

SUMMARY  
ACTAAP – K-2 Cut Scores Amendment

The purpose is to establish standard score cut scores with regard to state mandated examinations for grades K-2.

QUESTIONNAIRE FOR FILING PROPOSED RULES WITH  
THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE

DEPARTMENT/AGENCY Department of Education  
DIVISION Learning Services  
DIVISION DIRECTOR Dr. Diana Julian  
CONTACT PERSON Dr. Gayle Potter  
ADDRESS 4 State Capitol Mall, Suite 106A  
PHONE NO. 682 4558 FAX NO. 682 4886 E-MAIL gpotter@arkedu.k12.ar.us

INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
- D. Submit two (2) copies of this questionnaire & financial impact statement attached to the front of two (2) copies of your proposed rule and required documents. Mail or deliver to:

Donna K. Davis  
Subcommittee on Administrative Rules and Regulations  
Arkansas Legislative Council  
Bureau of Legislative Research  
Room 315, State Capitol  
Little Rock, AR 72201

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1. What is the short title of this rule?  
**Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program and the Academic Distress Program**
2. What is the subject of the proposed rule?  
**The establishment of performance levels, particularly for Grades K-2, for the norm-referenced assessment administered as part of the Arkansas Comprehensive Assessment Program for reading and mathematics.**
3. Is this rule required to comply with federal statute or regulations? Yes x No         
No Child Left Behind Act of 2001  
If yes, please provide the federal regulation and/or statute citation.
4. Was this rule filed under the emergency provisions of the Administrative Procedures Act?  
Yes        No X  
If yes, what is the effective date of the emergency rule?  
  
When does the emergency rule expire?  
  
Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes        No

5. Is this a new rule? Yes \_\_\_\_\_ No x \_\_\_\_ If yes, please provide a brief summary explaining the regulation.

Does this repeal an existing rule? Yes \_\_\_\_\_ No x \_\_\_\_ If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule? Yes x No \_\_\_\_\_ If yes, please attach a markup showing the changes in the existing rule and a summary of the substantive changes.

**NOTE: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law grants the authority for this proposed rule. If codified, please give Arkansas Code citation. **A.C.A. §§ 6-11-105, 25-15-201 et seq., Act 1467 of 2003 and Act 35 of Second Extraordinary Session of 84<sup>th</sup> General Assembly.**

7. What is the purpose of this proposed rule? Why is it necessary?  
**The purpose is to establish standard score cut scores with regard to state mandated examinations for grades K-2.**

8. Will a public hearing be held on this proposed rule? Yes x \_\_\_\_\_ No \_\_\_\_\_  
If yes, please complete the following:

Date: **October 11, 2005**

Time: **1:30 p.m.**

Place: **ADE Auditorium**

9. When does the public comment period expire for permanent promulgation? (Must provide a date.) **November 7, 2005**

10. What is the proposed effective date of this proposed rule? (Must provide a date.)  
**December 2005**

11. Do you expect this rule to be controversial? Yes \_\_\_\_\_ No x \_\_\_\_  
If yes, please explain.

12. Please give the names of persons, groups, or organizations that you expect to comment on these rules. Please provide their position (for or against) if known.

## FINANCIAL IMPACT STATEMENT

DEPARTMENT Education  
DIVISION Learning Services  
PERSON COMPLETING THIS STATEMENT Gayle Potter  
TELEPHONE NO. 682-4558 FAX NO. 682-4886 EMAIL gpotter@arkedu.k12.ar.us

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

### SHORT TITLE OF THIS RULE

***Rules Governing the Arkansas Comprehensive Testing, Assessment & Accountability Program & the Academic Distress Program***

1. Does this proposed, amended, or repealed rule or regulation have a financial impact? Yes \_\_\_\_\_ No x \_\_\_\_\_
2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.
3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

#### **Current Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_  
  
Total \_\_\_\_\_

#### **Next Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_  
  
Total \_\_\_\_\_

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation? Identify the party subject to the proposed regulation and explain how they are affected.

#### **Current Fiscal Year**

\$ \_\_\_\_\_

#### **Next Fiscal Year**

\$ \_\_\_\_\_

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?

#### **Current Fiscal Year**

\$ \_\_\_\_\_

#### **Next Fiscal Year**

\$ \_\_\_\_\_

DEPARTMENT OF EDUCATION  
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION  
(In compliance with Acts 884 and 1253 of 1995)

*Regulation Title:*       **Rules Governing the Arkansas Comprehensive Testing,  
Assessment & Accountability Program & the Academic Distress Program**

Summary Description of Regulatory Proposal:  
**The establishment of standard score cut scores with regard to state mandated  
examinations for grades K-2.**

Cite Statutory Authority for this Regulatory Proposal:       ***A.C.A. §§ 6-11-105, 25-15-201  
et seq., Act 1467 of 2003 and Act 35 of Second Extraordinary Session of 84<sup>th</sup>  
General Assembly.***

- I.     Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
  - A.     Resources Required - Personnel, equipment, office space.
  - B.     Time Required for Implementation.
  - C.     Procedural Changes.
  - D.     Other.
- II.    Fiscal Impact on Local School District or Others? (Include whether impacts are non-recurring or recurring)
  - A.     Resources Required - Personnel, equipment, office space.
  - B.     Time Required for Implementation.
  - C.     Procedural Changes.
  - D.     Other.
- III.   Additional Comments.

Prepared by: (Name) Gayle Potter  
                  (Title)   Associate Director for Curriculum, Assessment and Research  
                  (Date)   September 26, 2005

