

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 Division of Human Resources

Contact Mark White E-mail Mark.White@Arkansas.gov Phone (501) 682-4227

Statutory Authority for Promulgating Rules Ark. Code Ann. §§ 6-11-105, 6-17-401 et seq., and 25-15-201 et seq.

Rule Title: Repeal of ADE Rules Governing Initial and Standard/Advanced Level School Administrator Licensure

Intended Effective Date

(Check One)

Emergency (ACA 25-15-204)

30 Days After Filing (ACA 25-15-204)

Other _____
(Must be more than 30 days after filing date.)

Date

Legal Notice Published 06/15/2012

Final Date for Public Comment 07/16/2012

Reviewed by Legislative Council 12/12/2012

Adopted by State Agency 10/08/2012

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Mark White Mark.White@Arkansas.gov 12/13/2012

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

Signature

(501) 682-4227

Mark.White@Arkansas.gov

Phone Number

E-mail Address

Staff Attorney

Title

12/13/2012

Date

~~ARKANSAS DEPARTMENT OF EDUCATION
PROPOSED RULES GOVERNING INITIAL AND
STANDARD/PROFESSIONAL ADMINISTRATOR AND ADMINISTRATOR—
ARKANSAS CORRECTIONAL SCHOOL LICENSURE
June 2010~~

~~1.0 REGULATORY AUTHORITY~~

- ~~1.01 These shall be known as the Arkansas Department of Education Rules Governing Initial and Standard/Professional School Administrator License.~~
- ~~1.02 These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, 6-17-402, 25-15-204 and 6-17-424.~~

~~2.0 PURPOSE~~

- ~~2.01 The purpose of these rules is to establish the requirements and procedures for obtaining an Initial or Standard/Professional Arkansas School Administrator License.~~

~~3.0 DEFINITIONS~~

~~————— For the purpose of these Rules~~

- ~~3.01 **Administrator License**—a license, issued by the state, which allows one to serve as an administrator in an Arkansas school district or other agency or organization requiring an administrator license (grade levels indicated). There are three types of administrator licenses available in Arkansas.~~
 - ~~3.01.1 **Building Level Administrator**—a principal, assistant principal, or vice principal. (grade levels P-8 and/or 5-12)~~
 - ~~3.01.2 **Building Level Administrator/ Arkansas Correctional School**—a principal, assistant principal, or vice principal. (grade levels 5-12) employed in the Arkansas Correctional Schools~~
 - ~~3.01.3 **Curriculum/Program Administrator**—a school leader who is responsible for program development and administration, and/or employment evaluation decisions. Each Curriculum/Program Administrator License is limited to one of the following areas:
 - ~~3.01.3.1 Special Education (P-12)~~
 - ~~3.01.3.2 Gifted and Talented Education (P-12)~~~~

- 3.01.3.3 ~~Career and Technical Education (grade levels 4-8, 7-12 and/or Post-Secondary)~~
 - 3.01.3.4 ~~Content Area Specialist (grade levels P-12)~~
 - 3.01.3.4.1 ~~The areas of licensure for Content Area Specialist are listed in the areas and levels of Licensure as approved by the State Board of Education.~~
 - 3.01.3.5 ~~Curriculum Specialist (grade levels P-12)~~
 - 3.01.4 ~~**District Level Administrator**—a superintendent, assistant/associate superintendent, or deputy superintendent. (grade level P-12)~~
- 3.02 ~~**Administrator Licensure Completion Plan (ALCP)**—a plan filed with the office of Professional Licensure, which is designed to assist an individual who has been offered employment in an administrative position prior to completion of state Administrator Licensure requirements. An ALCP may be requested for any one of the three types of Administrator Licenses.~~
- 3.02.1 ~~Administrators on an ALCP must participate in Induction for each year they are employed under an ALCP.~~
- 3.03 ~~**Advanced Program of Study**—a state approved administrator preparation curriculum (inclusive of a portfolio and internship) offered at an Arkansas college or university, which is based on the current leadership standards as adopted by the Arkansas State Board of Education. The program requires a candidate to demonstrate and document competency in the specific knowledge, skills, and dispositions required of a District Level Administrator.~~
- 3.04 ~~**Area of Licensure**—a particular content field as identified in, Areas and Levels of Licensure as approved by the State Board of Education.~~
- 3.05 ~~**Level of Licensure**—The grade level parameters of an administrator licensure area such as P-8, P-12, 4-8, 5-12, or 7-12.~~
- 3.06 ~~**Beginning Administrator**—an individual in his/her first one to three years as a school administrator who holds an Initial Building Level Administrator License, Initial Curriculum/Program Administrator License or is employed under an ALCP, and is pursuing a Standard Administrator License.~~

3.07 Classroom Teaching Experience—Employment as the licensed classroom teacher of record

- 3.07.1 Credit for one (1) year of classroom teaching requires a minimum of fifty percent of each day to be spent as a classroom teacher.
- 3.07.2 One (1) year of classroom teaching experience shall equal a minimum of 120 days within a school year.
- 3.07.3 Experience as an Educational Examiner, Adult Education, Athletic Director/Coaching, School Administrator, Speech Pathology (with the exception of Curriculum Program Administrators for Special Education) & School Psychology Specialist is not recognized as classroom teaching experience.
- 3.07.4 Four (4) years of experience as a school counselor, or school librarian may be counted toward the total of four (4) years of classroom teaching experience for Building Level Administrator and Curriculum / Program Administrator for Curriculum (only).

3.08 External Evaluator—a member of the portfolio review committee within an Arkansas college or university program of study, who is a practicing school administrator or a former school administrator holding a current administrator license, and not employed within the college or university department offering the program of study.

3.09 Induction—a period of no less than one year and no more than three years, when a candidate is employed while holding an Initial Administrator License or those candidates employed under an ALCP—the mentoring support and accelerated professional development associated with the Initial Administrator License. The time of induction (minimum of one year, maximum of three years) concludes with the successful completion of the state-mandated assessment.

3.09.1 Induction consists of:

- 3.09.1.1 Completion of the ADE Mentoring Program for Administrators, including attendance at training sessions and working with a mentor while employed as an Administrator
- 3.09.1.2 Successful completion of the state-mandated assessment for Administrators

- 3.10 **Initial Administrator License**—~~a license, issued by the state, which allows one to serve as either a beginning Building Level Administrator in a traditional P-12 setting, an Arkansas Correctional School setting, or Curriculum/Program Administrator in an Arkansas school district. This initial license is valid for no less than one, and no more than three years.~~
- 3.10.1 **Initial Building Level Administrator/ Arkansas Correctional School**—~~a licensed issued by the state which allows one to serve as a beginning building level administrator in an Arkansas Correctional School setting. This initial license is valid for no less than one, and no more than three years.~~
- 3.11 **Internship**—~~a practical administrative and/or curricular experience, within a program of study (based on NCATE standards), which provides the candidate with practice in a traditional P-12 school setting in the specific area of administration being sought. A separate internship is required for every area and level of administration sought.~~
- 3.12 **Mentor**—~~a licensed administrator certified in the state adopted mentoring model. Mentors are assigned to assist a beginning administrator by providing support and focused feedback with regard to skills, management, and professional behaviors.~~
- 3.13 **State Mentoring Program for Administrators**—~~support and focused feedback provided to a beginning administrator by an experienced licensed administrator that has been trained in the Arkansas mentoring model for administrators.~~
- 3.14 **Portfolio**—~~an accumulation of materials and documented experiences reflecting the competencies of the candidate with regard to Arkansas Administrator Licensure Standards as required by program of study. A separate portfolio is required for each area and level of administrator licensure sought. The portfolio will be assessed by the program of study faculty and at least one external evaluator to ensure program quality and integrity.~~
- 3.15 **Program of Study**—~~a state approved administrator preparation curriculum (inclusive of a portfolio and internship) offered at an Arkansas college or university, based on the current leadership standards as adopted~~

by the Arkansas State Board of Education. The program requires a candidate to demonstrate and document competency in the specific knowledge, skills, and dispositions required of a Building Level, Curriculum/Program Administrator, and/or District Administrator.

3.16 **Standard Administrator License**—a renewable license, valid for five years, issued to candidates who have successfully completed all state-mandated licensure requirements for Building Level, Curriculum/Program or District Level Administrator.

3.17 **State-Mandated Licensure Assessments** the required assessment(s) used for the evaluation of administrators who are pursuing Standard administrator licensure.

3.17.1 Successful passing of the state-mandated licensure assessments is defined as meeting the state-adopted cut score for the appropriate licensure assessment.

~~3.18 **Professional License**—A standard Arkansas Teaching License that is issued upon the request of a teacher who has documented the completion of a Master’s Degree and three years of teaching experience or who has documented current National Board Certification.~~

~~3.19 **Traditional P-12 Setting**—Employment in a public, including the Arkansas Correctional Schools, or private school between P-12 grade levels (or) a setting preapproved by the Arkansas Department of Education.~~

~~4.0 REQUIREMENTS FOR OBTAINING AN INITIAL ADMINISTRATOR LICENSE~~

~~4.01 There are two types of Initial Arkansas school administrator licenses.~~

~~4.01.1 Building Level Administrator~~

~~4.01.2 Curriculum/Program Administrator (issued in one of five (5) areas)~~

~~4.01.2.1 Special Education~~

~~4.01.2.2 Gifted and Talented Education~~

~~4.01.2.3 Career and Technical Education~~

~~4.01.2.4 Curriculum Specialist~~

~~4.01.2.5 Content Area Specialist~~

~~4.01.2.5.1 The areas of licensure for Content Area~~

~~Specialist are listed in the Areas and Levels of Licensure as approved by the State Board of Education~~

~~4.02 To qualify for an Initial Administrator License a candidate shall:~~

~~4.02.1 Hold a current Arkansas Standard Teaching License,~~

~~4.02.1.1 For Curriculum/Program Administrator the license must be in the specialty area where applicable.~~

~~4.02.1.1.1 For Special Education, this includes Speech Language Pathologist (P-12) licenses.~~

~~4.02.2 Have a minimum of four years of classroom teaching experience,~~

~~4.02.2.1 For Building Level, three of the four years of teaching experience shall be classroom teaching experience, or experience as a school counselor or school librarian at the level at which the candidate is seeking licensure.~~

~~4.02.2.2 For Curriculum/Program Administrator, the four years of teaching experience shall be as follows:~~

~~4.02.2.2.1 Special Education—In the area of Special Education. Individuals holding a license in Speech Language Pathology through the ADE shall document a minimum of four (4) years of experience in a traditional P-12 setting.~~

~~4.02.2.2.2 Gifted and Talented—In the area of Gifted and Talented.~~

~~4.02.2.2.3 Career and Technical—In the area of Career and Technical.~~

~~4.02.2.2.4 Content Area Specialist—In the specific content area.~~

~~4.02.2.2.5 Curriculum Specialist—At any level or area as a classroom teacher, school librarian or school counselor.~~

~~4.02.3 Have completed a graduate degree in Educational Leadership from an Arkansas college or university that is regionally accredited and whose approved administrator education programs are NCATE accredited.~~

~~4.02.3.1 The appropriate program of study shall include an~~

~~internship and portfolio. Each area and level of administration granted requires a separate internship and portfolio as well as completion of the state mentoring program.~~

~~4.02.3.1.1 Internships shall be within the grade level of licensure sought and shall be above and/or below the grade levels of teaching experience for the grade level sought.~~

~~4.02.3.1.2 Candidates with teaching experience and internship in a public or private school setting shall receive the Initial Building Level Administrator license and shall be employable in a public or private school setting.~~

~~4.02.3.1.3 Candidates whose teaching experience and/or internship was earned within an Arkansas Correctional School (ACS) setting shall receive the Initial Building Level Administrator/ACS license and shall be employable as a Building Level Administrator only in an Arkansas Correctional School setting. Candidates shall be eligible for the Initial Building Level Administrator license that allows employment in a public or private school setting upon completion of the required teaching experience and/or internship within a public or private school setting.~~

~~4.02.3.2 For candidates holding a graduate degree in an area other than Educational Leadership, the institution of higher education will review their credentials to determine their individual needs. The candidates will complete a graduate level program of study based on their individual needs inclusive of an internship and portfolio based on the current leadership standards as adopted by the Arkansas State Board of Education to obtain an initial license.~~

~~4.02.3.2.1 A Master's Degree in an area other than~~

~~Educational Leadership shall be a Master's Degree in Education or a Master's Degree in a content/added endorsement/area as identified in the Areas and Levels of Licensure as approved by the State Board of Education.~~

- ~~4.03 The Educational Leadership Chairperson and licensure officer at the college or university where the candidate was enrolled shall provide written evidence of degree or program of study completion.~~
- ~~4.04 The Initial Administrator License shall be issued when a completed, appropriately signed, Initial License Application has been submitted to the offices of Professional Licensure at the Arkansas Department of Education. The application provides ADE with verification of:~~
- ~~4.04.1 current Arkansas Standard teaching license,~~
 - ~~4.04.2 required teaching experience,~~
 - ~~4.04.3 graduate degree,~~
 - ~~4.04.4 level of preparation, and~~
 - ~~4.04.5 completion of the program of study (inclusive of an internship and portfolio), verified by the Educational Leadership chairperson and licensure officer at the university attended.~~

~~5.0 GENERAL POLICIES AND PROCEDURES RELATING TO AN INITIAL ADMINISTRATOR LICENSE~~

- ~~5.01 The Initial Arkansas Administrator License:~~
- ~~5.01.1 is valid for no less than one, and no more than three years,~~
 - ~~5.01.2 becomes effective as of date of issue~~
- ~~5.02 Candidates who hold an Initial Administrator License, but are not employed as a Beginning Administrator for a period of three years, shall meet current program of study and assessment requirements for re-issuance of an Initial Administrator License.~~
- ~~5.03 The Initial Administrator License shall become null and void and shall not be renewed at such time as the Administrator has been employed as an Administrator for three years and has not successfully completed Induction.~~

