

~~Rules and Regulations Governing Waivers of Minimum Salaries for Certified Personnel~~

~~1.00 Regulatory Authority~~

~~1.01 These regulations shall be known as the Department of Education Regulations governing the waiving of minimum salaries to be paid certified personnel.~~

~~1.02 These regulations are enacted pursuant to the State Board of Education's specific authority under Arkansas Codes Annotated 6-17-1001 and 6-11-105 (Repl. 1993).~~

~~2.00 Purpose~~

~~2.01 It is the purpose of these regulations to set general guidelines for granting waivers to school districts which cannot meet the provisions of Arkansas Code Annotated 6-17-1001.~~

~~3.00 Filing a Request~~

~~3.01 School district requests for waivers shall be on forms provided by the Arkansas Department of Education.~~

~~4.00 District Eligibility Criteria~~

~~4.01 School districts shall meet the minimum expenditure requirements of Ark. Code Ann. 6-20-310 (Supp. 1995) for the school year for which the request is made.~~

~~4.02 School districts shall have a base millage of no less than 25 mills available for maintenance and operation.~~

~~4.03 A school district must show that its combined teacher salary, operating and debt service fund balances will be depleted within three years if relief is not granted.~~

~~4.04 Prior to receiving a waiver, a school district shall seek assistance from the Department of Education in developing and filing a plan with the Department for the purpose of eliminating the need for a waiver as soon as possible.~~

~~4.05 Prior to receiving a waiver, the school board shall review in a regularly scheduled public meeting the need for a waiver, the plan to eliminate the future needs for a waiver which is to be filed with the Department, and implications for all educational programs should the waiver be granted.~~

~~5.00 Review and Approval of Requests~~

~~5.01 A committee appointed by the Director of the Department of Education shall review waiver applications and make recommendations. The Director shall have final authority in the disposition of requests.~~

~~5.02 One year approved waivers shall be tentative subject to findings which reflect compliance with all eligibility criteria.~~

~~5.03 Relief shall not be granted beyond an amount necessary to prevent the district from depleting its balances within three years.~~

~~5.04 Final approval by the Director shall identify that district as meeting the requirements of a Phase I fiscal distress district.~~