course. All students will participate in the Smart Core curriculum unless the parent or guardian waives the student's right to participate. In such case of a waiver, the student will be required to participate in Core. The required twenty two (22) units, at a minimum, are to be taken from the Smart Core or Core as follows:~~

~~SMART CORE — Sixteen (16) units~~

~~English — four (4) units — 9th, 10th, 11th, 12th~~

~~Mathematics — four (4) units [All students must take a mathematics course in grade 11 or grade 12 and complete Algebra II.] Comparable concurrent credit college courses may be substituted where applicable.~~

~~Algebra I or Algebra A & B (Grades 7–8 or 8–9)~~

~~Geometry or Investigating Geometry or Geometry A & B~~

~~(Grades 8–9 or 9–10)~~

~~Algebra II~~

~~Fourth math unit range of options: (choice of: Transitions to College Math, Pre-Calculus, Calculus, Trigonometry, Statistics, Computer Math, Algebra III, or an Advanced Placement math)~~

~~Natural Science — three (3) units with lab experience chosen from Physical Science, Biology or Applied Biology/Chemistry, Chemistry, Physics or Principles of Technology I & II or PIC Physics~~

~~Social Studies — three (3) units~~

~~Civics or Civics/American Government~~

~~World History~~

~~American History~~

~~Oral Communications — one half (½) unit~~

~~Physical Education — one half (½) unit~~

~~Health and Safety — one half (½) unit~~

~~Fine Arts — one half (½) unit~~

~~CAREER FOCUS — Six (6) units~~

~~D/C~~

All units in the career focus requirement shall be established through guidance and counseling at the local school district based on the students' contemplated work aspirations. Career focus courses shall conform to local district policy and reflect state frameworks through course sequencing and career course concentrations where appropriate.

Local school districts may require additional units for graduation beyond the sixteen (16) Smart Core and the six (6) career focus units. These may be in academic and/or technical areas. All the Smart Core and career focus units must total at least twenty two (22) units to graduate.

D/S/P

CORE—Sixteen (16) units

English—four (4) units

Oral Communications—one half (1/2) unit

Social Studies—three (3) units [one (1) unit of world history, one (1) unit of U. S. history, one half (1/2) unit of civics or government]

Mathematics—four (4) units [one (1) unit of algebra or its equivalent* and one (1) unit of geometry or its equivalent.* All math units must build on the base of algebra and geometry knowledge and skills.] Comparable concurrent credit college courses may be substituted where applicable.

*A two year algebra equivalent or a two year geometry equivalent may each be counted as two units of the four unit requirement.

Science—three (3) units [at least one (1) unit of biology or its equivalent and one (1) unit of a physical science]

Physical Education—one half (1/2) unit

Health and Safety—one half (1/2) unit

Fine Arts—one half (1/2) unit

D/C

CAREER FOCUS—Six (6) units

All units in the career focus requirement shall be established through guidance and counseling at the local school district based on the students' contemplated work aspirations. Career focus courses shall conform to local district policy and reflect state frameworks through course sequencing and career course concentrations where appropriate.

Local school districts may require additional units for graduation beyond the sixteen (16) Core and the six (6) career focus units. These may be in academic and/or technical areas. All the Core and career focus units must total at least twenty two (22) units to graduate.

D/S/P

14.02 Specifically, for the graduating class of 2013-2014, and all graduating classes thereafter, the required twenty two (22) units, at a minimum, shall be taken from the "Smart Core" curriculum or from the "Core" curriculum. Only one (1) of the required units may be in a physical education course. All students will participate in the Smart Core curriculum unless the parent or guardian waives the student's right to participate. In such case of a

waiver, the student will be required to participate in Core. The required twenty-two (22) units, at a minimum, are to be taken from the Smart Core or Core as follows:

~~SMART CORE—Sixteen (16) units~~

~~English—four (4) units—9th, 10th, 11th, 12th~~

~~Mathematics—~~

~~Option 1: four (4) units [All students must take a mathematics course in grade 11 or grade 12 and complete Algebra II.] Comparable concurrent credit college courses may be substituted where applicable.~~

~~Algebra I or Algebra A & B (Grades 7-8 or 8-9)~~

~~Geometry or Investigating Geometry or Geometry A & B
(Grades 8-9 or 9-10)~~

~~Algebra II~~

~~Fourth math unit range of options: (choice of: Transitions to College Math, Pre-Calculus, Calculus, Trigonometry, Statistics, Computer Math, Algebra III, or an Advanced Placement math)~~

~~Option 2: one (1) unit Computer Science, and three (3) units of mathematics (as listed in Option 1 above).~~

~~Natural Science—~~

~~—Option 1: three (3) units with lab experience chosen from Physical Science, Biology or Applied Biology/Chemistry, Chemistry, Physics or Principles of Technology I & II or PIC Physics.~~

~~—Option 2: one (1) unit of Computer Science, and two (2) units of natural science with lab experience (as listed in Option 1).~~

~~Social Studies—three (3) units [one (1) unit of world history, one (1) unit of U. S. history, one half (½) unit of civics]~~

~~Oral Communications—one half (½) unit~~

~~Physical Education—one half (½) unit~~

~~Health and Safety—one half (½) unit~~

~~Economics—one half (½) unit~~

~~A one half (½) unit of Economics is required for graduation and may be counted toward the required three (3) social studies credits or toward the six (6) required career focus elective credits.~~

~~If the course is taught by an appropriately licensed social studies teacher, credit may be applied to meet graduation requirements in social studies or toward the career focus electives. If the course is taught by an appropriately licensed business education teacher, graduation credit can only be applied toward career focus requirements.~~

~~The appropriate course code must be used to differentiate the application of credit for graduation to either the area of social studies or the area of career focus elective credit.~~

~~Fine Arts—one half (½) unit~~

~~CAREER FOCUS—Six (6) units~~

All units in the career focus requirement shall be established through guidance and counseling at the local school district based on the students' contemplated work aspirations. Career focus courses shall conform to local district policy and reflect state frameworks through course sequencing and career course concentrations where appropriate.

Local school districts may require additional units for graduation beyond the sixteen (16) Smart Core and the six (6) career focus units. These may be in academic and/or technical areas. All the Smart Core and career focus units must total at least twenty-two (22) units to graduate.

D/S/P

~~CORE—Sixteen (16) units~~

~~English—four (4) units~~

~~Oral Communications—one half (½) unit~~

~~Social Studies—three (3) units [one (1) unit of world history, one (1) unit of U. S. history, one half (½) unit of civics]~~

~~Mathematics—~~

~~——Option 1: four (4) units [one (1) unit of algebra or its equivalent* and one (1) unit of geometry or its equivalent.* All math units must build on the base of algebra and geometry knowledge and skills]. Comparable concurrent credit college courses may be substituted where applicable.~~

~~*A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four (4) unit requirement.~~

~~Option 2: one (1) unit of Computer Science, and (3) units of mathematics (as listed in Option 1 above).~~

~~Science—~~

~~——Option 1: three (3) units [at least one (1) unit of biology or its equivalent and one (1) unit of a physical science].~~

~~Option 2: one (1) unit of Computer Science, and two (2) units of science (as listed in Option 1 above).~~

~~Physical Education—one half (½) unit~~

~~Health and Safety—one half (½) unit~~

~~Economics—one half (½) unit~~

~~A one half (½) unit of Economics is required for graduation and may be counted toward the required three (3) social studies credits or toward the six (6) required career focus elective credits.~~

~~If the course is taught by an appropriately licensed social studies teacher, credit may be applied to meet graduation requirements in social studies or toward the career focus electives. If the course is taught by an appropriately licensed business education teacher, graduation credit can only be applied toward career focus requirements.~~

~~The appropriate course code must be used to differentiate the application of credit for graduation to either the area of social studies or the area of career focus elective credit.~~