- 5.04 ~~Administrators employed under an Initial Administrator License shall participate in Administrator Induction.~~

~~6.0 REQUIREMENTS FOR OBTAINING A STANDARD/PROFESSIONAL ADMINISTRATOR LICENSE~~

- 6.01 ~~There are three routes for obtaining a Standard/Professional Arkansas Administrator License.~~
 - 6.01.1 ~~Conversion of an Initial license via Induction~~
 - 6.01.2 ~~Completion of the requirements of an ALCP~~
 - 6.01.3 ~~Conversion of an out-of-state Standard administrator license through reciprocity~~

- 6.02 ~~There are three types of Standard/Professional Arkansas Administrator Licenses:~~
 - 6.02.1 ~~Building Level Administrator~~
 - 6.02.2 ~~Curriculum/Program Administrator, issued in one of five areas~~
 - 6.02.2.1 ~~Special Education~~
 - 6.02.2.2 ~~Gifted and Talented Education~~
 - 6.02.2.3 ~~Career and Technical Education~~
 - 6.02.2.4 ~~Curriculum Specialist~~
 - 6.02.2.5 ~~Content Area Specialist~~
 - 6.02.2.5.1 ~~The areas of licensure for Content Area Specialist are listed in the Areas and Levels of Licensure approved by the State Board of Education.~~
 - 6.02.3 ~~District Level Administrator~~

- 6.03 ~~The requirements for each of the Standard/Professional Arkansas Administrator Licenses are as follows:~~
 - 6.03.1 ~~To qualify for the Standard/Professional Building Level Administrator License the candidate shall:~~
 - 6.03.1.1 ~~have been employed as a Building Level Administrator for a minimum of at least 50% of the day, in Arkansas for a minimum of one year~~
 - 6.03.1.1 ~~hold a current Arkansas Initial Building Level Administrator License or have completed all ALCP~~

- requirements,
- 6.03.1.2 ~~have completed Induction.~~
 - 6.03.1.2.1 ~~For candidates that meet all licensure requirements for both levels of building level administrator, only one induction shall be required to license at both levels.~~
 - 6.03.1.3 ~~successfully pass the state-mandated licensure assessment.~~
- 6.03.2 ~~To qualify for the Curriculum/Program Administrator License the candidate shall:~~
- 6.03.2.1 ~~have been employed as a Curriculum/Program Administrator for a minimum of at least 50% of the day, in Arkansas for a minimum of one year in the area of the initial license,~~
 - 6.03.2.1 ~~hold a current Arkansas Initial Curriculum/Program Administrator License in the license-specific specialty area or have completed all ALCP requirements.~~
 - 6.03.2.2 ~~have completed Induction.~~
 - 6.03.2.2.1 ~~A separate induction shall be required for each area of Curriculum / Program Administrator license.~~
 - 6.03.2.3 ~~successfully complete the state-mandated licensure assessment.~~
- 6.03.3 ~~To qualify for the District Level Administrator License the candidate shall:~~
- 6.03.3.1 ~~hold a current Standard/Professional Arkansas teaching license,~~
 - 6.03.3.2 ~~shall have met the classroom teaching experience requirement for Building Level Administrator and/or Curriculum/Program Administrator~~
 - 6.03.3.3 ~~hold a current Standard Building Level or Curriculum/Program Administrator License, with a minimum of one year experience as a Building Level or Curriculum Program Administrator.~~
 - 6.03.3.4 ~~have or complete a graduate degree (with a program of study reflective of the standards for District Level Administrator Licensure), or complete an advanced program of study reflective of the standards for District Level Administrator Licensure (both inclusive of an~~

~~internship and portfolio), from a regionally accredited college or university whose program of study is NCATE accredited,~~

~~6.03.3.5 successfully complete the state-mandated licensure assessment.~~

~~6.04 The authorized school district representative shall verify employment as an Administrator for a Standard Building Level or Curriculum/Program Administrator License candidate.~~

~~6.04.1 The Standard Building Level, Curriculum/Program Administrator, or District Level Administrator License will be issued when a completed, appropriately signed Standard License Application has been submitted to the office of Professional Licensure with verification that all requirements have been met~~

~~6.05 The Educational Leadership Chairperson and the Licensure Officer at the college or university where the candidate was enrolled shall verify the graduate degree and advanced program of study completion for Standard District Level Administrator License.~~

~~7.0 ADMINISTRATOR LICENSURE COMPLETION PLAN (ALCP)~~

~~7.01 The ALCP is the licensure route for an individual who has been offered employment in an administrative position in an Arkansas school district prior to completion of state Administrator Licensure requirements.~~

~~7.02 The ALCP is a plan filed with the office of Professional Licensure, which lists the requirements to be completed for licensure.~~

~~7.03 The ALCP is valid for a maximum of three years and is not renewable.~~

~~7.04 To qualify for an ALCP candidates shall:~~

~~7.04.1 Hold a current Arkansas Standard/Professional teaching license,~~

~~7.04.1.1 For Curriculum/Program Administrator the license must be in the specialty area where applicable.~~

~~7.04.2 have a minimum of four years of classroom teaching experience,~~

~~7.04.2.1 For Building Level, at least three of the four years teaching experience shall be classroom teaching~~

~~experience, or experience as a counselor or school librarian at the level at which the candidate is seeking the ALCP.~~

~~7.04.2.2 For Curriculum/Program Administrator, the four years of classroom teaching experience shall be as follows:~~

~~7.04.2.2.1 Special Education In the area of Special Education. Individuals holding a license in Speech Language Pathology through the ADE shall document a minimum of four (4) years of experience in a traditional P-12 setting.~~

~~7.04.2.2.2 Gifted and Talented In the area of Gifted and Talented.~~

~~7.04.2.1.3 Career and Technical In the area of Career and Technical.~~

~~7.04.2.1.4 Content Area Specialist In the specific content area.~~

~~7.04.2.2.5 Curriculum Specialist At any level or area as a classroom teacher, school librarian or school counselor.~~

~~7.04.3 be enrolled and participating in the appropriate program of study through a regionally accredited Arkansas college or university whose Educational Leadership Program is NCATE accredited.~~

~~7.04.3.1 When it has been determined that a candidate is no longer attending class and working under an ALCP, the Educational Leadership chair is required to report it to the Office of Professional Licensure.~~

~~7.04.3.2 Candidates employed in an Arkansas public school under an ALCP shall file a waiver request to be employed out of their licensure area and shall make annual yearly progress as defined in section 4.04 through section 4.04.2.3 of the Rules Governing the Addition of Areas of Licensure or Endorsement each year they have been granted a waiver to be employed out of their licensure area.~~

- ~~7.04.3.2.1 The ALCP shall be considered null and void and further waiver requests to work under an ALCP shall be denied at such time as the candidate fails to make annual yearly progress.~~
- 7.04.4 ~~be hired as a Beginning Administrator, in a traditional P-12 school setting, in an Arkansas school district. The position must be in the level/area of the license sought.~~
- 7.04.5 ~~have or complete a graduate degree from a regionally accredited college or university in Arkansas whose Educational Leadership Program is NCATE accredited.~~
- 7.04.5.1 ~~For Building Level and/or Curriculum/Program Administrator, that degree shall be a graduate degree.~~
- 7.04.5.2 ~~For District Level, that degree shall be a graduate degree with a program of study reflective of the standards for District Level Administrator.~~
- 7.04.5.3 ~~For candidates holding a graduate degree in an area other than Educational Leadership, the Institution of Higher Education shall review the candidate's credentials to determine individual needs. These candidates shall complete an individualized graduate level program of study (inclusive of an internship and portfolio) based on the leadership standards as adopted by the Arkansas State Board of Education.~~
- 7.04.5.4 ~~In addition, for District Level, the candidate shall already hold a Standard Building Level or Curriculum/Program Administrator License.~~
- 7.04.5.5 ~~A Master's Degree in an area other than Educational Leadership, shall be a Master's Degree in Education or a Master's Degree in a content/added endorsement/area as identified in the Areas and Levels of Licensure as approved by the State Board of Education.~~
- 7.05 The ALCP shall be verified by the Educational Leadership Chairperson

~~at the Arkansas college or university where the degree or program of study is offered.~~

~~7.06 The authorized school district representative where the candidate for the ALCP is employed shall verify employment and assure the appointment of the Beginning Administrator mentor.~~

~~7.07 The employing Arkansas school district shall file a completed ALCP with the offices of Professional Licensure within thirty days of hiring the beginning administrator under an ALCP.~~

~~7.08 While employed as a Beginning Building Level or Curriculum Program Administrator under an ALCP the candidate shall:~~

~~7.08.1 be assigned an ADE-certified administrator mentor with experience in the area/grade level being sought.~~

~~7.08.2 complete the Administrator Induction Program including attendance at all ADE training sessions for each year employed under the ALCP,~~

~~7.08.3 complete the program of study (inclusive of portfolio and internship),~~

~~7.08.4 successfully complete the state mandated licensure assessment.~~

~~7.09 Administrator Induction will continue until all requirements are met (no less than one and no more than three years)~~

~~8.0 BEGINNING ADMINISTRATOR INDUCTION~~

~~8.01 All administrators holding an Initial Building Level Administrator License, an Initial Building Level Administrator/Arkansas Correctional School License, Curriculum/Program Administrator License or an ALCP, and are employed as beginning administrators, shall participate in Induction for no less than one year and no more than three years.~~

~~8.01.1 All Building Level and/or Curriculum/Program Administrators, with less than one year administrative experience, will be mentored for a minimum of one year.~~

~~8.02 Induction includes:~~

- ~~8.02.1 participation in all Administrator Induction activities

 - ~~8.02.1.1 Having an assigned mentor for a minimum of one year~~
 - ~~8.02.1.2 Attending all ADE-sponsored training sessions for Administrators~~
 - ~~8.02.2 Successfully completing the state-mandated assessment.~~~~

- ~~8.03 All Arkansas school districts shall complete and submit the ADE required School District Assurances Form to the Office of Teacher Quality at the Arkansas Department of Education no later than September 15 of each year.~~

- ~~8.04 Arkansas public school districts shall implement, support, and monitor the quality of mentoring as outlined in ADE Beginning Administrator Induction Guidelines.~~

- ~~8.05 All Arkansas School Districts shall:

 - ~~8.05.1 assign an ADE-certified administrator mentor with relevant experience to the Beginning Administrator within three weeks of employment of the Beginning Administrator;~~
 - ~~8.05.2 release Beginning Administrators and Mentors from the district to attend the mandatory statewide induction orientation and follow-up meetings held by ADE;~~
 - ~~8.05.3 adhere to mentoring guidelines developed by ADE, including distribution of professional development support funding within the parameters established by ADE;~~
 - ~~8.05.4 file annual reports, including:

 - ~~8.05.4.1 Beginning Administrator Mentor Pair Reporting Form submitted to the Office of Teacher Quality no later than September 15 of each year;~~
 - ~~8.05.4.2 Professional Learning Plan for each Beginning Administrator~~
 - ~~8.05.4.3 the end of year budget report to be submitted to the Office of Teacher Quality no later than June 30 of each year.~~~~~~

- ~~8.06 Mentoring allocations for the Beginning Administrator shall follow the administrator to a new employment site if the administrator continues in an Arkansas public school.

 - ~~8.06.1 If the administrator moves to a non-public school, leaves the profession, or leaves Arkansas, materials bought with state~~~~

~~mentoring allocations shall remain in the public school district where the administrator was last employed.~~

- ~~8.07 School districts that do not comply with these rules shall be placed in accredited-cited status for licensure deficiencies. Licensure deficiencies for these purposes are defined as:~~
- ~~8.07.1 failure to submit and implement an approved district mentoring plan,~~
 - ~~8.07.2 failure to register all Beginning Administrators with the Office of Teacher Quality, and/or~~
 - ~~8.07.3 failure to comply with established guidelines for assignment, support and monitoring of Beginning Administrators and mentors.~~

9.0 GENERAL POLICIES PERTAINING TO ALL LICENSES

- ~~9.01 Administrators who need a duplicate license shall submit a completed application form (indicating “duplicate”) and pay applicable fee to the office of Professional Licensure.~~
- ~~9.01.1 A duplicate license will be issued only for a license that is current.~~
- ~~9.02 All information and documentation submitted for an Arkansas Administrator License must be accurate, authentic and unaltered.~~
- ~~9.02.1 Any license issued as a result of a violation of the above-mentioned will be null and void.~~
- ~~9.03 The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas Administrator License that has been issued in error.~~

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT: Arkansas Department of Education

DIVISION: Division of Human Resources

PERSON COMPLETING THIS STATEMENT: Mark White, Staff Attorney

TELEPHONE NO.: 501-682-4227 **FAX NO.:** 501-682-4249 **EMAIL:** Mark.White@Arkansas.gov

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 Educator Licensure

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes _____ No X_____

2. Does this proposed, amended, or repealed rule affect small businesses?
Yes _____ No X_____

If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

Next Fiscal Year

General Revenue _____-0-_____

General Revenue _____-0-_____

Federal Funds _____

Federal Funds _____

Cash Funds _____

Cash Funds _____

Special Revenue _____

Special Revenue _____

Other (Identify) _____

Other (Identify) _____

Total _____

Total _____

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

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

DEPARTMENT OF EDUCATION
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION
(In compliance with Ark. Code Ann. §§ 10-3-309 and 25-15-204)

Regulation Title: **Rules Governing Educator Licensure**

Summary Description of Regulatory Proposal:

These rules are intended to replace seven (7) of the Department's existing rules governing educator licensure, which are being proposed for repeal. The purposes of the Rules are to establish requirements and procedures for the issuance, licensure, relicensure, and continuance of licensure of educators in the public schools of this state, as required by Ark. Code Ann. § 6-17-402; to provide for the acceptance of educator licenses by reciprocity, as required by A.C.A. § 6-17-403; to implement as a prerequisite to licensure the requirement of basic-skills, pedagogical, and content-area assessments, as required by A.C.A. §§ 6-17-402, 6-17-601, & 6-15-1004; to implement as a prerequisite to licensure the requirement of college coursework in Arkansas History for certain educators, as required by A.C.A. § 6-17-418; and to provide for the issuance of provisional licenses, as required by A.C.A. §§ 6-17-403 & 6-17-418.

