

**ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
THE ENROLLMENT OF MILITARY DEPENDENTS**

1.00 REGULATORY AUTHORITY

1.01 These rules shall be known as the Arkansas Department of Education Rules Governing the Enrollment of Military Dependents.

1.02 The State Board of Education enacted these rules pursuant to its authority as set forth in Ark. Code Ann. § 6-18-107 and Ark. Code Ann. § 25-15-204.

2.00 DEFINITIONS

As used in these rules:

2.01 “Branch of the United States armed forces” means:

2.01.1 United States Army;

2.01.2 United States Air Force;

2.01.3 United States Marine Corps;

2.01.4 United States Navy;

2.01.5 Army or Air National Guard; or

2.01.6 United States Coast Guard.

2.02 “Military dependent” means a child who:

2.02.1 Is enrolled in kindergarten through grade twelve (K-12) in a public school;
and

2.02.2 Resides in the household of a person who is on active duty in or serving in
the reserve component of a branch of the United States armed forces.

2.03 “Public school” means a state-supported school or public charter school serving
students in prekindergarten, kindergarten, elementary, middle, or secondary
grades in Arkansas, and includes, without limitation:

2.03.1 Alternative learning environments;

2.03.2 The Arkansas School for the Blind;

2.03.3 The Arkansas School for the Deaf; and

2.03.4 The Arkansas School for Mathematics, Sciences, and the Arts.

3.00 REQUIRED REPORTS

3.01 The Department of Education shall require a public school to report the enrollment of a student who is a military dependent.

3.02 Public schools shall report the enrollment of a student who is a military dependent through the Arkansas Public School Computer Network.

3.03 If a public school does not report through the Arkansas Public School Computer Network, the Department of Education shall work with the school to collect the required reports.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Department of Education
DIVISION Legal Services
PERSON COMPLETING THIS STATEMENT Jeremy Lasiter
TELEPHONE NO. 501-682-4227 **FAX NO.** 501-682-4249 **EMAIL:** jeremy.lasiter@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 Rules Governing the Enrollment of Military Dependents

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 Does this proposed, amended, or repealed rule have a financial impact?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 _____
Other (Identify) _____

Next Fiscal Year

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

Total 0

Total 0

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

Current Fiscal Year

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

Total 0

Next Fiscal Year

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

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

\$ 0

Next Fiscal Year

\$ 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

\$ 0

Next Fiscal Year

\$ 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.

Notice of Rulemaking

Pursuant to Arkansas Code Annotated § 25-15-201 et seq., notice is hereby given that the Arkansas State Board of Education and the Arkansas Department of Education are considering the following proposed rules: Revisions to the ADE Rules Governing Schools of Innovation; and ADE Rules Governing the Enrollment of Military Dependents. A public hearing will be held on December 30, 2014, at 1:30 p.m. in the ADE Auditorium, Four Capitol Mall, Little Rock, AR. Written comments should be mailed to the Legal Services Office at Four Capitol Mall, Room 404-A, Little Rock, AR 72201.

Comments may also be e-mailed to ADE.RulesComments@arkansas.gov or submitted online at <http://www.arkansased.org/divisions/legal/rules/pending/pending-submission>. Copies of the proposed rules may be obtained at the Arkansas Department of Education, Office of General Counsel, Four Capitol Mall, Room 404-A, Little Rock, AR 72201 or by accessing the Department's website at <http://arkansased.org>.