~~Fine Arts—one half (½) unit~~

D/C

~~CAREER FOCUS—Six (6) units~~

~~All units in the career focus requirement shall be established through guidance and counseling at the local school district based on the students' contemplated work aspirations. Career focus courses shall conform to local district policy and reflect state frameworks through course sequencing and career course concentrations where appropriate.~~

~~Local school districts may require additional units for graduation beyond the sixteen (16) Core and the six (6) career focus units. These may be in academic and/or technical areas. All the Core and career focus units must total at least twenty-two (22) units to graduate.~~

~~14.03 A unit of credit shall be defined as the credit given for a course which meets for a minimum of 120 clock hours. A minimum average six-hour day or minimum thirty (30) hour-week is required.~~

~~14.04 SPECIAL EDUCATION~~

~~14.04.1 For a student with disabilities, the Individualized Education Program (IEP) serves as the student's "graduation plan."~~

~~14.04.2 Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by a student's IEP Team, transition planning must be initiated to prepare a student for exit from a secondary education program to post-secondary life. This includes planning for the student's exit from school due to graduation. For a student with disabilities, fulfillment of the requirements set forth in the student's IEP constitutes the basis for graduation from high school.~~

~~15.0 — STANDARD X PERSONNEL~~

~~15.01 SCHOOL DISTRICT SUPERINTENDENT~~

~~Each school district shall employ a full-time superintendent when enrollment exceeds three hundred (300). A full-time superintendent may, at the discretion of the local school district, teach no more than two (2) classes per day.~~

S/P

~~15.02 PRINCIPALS~~

~~Each school shall employ at least a half-time principal. A full-time principal shall be employed when a school's enrollment reaches three hundred (300). A school district superintendent may be permitted to serve as a half-time principal when district enrollment is less than 300 providing the superintendent is appropriately certified and is not already teaching classes. Schools with an enrollment exceeding five hundred (500) shall employ at least one full-time principal and a half-time assistant principal, instructional supervisor, or curriculum specialist.~~

~~15.03 LICENSURE AND RENEWAL~~

- 15.03.1 All administrative, teaching, and other personnel shall hold a current, valid Arkansas license as required by law.
- 15.03.2 All administrative, teaching, and other personnel shall meet appropriate State licensure and renewal requirements for the position to which they are assigned.
- D/S/C** 15.03.3 A person not fully qualified for a position may be used in emergencies only and may not be replaced by a person not fully qualified for the position, unless appropriate documentation is provided to the Department describing efforts to hire a qualified individual.
- Policy** 15.03.4 Licensure renewal in a subject area shall require intervening educational experience related to that subject area.
- Policy** 15.03.5 Licensure renewal for administrative and other personnel shall require appropriate intervening educational experience related to their responsibilities.
- The State licensure system shall include a process designed to provide qualified individuals applying for a license an alternative to completion of a traditional teacher education program.
- Licensure renewal for administrative and other personnel shall require appropriate intervening educational experience related to their responsibilities.
- Policy** 15.03.6 Issuance and revocation of a license shall be in accordance with Arkansas Code and State Board of Education regulations promulgated for such action.
- Policy** 15.03.7 The State licensure system shall include a process designed to provide qualified individuals applying for a license an alternative to completion of a traditional teacher education program.
- 15.04 **PROFESSIONAL DEVELOPMENT AND IN-SERVICE TRAINING**
- Teachers and administrators must comply with the Arkansas Department of Education rules governing Professional Development regarding specific professional development requirements and specific requirements for scheduling professional development.
- D/C** 15.05 **HIGHLY QUALIFIED TEACHERS REQUIREMENT FOR CORE ACADEMIC CLASSES**
- 15.05.1 Every public school district shall ensure that the percentage of core academic classes taught by highly qualified teachers in the district's schools is no less than 10 percentage points below the state's total percentage of core academic classes taught by highly qualified teachers.
- 15.05.2 Any school district failing to meet the requirements of Section 15.05.1 shall receive a citation at the appropriate district and school level.

16.0 STANDARD XI – SUPPORT SERVICES

Support services shall be designed to be comprehensive and integral to the process of schooling and the development of all students. Each school district for each school building site shall develop and

implement a written plan, as set forth in current laws. The plans shall be based upon the needs identified by parents, teachers, principals, students, and other agencies with which the school district works.

~~16.01 GUIDANCE AND COUNSELING~~

- ~~S/P 16.01.1 Each school shall provide a developmentally appropriate guidance program to aid students in educational, personal/social, and career development.~~
- ~~16.01.2 Each school shall provide supportive personnel and appropriate facilities to ensure effective counseling to meet individual needs of students.~~
- ~~D/P 16.01.3 Each school shall assign appropriate certified counselor staff with the district being required to maintain an overall ratio of one (1) to four hundred fifty (450).~~

~~16.02 MEDIA SERVICES~~

- ~~D/C 16.02.1 Sufficient resources shall be budgeted and spent yearly for purchasing and maintaining an appropriate, current collection.~~
- ~~S/C 16.02.2 A process to provide for input from teachers, parents, and students in the acquisition of instructional materials shall be implemented. These materials shall enhance and support the goals of the school improvement plan.~~
- ~~S/P 16.02.3 The role of the library media center shall support technology as a tool for learning. Each school with fewer than three hundred (300) students enrolled shall employ at least a half time, licensed library media specialist. A school with three hundred (300) or more students enrolled shall employ a full time licensed library media specialist. Schools enrolling fifteen hundred (1,500) or more students shall employ two full time, licensed library media specialists. The library media specialist(s) shall ensure that access to records and resource data bases shall be available to students. The media specialist(s) shall assist students in the development and use of research skills.~~
- ~~S/C 16.02.4 The school media collection shall consist of a balance of print, nonprint, and electronic media adequate in quality and quantity to meet the needs of the developmentally appropriate curricular program. The minimum book collection, exclusive of textbooks, shall be three thousand (3,000) volumes, or at least eight (8) books per student enrolled, whichever figure is larger. A minimum technology requirement will be one (1) computer per media center with multimedia/networking capacity for administrative purposes only.~~

~~16.03 HEALTH AND SAFETY SERVICES~~

- ~~D/P 16.03.1 Each school district shall have a health services program under the direction of a licensed nurse. The program shall include screening, referral, and follow-up procedures for all students.~~
- ~~S/C 16.03.2 Each school shall provide facilities, equipment, and materials necessary for operation of a school health services program.~~
- ~~S/C 16.03.3~~

The school health services program shall provide and maintain current health appraisal records for all students in accordance with guidelines developed by the Department.

S/C 16.03.4 Each school shall take proper measures to ensure the safety of its students and protect against injuries which may occur in or on the school facilities or site.

S/C 16.03.5 In accordance with Ark. Code Ann. § 6-18-1005, health services shall include but not be limited to: (1) Students with special health care needs, including the chronically ill, medically fragile, technology dependent, and students with other health impairments shall have an Individualized Healthcare Plan. (2) Invasive medical procedures required by students and provided at school shall be performed by trained, licensed personnel who are licensed to perform the task; the regular classroom teacher shall not perform these tasks. (3) Custodial Healthcare services required by students under an Individualized Healthcare Plan shall be provided by trained school employees other than the regular classroom teachers.

17.0 STANDARD XII SPECIAL EDUCATION

Special education programs and special schools shall be accredited in accordance with applicable laws and rules adopted by the State Board of Education.

18.0 STANDARD XIII GIFTED AND TALENTED EDUCATION

S/C 18.01 Each school district shall develop procedures to identify gifted and talented students in accordance with guidelines established by the Department.

D/P 18.02 Each school district shall provide educational opportunities for students identified as gifted and talented appropriate to their ability.

S/C 18.03 Each school shall use procedures to evaluate the effectiveness of the provisions of these educational opportunities.

19.0 STANDARD XIV SUPPLEMENTARY EDUCATIONAL OPPORTUNITIES

D/C 19.01 Each school district shall develop and implement programs which take advantage of educational opportunities outside the traditional classroom.

D/C 19.02 Each school district shall provide opportunities for qualified students to enroll in courses at institutions of higher education.