Cite Statutory Authority for this Regulatory Proposal: **A.C.A. §§ 6-11-105, 6-17-401 et seq., and 25-15-204.**

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **No additional resources required.**
 - B. Time Required for Implementation. **No additional time required.**
 - C. Procedural Changes. **None.**
 - 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. **None.**
 - B. Time Required for Implementation. **None.**
 - C. Procedural Changes. **None.**
 - D. Other.
- III. Additional Comments. **None.**

Prepared by: **Mark White**
Staff Attorney
June 14, 2012

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 Division of Human Resources

Contact Mark White E-mail Mark.White@Arkansas.gov Phone (501) 682-4227

Statutory Authority for Promulgating Rules Ark. Code Ann. §§ 6-11-105, 6-17-401 et seq., and 25-15-201 et seq.

Rule Title: Repeal of ADE Rules Governing Initial, Standard/Advanced Level and Provisional Teacher Licensure

Intended Effective Date

(Check One)

Emergency (ACA 25-15-204)

30 Days After Filing (ACA 25-15-204)

Other _____
(Must be more than 30 days after filing date.)

Date

Legal Notice Published 06/15/2012

Final Date for Public Comment 07/16/2012

Reviewed by Legislative Council 12/12/2012

Adopted by State Agency 10/08/2012

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Mark White Mark.White@Arkansas.gov 12/13/2012

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

Signature
(501) 682-4227 Mark.White@Arkansas.gov

Phone Number E-mail Address
Staff Attorney

Title
12/13/2012

Date

~~ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING INITIAL, STANDARD/ADVANCED LEVEL AND
PROVISIONAL TEACHER LICENSURE
July 2010~~

~~1.0 REGULATORY AUTHORITY~~

- ~~1.01 These shall be known as the Arkansas Department of Education Rules Governing Initial, Standard/Advanced Level and Provisional Teacher Licensure.~~
- ~~1.02 These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, 6-17-410, 25-15-204, 6-17-411.~~

~~2.0 PURPOSE~~

- ~~2.01 The purpose of these rules is to establish the requirements and procedures for obtaining an Initial, Standard/Advanced Level or Provisional Teaching License.~~

~~3.0 DEFINITIONS~~

~~————— For the purpose of these Rules the following definitions shall apply.~~

- ~~3.01 **Area of Licensure**—a particular content field as identified in Appendix A, Areas and Levels of Licensure.~~
- ~~3.02 **Central Registry**—The Child Maltreatment Central Registry established within the Arkansas Department of Human Services, which contains records of cases on all true investigations determination of child maltreatment.~~
- ~~3.03 **Content/Standard Teaching Area**—refer to the specific subject areas listed under Integrated Curriculum Humanities, Integrated Science Curriculum, Integrated Visual and Performance Arts, Integrated Vocational Education, Integrated Physical Education and Health and Special Education as listed in the State Board Approved Levels and Areas of Licensure.~~
- ~~3.04 **Induction**—the period of time beginning with a teacher's first employment as the teacher of record in an Arkansas public school, cooperative, or agency that requires an Arkansas teaching license. The novice teacher, operating under an Initial License, is provided mentoring support and accelerated professional development during the Initial license period. It concludes with successful completion of the state mandated performance assessment. Induction shall not be less than one year and no more than three years.~~
- ~~3.05 **Initial Licensure**—The first teaching license issued to an applicant for teacher licensure. This license may a provisional, initial, or standard teacher license.~~

- 3.06 Initial Teaching License**—a three-year teaching license, issued by the state, which allows one to teach in traditional P-12 setting.
- 3.07 Level of Licensure**—the grade/age level parameter of the teaching license as identified in Appendix A, Areas and Levels of Licensure.
- 3.08 Mentor**—a licensed teacher with a minimum of three years successful teaching experience who is trained in the state-adopted mentoring model. Mentors are assigned in their districts to assist a novice teacher by providing focused feedback with regard to instructional skills, classroom management, and professional behaviors.
- 3.09 Mentoring**—the act of a certified mentor providing support and focused feedback to a novice teacher (through the state-adopted mentoring model) with the goal of enhanced instructional skills, competency, and professional development.
- 3.10 Non-Traditional Licensure Program**—the teacher training program approved and administered by the Arkansas Department of Education, whose participants hold a minimum of a baccalaureate degree and are allowed to teach in an Arkansas school traditional P-12 setting via a Non-Traditional Provisional license.
- 3.11 Novice Teacher**—any licensed teacher of record with less than one year of public school, or accredited private school, classroom teaching experience, not including student internship or substitute teaching.
- 3.12 Performance Assessment**—an assessment tool used for evaluation of the classroom performance of a novice teacher, conducted by a trained assessor who utilizes a framework of essential teaching skills in which the novice teacher must demonstrate competency in an authentic classroom setting.
- 3.12.1** Successful completion of the performance assessment is defined as meeting the state-adopted cut score and the cut score for each of the four Domains.
- 3.13 Advanced Level License**—A standard Arkansas teaching license, that is issued upon request of a teacher who has documented the completion of a Master's Degree and three years of teaching experience or who has documented current National Board Certification.
- 3.14 Program of Study**—a state-approved teacher preparation curriculum offered at an Arkansas college or university, based on the *Arkansas Licensure Standards*. The program requires a candidate to demonstrate and document competency in the specific knowledge, skills, and dispositions for a particular licensure area and level.
- 3.15 Provisional Teaching License**—A temporary one-year teaching license available to candidates who have not met all requirements for the Initial or Standard/Advanced Level Arkansas teaching licenses.

- 3.16 ~~Standard Non-Instructional Student Services License~~—a five-year renewable license, issued by the state, which allows one to practice in Arkansas public schools as a School Psychology Specialist or Speech Language Pathologist.
- 3.17 ~~Standard Teaching License~~—a five-year renewable license, issued by the state, which allows one to teach in Arkansas public schools.
- 3.18 ~~Teacher-of-Record~~—an instructional teacher employed under contract (in a licensed staff position) by a school district or other Arkansas agency or organization requiring an Arkansas teaching license.
- 3.19 ~~Traditional P-12 Setting~~—Employment in a public, including the Arkansas Correctional Schools, or private school between P-12 grade levels (or) a setting pre-approved by the Arkansas Department of Education.

4.0 ~~REQUIREMENTS FOR OBTAINING AN INITIAL TEACHING LICENSE~~

- 4.01 ~~There are five routes for obtaining an Initial Arkansas teaching license.~~
 - 4.01.1 ~~Completion of a regionally accredited and NCATE approved, Arkansas college/university teacher preparation program,~~
OR
 - 4.01.2 ~~Completion of a college/university teacher preparation degree program that holds regional/national accreditation recognized by the U.S. Department of Education or Council for Higher Education Accreditation and whose teacher preparation program is accredited by a national accrediting body that is recognized by the U.S. Department of Education, Council for Higher Education Accreditation or that is state approved.~~
OR
 - 4.01.3 ~~Completion of the Arkansas Department of Education Approved Non-Traditional Licensure Program,~~
OR
 - 4.01.4 ~~By Reciprocity~~
OR
 - 4.01.5 ~~Conversion of a Provisional license~~
- 4.02 ~~An Initial Arkansas teaching license shall be issued when the following has been submitted to the office of Professional Licensure:~~
 - 4.02.1 ~~A completed application for Initial licensure.~~
 - 4.02.2 ~~An official score report reflecting current passing scores, as approved by the State Board of Education, on all state required assessments for Initial licensure (the basic skills assessment [all parts], the state required content~~

~~area assessment(s) for the specific licensure area(s) sought, and the state required pedagogical assessment).~~

~~4.02.3 Documentation that the candidate has successfully completed the required background checks by the Arkansas State Police and Federal Bureau of Investigation as required by Ark. Code Ann. § 6-17-410.~~

~~4.02.4 Documentation that the applicant has requested and cleared a child maltreatment central registry check to be conducted by the Department of Human Services as required by law.~~

~~4.02.5 Documentation reflecting completion of a teacher preparation program. This shall be:~~

~~4.02.5.1 Official transcripts reflecting a Bachelor=s Degree (or Master=s Degree when required) from:~~

~~4.02.5.1.1 A regionally accredited and NCATE approved, Arkansas college/university teacher preparation program~~

~~OR~~

~~4.02.5.1.2 Completion of a college/university teacher preparation degree program that holds regional/national accreditation recognized by the U.S. Department of Education or Council for Higher Education Accreditation and whose teacher preparation program is accredited by a national accrediting body that is recognized by the U.S. Department of Education, Council for Higher Education Accreditation or that is state approved.~~

~~OR~~

~~4.02.5.1.3 Verification from the Arkansas Non-Traditional Licensure Program.~~

~~4.03 The Initial Arkansas Teaching License application must be signed and verified by the Licensure Officer from the Arkansas college or university where the approved teacher preparation program was completed, or by the designated representative of the Non-Traditional Teacher Licensure Program.~~

~~4.04 The Initial Arkansas teaching license shall be issued only for those areas and levels of licensure that have been approved by the State Board of Education (Appendix A, Areas and Levels of Licensure).~~

~~4.05 Candidates may obtain concurrent licensure in more than one licensure/endorsement area.~~

~~4.06 Candidates seeking Initial licensure in Early Childhood Education (P-4), both Middle School integrated areas (4-8) or Secondary Social Studies (7-12), shall complete a~~

~~three credit hour course in Arkansas History in addition to the required testing and program of study when applicable.~~

~~4.07 Candidates seeking Initial licensure in Special Education must complete concurrent licensure in a general education area at the same level as the Special Education license.~~

~~4.07.1 If the Special Education level is 4-12, the individual shall have a choice of concurrent licensure in a general education area at the 4-8 or 7-12 levels.~~

~~4.08 Candidates who completed an Arkansas teacher preparation program but never received a Standard teaching license (when it has been **longer than five years** since program completion) shall meet current requirements for an Initial license.~~

~~5.0 GENERAL POLICIES AND PROCEDURES RELATING TO AN INITIAL TEACHING LICENSE~~

~~5.01 The Initial Arkansas teaching license:~~

~~5.01.1 is valid for no less than one and no more than three years;~~

~~5.01.2 expires three years from the effective date, unless requirements for a Standard teaching license are met; and~~

~~5.01.3 requires that all Novice Teachers participate in Induction.~~

~~5.02 Additional areas and levels of licensure may be added to the Initial Arkansas teaching license.~~

~~5.03 The beginning and expiration dates of an Initial teaching license shall not change upon adding additional licensure areas or advanced degrees.~~

~~5.04 The grade level and license/teaching area are reflected on the Initial Arkansas Teaching license.~~

~~5.05 The degree a teaching license is based upon shall be reflected on the Initial Arkansas Teaching license.~~

~~5.06 Advanced degrees shall not be reflected on the Initial teaching license unless that degree is designated on the official transcript as an education degree or a degree in a content teaching area as approved by the State Board of Education. The degree must be from an institution of higher education holding regional/national accreditation recognized by the U.S. Department of Education, or the Council for Higher Education Accreditation. If the degree is a teacher preparation degree it must be from a program that holds national accreditation recognized by the U.S. Department of Education, the Council for Higher Education Accreditation, or be state approved.~~

~~5.07 Teachers who hold an Initial Arkansas teaching license shall complete induction while teaching primarily in the general education area of licensure.~~

- ~~5.07.1~~ Upon successful completion of induction, the candidate shall be awarded a standard license for all general education and endorsement areas reflected on the initial teaching license.
- 5.08 Candidates receiving Initial, concurrent licensure in a general education area and the endorsement area of coaching shall complete Induction in the general education area. ~~Coaching shall not be the primary area of teaching during induction.~~
- 5.09 ~~The Initial Arkansas teaching license shall become effective upon date of issue. The Initial Arkansas teaching license shall expire three years from the effective date as reflected on the Initial teaching license.~~
- 5.10 Teachers holding an Initial Arkansas teaching license, who have not been employed as teacher of record for up to three years (and have therefore not successfully completed Induction), may re-apply for the three-year Initial Arkansas teaching license through the Office of Professional Licensure.
- 5.11 ~~A teacher shall have three years while employed as teacher of record to successfully complete Induction (mentoring and Praxis III performance assessment) and convert the three-year Initial Arkansas teaching license to the Standard/Advanced Level five-year teaching license.~~
- 5.12 Teachers that were employed for three years as teacher of record while holding an Initial Arkansas teaching license and did not successfully complete Induction shall be eligible for a one-time, non-renewable, One-Semester Permit upon meeting the following requirements:
-
- ~~5.12.1~~ The teacher shall submit an application for the One-Semester Permit.
- 5.12.1.1 ~~The Initial Arkansas teaching license shall not have been expired longer than two years at the time of application.~~
- 5.12.1.2 ~~The teacher shall provide verification of having been employed as the teacher of record for three years.~~
- 5.12.1.3 ~~The application shall not be processed when received later than the registration deadline for the state mandated performance assessment for either the Fall or Spring Semester.~~
- 5.12.1.4 ~~The teacher shall be employed as teacher of record.~~
- 5.12.1.5 ~~The teacher shall pay the current fee that covers the cost of the state mandated performance assessment.~~

