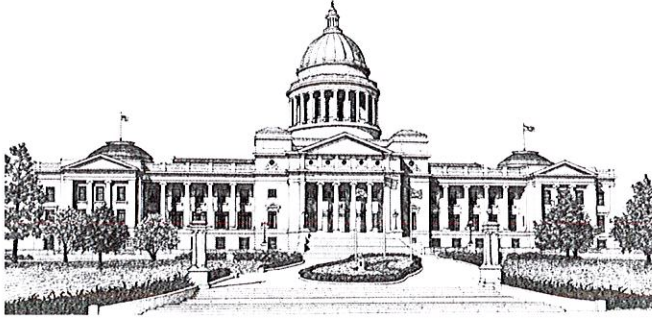


# ARKANSAS REGISTER

## Transmittal Sheet Use only for FINAL and EMERGENCY RULES



Secretary of State  
**Mark Martin**  
500 Woodlane, Suite 026  
Little Rock, Arkansas 72201-1094  
(501) 682-5070  
[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



**For Office  
Use Only:**

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Arkansas Department of Education

Department Academic Accountability

Contact Mary Claire Hyatt E-mail maryclaire.hyatt@arkansas.gov Phone 501-683-0960

Statutory Authority for Promulgating Rules Ark. Code Ann. §§ 6-11-105 and 25-15-201 et seq.

**Rule Title:** Arkansas Department of Education Rules Governing Student Permanent Records

**Intended Effective Date**  
(Check One)

Emergency (ACA 25-15-204)

10 Days After Filing (ACA 25-15-204)

Other \_\_\_\_\_  
(Must be more than 10 days after filing date.)

Legal Notice Published .....

Final Date for Public Comment .....

Reviewed by Legislative Council .....

Adopted by State Agency .....

Date

7/15/18-7/17/18

8/15/18

10/19/18

9/14/18

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Mary Claire Hyatt maryclaire.hyatt@arkansas.gov

10/22/2018

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

501-683-0960

Phone Number

maryclaire.hyatt@arkansas.gov

E-mail Address

Staff Attorney, Arkansas Department of Education

Title

10/22/2018

Date

**ARKANSAS DEPARTMENT OF EDUCATION  
RULES GOVERNING STUDENT PERMANENT RECORDS  
Effective November 1, 2018**

**1.00 REGULATORY AUTHORITY**

- 1.01** These Rules shall be known as the Arkansas Department of Education Rules Governing Student Permanent Records.
- 1.02** The Rules are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. § 6-11-105, § 6-18-208, § 6-18-214, § 6-18-901, and § 25-15-201 *et seq.*

**2.00 PURPOSE**

- 2.01** The purpose of these Rules is to apprise districts of the requirements for maintaining and producing student permanent records.

**3.00 INFORMATION MAINTAINED IN STUDENT RECORDS**

- 3.01** Every school and school district must maintain a student permanent record for each student enrolled in the district.
- 3.01.1** Student permanent records may be kept electronically, on paper, or a combination of both.
- 3.02** The following information must be maintained in a student's permanent record:
- 3.02.1** The student's social security number, name, address, and telephone number;
- 3.02.1.1** If the parent, legal guardian, or other responsible person did not provide a social security number, the school district must maintain the nine-digit identification number designated by the Department of Education pursuant to Ark. Code Ann. § 6-18-208.
- 3.02.2** A copy of the document indicating the child's age required for enrollment, provided by the parent, guardian, or other responsible person under Ark. Code Ann. § 6-18-208(b).
- 3.02.3** The address, home telephone number, work telephone number, occupation, and workplace of the student's parents, legal guardians, or other responsible persons;

- 3.02.4** The names of the student’s siblings, if any;
- 3.02.5** The student’s emergency contact person and that person’s telephone number;
- 3.02.6** The student’s health record, including the following:
  - 3.02.6.1** Record of required immunizations, as required by Ark. Code Ann. § 6-18-702;
    - 3.02.6.1.1** Or, documentation of an exemption from immunization requirements under Ark. Code Ann. § 6-18-702(d).
  - 3.02.6.2** Indication of disability or chronic illness;
  - 3.02.6.3** Allergies;
  - 3.02.6.4** Regularly prescribed medication;
  - 3.02.6.5** Hospital and doctor preference; and
  - 3.02.6.6** A copy of any written accident report for accidents occurring at school.
- 3.02.7** Record of grades;
- 3.02.8** All information concerning educational programming, including statewide student assessments, required under the Arkansas Educational Support and Accountability Act (Ark. Code Ann. § 6-15-2901 *et seq.*);
  - 3.02.8.1** Including a chronological copy of all state mandated assessment results.
- 3.02.9** Student enrollment information, including:
  - 3.02.9.1** Entry date;
  - 3.02.9.2** Exit date;
  - 3.02.9.3** Reason for leaving, if applicable;
  - 3.02.9.4** Location of transfer, if applicable;

- 3.02.9.5** Date of graduation, if applicable;
- 3.02.9.6** Reason for dropout and age at dropout, if applicable; and
- 3.02.9.7** Records of non-graduating students as required by Ark. Code Ann. § 6-18-214.
- 3.02.10** The student's attendance record, in accordance with Ark. Code Ann. § 6-18-213;
- 3.02.11** A current list of credits towards graduation requirements; and
- 3.02.12** Any other document required by Federal law.
- 3.03** The permanent student record must be maintained by each school district until the student receives a high school diploma, or its equivalent, or is beyond the age for compulsory attendance under Ark. Code Ann. § 6-18-201.
  - 3.03.1** Upon the transfer of a student to another district, the transferring district must maintain a copy of the student permanent record as it exists at the time of transfer until the student receives a high school diploma, or its equivalent, or is beyond the age for compulsory attendance under Ark. Code Ann. § 6-18-201.
- 3.04** Following the annexations or consolidation under Ark. Code Ann. § 6-13-1601, and prior to any consolidation, annexation, detachment, approval of a conversion charter, or any other type of reclassification or reorganization of a school district, a receiving school district shall obtain and retain all student and historical records and documents from the affected school district, including, but not limited to those items listed in Ark. Code Ann. § 6-13-1607.

#### **4.00 PROVIDING COPIES OF THE STUDENT RECORD**

- 4.01** A copy of the permanent student record must be provided to the receiving school district upon the transfer of a student to another district.
  - 4.01.1** The school district must provide the copy of the student's permanent record to the receiving school district within ten (10) school days after the date a request from the receiving school district is received.

- 4.01.2** The school district shall not fail or refuse to provide a copy of the student's permanent student record to the receiving school district because the student owes money to the school district for school-related charges, including without limitation, charges for:
- 4.01.2.1** Food services;
  - 4.01.2.2** Unreturned library books; or
  - 4.01.2.3** Fees.
- 4.02** Upon request by a parent, legal guardian, or the parent's or legal guardian's agent, a copy of the permanent record must be provided in a timely manner, not to exceed 45 days.
- 4.03** In addition to these Rules, all districts and educational agencies must comply with all federal laws related to student records.