D/P 19.03 Each school district shall provide appropriate alternative program(s) for students who are identified as requiring such programs to continue their education.

Policy 19.04 Each school district should provide opportunities for summer school and adult education programs.

20.0 STANDARD XV FACILITIES AND EQUIPMENT

D/P 20.01 School facilities shall be planned and constructed in accordance with the laws of the

State of Arkansas and the regulations of the Arkansas Department of Health, the office of the State Fire Marshall, and the Department.

D/C 20.02 Each room shall be furnished with equipment and instructional materials necessary to provide the environment and working conditions appropriate for subjects or activities assigned.

21.0 STANDARD XVI – AUXILIARY SERVICES

Policy Auxiliary services, such as transportation and food services, shall be provided in accordance with applicable laws, regulations, and guidelines developed by the Department.

22.0 STANDARD XVII – COOPERATION AMONG SCHOOL DISTRICTS

School districts may comply with these standards through cooperative efforts among themselves. All plans for cooperation among school districts and institutions of higher learning for the purpose of complying with these standards shall be submitted for approval to the Department.

23.0 STANDARD XVIII – ACCREDITATION OF SCHOOLS

Policy 23.01 COMPLIANCE WITH STANDARDS

A school or district shall be accredited on the basis of its complying with these standards and state law related to these standards.

Policy 23.02 DEPARTMENT GUIDELINES

The Department shall prepare guidelines to be used in the evaluation of schools or districts to determine whether they are in compliance with these standards. The guidelines will provide for the design and format for reports required to be submitted to the Department to indicate the extent to which school districts and schools are in compliance. The guidelines will include criteria for measuring each standard and the documentation required to indicate compliance with the standard. Required reports will be submitted to the Department by October 15 of each year.

Policy 23.03 ACCREDITATION PROCESS

The Department shall annually review all reports and investigate any suspected deficiencies in meeting standards. All written complaints charging violations of standards received by the Department shall be investigated. Each year the Department shall make an on-site visit to a selected number of school districts and review the schools for compliance with the standards. The Department shall notify all school districts and schools not meeting the Standards for Accreditation of deficiencies by May 1 of each year.

23.04 ACCREDITATION

S/P 23.04.1 Any school or district, which falls below current Standards for Accreditation, as determined by the Department, shall be notified in writing as being classified in either cited or probationary status by May 1 of each year.

- Policy**
- 23.04.2 School districts shall be notified of a school's or school district's probationary status and advised that the school will be classified as probationary for no more than two (2) school years, after which time they shall be classified as not accredited. Schools classified as not accredited are subject to enforcement actions as described herein pursuant to Ark. Code Ann. § 6-15-207.
- 23.04.3 The Department shall review by May 1 annually, pertinent information from every school district to ensure that the district and schools are in compliance with current Standards for Accreditation, and shall make an on-site review of each school's compliance at least every two (2) years or more frequently if deemed necessary by the Department.
- 23.04.4 A comprehensive evaluation shall be conducted in accordance with guidelines established by the Department (i.e., with the Department prescribed procedures and school improvement planning processes). The Department shall use teams of evaluators that may include representatives from the Department, colleges and universities, and teachers and administrators from other districts. The Department shall report the conclusions of the evaluation team to the local school within thirty (30) days. (Conform to Standards Review and the Arkansas Consolidated School Improvement Plan [ACSIP])
- 23.04.5 The Department shall provide school improvement teams to local school districts needing assistance in meeting the standards or when it is determined a school has deficiencies. The school improvement team shall recommend action that the school should take to improve its program and eliminate deficiencies.
- Policy**
- 23.04.6 Any person who knowingly submits falsified information requested or required by the Department may be subject to licensure action pursuant to Ark. Code Ann. § 6-17-410 and other relevant state and federal law.

24.0 SPECIFIC TIME FRAME FOR CITATIONS OR PROBATIONS

CITATIONS:

- 24.01 A school or school district will be placed in cited status for licensure deficiencies for the second and third year of an individual's Additional Licensure Plan (ALP). This status will continue for the length of time prescribed by the individual's approved Additional Licensure Plan, not to exceed two (2) years. Any school employing a teacher not completing the ALP process after the two (2) year cited process shall be assigned accredited probationary status.
- 24.02 A school or school district will be placed in cited status for improper ratios and class sizes caused by unexpected population shifts. Such status may extend to October 15 of the next school year. At the conclusion of the cited term, if the same violation exists, the school shall be assigned probationary status.
- 24.03 A school district will be placed in cited status for failing to hold the Annual Report to the Public School Board meeting prior to November 15. Such status will extend to October 15

of the next school year. At the conclusion of the cited term, if the same violation exists, the school district shall be assigned probationary status.

- 24.04 A school district will be placed in cited status for providing a late Annual Accreditation Report to the Department. Such status will extend to October 15 of the next school year. At the conclusion of the cited term, if the same violation exists, the school district shall be assigned probationary status.

PROBATIONS:

For the following violations, any school district or school that fails to meet the identified date of corrections will be recommended to the State Board of Education for loss of accreditation.

- 24.05 A school will be placed in probationary status for high school classes which meet less than 120 clock hours (to be corrected within thirty days).
- 24.06 A school will be placed in probationary status for an instructional day that is less than six (6) hours per day or thirty (30) hours each week (to be corrected within thirty days).
- 24.07 A school will be placed in probationary status for any staff member(s) not holding a valid Arkansas license. Such status will not extend beyond January 30 of the current school year.
- 24.08 A school or school district will be placed in probationary status for failing to employ a superintendent, principal, assistant principal (if required), nurse, or counselor. Such status will extend to the first day of the next academic semester.
- 24.09 A school will be placed in probationary status for lack of written policies mandated by law or the Standards for Accreditation (to be corrected in 60 days).
- 24.10 A school will be placed in probationary status for lack of a guidance program. Such status will extend to the first day of the next academic semester.
- 24.11 A school district will be placed in probationary status for lack of a health services program. Such status will extend to the first day of the next academic semester.
- 24.12 A school district will be placed in probationary status for lack of a gifted and talented program. Such status will extend to the first day of the next academic semester.
- 24.13 A school or school district will be placed in probationary status for lack of a media services program. Such status will extend to the first day of the next academic semester.
- 24.14 A school district will be placed in probationary status for lack of a special education program. Such status will extend to the first day of the next academic semester.
- 24.15 A school will be placed in probationary status for improper ratios/class sizes NOT CAUSED by unexpected population shifts (to be corrected in 30 days).
- 24.16 A school district will be placed in probationary status for failing to file an accurate or complete Equity Compliance Report. Such status will extend to the first day of the next academic semester, but cannot extend beyond October 15 of the next year.

- 24.17 A school or school district shall be placed in probationary status for failing to teach the required courses mandated by these Standards for Accreditation. Such status will extend to the first day of the next academic semester, but cannot extend beyond October 15 of the next school year.
- 24.18 A local school or school district shall be placed in probationary status for violations of the law (e.g., Ark. Code Ann. §§ 6-16-132, 6-16-130, 6-15-1101, 6-17-309, 6-18-223, or 6-15-1601 et seq.). Such status shall extend to the official review date issued by the Department.