~~5.13 Teachers employed under the One Semester Permit shall not be deemed Highly Qualified for the semester employed.~~

~~5.14 The One Semester Permit shall be effective for only the Fall or Spring semester of the school year issued.~~

~~5.15 The Standard/Advanced Level teaching license shall be issued to the holder of the One Semester Permit upon verification by the Arkansas Department of Education that the Induction requirements have been completed.~~

~~5.16 The Initial Arkansas teaching license shall not be issued for the Non-Instructional Student Services and Professional & Technical areas.~~

~~5.17 Beginning May 1, 2007, all teachers licensing in P.E./Wellness/Leisure shall receive the new licensure code numbers 235 for (P-8) and 236 for (7-12).~~

~~5.17.1 Teachers holding the new licensure code numbers 235 and/or 236 shall not be automatically approved to be employed as a coach in the public schools of Arkansas.~~

~~5.17.2 Teachers holding the new licensure code numbers 235 and/or 236 shall work under the ALP (Additional Licensure Plan) for the coaching endorsement (7-12) when employed as a coach.~~

~~6.0 REQUIREMENTS FOR OBTAINING A STANDARD/ADVANCED LEVEL TEACHING LICENSE~~

~~6.01 Requirements for a Standard/Advanced Level teaching license are:~~

~~6.01.1 Transcripts reflecting the completion of a Bachelor=s Degree (Master=s Degree when required) from a regionally accredited and NCATE approved, Arkansas college/university teacher preparation program.~~

~~OR~~

~~6.01.1.1 Transcripts reflecting the completion of a Bachelor's Degree (Master's Degree when required) from a college/university holding regional/national accreditation recognized by the U.S. Department of Education or the Council for Higher Education Accreditation and whose teacher preparation program is accredited by a national accrediting body recognized by the U.S. Department of Education, Council for Higher Education Accreditation or that is state approved.~~

~~6.01.2 Passing the required basic skills assessment (all parts);~~

~~6.01.3 Passing the required content area assessment(s) for the specific licensure area and level sought;~~

~~6.01.4~~ Passing the required pedagogical assessment(s);

~~6.01.5~~ Successful completion of Induction (mentoring and performance assessment); and

~~6.01.6~~ Successful clearance of background checks performed by the Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann. § 6-17-410.

~~6.01.7~~ Successful clearance of the child maltreatment central registry check performed by the Arkansas Department of Human Services.

~~6.02~~ Candidates for a Standard/Advanced Level teaching license in the areas of Early Childhood Education (P-4), both Middle School integrated areas (4-8) or Secondary Social Studies (7-12) must have completed a three credit hour course in Arkansas History in addition to the required testing and program of study when applicable.

~~6.03~~ Candidates for a Standard/Advanced Level teaching license in the Non-Instructional Student Service areas of Speech Language Pathologist shall complete the following requirements:

~~6.03.1~~ Completion of a Master's Degree in Speech Pathology from a college/university holding regional/national accreditation recognized by the U.S. Department of Education or the Council for Higher Education Accreditation and whose Speech Pathology program holds national accreditation recognized by the U.S. Department of Education or Council for Higher Education Accreditation.

~~6.03.2~~ Successful completion of the state required specialty area assessment for Speech Pathology.

~~6.03.3~~ Successfully clearing the required State Police, FBI, and Child Maltreatment Central Registry background checks as required by law.

~~6.03.4~~ Candidates for licensure in Speech Pathology shall not be eligible for a provisional teaching license.

~~6.04~~ Candidates for a Standard/Advanced Level teaching licensed in the Non-Instructional Student Services Area of School Psychology Specialist shall meet the following requirements:

~~6.04.1~~ Completion of an advanced degree in School Psychology or completion of an advanced degree in counseling with a graduate level program of study in School Psychology from a college/university holding regional/national

~~accreditation recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.~~

~~6.04.2 The School Psychology program shall hold national accreditation recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.~~

~~6.04.3 Successful completion of the state required specialty area assessment.~~

~~6.04.4 Successfully clearing the required State Police, FBI, and Child Maltreatment Central Registry background checks as required by law.~~

~~6.04.5 Candidates for licensure as a School Psychology Specialist shall not be eligible for a provisional teaching license.~~

~~6.05 A content/standard teaching area may be added to the Speech Pathology or School Psychology specialist teaching license by meeting the following requirements:~~

~~6.05.1 Completion of a program of study to include an internship in the teaching area.~~

~~6.05.2 Successful completion of the required basic skills assessments, the required specialty area assessment(s) & the required pedagogical assessment at the appropriate level of licensure.~~

~~7.0 GENERAL POLICIES AND PROCEDURES RELATING TO A STANDARD/ADVANCED LEVEL TEACHING LICENSE~~

~~7.01 The standard/advanced level teaching license shall be issued only for those areas and levels of licensure that have been approved by the State Board of Education.~~

~~7.02 The standard/advanced level teaching license shall be a renewable teaching license, valid for a period of five years.~~

~~7.03 The standard/advanced level teaching license shall become effective January 1 of the year it is issued and shall expire December 31 of the fifth year.~~

~~7.04 The standard/advanced level teaching license will reflect all general education and endorsement areas reflected on the Initial teaching license.~~

~~7.05 Additional areas and levels of licensure may be added to the Standard/Advanced Level teaching license.~~

~~7.06 The beginning and expiration dates of a Standard/Advanced Level teaching license shall not change upon adding licensure areas or advanced degrees.~~

- ~~7.07 The degree a teaching license is based upon shall be reflected on the Standard/Advanced Level teaching license.~~
- ~~7.08 Advanced degrees shall not be reflected on the Standard/Advanced Level teaching license unless that degree is designated on the official transcript as an education degree, or a degree in a content teaching area as approved by the State Board of Education. The degree must be from an institution of higher education holding regional/national accreditation recognized by the U.S. Department of Education, or the Council for Higher Education Accreditation. If the degree is a teacher preparation degree it must be from a program that holds national accreditation recognized by the U.S. Department of Education, the Council for Higher Education Accreditation or be state approved.~~

~~8.0 REQUIREMENTS FOR OBTAINING A PROVISIONAL TEACHING LICENSE~~

- ~~8.01 A one year (1084) non-renewable provisional teaching license shall be available for graduates of an Arkansas teacher preparation program who have not completed the following requirements:~~
- ~~8.01.1 All required subject-specific and pedagogical assessments, and/or~~
 - ~~8.01.2 A three credit hour Arkansas History course when required.~~
- ~~8.02 A one year (1084) non-renewable provisional teaching license shall be issued upon providing the following documentation.~~
- ~~8.02.1 A completed application reflecting completion of an approved teacher preparation program from an Arkansas college or university;~~
 - ~~8.02.2 Official transcripts reflecting the completion of a Bachelor's Degree (Master's Degree when required);~~
 - ~~8.02.3 Successful completion of both parts of the required background checks (Arkansas State Police and Federal Bureau of Investigation);~~
 - ~~8.02.4 Documentation that the applicant has requested and cleared a child maltreatment central registry check to be conducted by the Department of Human Services as required by law.~~
 - ~~8.02.5 Score report reflecting successful completion of the state required basic skills assessment (all parts); and~~
 - ~~8.02.6 Proof of employment on the verification of provisional licensure eligibility form indicating employing school district and hire date.~~

~~9.0 REQUIREMENTS FOR CONVERTING A PROVISIONAL TEACHING LICENSE TO AN INITIAL TEACHING LICENSE~~

- ~~9.01 The one-year (1084) non-renewable provisional teaching license shall be converted to the three-year Initial teaching license when the following documentation has been submitted:~~
- ~~9.01.1 A completed application for licensure requesting conversion of the provisional license;~~
 - ~~9.01.2 Score reports reflecting successful completion of the required assessment(s), and/or~~
 - ~~9.01.3 Official transcript reflecting the successful completion of a three-credit-hour Arkansas History course when required.~~

~~10.0 RULES PERTAINING TO NOVICE TEACHER INDUCTION~~

- ~~10.01 All Novice Teachers employed as teacher of record in a traditional P-12 setting shall participate in Induction for no less than one year.~~
- ~~10.02 Induction includes mentoring, and successful completion of the state-mandated performance assessment.~~
- ~~10.03 The School District Induction Assurances Form is to be submitted to the Office of Teacher Quality at the Arkansas Department of Education no later than September 15 of each year.~~
- ~~10.04 All Arkansas public schools or agencies who employ a novice teacher as a licensed teacher of record shall:~~
- ~~10.04.1 Register all novice teachers in their employ and their mentors with the Office of Teacher Quality using the Induction Pairing Form no later than September 15th of each year,~~
 - ~~10.04.2 Assign to the novice teacher a mentor teacher who is located in the same building, and who, as much as possible, has a compatible background in content area and level of licensure, is trained and certified in the state adopted mentoring model, and has at least three (3) years of successful teaching experience. Districts shall contact the Induction Program Advisor in the Office of Teacher Quality for consideration of any exceptions to these requirements.~~
 - ~~10.04.3 Assign the mentor to the novice teacher within three weeks of the novice teacher's first contract day of the school year,~~

- ~~10.04.4 Assign only one novice teacher per mentor teacher unless preapproved by the ADE to accommodate the additional mentoring responsibility, as approved by the Induction Program Advisor.~~
- ~~10.04.5 Contact the Induction Program Advisor and provide information on the Induction Project Director that has been appointed by the school district no later than August 1 of each year who will act as the liaison for the program to ADE.~~
 - ~~10.04.5.1 Project Directors are responsible for coordinating mentor assignments, oversight of mentoring funding appropriations and the district mentoring plan, approval of appropriate professional development expenditures for the novice teacher, and all written and fiscal reporting and communications to the ADE,~~
- ~~10.04.6 Release mentors, novice teachers, and/or the Induction Project Director from the district to attend any mandatory statewide orientation or informational meetings held by the ADE,~~
- ~~10.04.7 Notify the ADE, Office of Teacher Quality within 15 days of any personnel changes that might affect annual mentoring budget allocations (such as hiring of a novice teacher midyear, or a novice teacher resigning midyear and being replaced by an experienced teacher for whom mentoring is not appropriate); and~~
- ~~10.04.8 Submit the End of Year Budget Report Form on line, reflecting Induction expenditures, no later than June 30th each year.~~
- ~~10.05 For the teacher to be eligible for the Standard/Advanced Level Teaching license, Induction shall be completed by the teacher within three years, while the teacher is employed as teacher of record.~~
- ~~10.06 Novice teachers become eligible to participate in the state mandated performance assessment after a minimum of six months employed and mentored as teacher of record.~~
 - ~~10.06.1 To take the performance assessment candidates shall notify Office of Teacher Quality by following current standard application procedures.~~
- ~~10.07 All Arkansas School Districts shall implement, support, and monitor the quality of mentoring as outlined in ADE Induction Guidelines.~~
 - ~~10.07.1 Implementation of the district mentoring plan shall include~~
 - ~~10.07.1.1 Selecting mentor candidates according to the Arkansas Mentor Qualifications form; and~~

~~10.07.1.2 Providing a trained certified mentor for each novice teacher.~~

~~10.07.2 Support includes:~~

~~10.07.2.1 Providing a minimum of 2 hours every two weeks of released time (on average) during the contract day for the mentor and novice teacher to work together,~~

~~10.07.2.2 Assisting the novice and mentor to schedule focused observations and professional development activities, and~~

~~10.07.2.3 Providing activities for mentors and novice teachers, which engage them in collaborative dialogue, problem solving, and professional development.~~

~~10.07.3 The quality of the District Induction Program is assessed by monitoring.~~

~~10.07.3.1 A trained monitor, sent from the ADE, interviews the Project director and novice teacher-mentor pair.~~

~~10.07.3.2 The required mentoring documentation shall be collected by the district Project Director, and reviewed by the ADE monitor.~~

~~10.07.4 All observation documents shall be collected by the Project Director.~~

~~10.07.4.1 At the end of the school year the Professional Growth Plan and Observation forms would become the sole possession of the novice teacher and shall not be utilized for employment decisions or employment evaluation decisions.~~

~~10.08 Mentoring observational information shall not be utilized in any way for employment decisions unless students are at risk, either physically or emotionally.~~

~~10.09 School districts shall distribute any associated mentoring support funding within the parameters established by the Arkansas Department of Education.~~

~~10.10 Mentor teachers shall perform a minimum of three (3) formal classroom observations per school year for novice teachers and provide feedback focused on increased professional growth.~~

~~10.10.1 All observations, both formal and informal, shall be noted on forms as designated by the Arkansas Department of Education.~~

~~10.11 Materials purchased by the novice with mentoring funding shall follow the novice teacher to a new teaching assignment if the novice teacher continues teaching in an Arkansas public school.~~

~~10.11.1 If the novice teacher chooses to teach in a non-public school, leave the profession of teaching, or teach out of the state of Arkansas, materials bought with state mentoring allocations shall remain in the public school district in which the novice teacher was last employed.~~

~~10.12 Performance Assessment School districts shall:~~

~~10.12.1 Provide released time for the novice teacher to participate in the performance assessment for Standard licensure.~~

~~10.12.2 Provide released time for Assessors from the district to attend mandatory statewide meetings required by the Arkansas Department of Education.~~

~~10.12.3 Provide released time for Assessors from the district to conduct a minimum of two performance assessments per semester.~~

~~10.12.4 Not dictate when the novice teacher takes the performance assessment; and~~

~~10.12.5 Not use the performance assessment results for contract renewal or dismissal purposes.~~

~~10.13 Novice~~

~~10.13.1 A novice teacher applying for the performance assessment must teach in an a traditional Arkansas public or private school in grades P-12~~

~~10.13.2 Teachers in distance learning labs will follow the protocol for distance learning lab observations.~~

~~10.13.3 Novice teachers must teach a class or small group of students without any other licensed teacher present (except the Assessor)~~

~~10.13.4 A novice teacher may have an instructional aide (non licensed teacher) present in the room if he or she is normally scheduled to be present and does not contribute to class discipline.~~

~~10.13.5 Any novice teacher who is unsuccessful in the performance assessment will automatically be assigned a highly trained mentor and will receive mentoring with financial support for another year.~~

~~10.13.6 A novice teacher may re-take the performance assessment each semester until the three year license expires.~~

~~10.13.7~~ Arkansas Department of Education Office of Teacher Quality will fund the first attempt to pass Praxis III assessment. Any remaining attempts will be paid for by the Novice Teacher.

