

Arkansas Department of Education
Rules Governing Incentives for Teacher Recruitment and Retention in High
Priority Districts with an Average Daily Membership of 1,000 or Fewer
~~October 2009~~

1.00 Regulatory Authority

- 1.01 These rules shall be known as the Arkansas Department of Education Rules Governing Incentives for Teacher Recruitment and Retention in High Priority Districts.
- 1.02 ~~These rules are enacted pursuant to the Arkansas~~ The State Board of Education's enacts these Rules pursuant to its authority under as set forth in Ark. Code Ann. §§ 6-11-105, 6-17-811, and 25-15-201 et seq. and Act 969 of 2009.

2.00 Purpose

The purpose of this rule is to establish the procedures to provide incentives for teacher recruitment and retention in high priority districts.

3.00 Definitions

Unless otherwise specifically stated herein, the term:

- 3.01 Department - Means the Arkansas Department of Education.
- 3.02 High Priority District - Means a public school district identified by the Department by ~~April~~ February 15 of each year as having a three-quarter average daily membership in the previous year of one thousand (1,000) or fewer students, and in which eighty percent (80%) or more of public school students are eligible for the free or reduced price lunch program under the National School Lunch Act based on the October 1 student count of the previous year submitted to the Department of Education national school lunch students, and
 - 3.02.01 ~~had a three quarter average daily membership in the previous year of one thousand (1,000) or fewer students, or~~
 - 3.02.2 ~~qualifying~~ Qualifying teachers in the resulting school district in an approved voluntary consolidation or in a receiving district in an approved voluntary annexation shall continue to receive the funding provided under this section if all school

districts in the voluntary consolidation or annexation were high-priority districts in the immediately preceding school year, even if the average daily membership of the resulting or receiving school district is one thousand (1,000) or above.

3.03 National School Lunch Students – Means, for the sole purpose of these Rules, those students or the percentage of enrolled students from low socioeconomic backgrounds as indicated by eligibility for free or reduced-price meals under the National School Lunch Act as determined on October 1 of each previous school year and submitted to the Department of Education, unless the school district is identified by the Department of Education as participating in the special assistance certification and reimbursement alternative implemented under 42 U.S.C. § 1759a, as interpreted in 7 C.F.R. § 245.9.

3.03.1 If the school district is participating under 42 U.S.C. § 1759a, then for purposes of this section, the school district's annual percentage of national school lunch students is equal to the percentage submitted in the base year, which means the last school year for which eligibility determinations were made and meal counts were taken by type.

3.04 New Teacher Bonus – Means an incentive bonus provided under Sections 4.01.1 through 4.01.3 of these rules to a teacher who is within the first three (3) years of employment with a single high priority district.

3.05 Previous year - Means the school year immediately preceding the current school year.

~~3.05 Provision 2 School District – Means a school district that participates, pursuant to Provision 2 of the National School Lunch Act, in a program operated by the United States Department of Agriculture that allows the district to make eligibility determinations for free and reduced price meals during an initial base year and continue providing free and reduced price meals using the base year calculations for up to three additional years beyond the base year.~~

3.06 Retention Bonus - Means an incentive bonus of three thousand dollars (\$3,000) to be paid to a teacher who has received a new teacher bonus and enters his or her fourth or subsequent year of service in the same or other high- priority school district or for a teacher employed in a high-priority district who does not meet the requirements of Sections 4.01.1 through 4.01.3 of these rules.

- 3.07 Teacher - Means a licensed classroom teacher who spends seventy percent (70%) of his or her time working directly with students in a classroom setting teaching all grade-level or subject-matter appropriate classes, including guidance counselors and librarians.

4.00 Incentives

- 4.01 At the end of the school year and upon completion ~~on~~ of a licensed teacher's contracted teaching obligation, a teacher who completes the entire current school year teaching in a high-priority district may be entitled to receive, in addition to all other contracted salary and benefits:
- 4.01.1 A newly hired teacher who has not previously taught in a high-priority district, a one-time signing bonus of five thousand dollars (\$5,000) for the first year of service in the district to be paid upon completion of the full year of teaching.
- 4.01.2 A newly hired teacher who meets the requirements of Section 4.01.1 of these rules, who continues to teach in the same high-priority district and who completes the second full year of contracted teaching obligations, a new teacher bonus of four thousand dollars (\$4,000).
- 4.01.3 A teacher who meets the requirements of Sections 4.01.1 and 4.01.2 of these rules, who continues to teach in the same high-priority district and who completes the third full year of contracted teaching obligations, a new teacher bonus in the amount of four thousand dollars (\$4,000).
- 4.01.4 A teacher who meets the requirements of Sections 4.01.1 through 4.01.3 of these rules, who enters the fourth or subsequent year of service with the same high-priority district or begins employment with a high-priority district other than the high-priority district where he or she was employed when he or she received any bonuses pursuant to Sections 4.01.1 through 4.01.3 above shall receive a retention bonus of three thousand dollars (\$3,000) for the fourth and each subsequent complete year of service in the high-priority district to be paid at the end of the school year after completing all contractual obligations