25.0 ENFORCEMENT OF STANDARDS FOR ACCREDITATION

- 25.01 The State Board of Education may, on its own motion or upon petition from the Department, take any number of the following actions, listed in paragraph 25.03, to address a school or school district which has failed to meet all Standards for Accreditation any time after a school or school district has received notice of being placed in probationary status pursuant to paragraph 23.04.1. The Department shall petition the State Board of Education for enforcement action in the time period provided in these rules when a school or school district has failed to remedy all probationary violations when a specific time period for correction is required regarding a particular standard.
- 25.02 The State Board of Education shall take at least one of the following actions, listed in paragraph 25.03, to address any school or school district which has failed to meet all Standards for Accreditation for two (2) consecutive school years including the year the probationary status was issued to the school or school district, unless the State Board of Education, at its discretion, issues written findings supported by a majority of the board, that the school district could not meet current standards for the relevant time period due to impossibility caused by external forces beyond the school district's control.
- 25.03 The State Board of Education shall be allowed to take the following actions to address any school or school district on probationary status for failing to meet the Standards for Accreditation:
- 25.03.1 Require a school district to reorganize, or to reassign the administrative, instructional, or support staff of a public school;
 - 25.03.2 Require a school or school district to institute and fully implement a curriculum that is based on State academic content and achievement standards, including providing appropriate professional development at the cost of the school district;
 - 25.03.3 Remove a particular school from the jurisdiction of a school district and establish alternative public governance and supervision of such school or schools;
 - 25.03.4 Require a school district to close down or dissolve a particular school or schools within a school district;
 - 25.03.5

~~Annex a school district or districts or parts thereof with another receiving school district or districts pursuant to the authority of Ark. Code Ann. § 6-13-1401 et seq. and this subchapter;~~

~~25.03.6 Consolidate a school district or districts or parts thereof with another school district or districts or parts thereof to form a resulting district pursuant to the authority of Ark. Code Ann. § 6-13-1401 et seq. and this subchapter;~~

~~25.03.7 Reconstitute the leadership of a school district by removing permanently or suspending on a temporary basis the superintendent of the school district or any particular board members of a school district. The State Board of Education shall have the authority to appoint an administrator or to call for the election of new school board members to administer the affairs and provide governance of the school district, or both;~~

~~25.03.8 Take any other appropriate action allowed by law which is determined by the State Board of Education to assist and address a school or school district failing to meet the Standards for Accreditation.~~

~~25.03.9 LOSS OF ACCREDITATION~~

~~25.04 PUBLICATION AND DISSEMINATION~~

~~25.04.1 When any school of a school district or the school district is determined by the State Board of Education to be in probationary status for failure to meet the Standards for Accreditation, that school district, after exhausting its rights to appeal, shall:~~

~~25.04.1.1 Publish the probationary status determination and findings of the State Board of Education to the public and the parents or care giver of each student enrolled in the school or school district determined to have failed to meet the Standards for Accreditation;~~

~~25.04.1.2 The public notice shall be in an understandable and uniform format;~~

~~25.04.1.3 The public notice shall be published or disseminated, immediately after the State Board of Education's determination, on the web site of the school district and published at least one (1) time a week for two (2) consecutive weeks in a local newspaper of general circulation in the affected school district.~~

~~26.0 RIGHT OF APPEAL~~

~~26.01 In the event a district or school believes the Department has improperly determined that any school or school district has failed to meet Standards for Accreditation, the school district shall have a right to file its written appeal with the office of the Commissioner of the Department.~~

~~26.02 Any such appeal shall be held in an open hearing, and the decision of the State Board of Education shall be in open session. The appeal must be filed not later than May 15~~

following the May 1 written notification, and the State Board of Education hearing must be held prior to June 30 of the same calendar year.

26.03 The following procedures shall apply to State Board of Education hearings in which the school district believes the Department improperly determined that it failed to meet Standards for Accreditation:

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

26.03.2 The Department shall have up to twenty (20) minutes to present its case to the State Board. The Chairperson of the State Board may allow additional time if necessary.

26.03.3 The appealing school district shall have up to twenty (20) minutes to present its case to the State Board. The Chairperson of the State Board may allow additional time if necessary.

26.03.4 The State Board may pose questions to any party at any time during the hearing.

26.03.5 The State Board shall then discuss, deliberate, and vote upon the matter.

26.03.6 If it deems necessary, the State Board may take the matter under advisement and announce its decision at a later date, provided that all discussions, deliberations, and votes upon the matter take place at a public hearing.

26.03.7 The State Board shall issue a written order concerning the matter.

26.04 The State Board of Education may confirm the classification of a school or school district accreditation status, as determined by the Department, or it may sustain the appeal of the district.

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

27.0 WAIVER AUTHORITY AND PROCESS

27.01 Except as provided in 27.02 of these rules, the State Board of Education on its own motion, or on petition from the Department or from a school district, may, upon a showing of just cause in a public hearing of the State Board of Education, grant a waiver of any accreditation standard for a time period of no longer than one (1) school year, except that no curricula, student performance, school performance, or any standard required by law may be waived for any time period.

~~27.01.1 Any petition for waiver of any accreditation standard by a school district shall be filed in the Office of the Commissioner of the Department thirty (30) calendar days prior to the State Board of Education hearing the waiver petition. The State Board may waive the thirty (30) day time requirement, when in the State Board of Education's determination, circumstances prevent the petition from being filed within the thirty (30) day time frame.~~

~~27.02 The State Board of Education may grant a waiver of a Standard for Accreditation for a period of longer than one (1) school year to a school district for the purpose of combining or embedding the curriculum frameworks from two (2) separate courses into one (1) embedded course in accordance with 9.04 of these rules.~~

~~27.03 Any hearing of the State Board of Education concerning a waiver of any accreditation standard shall be conducted in a public hearing of a properly announced regular or special meeting of the State Board of Education in accord with Arkansas law.~~

1.00 REGULATORY AUTHORITY

1.01 These rules shall be known as the Arkansas Department of Education (“ADE” or “Department”) Rules Governing the Standards for Accreditation of Arkansas Public Schools and School Districts.

1.02 These rules are promulgated pursuant to Ark. Code Ann. §§ 6-11-105, 6-15-202, 6-15-272, 6-15-209, and 25-15-201 et seq.

2.00 PURPOSE

2.01 These rules are to set forth to apply the Standards for Accreditation of Arkansas to all public schools and school districts for the purpose of determining accreditation of the school and district.

2.02 These rules describe the minimum requirements and process whereby Arkansas public schools and public school districts are accredited, the process whereby Arkansas public schools and public school districts will be cited or placed in probationary status for failure to meet the Standards for Accreditation, and to set forth the enforcement actions that may be applied to Arkansas public schools and public school districts that fail to meet the Standards for Accreditation.

3.00 DEFINITIONS – For purpose of these Rules, the following terms mean:

3.01 “Accredited - Cited” means the status assigned to a public school or public school district that fails to meet any Standard identified by a “C” as being a cited violation in these rules.

3.02 “Enforcement action” means the intervention of the State to require compliance of a public school or a public school district that fails to meet Standards for Accreditation of Arkansas Public Schools and School Districts.

3.03 "Accredited - Probation" means the status assigned to a public school or public school district that fails to meet any Standard identified by a “P” as being a probationary violation in these rules or fails to correct a violation by the specified deadline for which it acquired cited status.

3.04 "Public school" means:

- 3.04.1 A school operated by a public school district; or
- 3.04.2 An open-enrollment public charter school, as defined in Ark. Code Ann. § 6-23-103.
- 3.05 “Public school district” means:
 - 3.05.1 A geographic area that qualifies as a taxing unit for purposes of ad valorem property taxes under Ark. Code Ann. § 26-1-101 et seq. and Arkansas Constitution, Article 14, § 3, and is either:
 - 3.05.1.1 Governed by an elected board of directors; or
 - 3.05.1.2 Under the administrative control of the State Board or the Commissioner of Education in place of an elected board of directors; or
 - 3.05.2 An open-enrollment public charter school, as defined in Ark. Code Ann. § 6-23-103.
- 3.06 “Standards for Accreditation” means the series of requirements that specify what a public school or public school district shall meet in order to be fully accredited by the Arkansas Department of Education.
- 3.07 “Written curriculum” includes identified sequences of student learning expectations, pacing, materials and resources used to teach the Arkansas Academic Standards and processes for evaluating mastery of the standards at particular points in time throughout the K–12 educational program.

4.00 BI-ANNUAL REVIEW AND APPROVAL OF THE STANDARDS FOR ACCREDITATION

The Department is responsible for the development of the Standards for Accreditation and shall review these standards every two years to ensure alignment with the laws of the State of Arkansas and the rules of the Department.