~~10.13.8~~ The novice teacher will receive copies of the assessment summary statements and the Superintendent receives the scores by domain.

~~10.13.9~~ If a novice whose Initial license expires prior to passing the performance assessment, the novice teacher may apply through the Office of Professional Licensure for a one semester permit.

~~10.13.9.1~~ The novice teacher must take the performance assessment within that six month window.

~~10.13.9.2~~ The novice teacher will incur the cost of the performance assessment plus a financial penalty.

~~10.13.9.3~~ If the novice teacher is not successful at the performance assessment within the six months, the novice teacher will not be allowed another opportunity. This results in the permanent loss of licensure.

~~10.14~~ School districts that do not comply with these rules shall be placed in accredited cited status for licensure deficiencies. Licensure deficiencies for these purposes are defined as:

~~10.14.1~~ Failure to register all novice teachers with the Office of Teacher Quality, and/or

~~10.14.2~~ Failure to comply with established guidelines for assignment, support, and monitoring of mentor teachers and novice teachers.

~~10.14.3~~ Failure to submit all appropriate documentation.

~~10.15~~ Project Director's Stipend

~~10.15.1~~ As funds are available school district personnel who serve as Project Directors for the Induction programs will be compensated with a stipend via a sliding scale (currently not to exceed \$1,000) based on the number of novice teachers and beginning administrators in the district.

~~11.00~~ GENERAL POLICIES PERTAINING TO ALL LICENSES

~~11.01~~ Teachers who need a duplicate Arkansas teaching license must submit a completed application form (indicating “duplicate”) to the office of Professional Licensure and appropriate fee.

~~11.01.1~~ A duplicate license will be issued only for a license that is current.

~~11.02~~ All information and documentation submitted for an Arkansas teaching license must be accurate, authentic, and unaltered.

~~11.02.1~~ Any license issued as a result of a violation of the above-mentioned will be null and void.

~~11.03~~ The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas Teaching License that has been issued in error.

~~11.04~~ Teachers holding a provisional or initial teaching license who have never completed a Child Maltreatment Central Registry check shall do so at the conversion, of their provisional or initial teaching license to the standard teaching license.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT: Arkansas Department of Education

DIVISION: Division of Human Resources

PERSON COMPLETING THIS STATEMENT: Mark White, Staff Attorney

TELEPHONE NO.: 501-682-4227 **FAX NO.:** 501-682-4249 **EMAIL:** Mark.White@Arkansas.gov

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 Educator Licensure

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes _____ No X_____

2. Does this proposed, amended, or repealed rule affect small businesses?
Yes _____ No X_____

If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

Next Fiscal Year

General Revenue _____-0-_____

General Revenue _____-0-_____

Federal Funds _____

Federal Funds _____

Cash Funds _____

Cash Funds _____

Special Revenue _____

Special Revenue _____

Other (Identify) _____

Other (Identify) _____

Total _____

Total _____

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

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

DEPARTMENT OF EDUCATION
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION
(In compliance with Ark. Code Ann. §§ 10-3-309 and 25-15-204)

Regulation Title: **Rules Governing Educator Licensure**

Summary Description of Regulatory Proposal:

These rules are intended to replace seven (7) of the Department's existing rules governing educator licensure, which are being proposed for repeal. The purposes of the Rules are to establish requirements and procedures for the issuance, licensure, relicensure, and continuance of licensure of educators in the public schools of this state, as required by Ark. Code Ann. § 6-17-402; to provide for the acceptance of educator licenses by reciprocity, as required by A.C.A. § 6-17-403; to implement as a prerequisite to licensure the requirement of basic-skills, pedagogical, and content-area assessments, as required by A.C.A. §§ 6-17-402, 6-17-601, & 6-15-1004; to implement as a prerequisite to licensure the requirement of college coursework in Arkansas History for certain educators, as required by A.C.A. § 6-17-418; and to provide for the issuance of provisional licenses, as required by A.C.A. §§ 6-17-403 & 6-17-418.

Cite Statutory Authority for this Regulatory Proposal: **A.C.A. §§ 6-11-105, 6-17-401 et seq., and 25-15-204.**

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **No additional resources required.**
 - B. Time Required for Implementation. **No additional time required.**
 - C. Procedural Changes. **None.**
 - 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. **None.**
 - B. Time Required for Implementation. **None.**
 - C. Procedural Changes. **None.**
 - D. Other.
- III. Additional Comments. **None.**

Prepared by: **Mark White**
Staff Attorney
June 14, 2012

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 Division of Human Resources

Contact Mark White E-mail Mark.White@Arkansas.gov Phone (501) 682-4227

Statutory Authority for Promulgating Rules Ark. Code Ann. §§ 6-11-105, 6-17-401 et seq., and 25-15-201 et seq.

Rule Title: Repeal of ADE Rules Governing Addition of Areas of Licensure or Endorsement

Intended Effective Date

(Check One)

Emergency (ACA 25-15-204)

30 Days After Filing (ACA 25-15-204)

Other _____
(Must be more than 30 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

06/15/2012

07/16/2012

12/12/2012

10/08/2012

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Mark White

Mark.White@Arkansas.gov

12/13/2012

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

Signature

(501) 682-4227

Mark.White@Arkansas.gov

Phone Number

E-mail Address

Staff Attorney

Title

12/13/2012

Date

~~ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE ADDITION OF AREAS OF LICENSURE OR
ENDORSEMENT~~

~~September 2009~~

~~**1.00 REGULATORY AUTHORITY**~~

~~1.01 These rules shall be known as the Arkansas Department of Education Rules Governing the Addition of Areas of Licensure or Endorsement.~~

~~1.02 These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, 6-17-402 and 25-15-201 et seq.~~

~~**2.00 PURPOSE**~~

~~2.01 The purpose of these rules is to identify the policies governing licensure that deal with adding an area of licensure/endorsement to an existing Arkansas teaching license.~~

~~**3.00 DEFINITIONS**~~ For the purpose of these rules, the following definitions shall apply:

~~3.01 **Additional Licensure Plan (ALP)** shall be the recognized process for allowing a licensed teacher to be employed in an out-of-field teaching position while meeting the program of study competency and assessment requirements for said position.~~

~~3.02 **Approved Performance Based Program of Study** refers to a program approved by the Arkansas Department of Education and based upon Arkansas licensure standards. The program requires a candidate to demonstrate and document competency in the specific knowledge, skills and dispositions for a particular licensure area.~~

~~3.03 **Endorsement** refers to teaching or administrative licensure areas, which require an initial or standard/professional teaching license, prior to the endorsement being added.~~

~~3.04 **Exception Area** refers to the specific areas of licensure, which cannot be issued either as an initial license or by testing only. The exception areas include, but are not limited to, the following: Special Education, Counselor, All Other Added Endorsement Areas, Administrative Licenses, Non-Instructional Student Services, and Professional & Technical Permits. Special Education may be issued as an initial license.~~

~~3.05 **Initial Teaching License** refers to a three-year teaching license, issued by the state, which allows one to teach in Arkansas public schools.~~

~~3.06 **Level and Area of Licensure** **Level** refers to the grade/age level parameters of the teaching license, such as P-4, 4-8, P-8, P-12, 7-12 and PS (post-secondary). **Area** refers to the particular content field, including but not limited~~

~~to, Early Childhood, Middle Childhood Science/Mathematics, Social Studies, and Family and Consumer Sciences.~~

~~3.07 **Standard Teaching License** refers to a five-year renewable license, issued by the state, which allows one to teach in Arkansas public schools.~~

~~3.08 **State Board Required Assessments** refer to specific performance-based assessments approved by the State Board of Education.~~

~~3.09 **Content/Standard Teaching Area** refer to the specific subject areas listed under Integrated Curriculum Humanities, Integrated Science Curriculum, Integrated Visual and Performance Arts, Integrated Vocational Education, Integrated Physical Education and Health and Special Education as listed in the State Board Approved Levels and Areas of Licensure.~~

~~3.10 **Provisional License by Reciprocity** a one-year teaching license that may or may not be renewed. This license allows a teacher coming from out of state or out of country to be employed as a teacher while completing assessed deficiencies for the Initial or Standard/Professional teaching license.~~

~~3.11 **Professional Teaching License** a standard Arkansas teaching license that is issued upon the request of a teacher who has documented the completion of a Master's Degree and three years of teaching experience or who has documented current National Board Certification.~~

~~4.00 **REQUIREMENTS FOR ADDING AN AREA OF LICENSURE OR ENDORSEMENT**~~

~~4.01 Teachers/administrators shall have a valid Arkansas initial or standard/professional content area teaching license or provisional licensure through reciprocity in order to add an area of licensure or endorsement.~~

~~4.02 Teachers adding an additional licensure/endorsement area(s) to their Arkansas teaching license by meeting the program of study requirements of an Arkansas college/university or when adding a licensure/endorsement area by reciprocity, shall meet the following requirements regarding degrees and coursework.~~

~~4.02.1 The coursework/degree required for the area(s) that are being added shall have been completed through a college/university that holds regional/national accreditation that is recognized by the U.S. Department of Education or Council for Higher Education Accreditation.~~

~~AND~~

~~4.02.2 All teacher education coursework shall have been completed through a college/university teacher education program that holds national~~

accreditation that is recognized by the U.S. Department of Education, Council for Higher Education Accreditation or that is state approved.

~~4.03 The Additional Licensure Plan (ALP) shall be the recognized process for allowing a licensed teacher to be employed in an out-of-area teaching position while completing the competency and assessment requirements for the new employment position.~~

~~4.03.1 Teachers who hold an initial or standard/professional license are eligible to file an ALP in order to be employed in an out-of-area assignment.~~

~~4.03.2 Teachers who hold a provisional Arkansas teaching license, which was granted through reciprocity as a result of holding an initial/standard out-of-state license, are also eligible to file an ALP in order to be employed in an out-of-area assignment.~~

~~4.04 Teachers working in an out-of-area teaching assignment shall file a completed ALP with their school district and with the Office of Professional Licensure within thirty (30) days of beginning the out-of-field assignment.~~

~~4.04.1 Teachers working under an ALP shall have three (3) years from the beginning of the out-of-area assignment to complete all competency and assessment requirements for the new employment position.~~

~~4.04.2 When a school district requests a waiver to employ a teacher out-of-area and a program of study is required:~~

~~4.04.2.1 The teacher shall successfully complete a minimum of three (3) hours of coursework toward the program of study requirements during the first year employed out-of-area, and a minimum of six (6) hours of coursework each of the following two years, when employed out-of-area, in order for the waiver to be approved for the following year.~~

~~4.04.2.2 The Specialty Area Assessment(s) required to be designated as a highly qualified teacher in the core academic area shall be successfully completed the first year the teacher is employed out-of-area on an approved waiver.~~

~~4.04.2.3 A waiver will not be approved for the following year at such time that the teacher fails to successfully complete the required coursework or testing within the timelines specified above.~~

~~4.04.3 When a school district has requested a waiver for a teacher being employed out-of-area and the additional area can be added by testing out:~~

-
- ~~4.04.3.1 The teacher shall have successfully completed the content knowledge portion(s) of the required specialty area assessment (s) required to be highly qualified during the first year employed out of area on an approved waiver.~~
 - ~~4.04.3.2 The remaining part(s) of the specialty area assessment required for licensure in the out of area assignment shall be successfully completed by the end of the third year working under an approved waiver.~~
 - ~~4.04.3.3 Teachers failing to successfully complete the content knowledge portion of the specialty area assessment required to be highly qualified during the first year employed out of area under an approved waiver, shall document a minimum of six (6) hours of coursework in the content area.~~
 - ~~4.04.3.4 Teachers failing to successfully complete either the required assessment to be highly qualified or the six (6) hours of coursework in the content area during the first year working under an approved waiver shall not be approved to be employed out of area under the same ALP the following year.~~
 - ~~4.05 The requirements contained in an individual's ALP are subject to any changes made by the State Board of Education which would necessitate a change in the licensure requirements for that ALP.~~
 - ~~4.06 The Office of Professional Licensure shall add a licensure/endorsement area(s) to a valid Arkansas Initial or Standard/Professional teaching license upon receiving the following:

 - ~~4.06.1 An application requesting the licensure/endorsement area(s);~~
 - ~~4.06.2 Documentation that all program of study requirements (including Arkansas History when required); and~~
 - ~~4.06.3 Evidence that all State Board required assessments have been successfully completed.~~~~
 - ~~4.07 Teachers or administrators may add an additional licensure area (s) by testing out, only when they hold a content/standard/professional licensure area at the same level as the area being added.