4.01.5 A teacher employed in a high priority district who does not meet the requirements of Sections 4.01.1 through 4.01.3 of these rules, shall receive a retention bonus of three thousand dollars (\$3,000) for each complete year of service in the high-priority district to be paid at the end of the school year after completing all contractual obligations.

4.02 ~~The Superintendent of the high priority district where the teacher is employed shall certify in writing to the Department that the teacher has completed all contractual obligations for the school year. The Superintendent shall submit such certification information for applicable teachers to the Department no more than twenty one (21) calendar days after the end of the high priority district's school year.~~

4.03—No teacher is entitled to any incentives outlined in Section 4.01 above unless the teacher has fulfilled all contractual obligations for the current school year.

4.034 If the funds appropriated and available for the payment of the bonuses under this section are insufficient to pay the maximum bonus amounts to each qualifying teacher, the Department shall distribute the available funding to qualified teachers on a pro rata basis.

4.045 The bonus amounts provided under this section are the maximum amounts to be paid to qualifying teachers in high-priority districts, and are subject to the appropriation and availability of funding for the payment of the bonuses.

4.05 Districts will be responsible for the payment of all matching benefit payments.

5.0 Documentation

5.01 ~~Beginning in 2007-2008, the~~ The Department shall issue by February 15 ~~September 4~~ of each year a list of the high priority districts in which eighty percent (80%) or more of the public school students are eligible for the free or reduced-price lunch program under the National School Lunch Act and that had a three-quarter average daily membership in the previous year of one thousand (1,000) or fewer students.

5.02 ~~Beginning in 2007-2008, the~~ The Free and Reduced Price Meal calculation shall be based on the list of eligible students in a district

as verified by the Child Nutrition Unit of the Department based on the October 1 list of eligible students for grades K-12 for the previous school year.

- 5.03 The determination of eligibility for high priority district designation under Section 5.01 of these Rules for a ~~Provision 2~~ school district participating under 42 U.S.C. § 1759a shall be made utilizing the number of students eligible for free and reduced-price meals submitted by the district for the Department during its base year, which means the last school year for which eligibility determinations were made and meal counts were taken by type. ~~In order to be eligible for high priority district designation, eighty percent (80%) or more of a Provision 2 school district's students must actually be eligible for the free or reduced-price lunch program under the National School Lunch Act based on the district's base year calculation.~~
- 5.04 ~~The~~ Subject to the provisions of subsection 3.02.01 above, the determination of eligibility for high priority district designation in annexed or consolidated districts is made based on the combination of enrollment, average daily membership and free and reduced-price meal calculations for the two or more districts that were annexed or consolidated.
- 5.05 ~~Beginning in 2007-2008~~ No later than June 1, high priority districts shall notify the Department on forms provided by the Department, and identify all eligible teachers employed at the high priority district for the current school year.
 - 5.05.1 The district shall list teachers who were not employed by the high priority district during the previous school year and teachers employed the previous school year who continue to be employed for the current school year.
 - 5.05.2 The Superintendent of the high-priority district where the teacher is employed shall certify in writing to the Department that the teacher has completed all contractual obligations for the school year as of the date of certification.
 - 5.05.3 If a teacher fails to complete his or her contractual obligations between the date of certification under Section 5.05 and the following June 15, the Superintendent shall give written notice to the Department no later than June 15.
- 5.06 Upon receipt of the form from each high priority district and the written certification from the Superintendent required by Section

~~4.02~~ 5.05 of these rules, the Department shall distribute the funds to the districts who will distribute the appropriate bonuses to the teachers employed by the high priority districts.

~~5.07~~ ~~Districts will be responsible for the payment of all matching benefit payments.~~

6.00 Monitoring of Program

- 6.01 It shall be the responsibility of each high- priority district to monitor the incentive bonus distribution in their district and provide data to the Arkansas Department of Education.
- 6.02 The Arkansas Department of Education's Teacher Recruitment and Retention Unit will collect the data and monitor the total program for the state.