The review process shall include:

- 4.01 Public notice of the intent to review the Standards. Public notice may include notice of intent provided at a State Board meeting, on the Department website, by Commissioner’s Memo, or Department social media;
- 4.02 Organization of a committee consisting of Arkansas educators, administrators, and other stakeholders to review and provide feedback to Department staff regarding the Standards of Accreditation, particularly those found to have the most violations or in conflict with state law or rules;
- 4.03 Revision, as needed, of the Standards for Accreditation by Department staff;
- 4.04 Submission of the revised Standards for Accreditation for review by the State Board of Education;

- 4.05 Submission to the Senate and House Education Committees for review and feedback to the State Board of Education; and
- 4.06 Review Senate and House Education Committee feedback and submit to the Board for approval of the Standards for Accreditation.

5.00 CITED STATUS

- 5.01 A public school district shall be assigned Accredited – Cited status when it is deemed to have failed to meet any standard defined with a district cited status (“*D/C*”) in the Standards for Accreditation.
- 5.02 A public school shall be assigned Accredited – Cited status when it is deemed to have failed to meet any standard defined with a school cited status (“*S/C*”) in the Standards for Accreditation.
- 5.03 No public school or public school district shall maintain Accredited – Cited status for violation of any particular standard for a time period greater than two (2) consecutive school years including the year the Accredited – Cited status is assigned, unless provided otherwise in these rules.
- 5.04 Any public school or public school district that fails to remedy itself from Accredited – Cited status for violation of a particular standard after two (2) consecutive school years shall be assigned Accredited – Probation status.

6.00 PROBATIONARY STATUS

- 6.01 A public school district shall be assigned Accredited – Probation status when it is deemed to have failed to meet any standard defined with a district probationary status (“*D/P*”) in the Standards for Accreditation or was in Accredited – Cited status for the same violation the previous two (2) consecutive school years.
- 6.02 A public school shall be assigned Accredited – Probation status when it is deemed to have failed to meet any standard defined with a school probationary status (“*S/P*”) in the Standards for Accreditation or was in Accredited – Cited status for the same a violation the previous two (2) consecutive school years.
- 6.03 No public school or public school district shall maintain Accredited – Probation status for violation of any standard for more than two (2) consecutive school years including the year the Accredited – Probation status is assigned.
- 6.04 Any public school or public school district that fails to remedy itself from Accredited – Probation status after the two (2) consecutive school years will be subject to mandates of Ark. Code Ann. § 6-15-207 and Section 9.00 of these Rules.

7.00 ACCREDITATION OF PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS

- 7.01 A public school or public school district shall be accredited based on compliance with the Standards for Accreditation and shall be identified as Accredited.

7.02 A material and substantial failure to comply with any state or federal law, rule, or regulation that interferes with a public school or public school district's obligation to provide a general, suitable and efficient education may result in a recommendation of Accredited – Cited or Accredited – Probation status.

7.02 Any person who knowingly submits or falsifies information requested or required by the Department may be subject to licensure action pursuant to Ark. Code Ann. § 6-17-410 and other relevant state and federal law.

7.03 ACCREDITATION PROCESS

7.03.1 The Department shall annually review all public school and public school district accreditation reports.

7.03.2 The Department shall:

7.03.2.1 Investigate any suspected deficiencies in meeting the Standards for Accreditation.

7.03.2.2 Investigate all written complaints charging violations of the Standards for Accreditation received by the Department.

7.03.2.3 Conduct additional review of public schools and public school districts identified as being at risk of failing to meet the Standards for Accreditation.

7.03.2.4 Conduct an on-site review of public schools and public school districts whenever the Department or State Board of Education deems necessary.

7.03.3 At any time, a public school or public school district which does not meet the Standards for Accreditation, as determined by the Department, shall be notified in writing of the deficiency and the timeline for correction. Any deficiency unresolved shall be reported to the State Board of Education for consideration of action.

7.03.4 By May 1, the Department shall notify the public school district superintendent of the public schools or public school districts recommended accreditation status.

7.04.5 The State Board of Education will review the recommendation from the Department and make the final determination of accreditation status for the identified public schools or public school districts as outlined in Section 8.0 of these rules.

7.04.6 Public schools and public school districts classified as Accredited – Probation for more than two (2) consecutive school years shall be subject to enforcement actions pursuant to Ark. Code Ann. § 6-15-207 and Section 9.00 of these Rules.

8.00 SPECIFIC TIME FRAME FOR CITATIONS OR PROBATIONS

8.01 A public school or public school district may be placed in Accredited – Cited or Accredited – Probation status if any violation of the Standards for Accreditation has not be corrected or the appropriate documentation detailing the public school or public school district's plan, including

necessary timelines, to correct the deficiency is not received by the Department within thirty (30) days of notification of the violation or by May 15, whichever occurs first.

- 8.02 The Department will review the submitted documentation and respond in writing the length of time that will be allowed for correction of the deficiency. The time to correct the deficiency shall not exceed ninety (90) days or beyond the last day of student contact for the school year, whichever occurs first.
- 8.03 The recommended accreditation status will be submitted to the State Board of Education for final approval.
- 8.04 After approval by the State Board of Education, the public school or public school district will be identified as Accredited - Cited or Accredited - Probation which shall be considered the first year of identification. The identification will remain in place for the following school year which shall be considered the second year of identification.

9.00 ENFORCEMENT OF STANDARDS FOR ACCREDITATION

- 9.01 The State Board of Education may, on its own motion or upon petition from the Department, take any number of the following actions, listed in Section 9.03, to address a public school or public school district which has failed to meet the Standards for Accreditation at any time after a public school or public school district has received notice of being placed in Accredited – Probation status pursuant to Section 7.03.4 of these rules. The Department shall petition the State Board of Education for enforcement action as allowed by these rules when a public school or public school district has failed to remedy all probationary violations within the specified time period for correction.
- 9.02 The State Board of Education shall take at least one of the actions listed in Section 8.03 to address any public school or public school district that has failed to meet the Standards for Accreditation for two (2) consecutive school years including the year the Accredited – Probation status was issued, unless the State Board of Education, at its discretion, issues written findings supported by a majority of the board, that the public school or public school district could not meet the current Standards in the required time period due to impossibility caused by external forces beyond the public school or public school district's control.
- 9.03 The State Board of Education shall be allowed to take the following actions to address any public school or public school district on Accredited – Probation status for failing to meet the Standards for Accreditation:
 - 9.03.1 Require a public school district to reorganize, or to reassign the administrative, instructional, or support staff of a public school or public school district;
 - 9.03.2 Require a public school or public school district to institute and fully implement a curriculum that is based on Arkansas Academic Standards, including providing appropriate professional development at the cost of the public school district;
 - 9.03.3 Remove a particular public school from the jurisdiction of a public school district and establish alternative public governance and supervision of such school or schools;

- 9.03.4 Require a public school district to close down or dissolve a particular public school or schools within a public school district;
- 9.03.5 Annex a public school district or districts or parts thereof with another receiving public school district or districts pursuant to the authority of Ark. Code Ann. § 6-13-1401 et seq.;
- 9.03.6 Consolidate a public school district or districts or parts thereof with another public school district or districts or parts thereof to form a resulting district pursuant to the authority of Ark. Code Ann. § 6-13-1401 et seq.;
- 9.03.7 Reconstitute the leadership of a public school district by removing permanently or suspending on a temporary basis the superintendent of the public school district or any particular board members of a public school district. The State Board of Education shall have the authority to appoint an administrator or to call for the election of new school board members to administer the affairs and provide governance of the public school district, or both;
- 9.03.8 Designate the public school or public school district as being Accredited –Corrective Action; or
- 9.03.9 Take any other appropriate action allowed by law which is determined by the State Board of Education to assist and address a public school or public school district failing to meet the Standards for Accreditation.