 - ~~4.07.1 Added endorsements such as reading, library media, counselor, journalism, grade 5-6 endorsements, English as a Second Language, educational examiner, coaching, gifted and talented and administrative areas may not be used as a platform for adding other licensure areas by testing out.~~~~

- ~~4.08—Teachers or administrators seeking to add exception areas shall complete an approved performance based program of study and pass the State Board required assessment(s).~~
- ~~4.09—Teachers or administrators seeking to add additional areas of licensure outside their level of licensure shall complete an approved performance based program of study and pass the State Board required assessment(s).~~
- ~~4.10—To add an area of licensure or endorsement for which there is not a State Board required specialty area assessment, a candidate shall successfully complete an approved performance based program of study and the State Board required pedagogical assessment.~~
- ~~4.11—In order to add an area of licensure/endorsement to a license in School Psychology Specialist, Speech Pathology, Adult Education or a Professional Technical Permit area only, the teacher shall complete a teacher preparation program of study to include a practicum/internship and the State Board required specialty area assessment(s), pedagogical assessment and basic skill assessments.~~
- ~~4.12—Teachers or administrators adding Early Childhood P-4, Middle Childhood Math/Science and Language Arts/Social Studies 4-8 or Secondary Social Studies 7-12 to their valid Arkansas initial or standard teaching license shall have completed a three credit hour course in Arkansas History in addition to the required testing and program of study when applicable.~~
- ~~4.13—The Office of Professional Licensure reserves the right to amend and/or rescind an additional area of licensure that is issued in error.~~
- ~~4.14—Additional areas/levels of licensure or endorsement shall be added to a valid Arkansas initial or standard/professional teaching license upon receiving documentation that all requirements have been met and upon receiving an application requesting the additional licensure area or endorsement.~~
- ~~4.15—A content/standard area teaching license, as identified in the areas and levels of licensure and approved by the State Board of Education, shall be required in order to add licensure areas, endorsements or areas of educational administration.~~
- ~~4.16—The Office of Professional Licensure has the authority to assist individual teachers seeking additional licensure areas for which there are no approved programs of study at any of Arkansas' Institute of Higher Education. Examples of such licensure areas to be include but not limited to are: Visual Specialist and Hearing Specialist.~~
- ~~4.17—Beginning May 1, 2007, teachers that are adding P.E./Wellness/Leisure to a current Arkansas teaching license, shall receive the new licensure code numbers 235 for (P-8) and 236 for (7-12).~~

~~4.17.1 Teachers holding the new licensure code numbers 235 and/or 236 shall not be automatically approved to be employed as a coach in the public schools of Arkansas.~~

~~4.17.2 Teachers holding the new licensure code numbers 235 and/or 236 shall work under the ALP (Additional Licensure Plan) for the coaching endorsement (7-12) when employed as a coach.~~

~~4.18 Teachers adding the endorsement areas of Guidance and Counseling or School Library Media shall document two years of classroom teaching experience in order to add these areas to a current Arkansas teaching license.~~

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT: Arkansas Department of Education

DIVISION: Division of Human Resources

PERSON COMPLETING THIS STATEMENT: Mark White, Staff Attorney

TELEPHONE NO.: 501-682-4227 **FAX NO.:** 501-682-4249 **EMAIL:** Mark.White@Arkansas.gov

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 Educator Licensure

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes _____ No X_____

2. Does this proposed, amended, or repealed rule affect small businesses?
Yes _____ No X_____

If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

Next Fiscal Year

General Revenue _____-0-_____

General Revenue _____-0-_____

Federal Funds _____

Federal Funds _____

Cash Funds _____

Cash Funds _____

Special Revenue _____

Special Revenue _____

Other (Identify) _____

Other (Identify) _____

Total _____

Total _____

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

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

DEPARTMENT OF EDUCATION
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION
(In compliance with Ark. Code Ann. §§ 10-3-309 and 25-15-204)

Regulation Title: **Rules Governing Educator Licensure**

Summary Description of Regulatory Proposal:

These rules are intended to replace seven (7) of the Department's existing rules governing educator licensure, which are being proposed for repeal. The purposes of the Rules are to establish requirements and procedures for the issuance, licensure, relicensure, and continuance of licensure of educators in the public schools of this state, as required by Ark. Code Ann. § 6-17-402; to provide for the acceptance of educator licenses by reciprocity, as required by A.C.A. § 6-17-403; to implement as a prerequisite to licensure the requirement of basic-skills, pedagogical, and content-area assessments, as required by A.C.A. §§ 6-17-402, 6-17-601, & 6-15-1004; to implement as a prerequisite to licensure the requirement of college coursework in Arkansas History for certain educators, as required by A.C.A. § 6-17-418; and to provide for the issuance of provisional licenses, as required by A.C.A. §§ 6-17-403 & 6-17-418.

Cite Statutory Authority for this Regulatory Proposal: **A.C.A. §§ 6-11-105, 6-17-401 et seq., and 25-15-204.**

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **No additional resources required.**
 - B. Time Required for Implementation. **No additional time required.**
 - C. Procedural Changes. **None.**
 - 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. **None.**
 - B. Time Required for Implementation. **None.**
 - C. Procedural Changes. **None.**
 - D. Other.
- III. Additional Comments. **None.**

Prepared by: **Mark White**
Staff Attorney
June 14, 2012

ARKANSAS REGISTER

Transmittal Sheet

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



Secretary of State

Mark Martin

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Department of Education

Department Division of Human Resources

Contact Mark White E-mail Mark.White@Arkansas.gov Phone (501) 682-4227

Statutory Authority for Promulgating Rules Ark. Code Ann. §§ 6-11-105, 6-17-401 et seq., and 25-15-201 et seq.

Rule Title: Repeal of ADE Rules Gov. Req. And Proc. For Renewing A Standard/Prof. Ark. Teaching License

Intended Effective Date

(Check One)

Emergency (ACA 25-15-204)

30 Days After Filing (ACA 25-15-204)

Other _____
(Must be more than 30 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

06/15/2012

07/16/2012

12/12/2012

10/08/2012

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Mark White Mark.White@Arkansas.gov

12/13/2012

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

Signature

(501) 682-4227

Mark.White@Arkansas.gov

Phone Number

E-mail Address

Staff Attorney

Title

12/13/2012

Date

**~~ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE REQUIREMENTS AND PROCEDURES FOR RENEWING
A STANDARD/PROFESSIONAL ARKANSAS TEACHING LICENSE~~**

~~February 2010~~

1.00 PURPOSE

- ~~1.01~~ The purpose of these rules is to establish the requirements and
—procedures for renewing a standard/professional Arkansas teaching license.

2.00 REGULATORY AUTHORITY

- ~~2.01~~ These rules are promulgated pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, 6-17-402 et seq., 25-15-201 et seq., and Act 1173 of 2009.

3.00 DEFINITIONS For purposes of these rules, the following terms shall be defined as follows:

- ~~3.01 Automatic Renewal~~ The process of renewing the standard/professional teaching license for those teachers employed in a public school setting, who were teaching the school year prior to the expiration of their teaching license, and who have cleared at least one background check with Arkansas State Police and FBI, and who have met the requirements for professional development.
- ~~3.02 Central Registry~~ The child maltreatment central registry established within the Arkansas Department of Human Services, which contains records of cases on all true investigation determinations of child maltreatment.
- ~~3.03 College Level Coursework~~ Coursework taken from a regionally or nationally accredited college/university that is in the area of licensure (OR) professional education coursework at the current level of licensure (OR) educational technology/computer courses (OR) a combination of the above mentioned (OR) coursework taken to add additional areas to a current teaching license.
- ~~3.04 Educational Setting~~ The employment setting where one is working as a teacher, librarian, counselor, administrator, educational consultant, or substitute teacher. This may be a public or private school, college/ university, educational co-op, Department of Education, adult education setting, or other agency or organization that employs licensed teachers in an educational setting.
- ~~3.05 Grace Period~~ That period of time immediately following the expiration of a standard teaching license, not to exceed one calendar year, to meet general renewal requirements without additional penalties or assessments.

~~3.06 Immediate Previous Year~~—The spring and fall semester of the current calendar year, (OR) the spring semester of the current calendar year and the prior fall semester.

~~3.07 Initial Teaching License~~ refers to a three-year teaching license, issued by the state, which allows one to teach in Arkansas public schools.

~~3.08 Standard Teaching License~~ refers to a five-year renewable license, issued by the state, which allows one to teach in Arkansas public schools.

~~3.09 Teacher~~—An individual who holds a standard/professional Arkansas teaching license (including expired and current), inclusive of educational administration, standard teaching—areas, approvals, non-instructional student services, adult education, added endorsements and professional and technical licensure areas.

~~3.10 Teaching Experience~~—That time period of experience gained while working in an—educational setting as a teacher, librarian, counselor, administrator, educational—consultant, or substitute teacher.

~~3.11 Professional Development~~—A coordinated set of planned, learning activities for teachers that are standards-based and that meet the required Focus Areas for Professional Development and the Approved Professional Development—Activities requirements as identified in the Arkansas Department of Education Rules—Governing Professional Development (July 2005).

~~3.12 Year of Teaching Experience~~—A year of teaching experience shall be a minimum of 120 days per school year or calendar year while employed in an educational setting.

~~3.13 Retired Teacher~~—A teacher who has retired and is actively drawing benefits from the Teacher Retirement System.

~~3.14 Professional Teaching License~~—A standard Arkansas teaching license that is issued upon the request of a teacher who has documented the completion of a Master's Degree and three years of teaching experience or who has documented current National Board Certification.

~~3.15 Initial Licensure~~—The first license issued to an applicant for teacher licensure. The first license issued may be a provisional, initial, or standard teaching license.

~~4.00 GENERAL RENEWAL REQUIREMENTS FOR A STANDARD/PROFESSIONAL ARKANSAS TEACHING LICENSE AND FOR A LICENSE THAT HAS BEEN EXPIRED LESS THAN ONE YEAR AND FOR RETIRED TEACHERS.~~

~~4.01~~ Teachers holding a current, standard/professional Arkansas teaching license may renew that license upon meeting the following general renewal requirements.

- ~~4.01.1 Teachers not teaching in a public school setting or teachers that have not met requirements for the automatic renewal of their teaching license shall submit an application for the renewal of their teaching license to the Office of Professional Licensure.~~
- ~~4.01.2 At the time of application, the teacher shall provide verification of the following requirements.~~
- ~~4.01.2.1 Teachers shall provide verification of sixty (60) clock hours of professional development annually, beginning with the 2005-2006 school year.~~
- ~~4.01.2.1.1 Teachers retiring prior to or after July 31, 2007, while holding a valid Arkansas teaching license, shall have professional development waived when:~~
- ~~4.01.2.1.1.1 The teacher has provided written documentation of having retired from teaching. This documentation shall be provided by the Arkansas Teacher Retirement System.~~
- ~~4.01.2.1.1.2 A teaching license that was valid at time of retirement has been expired less than one (1) year.~~
- ~~4.01.2.1.2 A teacher who retires while holding a valid teaching license, and returns to a licensed employment position with the public school district shall complete within the school year of the return to employment, the professional development required for the year in which the teacher returns and for each year thereafter while employed in the licensed position.~~
- ~~4.01.3 The teacher shall have successfully cleared all background checks as required by law.~~
- ~~4.01.3.1 Teachers who have successfully cleared the State Police and FBI background checks for licensure shall not be subject to another background check for the renewal of their teaching license.~~
- ~~4.01.4 The teacher shall also successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services as required by law.~~
- ~~4.01.4.1 Central registry checks are required for initial licensure and the teacher's first renewal.~~
- ~~4.01.4.2 Those teachers holding a one year provisional teaching license who have never completed a child maltreatment central registry check shall do so at~~

~~the conversion of their provisional teaching license to the standard teaching license.~~

~~4.01.5 Teachers renewing a standard/professional teaching license shall pay the required fee for renewal.~~

~~4.02 A one year, non-renewable provisional teaching license shall be issued to teachers that have not met general renewal requirements and to teachers whose license has been expired for less than one year, upon meeting the following requirements:~~

~~4.02.1 Submission of a completed licensure application form requesting the provisional license.~~

~~4.02.2 Teachers who have not successfully cleared the required State Police and FBI background checks shall do so:~~

~~4.02.2.1 Teachers who have successfully cleared the required State Police and FBI background checks for licensure, shall not be subject to another background check.~~

~~4.02.3 Teachers who have not requested and successfully clear a child maltreatment central registry check through the Department of Human Services shall do so as required by law.~~

~~4.02.3.1 Central registry checks are required for initial licensure and the teacher's first renewal.~~

~~4.02.3.2 Those teachers holding a one-year provisional teaching license who have never completed a child maltreatment central registry check shall do so at the conversion of their provisional teaching license to the standard teaching license.~~

~~4.02.4 The teacher shall verify employment on the Verification of Eligibility for Provisional Licensure form.~~

~~4.03 The one year, non-renewable provisional teaching license, shall be converted to the five year standard/professional teaching license upon meeting the following requirements~~

~~4.03.1 Submission of a licensure application form requesting the provisional teaching license be converted to the standard teaching license.~~

~~4.03.2 Written verification of completion of sixty (60) hours of professional development that was completed within one year of applying for the renewal of the teaching license, or within the year of provisional licensure if a provisional license was issued for employment.~~

~~4.03.3~~ Paying the required fee for renewal.

~~4.03.4~~ Documentation of having successfully cleared the child maltreatment central registry check when required.

~~5.00 REQUIREMENTS FOR THE RENEWAL OF A STANDARD/PROFESSIONAL TEACHING LICENSE THAT HAS BEEN EXPIRED FOR ONE (1) YEAR OR LONGER.~~

~~5.01~~ Teachers holding a standard/professional teaching license that has been expired for one (1) year or longer, shall have their license renewed provided they meet the following renewal requirements:

~~5.01.1~~ The teacher shall submit a completed application for the renewal of the teaching license to the Office of Professional Licensure.

~~5.01.2~~ Teachers shall successfully clear at least one State Police and FBI background check for their teaching license.

~~5.01.2.1~~ Teachers who have successfully cleared the required State Police and FBI background checks for licensure shall not be subject to another background check for the renewal of their teaching license.

