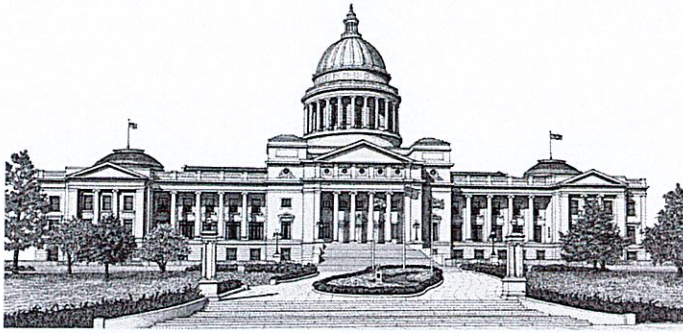


ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Department of Education

Department Arkansas State Library

Contact Shastady Wagner E-mail shastady.wagner@ade.arkansas.gov Phone 501-682-1958

Statutory Authority for Promulgating Rules Ark. Code Ann. § 13-2-207

Rule Title: ASL Rules Governing Distribution of Scholarship Assistance

Intended Effective Date

(Check One)

Date

☐ Emergency (ACA 25-15-204)

Legal Notice Published 12/2/2022

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

Final Date for Public Comment 1/6/2023

☐ Other _____
(Must be more than 10 days after filing date.)

Reviewed by Legislative Council 5/19/2023

Adopted by State Agency 2/10/2023

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

Shastady Wagner shastady.wagner@ade.arkansas.gov 5/19/2023

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.)

Shastady Wagner
Signature

501-682-1958

shastady.wagner@ade.arkansas.gov

Phone Number

E-mail Address

Attorney Supervisor

Title

5/19/2023

Date

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT _____
DIVISION _____
PERSON COMPLETING THIS STATEMENT _____
TELEPHONE NO. _____ FAX NO. _____ EMAIL: _____

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two (2) copies with the Questionnaire and proposed rules.

SHORT TITLE OF THIS RULE

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 Does this proposed, amended, or repealed rule have a financial impact?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

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Total _____

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

Current Fiscal Year

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Total _____

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

\$ _____

\$ _____

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

\$ _____

\$ _____

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.

ARKANSAS STATE LIBRARY
RULES GOVERNING DISTRIBUTION OF
SCHOLARSHIP ASSISTANCE
Effective May 29, 2023

1.00 REGULATORY AUTHORITY

- 1.01 These rules shall be known as Arkansas State Library Rules Governing the Distribution of Scholarship Assistance.
- 1.02 These rules are enacted pursuant to the Arkansas State Library's authority under Act 489, Acts of Arkansas 1979, Arkansas Code Anno. 13-2-201 et seq.

2.0 PURPOSE

- 2.01 It is the purpose of these rules to formalize a process already in existence and set reasonable guidelines to make scholarship assistance available to every public library in the state of Arkansas to address the education needs of public library staff working toward the ultimate goal of obtaining a master's degree in library and information science as defined in 3.03. These rules are specifically for the purpose of establishing standards for distributing funds available through the state aid to public library fund administered by the Arkansas State Library.

3.00 DEFINITIONS

- 3.01 ASL refers to the Arkansas State Library.
- 3.02 ALA refers to the American Library Association.
- 3.03 A master's degree refers to the educational award given by a library school whose program is accredited by the ALA.
- 3.04 State Aid refers to State Aid to Public Libraries

4.0 FOCUS AREA

- 4.01 To aid Arkansas public libraries in employing master's degree librarians by providing educational opportunities for public library staff members through traditional, on-campus or distance learning.

5.0 ELIGIBILITY STANDARDS

- 5.01 Scholarship funds will be distributed to a public library that submits scholarship application to the ASL Board. Priority will be given as follows:
 - 1. Public libraries eligible for State Aid whose personnel are employed as library directors.
 - 2. Public libraries eligible for State Aid whose personnel are employed positions other than library director.
 - 3. Public libraries not eligible for State Aid but recognized by the ASL as public libraries.

- 5.02 The applying institution (or its governing body) must be able to accept and administer the scholarship on behalf of the employee. Applying institutions may neither add to nor subtract from the scholarship eligibility requirements imposed on the employee.
- 5.03 Individuals upon whose behalf the library is applying must meet the following standards:
1. Unless employed as a library director and granted a waiver from the ASL Board, show evidence of completion of 12 semester hours toward the master's degree as evidenced by submitting an official transcript.
 2. Provide a copy of the agreement with the public library concerning employment in a public library for at least one year after completion of the master's degree.
 3. After each semester, furnish proof of completion of coursework which shows the individual received a minimum course grade (based upon an "A-F" grading scale), of "B", or if applicable, a "Credit" for a credit/no credit course. "Incompletes" do not qualify for reimbursement.
 4. Show evidence of conferral of degree by submitting an official transcript which indicates the date of conferral.
 5. Agree to remain employed by a public library in the state of Arkansas for a duration of one year upon completion of degree.
 6. Complete all required coursework and obtain the master's degree within three (3) years of acceptance to the scholarship program. This requirement may be waived by written appeal to, and approval by, the ASL Board.

6.0 ADMINISTRATION

- 6.01 The scholarship will be administered by the ASL Board.

7.0 SCHOLARSHIP PROPOSALS

- 7.01 The proposals shall include an application from the applicant library. The ASL Board shall review the proposals for approval. Proposals shall be consistent with Arkansas Code and existing ASL rules regarding an ALA accredited library program.
- 7.02 Funding may include but is not limited to tuition, materials, travel, lodging, and other items associated with educational costs.
- 7.03. Funding shall not be provided for hours in excess of the required number for the degree, nor for required courses not completed within the set number of hours required for the degree.

8.0 DISTRIBUTION OF FUNDS

- 8.01 The ASL Board will budget and distribute funds appropriated for each biennium from the Arkansas State Legislature according to the following:
1. The total amount of funds to be distributed will be determined by the ASL Board each year at a minimum of 1% of the appropriated State Aid to Public Libraries.
 2. Funds may provide as many scholarships as are requested each year. All monies not disbursed shall be returned to the State Aid fund for distribution.
 3. Funds may be disbursed to the applicant library at the completion of each semester.
 4. Funds will be distributed via scholarship for each individual as identified by the ASL Board in accordance with eligibility. Each scholarship will include a set of assurances and provisions required in the eligibility standards.
- 8.02 The ASL Board reserves the right to approve or deny any scholarship applications.