10.00 RIGHT OF APPEAL

In the event a public school or public school district believes the Department has improperly determined that any public school or public school district has failed to meet Standards for Accreditation, the public school district shall have a right to file its written appeal with the office of the Commissioner of Education.

10.01 Any appeal shall be held at an open hearing, and the decision of the State Board of Education shall be in open session. The appeal must be filed no later than May 15 following the May 1 written notification, and the State Board of Education hearing must be held prior to June 30 of the same calendar year.

10.02 The following procedures shall apply to State Board of Education hearings in which the public school district believes the Department improperly determined that the public school district failed to meet the Standards for Accreditation:

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

10.02.2 The Department shall have up to twenty (20) minutes to present its case to the State Board. The Chairperson of the State Board may allow additional time if necessary.

10.02.3 The appealing public school district shall have up to twenty (20) minutes to present its case to the State Board. The Chairperson of the State Board may allow additional time if necessary.

10.02.4 The State Board may pose questions to any party at any time during the hearing.

10.02.5 The State Board shall then discuss, deliberate, and vote upon the matter.

10.02.6 If deemed necessary, the State Board may take the matter under advisement and announce its decision at a later date, provided that all discussions, deliberations, and votes upon the matter take place at a public hearing.

10.02.7 The State Board shall issue a written order concerning the matter.

10.03 The State Board of Education may approve the classification of the public school or public school district accreditation status, as determined by the Department, or it may sustain the appeal of the district.

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

11.00 WAIVER AUTHORITY AND PROCESS

11.01 Except as provided by Ark. Code Ann. § 6-15-202(b)(2), the State Board of Education on its own motion, or on petition from the Department or from a district, may, upon a showing of just cause in a public hearing of the State Board of Education, grant a waiver of any Standard for Accreditation for no longer than one (1) school year. However, no curricula, student performance, school performance, or any standard required by law may be waived for any time period.

11.01.1 A petition for waiver of any Standard for Accreditation by a public school district shall be filed in the Office of the Commissioner of Education thirty (30) calendar days prior to the meeting of the State Board of Education hearing the waiver petition, or no later than April 20, whichever occurs first.

11.01.2 A hearing of the State Board of Education concerning a waiver of any Standard for Accreditation shall be conducted in a public hearing of a properly announced regular or special meeting of the State Board of Education in accord with Arkansas law no later than May 20.

11.02 A waiver of any Standard for Accreditation approved by the State Board of Education shall only apply to the school year in which it was granted. The approved waiver shall not apply to the next school year.

12.00 NOTIFICATION TO THE PUBLIC

When any public school or a public school district is determined by the State Board of Education to be in Accredited – Probation or Accredited – Corrective Action status for failure to meet the Standards for Accreditation, the public school district, after exhausting its rights to appeal, shall publish the accreditation status determination and findings of the State Board of Education to the public and the parents or guardians of each student enrolled in the public school or public school district determined to have failed to meet the Standards for Accreditation.

- 12.01 The public notice shall be in an understandable and uniform format;
- 12.02 Immediately after the State Board of Education’s determination, the public notice shall be published or disseminated:
- 12.02.1 On the website of the public school district; and
 - 12.02.2 Published at least one (1) time a week for two (2) consecutive weeks in a local newspaper of general circulation in the affected public school district.
- 12.03 Documentation of the publication shall be posted on the district website under State – Required Information until the State Board of Education removes the status.

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APPENDIX A - THE STANDARDS FOR ACCREDITATION

Standard 1: Academics

The academic system of a public school district ensures all students have access to a guaranteed viable curriculum for all academic areas aligned to Arkansas Academic Standards.

Standard 1-A Curriculum and Instruction

1-A.1 Each public school district board of directors shall annually adopt and implement written curriculum aligned to the Arkansas Academic Standards for the operation of the school district in accordance with the laws of the State of Arkansas and the rules of the Department. Reading, writing, speaking, and personal competencies shall be incorporated into all curriculum areas. *(D/C)*

1-A.1.1 For Grades K-4, all students shall receive instruction annually in each of the following content areas *(S/P)*:

- 1-A.1.1.1 English Language Arts;
- 1-A.1.1.2 Mathematics;
- 1-A.1.1.3 Social Studies;
- 1-A.1.1.4 Science;
- 1-A.1.1.5 Fine Arts; and
- 1-A.1.1.6 Health and Safety Education and Physical Education.

1-A.1.2 For Grades 5-8, all students shall receive instruction annually in each of the following content areas *(S/P)*:

- 1-A.1.2.1 English Language Arts;
- 1-A.1.2.2 Mathematics;
- 1-A.1.2.3 Science;
- 1-A.1.2.4 Social Studies;
- 1-A.1.2.5 Physical Education;
- 1-A.1.2.6 Fine Arts;
- 1-A.1.2.7 Health and Safety; and
- 1-A.1.2.8 Career and Technical Education.

1-A.1.2.9 A unit of Arkansas history shall be taught as a social studies subject at each elementary grade level in every elementary school in the state with greater emphasis at the fourth (4th) and fifth (5th) grade levels, and at least one (1) full semester of Arkansas history taught to all students at the 7th, 8th, 9th, 10th, 11th, or 12th grade level in every public secondary school in the state. *(S/P)*

1-A.1.2.10 Upon approval by the Department, courses taught in grades 5-8 may be offered for high school graduation credit. Courses shall have the same rigor as those taught in high school, but content for a single course may be taught over a two-year period. Teachers shall be licensed, or teaching under an approved waiver, in the course taught with students participating in appropriate examinations. *(S/P)*

- 1-A.1.3 For Grades 9-12, the following content areas shall be offered annually for a total of 38 units, except otherwise allowed by law and these rules (*S/P*):
- 1-A.1.3.1 English Language Arts - 6 units;
 - 1-A.1.3.2 Science - 5 units;
 - 1-A.1.3.3 Mathematics - 6 units;
 - 1-A.1.3.4 Computer Science - 1 unit;
 - 1-A.1.3.5 Foreign Languages - 2 units of the same subject;
 - 1-A.1.3.6 Fine Arts - 3 ½ units;
 - 1-A.1.3.7 Social Studies - 4 units;
 - 1-A.1.3.8 Health and Safety Education and Physical Education - 1 ½ units; and
 - 1-A.1.3.9 Career and Technical Education - 9 units of sequenced career and technical education courses representing three (3) occupational areas.
- 1-A.1.3.10 Courses offerings shall include advanced educational courses in accordance with the laws of the State of Arkansas and the rules of the Department. (*S/P*)
- 1-A.1.3.11 Beginning with the freshman class of 2017-2018, all students must earn credit in a course that has personal finance standards. (*S/P*)
- 1-A.1.4 Following the Course Approval Process, a public school may request to combine or embed the Arkansas Academic Standards from two (2) separate courses into one (1) combined course. The public school must continue to teach the Arkansas Academic Standards for each separate course that is combined. (*S/P*)
- 1-A.2 A unit of credit shall be awarded for a course which meets for a minimum of 120 clock hours unless the public school district awards units of credit based on subject matter competency in compliance with the public school district's approved plan under Ark. Code Ann. § 6-15-216. (*S/P*)
- 1-A.3 Each public school district shall ensure that all required courses are taught in accordance with the laws of the State of Arkansas and the rules of the Department. A list of the required courses approved by the State Board of Education is posted annually on the Department website. (*D/P*)
- 1-A.4 Each public school district superintendent shall submit a signed statement of assurance to the Department verifying that the public school district has established procedures and monitoring processes to ensure that the content of each course offered by the district is consistent with the Arkansas Academic Standards. (*D/C*)
- 1-A.5 Each public school district shall adopt a school calendar and provide planned instruction per day in accordance with the laws of the State of Arkansas and the rules of the Department. (*D/C*)
- 1-A.5.1 Each public school shall provide a minimum of 178 days of student-teacher interaction time. (*S/P*)
 - 1-A.5.2 Each public school shall provide a planned instructional day that averages no less than six (6) hours per day or thirty (30) hours per week. Any day in which fewer than six (6) hours of instructional time is provided to students shall be counted as one-half (1/2) of a school day if at least three (3) hours of instructional time is provided to students. Any

day in which fewer than three (3) hours of instructional time is provided to students shall not be counted as part of a school day. *(S/P)*