~~5.01.3~~ The teacher shall also successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services as required by law.

~~5.01.3.1~~ Central registry checks are required for initial licensure and the teacher's first renewal.

~~5.01.3.2~~ Those teachers holding a one year provisional teaching license who have never completed a child maltreatment registry check shall do so at the conversion of their provisional teaching license to the standard teaching license.

~~5.01.4~~ Teachers who have successfully completed a specialty area assessment in at least one licensure/endorsement area shall complete the following requirements:

~~5.01.4.1~~ Successfully complete the current state required specialty area assessment in at least one licensure/endorsement area.

OR

-
- ~~5.01.4.1.1~~ Successfully complete six hours of college level coursework from a nationally/regionally accredited college or university.
-
- ~~5.01.4.2~~ Teachers who have successfully completed the current Praxis II Specialty Area assessment for a licensure/endorsement area shall not be allowed to retake that assessment to meet renewal requirements.
-
- ~~5.01.5~~ Teachers who have never successfully completed a specialty area assessment in at least one licensure/endorsement area shall successfully complete the current, state required specialty area assessment in at least one of their licensure/endorsement areas and successfully complete the current state required pedagogy assessment at their level of licensure. When the teacher holds licensure at different levels, they may complete the pedagogy assessment at the level of their choice.
-
- ~~5.01.6~~ Teachers whose license expired after 2005 shall provide verification of sixty (60) clock hours of professional development completed within one year of application for renewal or within the year of provisional licensure if a provisional license is issued for employment.
-
- ~~5.01.6.1~~ A teacher that was holding a valid Arkansas teaching license prior to or after July 31, 2007, at the time of retirement, but whose license has been expired longer than one (1) year, shall also meet requirements of 5.01.5.
-
- ~~5.01.7~~ Teachers shall pay the required fee for renewal.
- ~~5.01.8~~ A one year, non-renewable provisional teaching license shall be available for teachers not meeting general renewal requirements, and whose standard/professional Arkansas license has been expired for one year or longer upon meeting the following requirements.
-
- ~~5.01.8.1~~ The teacher shall submit a completed application for the provisional teaching license to the Office of Professional Licensure.
-
- ~~5.01.8.2~~ The teacher shall have successfully cleared the State Police and FBI background checks as required by law.
-
- ~~5.01.8.2.1~~ Teachers who have successfully cleared the required State Police and FBI background checks for licensure shall not be subject to another background check.

~~5.01.8.3~~ The teacher shall also successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services as required by law.

~~5.01.8.3.1~~ Central registry checks are required for initial licensure and the teacher's first renewal.

~~5.08.3.2~~ Those teachers holding a one-year provisional teaching license who have never completed a child maltreatment registry check shall do so at the conversion of their provisional teaching license to the standard teaching license.

~~5.01.8.4~~ The teacher shall verify employment on the Eligibility for Provisional Licensure form.

~~5.02~~ The one-year, non-renewable provisional teaching license shall be converted to the Standard/Professional teaching license upon meeting the following requirements:

~~5.02.1~~ For teachers who have successfully completed a specialty area assessment in at least one licensure/endorsement area:

~~5.02.1.1~~ Submission of a licensure application form requesting the conversion of the provisional teaching license.

AND

~~5.02.1.2~~ Verification of having successfully completed the required specialty area assessment,

OR

~~5.02.1.3~~ Verification of having successfully completed the six (6) hours of college-level coursework,

AND

~~5.02.1.4~~ Verification of having completed sixty (60) hours of professional development within one year of application for renewal or within the year of provisional licensure if a provisional license is issued for employment.

~~5.02.1.5~~ Verification of having paid the required fee for renewal.

~~5.02.2~~ For teachers who have not completed a specialty area assessment in at least one licensure/endorsement area:

~~5.02.2.1~~ Verification of having successfully completed the required specialty area assessment,

AND

~~5.02.2.2~~ Verification of having successfully completed the required pedagogy assessment at their level of licensure;

AND

~~5.02.2.3~~ Verification of having completed sixty (60) hours of professional development within one year of application for renewal or within the year of provisional licensure if a provisional license is issued for employment.

~~5.02.2.4~~ Verification of having paid the required fee for renewal

~~6.00 POLICIES AND PROCEDURES FOR RENEWAL OF A QUALIFIED CANDIDATE'S STANDARD/PROFESSIONAL ARKANSAS TEACHING LICENSE~~

~~6.01~~ The Arkansas standard/professional teaching license shall be renewed for a period of five years.

~~6.02~~ The effective date of a renewed teaching license shall be January 1 of the year following the expiration date of the license. See section 6.11.

~~6.03~~ The effective date of a renewed teaching license that has been expired longer than one year shall be January 1 of the year renewed.

~~6.04~~ A one year non-renewable provisional teaching license shall be available for teachers who have not met general renewal requirements, hold an expired teaching license, and are employed in a position by schools, and other agencies and organizations that require a current teacher license. Teachers shall have successfully cleared all background checks as required by law.

~~6.04.1~~ The one year provisional teaching license shall be available to those individuals employed as Teachers, Pathwise Mentors, Pathwise Monitors, Praxis III Assessors, Praxis III Assessor Trainers, Test Investigators, Scholastic Audit consultants, and others as defined by the Arkansas Department of Education.

~~6.05~~ The effective date of a one year, non-renewable, provisional teaching license shall be the hire date as documented by the employer.

~~6.06~~ The expiration date of a one year, non-renewable, provisional teaching license shall be one year from the hire date.

- ~~6.07~~ The expiration date of a renewed standard/professional teaching license shall be December 31st of the fifth year.
- ~~6.08~~ Individuals not teaching in a public school setting or individuals that have not met requirements for the automatic renewal of their teaching license shall submit an application for the renewal of their teaching license to the Office of Professional Licensure.
- ~~6.09~~ Teachers applying for the renewal of their teaching license shall have successfully cleared all background checks as required by law and shall have successfully cleared the child maltreatment central registry check through the Department of Human Services as required by law.
- ~~6.10~~ There shall be a grace period immediately following the expiration of a standard/professional teaching license, not to exceed one calendar year, to meet general renewal requirements without additional penalties or assessments.
- ~~6.11~~ Applications for the renewal of a standard/professional Arkansas teaching license may be submitted to the Office of Professional Licensure as early as January 1 of the year of expiration.
- ~~6.12~~ Coursework used for the renewal of a standard/professional teaching license shall be college level and from a regionally/nationally accredited college/university. The coursework shall be in the licensure area(s) held by the teacher (OR) professional education courses at the level of licensure held by the teacher (OR) basic computer/education technology courses (OR) coursework taken to add additional areas to a standard teaching license.
- ~~6.13~~ Documentation of experience for renewal purposes shall be provided by a public school superintendent, director of human resources, or director of other agency/organization employing licensed teachers.
- ~~6.14~~ Documentation of the required professional development for the renewal of a teaching license shall be provided by a public school superintendent, human resources director, or director of other agency/ organization employing licensed teachers.
- ~~6.15~~ Teachers who did not meet renewal requirements that were established under Arkansas Code § 6-17-601 and 6-17-602 shall meet the renewal requirements that will be required of all teachers and shall be eligible for a one year provisional teaching license.
- ~~6.16~~ The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas teaching license that has been issued in error.

- ~~6.17 Teachers shall not lose areas or levels of licensure at renewal as a result of transitioning to the new areas and levels of licensure.~~
- ~~6.18 Professional development required for the renewal of a standard/professional teaching license shall not be in addition to professional development required to meet standards for accreditation.~~
- ~~6.19 Teachers shall be able to add partial years of experience during the previous five years to meet the general renewal requirements.~~
- ~~6.20 Professional development shall be required for the renewal of a standard/professional teaching license.~~
- ~~6.21 Teachers shall pay the required fee for the renewal of a standard/professional Arkansas teaching license.~~

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT: Arkansas Department of Education

DIVISION: Division of Human Resources

PERSON COMPLETING THIS STATEMENT: Mark White, Staff Attorney

TELEPHONE NO.: 501-682-4227 **FAX NO.:** 501-682-4249 **EMAIL:** Mark.White@Arkansas.gov

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 Educator Licensure

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes _____ No X_____

2. Does this proposed, amended, or repealed rule affect small businesses?
Yes _____ No X_____

If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

Next Fiscal Year

General Revenue _____-0-_____

General Revenue _____-0-_____

Federal Funds _____

Federal Funds _____

Cash Funds _____

Cash Funds _____

Special Revenue _____

Special Revenue _____

Other (Identify) _____

Other (Identify) _____

Total _____

Total _____

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

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

DEPARTMENT OF EDUCATION
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION
(In compliance with Ark. Code Ann. §§ 10-3-309 and 25-15-204)

Regulation Title: **Rules Governing Educator Licensure**

Summary Description of Regulatory Proposal:

These rules are intended to replace seven (7) of the Department's existing rules governing educator licensure, which are being proposed for repeal. The purposes of the Rules are to establish requirements and procedures for the issuance, licensure, relicensure, and continuance of licensure of educators in the public schools of this state, as required by Ark. Code Ann. § 6-17-402; to provide for the acceptance of educator licenses by reciprocity, as required by A.C.A. § 6-17-403; to implement as a prerequisite to licensure the requirement of basic-skills, pedagogical, and content-area assessments, as required by A.C.A. §§ 6-17-402, 6-17-601, & 6-15-1004; to implement as a prerequisite to licensure the requirement of college coursework in Arkansas History for certain educators, as required by A.C.A. § 6-17-418; and to provide for the issuance of provisional licenses, as required by A.C.A. §§ 6-17-403 & 6-17-418.

Cite Statutory Authority for this Regulatory Proposal: **A.C.A. §§ 6-11-105, 6-17-401 et seq., and 25-15-204.**

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **No additional resources required.**
 - B. Time Required for Implementation. **No additional time required.**
 - C. Procedural Changes. **None.**
 - 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. **None.**
 - B. Time Required for Implementation. **None.**
 - C. Procedural Changes. **None.**
 - D. Other.
- III. Additional Comments. **None.**

Prepared by: **Mark White**
Staff Attorney
June 14, 2012

ARKANSAS REGISTER

Transmittal Sheet

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



Secretary of State

Mark Martin

State Capitol, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-3527

www.sos.arkansas.gov



For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Department of Education

Department Division of Human Resources

Contact Mark White E-mail Mark.White@Arkansas.gov Phone (501) 682-4227

Statutory Authority for Promulgating Rules Ark. Code Ann. §§ 6-11-105, 6-17-401 et seq., and 25-15-201 et seq.

Rule Title: Repeal of ADE Rules Governing Licensure of Speech Language Pathologists by the State Board of Ed.

Intended Effective Date

(Check One)

Emergency (ACA 25-15-204)

30 Days After Filing (ACA 25-15-204)

Other _____
(Must be more than 30 days after filing date.)

Date

Legal Notice Published 06/15/2012

Final Date for Public Comment 07/16/2012

Reviewed by Legislative Council 12/12/2012

Adopted by State Agency 10/08/2012

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Mark White Mark.White@Arkansas.gov 12/13/2012

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

Signature
(501) 682-4227 Mark.White@Arkansas.gov

Phone Number E-mail Address
Staff Attorney

Title
12/13/2012

Date

**ARKANSAS DEPARTMENT OF EDUCATION
RULES AND REGULATIONS GOVERNING THE
LICENSURE OF SPEECH LANGUAGE PATHOLOGISTS
BY THE STATE BOARD OF EDUCATION**

1.00 Regulatory Authority

- 1.01 These regulations shall be known as the Arkansas Department of Education's regulations governing the provision of State Board of Education Licensure for Speech Language Pathologists.
- 1.02 These regulations are enacted pursuant to the State Board of Educations's authority under Arkansas Code Annotated 6-17-402 (Supp. 1995).

2.00 Purpose

- 2.01 The purpose of these regulations is to set forth requirements for the provision of State Board of Education for Speech Language Pathologists.

3.00 General Requirements

- 3.01 An individual shall receive a license as a Speech Language Pathologist from the Arkansas Department of Education when the individual meets the following conditions:
 - 3.01.1 The individual has graduated with a Master's Degree from an accredited speech language pathology program and has taken the appropriate National Teacher's Examination (NTE) specialty examination and has scored at or above the cut-off score established by the Arkansas Department of Education.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT: Arkansas Department of Education

DIVISION: Division of Human Resources

PERSON COMPLETING THIS STATEMENT: Mark White, Staff Attorney

TELEPHONE NO.: 501-682-4227 **FAX NO.:** 501-682-4249 **EMAIL:** Mark.White@Arkansas.gov

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SHORT TITLE OF THIS RULE: Rules Governing Educator Licensure

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes _____ No X_____

2. Does this proposed, amended, or repealed rule affect small businesses?
Yes _____ No X_____

If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

Next Fiscal Year

General Revenue _____-0-_____

General Revenue _____-0-_____

Federal Funds _____

Federal Funds _____

Cash Funds _____

Cash Funds _____

Special Revenue _____

Special Revenue _____

Other (Identify) _____

Other (Identify) _____

Total _____

Total _____

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

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

DEPARTMENT OF EDUCATION
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION
(In compliance with Ark. Code Ann. §§ 10-3-309 and 25-15-204)

Regulation Title: **Rules Governing Educator Licensure**

Summary Description of Regulatory Proposal:

These rules are intended to replace seven (7) of the Department's existing rules governing educator licensure, which are being proposed for repeal. The purposes of the Rules are to establish requirements and procedures for the issuance, licensure, relicensure, and continuance of licensure of educators in the public schools of this state, as required by Ark. Code Ann. § 6-17-402; to provide for the acceptance of educator licenses by reciprocity, as required by A.C.A. § 6-17-403; to implement as a prerequisite to licensure the requirement of basic-skills, pedagogical, and content-area assessments, as required by A.C.A. §§ 6-17-402, 6-17-601, & 6-15-1004; to implement as a prerequisite to licensure the requirement of college coursework in Arkansas History for certain educators, as required by A.C.A. § 6-17-418; and to provide for the issuance of provisional licenses, as required by A.C.A. §§ 6-17-403 & 6-17-418.