- 1-A.6 Each public school district shall comply with the laws of the State of Arkansas and the rules of the Department regarding class size and teaching load. *(D-S/P)*
- 1-A.7 Each public school district shall adopt instructional material consistent with the curriculum and educational goals established by the State Board of Education. *(D/P)*
- 1-A.8 Each public school district superintendent shall submit a signed statement of assurance to the Department verifying that the district is providing all necessary instructional materials to each student without cost to the student. *(D/P)*

Standard 1-B Academic Policies

- 1-B.1 Each public school district shall engage parents, staff, and students in the adoption or review of the written discipline policy that include a code of student behavior in accordance with the laws of the State of Arkansas and the rules of the Department. The public school district shall notify the parent(s) or guardian and students of the rules and procedures by which the school is governed and require a signed acknowledgement from the parent(s) or guardian that they have received the school's discipline policy. *(D/C)*
- 1-B.2 Annually by August 1, each public school district shall post its written discipline policy on the district website under State – Required Information. *(D/C)*
- 1-B.3 Each public school district shall comply with the laws of the State of Arkansas and the rules of the Department regarding nutrition and physical activity standards. *(D/C)*
- 1-B.4 Each public school district shall comply with any requirements of the Arkansas Educational Support and Accountability Act placed on the public school or public school district. *(D-S/C-P)*

Standard 1-C Student Performance

- 1-C.1 Each public school district must comply with the laws of the State of Arkansas and the rules of the Department regarding the statewide student assessment system. *(D-S/C-P)*
 - 1-C.1.1 Each public school shall assess at least 95% of its students on the annual statewide student assessment. *(S/C)*
 - 1-C.1.2 Selected public schools shall participate in any and all components of the National Assessment of Educational Progress (NAEP). *(S/C)*
- 1-C.2 Each public school district shall adopt graduation requirements in accordance with the laws of the State of Arkansas and the rules of the Department and include the graduation requirements in the student handbook. *(D/P)*
 - 1-C.2.1 Each public school district shall maintain accurate student records including graduation requirements. *(D/P)*

- 1-C.2.2 For graduation, students must have acquired twenty-two (22) units of credit as determined by the State Board of Education. *(S/P)*
- 1-C.2.3 Beginning with 2018-2019, all students must pass the Arkansas civics exam with at least 60% in order to graduate. This requirement shall not apply to those students exempt by law. *(S/P)*

Standard 2: Student Support Services

The student support system of a public school district ensures that all students have equitable access to opportunities and supports to meet college, career and communities readiness.

Standard 2-A Equitable Opportunities

- 2-A.1 Each public school district board of directors' policies and actions shall be nondiscriminatory and shall be in accordance with state and federal laws and the rules of the Department. *(D/P)*
 - 2-A.1.1 Each public school district shall file an accurate and timely Equity Compliance Report by October 15 of each year. *(D/P)*
- 2-A.3 Each public school district board of directors, administrators, and employees shall not knowingly authorize the participation of students in events or activities held at a location where some students would be excluded or not given equal treatment because of the student's race, national origin, or ethnic background. *(D/P)*

Standard 2-B Attendance and Enrollment

- 2-B.1 Each public school district board of directors shall adopt a student attendance policy and include the attendance policy in the student handbook. *(D/C)*
- 2-B.2 Each public school shall maintain accurate student attendance records in a format prescribed by the Department. *(D/P)*
- 2-B.3 Each public school shall not admit any student who has not been age-appropriately immunized as required by state and federal laws and rules. *(S/C)*

Standard 2-C Student Support Services Plan

- 2-C.1 Each public school district shall develop and implement a written plan for providing student services to all students in the public school system in accordance with the laws of the State of Arkansas and the rules of the Department. By August 1, the written plan shall be posted on the district website under State – Required Information. *(D/C)*
- 2-C.2 Each public school district shall provide a developmentally appropriate guidance program to aid students in educational, personal/social, and career development. *(D/C)*

Standard 2-D Media Center for Student Support

- 2-D.1 Each public school district shall provide sufficient resources, budgeted and spent yearly, for purchasing and maintaining an appropriate balance of print, non-print, and electronic media that is adequate in quality and quantity to meet the academic standards for all students. *(D/C)*

Standard 2-E Health and Safety Services

- 2-E.1 Each public school district shall provide a health services program under the direction of a licensed registered nurse in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C)*
- 2-E.2 Each public school and public school district shall maintain appropriate materials and expertise to ensure the safety of students, employees, and visitors. *(D-S/C-P)*

Standard 2-F Special Education Services

- 2-F.1 All public school district personnel, teachers, and administrators must comply with the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq., its implementing regulations at 34 C.F.R. Part 300, Ark. Code Ann. § 6-41-101 et seq., the laws of the State of Arkansas, and the rules of the Department. *(D/C-P)*
- 2-F.2 Each public school district shall offer a full continuum of special education services as required by the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq., its implementing at 34 C.F.R. Part 300, Ark. Code Ann. § 6-41-101 et seq., the laws of the State of Arkansas, and the rules of the Department. *(D/C-P)*

Standard 2-G Gifted and Talented Services

- 2-G.1 Each public school district shall provide gifted and talented services in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C)*

Standard 2-H Dyslexia Services

- 2-H.1 Each public school district shall provide screening and intervention for dyslexia in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/P)*
- 2-H.2 Each public school district shall comply with the annual dyslexia reporting as required by Ark. Code Ann. § 6-41-606. *(D/P)*

Standard 2-I Alternative Education Services

- 2-I.1 Each public school district shall provide appropriate alternative programs for students who are identified as requiring such programs to continue their education. *(D/C)*

Standard 2-J English Language Services

- 2-J.1 Each school shall conduct a home language usage survey to student upon initial enrollment to identify students that need to be screened for English for Speakers of other Language Services. *(S/C)*

- 2-J.2 Each public school district shall offer a Language Instruction Educational Program for identified English Learners in accordance with the laws of the State of Arkansas and the rules of the Department. *(S/C)*

Standard 3: District Operations and Fiscal Governance

The district operations and fiscal governance system of a public school district ensures alignment between resource allocation and meeting the needs of each student's academic success and well-being.

Standard 3-A Operating Policies, Procedures, and Training

- 3-A.1 Each public school district board of directors shall adopt and update written policies for the fiscal operation of the school district in accordance with the laws of the State of Arkansas and the rules of the Department. By August 1, the written policies shall be posted on the district website under State – Required Information. *(D/C)*
- 3-A.2 Each public school district shall adopt written personnel policies, including the teacher salary schedule. By August 1, the written policies shall be posted on the district website under State – Required Information. *(D/C)*
- 3-A.3 Each public school district shall submit accurate and timely reports deemed necessary to assure compliance with federal and state law and the rules of the Department, as requested. *(D/C)*
- 3-A.4 Each public school district shall ensure compliance with the financial accounting and reporting and annual training requirements required by the laws of the State of Arkansas and the rules of the Department. *(D/C)*
- 3-A.5 Each public school district shall employ a general business manager responsible for the fiscal operations of the school district. *(D/C)*
- 3-A.6 Each member of a public school district board of directors shall receive annual training in accordance with the laws of the State of Arkansas and the rules of the Department. A statement of the hours of training and instruction received by each board member for the preceding year shall be included in the annual school performance report required by the laws of the State of Arkansas. *(D/C)*
- 3-A.7 Each public school district superintendent shall file a written statement of assurance annually by October 1 in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C)*
- 3-A.8 Except where otherwise allowed by law, each public school district shall comply with the Standards for Accreditation without using national school lunch categorical funds. *(D/C)*
- 3-A.9 By August 1, each public school district shall post all student handbooks on the district website under State – Required Information. *(D/C)*
- 3-A.10 Each public school district which has not obtained full and complete unitary status and has not been released from court supervised desegregation obligations shall seek to obtain a declaration of full and complete unitary status and release from all court supervision from the federal courts. *(D/P)*

3-A.10.1 Beginning September 15 of each year, any public school district identified in Section 3-A.10 shall submit written quarterly reports to the Department detailing the district's outstanding desegregation obligations and the district's efforts towards obtaining full unitary status and release from court supervision. The detailed plan shall include the district's progress towards meeting its obligations and timelines for reaching a determination of full unitary status and release from court supervision.

3-A.10.2 If the Department is unable to verify the public school district's efforts to comply with the submitted detailed plan required by of these Rules, the Department shall recommend to the State Board of Education whether the public school district should be placed on Accredited – Probation status in accordance with these Rules.

Standard 3-B School-level Improvement Plans and Reporting

3-B.1 Each public school in Arkansas shall develop, with appropriate staff and community participation, a school-level improvement plan. School goals shall be compatible with district, state and national educational goals and shall address local needs in accordance with the laws of the State of Arkansas and the rules of the Department. The school-level improvement plans must be approved by the district and school board and posted to the district website under State – Required Information by August 1. *(D/C)*

3-B.2 By October 15, each public school district board of directors shall systematically and, at least annually, explain its policies, programs, and goals to the community in a public meeting that provides opportunities for parents and other members of the community to ask questions and make suggestions concerning the school program in accordance with the laws of the State of Arkansas and the rules of the Department. The report shall detail the progress of the district and schools toward accomplishing program goals, accreditation standards, and proposals to correct deficiencies. The report shall be made available to the public and the public shall be notified of the meeting. *(D/C)*

3-B.2.1 The annual report to the public shall be posted on the district website under State – Required Information no later than 10 days after the public meeting is held. *(D/C)*

Standard 3-C Maintenance of Records and Reports

3-C.1 Each public school and public school district shall develop and implement a records retention policy that retains all reports and records necessary for effective planning, operation, and education in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C)*

3-C.2 Each public school and public school district shall maintain permanent student records in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C)*

Standard 3-D Food Service

3-D.1 Each public school district shall provide food services in accordance with federal and state laws and the rules of the Department. *(D/C)*

Standard 4: Human Capital

The human capital system of a public school district ensures recruitment, retention, and development of highly effective educators and support personnel to meet the needs of the whole child.

Standard 4-A Background Checks

- 4-A.1 Each public school district shall not employ personnel, whether licensed or non-licensed, who have not successfully completed background checks in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C-P)*

Standard 4-B Superintendent

- 4-B.1 Each public school district shall employ a full-time superintendent to oversee all operations of the public school district. *(D/P)*
- 4-B.2 Each public school district superintendent shall meet the licensure requirements in accordance with the laws of the State of Arkansas and the rules of the Department unless the public school district has an approved waiver in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C)*

Standard 4-C Principals

- 4-C.1 Each public school shall employ at least a half-time principal. A full-time principal shall be employed when a public school's enrollment reaches three hundred (300). A public school district superintendent may be permitted to serve as a half-time principal when district enrollment is less than 300 providing the superintendent is appropriately certified and is not already teaching classes. Schools with an enrollment exceeding five hundred (500) shall employ at least one full-time principal and a half-time assistant principal, instructional supervisor, or curriculum specialist. *(D/P)*
- 4-C.2 Each public school district shall employ public school principals that meet the licensure requirements in accordance with the laws of the State of Arkansas and the rules of the Department unless the public school district has an approved waiver in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C)*

Standard 4-D Teachers

- 4-D.1 Each public school district shall employ classroom teachers that meet the licensure requirements in accordance with the laws of the State of Arkansas and the rules of the Department or are teaching under an approved waiver in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C)*
- 4-D.2 Each public school district shall not employ an individual, including as a substitute teacher whether directly employed by the school or through a teaching services contract, whose license has been suspended or revoked by the State Board of Education for a disqualifying offenses or those, licensed or unlicensed individuals, who have been sanctioned for an ethical violation in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C)*

- 4-D.3 Each public school district must comply with the Right to Read Act, codified in Ark. Code Ann. § 6-17-429, with regards to the hiring of teachers who demonstrate proficiency in knowledge and practices of scientific reading instruction. *(D/P)*

Standard 4-E Guidance Counselors

- 4-E.1 Each public school district shall employ guidance counselors that meet the licensure requirements in accordance with the laws of the State of Arkansas and the rules of the Department or are working under an approved waiver in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C)*
- 4-E.2 Each public school district shall have a student/guidance counselor ratio of no more than one to 450 students. *(D/P)*

Standard 4-F Library Media Specialists

- 4-F.1 Each public school district shall employ library media specialists that meet the licensure requirements in accordance with the laws of the State of Arkansas and the rules of the Department or are working under an approved waiver in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/C)*
- 4-F.2 Public schools with fewer than three hundred (300) students shall employ at least one half-time library media specialist. Public schools with three hundred (300) or more students shall employ at least one full-time library media specialist. Schools enrolling fifteen hundred (1,500) or more students shall employ at least two full-time library media specialists. *(S/P)*

Standard 4-G Professional Development

- 4-G.1 Teachers and administrators must comply with the laws of the State of Arkansas and the rules of the Department regarding professional development. *(D-S/C)*
- 4-G.2 Each public school district shall provide professional development in scientific reading instruction in compliance with the Right to Read Act, codified in Ark. Code Ann. § 6-17-429. *(D/P)*

Standard 5: Stakeholder Communication / Family and Community Engagement

The stakeholder communication / family and community engagement system of a public school district ensures stakeholders are engaged in meaningful communication to provide an effective learning experience for each student.

Standard 5-A Comprehensive Plan for Communication and Engagement

- 5-A.1 Each public school district shall have a written plan for parent, family, and community engagement, including the scheduling of at least two (2) parent-teacher conferences each year, in accordance with the laws of the State of Arkansas and the rules of the Department. By October 1, the plan shall be posted on the district website under State – Required Information. *(D/C)*

Standard 6: Facilities and Transportation

The facilities and transportation system of a public school district ensures a quality learning environment for Arkansas students.

Standard 6-A Facilities and Equipment

6-A.1 Each public school district shall plan, construct, and maintain school facilities in accordance with federal laws, the laws of the State of Arkansas, and the rules of the Arkansas Division of Public School Academic Facilities and Transportation. *(D/C)*

6-A.2 Each public school districts shall adopt and implement school safety policies and procedures in accordance with the laws of the State of Arkansas and the rules of the Department. *(D/P)*

DRAFT

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Department of Education

DIVISION Public School Accountability

PERSON COMPLETING THIS STATEMENT Jennifer Davis

TELEPHONE 501-682-1958 **FAX** 501-682-4249 **EMAIL:** Jennifer.Davis@arkansas.gov

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

SHORT TITLE OF THIS RULE ADE Rules Governing the Standards for Accreditation of Arkansas Public Schools and School Districts

1. Does this proposed, amended, or repealed rule have a financial impact? Yes No
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule? Yes No
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes No

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

- (a) How the additional benefits of the more costly rule justify its additional cost;

- (b) The reason for adoption of the more costly rule;

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

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

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

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

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____

Other (Identify) _____

 Total _____

Other (Identify) _____

 Total _____

(b) What is the additional cost of the state rule?

Current Fiscal Year

Next Fiscal Year

General Revenue 0
 Federal Funds 0
 Cash Funds 0
 Special Revenue 0
 Other (Identify) 0
 Total 0

General Revenue 0
 Federal Funds 0
 Cash Funds 0
 Special Revenue 0
 Other (Identify) 0
 Total 0

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

Current Fiscal Year

Next Fiscal Year

\$ 0

\$ 0

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

Current Fiscal Year

Next Fiscal Year

\$ 0

\$ 0

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

Yes No

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and

- (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.