Cite Statutory Authority for this Regulatory Proposal: **A.C.A. §§ 6-11-105, 6-17-401 et seq., and 25-15-204.**

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **No additional resources required.**
 - B. Time Required for Implementation. **No additional time required.**
 - C. Procedural Changes. **None.**
 - 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. **None.**
 - B. Time Required for Implementation. **None.**
 - C. Procedural Changes. **None.**
 - D. Other.
- III. Additional Comments. **None.**

Prepared by: **Mark White**
Staff Attorney
June 14, 2012

ARKANSAS REGISTER

Transmittal Sheet

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Department of Education

Department Division of Human Resources

Contact Mark White E-mail Mark.White@Arkansas.gov Phone (501) 682-4227

Statutory Authority for Promulgating Rules Ark. Code Ann. §§ 6-11-105, 6-17-401 et seq., and 25-15-201 et seq.

Rule Title: Repeal of ADE Rules Governing Teacher Licensure by Reciprocity

Intended Effective Date

(Check One)

Emergency (ACA 25-15-204)

30 Days After Filing (ACA 25-15-204)

Other _____
(Must be more than 30 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

06/15/2012

07/16/2012

12/12/2012

10/08/2012

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Mark White Mark.White@Arkansas.gov

12/13/2012

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

Signature

(501) 682-4227

Mark.White@Arkansas.gov

Phone Number

E-mail Address

Staff Attorney

Title

12/13/2012

Date

**ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING TEACHER
LICENSURE BY RECIPROCITY**

June 2012

1.00 REGULATORY AUTHORITY

- 1.01** These rules shall be known as the Arkansas Department of Education Rules Governing Teacher Licensure by Reciprocity.
- 1.02** These regulations are enacted pursuant to the authority of the State Board of Education under Ark Code Ann. §§ 6-11-105, 6-17-402, 6-17-410, 6-17-424, 25-15-204, and Act 1178 of 2011.

2.00 PURPOSE

- 2.01** These rules amend the previous Rules Governing the Certification Laws and Regulations. These rules govern provisional, initial, standard, or advanced licensure through reciprocity.

3.00 DEFINITIONS For the purpose of these Rules, the following terms shall mean:

- 3.01 Additional Licensure Plan (ALP)** the recognized process for allowing a licensed teacher to be employed in an out-of-field teaching position while meeting the program of study requirements and/or assessment requirements for said position.
- 3.02 Advanced License** a Standard Arkansas teaching license that is issued upon the request of a teacher who has documented the completion of a Master's Degree and three years of teaching experience or who has documented current National Board Certification.
- 3.03 Building Level Administrator** a principal, assistant principal or vice principal.
- 3.04 Central Registry** The Child Maltreatment Central Registry established within the Arkansas Department of Human Services which contains records of cases on all true investigation determinations of child maltreatment.
- 3.05 Content/Standard Teaching Area** the specific subject areas listed under Integrated Curriculum Humanities, Integrated Science Curriculum, Integrated Visual and Performance Arts, Integrated Vocational Education, Integrated Physical Education and Health and Special Education as listed in the State Board Approved Levels and Areas of Licensure.
- 3.06 Curriculum/Program Administrator** an individual who is responsible for program development and administration, and/or employment evaluation

decisions. Each Curriculum/Program Administrator license is limited to the following areas:

~~3.06.1~~ — ~~Special Education;~~

~~3.06.2~~ — ~~Gifted & Talented Education;~~

~~3.06.3~~ — ~~Career and Technical Education;~~

~~3.06.4~~ — ~~Content Area Specialist in an area approved by the State Board of Education; or~~

~~3.06.5~~ — ~~Curriculum Program Administrator.~~

~~3.07~~ — ~~**District Level Administrator**— a superintendent, assistant or associate superintendent, or deputy superintendent.~~

~~3.08~~ — ~~**Endorsement**— teaching or administrative licensure areas, which require an initial, standard, or advanced teaching license, prior to the endorsement being added.~~

~~3.09~~ — ~~**Induction**— the period of time beginning with a teacher’s or administrator’s first employment as the teacher-of-record or administrator in an Arkansas public school, cooperative, or agency that requires an Arkansas Initial teaching or initial administrator license.~~

~~3.10~~ — ~~**Initial Teaching License**— a three (3)-year teaching license, issued by the State Board of Education, which allows the license holder to teach in Arkansas public schools.~~

~~3.11~~ — ~~**Level and Area of Licensure:**~~

~~———— a.) **Level** of licensure — the grade/age level parameters of the teaching license, such as P-4, 4-8, P-8, P-12, 7-12 and PS (post-secondary).~~

~~———— b.) **Area** of licensure — the particular content field, including but not limited to, Early Childhood, Middle Childhood Science/Mathematics, Social Studies, and Family and Consumer Sciences.~~

~~3.12~~ — ~~**Mentoring**— the act of a certified mentor providing support and focused feedback to a novice teacher/administrator through the state-adopted mentoring model as a part of the Induction process.~~

~~3.13~~ — ~~**Novice teacher**— any licensed teacher-of-record with less than one (1) year of public school, or accredited private school, classroom teaching experience, not including student internship or substitute teaching.~~

- 3.14 Performance Assessment**—an assessment tool used for evaluation of the classroom performance of a novice teacher, as part of the Induction process.
- 3.15 Program of Study**—a curriculum offered at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation. The program requires a candidate to demonstrate and document competency in the specific knowledge, skills, and dispositions for a particular licensure area and level.
- 3.16 Provisional License by Reciprocity**—one (1) year teaching license that (may be renewable or non-renewable) allows a teacher coming from out of state or out of country to be employed as a teacher while completing all requirements necessary for the Initial, Standard, or Advanced teaching license. Applicants who have participated in, but not completed, an alternate route to licensure in another state are excluded from provisional licensure.
- 3.17 Reciprocity**—the recognition of a teaching license from another state or country based on the terms of the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement for Educator Licensure or Arkansas rules governing licensure by reciprocity.
- 3.18 Standard Non-Instructional License**—a five (5)-year renewable license, issued by the state, which allows one to practice in Arkansas public schools as a School Psychology Specialist or Speech Language Pathologist.
- 3.19 Standard Teaching License**—a five (5)-year renewable license, issued by the State Board of Education, which allows the license holder to teach in Arkansas public schools.
- 3.20 State Board Required Assessments**—specific performance—based assessments approved by the State Board of Education.
- 3.21 Teacher of Record**—an individual who has been assigned lead responsibility for a student's learning in a subject/course with aligned performance measures.
- 3.22 Teaching experience**—experience earned while employed as a licensed teacher, administrator, library media specialist, or counselor for a public or private school, agency or organization in a pre-kindergarten through grade 12 setting.

~~4.00 REQUIREMENTS FOR OBTAINING INITIAL, STANDARD, OR ADVANCED TEACHING LICENSE BY RECIPROCITY~~

~~4.01 Eligibility~~

~~4.01.1 Applicants holding a valid or expired, initial or standard teaching license from another state or country.~~

~~4.01.1.1 Applicants licensing in Added Endorsement Areas as identified in the Areas and Levels of Licensure holding or who have held a “content teaching area” of licensure.~~

~~4.01.1.2 Applicants holding a current, valid, standard teaching license or its equivalent issued by another state may choose to qualify for an Arkansas standard or advanced license under Section 12.0 of these Rules in lieu of the requirements of Section 4.0.~~

~~4.01.2 Any applicant that has completed a teacher preparation program from another state or country but did not license.~~

~~4.02 General Requirements~~

~~4.02.1 Teachers licensing through reciprocity with less than one year of teaching experience shall be issued an Initial / Provisional License and participate in the Induction Program (mentoring and the state mandated performance assessment)~~

~~4.02.2 Any individual who holds a valid teaching license from another state, and who has not graduated from a college/university holding regional/national accreditation and/or a teacher preparation program that holds a national accreditation approved by the U.S. Department of Education, or that is a state approved preparation program, is not eligible for licensure in Arkansas.~~

~~4.02.3 Specialty area assessments required for out-of state teacher licensure may be accepted for Arkansas teacher licensure.~~

~~4.02.4 Required assessments for Arkansas licensure through reciprocity shall be waived upon providing the following documentation:~~

~~4.02.4.1 Valid out-of-state teaching license as a teacher, administrator, library media specialist, counselor or in other compatible licensure areas as identified in the areas and levels of licensure as adopted by the State Board of Education.~~

~~4.02.4.2 Three years of teaching experience as documented on school district, agency or organization letterhead.~~

~~—————~~ **OR**

~~4.02.4.3 Score report reflecting a passing score for the Specialty Area Assessment(s) required for the out-of-state teaching license (OR) written verification from the licensing agency that the required Specialty Area Assessment(s) for licensure were successfully completed.~~

~~4.02.5 All out-of-country applicants shall have their credentials evaluated by one of the ADE approved private credential evaluation agencies located in the United States.~~

~~————— 4.02.5.1 The private evaluation agency shall complete a course-by-course evaluation of the applicant's transcript, indicate the applicant's major area of study and document whether the applicant's degree is equivalent to one that would have been completed at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.~~

~~————— 4.02.5.2 The private evaluation agency shall also document whether the professional preparation for teacher licensure out-of-country and the areas of teacher licensure represented by the out-of-country license are equivalent to a teacher preparation program in the United States that holds national accreditation approved by the US Department of Education, or that is state approved.~~

~~————— 4.02.5.3 This evaluation will determine eligibility for teacher
————— licensure in Arkansas.~~

~~4.02.6 Applicants from out of state or out of country with an expired license shall take and pass the Praxis II Specialty Area Test(s) for all areas of standard licensure and the Praxis II Principles of Learning and Teaching for the appropriate level of teacher licensure to be eligible for a standard Arkansas teaching license. Applicants with an expired license from out-of-state or out-of-country shall be eligible for a provisional license.~~

~~4.02.7 Out-of-state applicants for teacher licensure whose current license was granted without a specialty area assessment or who cannot~~

~~document at least three years of teaching experience shall take and pass the Praxis II Specialty Area Test for all areas of standard licensure and endorsements and the Praxis II Principles of Learning and Teaching for one of their levels of teacher licensure.~~

~~**4.02.8** All candidates with licensure areas/endorsements from other states with reciprocity agreements through the National Association of State Directors of Teacher Education and Certification (NASDTEC) shall receive the Arkansas equivalent licensure area(s)/endorsements, provided all other licensure requirements have been met.~~

~~**4.02.9** Applicants from out-of-state or out-of-country with a license in special education or a related service area(s), i.e. Visual Specialist or Hearing Specialist, seeking a standard teaching license shall initially meet the standards established for such licensure in Arkansas to receive a standard teaching license. A one year, renewable twice, provisional teaching license shall be available for those applicants not meeting the established standards for special education licensure. The applicant shall meet the standards established for special education licensure within three years of receiving a provisional license to be in keeping with the "highest standards" of the Individuals with Disabilities Education Act Amendments of 1997 pertaining to qualified personnel. The Office of Special Education will assist the Office of Professional Licensure in identifying the course of action for meeting Arkansas standards for licensure in special education or related service area(s). The provisional license shall be converted to a standard or advanced license upon meeting the established standards including the required Praxis II Specialty Area Assessments for Arkansas special education licensure.~~

~~**4.02.10** Teachers and/or administrators being licensed in Early Childhood P-4, Middle Childhood 4-8 or Secondary Social Studies, shall complete a three-hour course in Arkansas History before receiving an initial, standard, or advanced Arkansas teaching license. A one-year, non-renewable provisional teaching license shall be available for those that have not completed the three-hour Arkansas History course.~~

~~**4.02.11** Applicants whose standard teaching area(s) are not recognized by Arkansas shall receive the teaching area and level that most closely parallels their out-of-state or out-of-country licensure area(s).~~

~~**4.02.12** Applicants whose endorsement(s) are not equivalent to an Arkansas endorsement area, shall take the required Praxis II Specialty Area Exam(s) for the Arkansas endorsement area(s) that most closely parallels their out-of-state or out-of-country endorsement area(s) in~~

~~order to add the Arkansas endorsement area(s) to their standard or advanced teaching license. In cases where the endorsement area does not have a subject specific Praxis II Specialty Area Exam, the applicant shall complete the prescribed program of study for the endorsement area and Praxis II Exam assigned to that endorsement area.~~

~~**4.02.13** Standard and advanced teaching licenses will become effective January 1 of the year the license is issued and shall expire December 31 of the last year the license is valid. A standard or advanced teaching license shall be valid for five years.~~

~~**4.02.14** Candidates who completed an out-of-state teacher preparation program but never licensed, shall meet the following requirements for their Initial Arkansas teaching license.~~

~~**4.02.14.1** Submit an application for teacher licensure.~~

~~**4.02.14.2** Submit documentation of having completed a teacher preparation program that holds national accreditation recognized by the U.S. Department of Education, or that is state approved.~~

~~**4.02.14.3** Submit an official transcript(s) reflecting the completion of a Bachelor's Degree (Master's Degree when required), from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.~~

~~**4.02.14.4** Document successful passing of the state required basic skills assessment(s), specialty area assessment(s) for each licensure/endorsement area, and pedagogical assessment for one of their levels of licensure.~~

~~**4.02.14.5** Successfully clear a background check through the Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann. § 6-17-410.~~

~~**4.02.14.6** Successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services.~~

~~**4.02.14.7** Successfully complete the three-hour, college level, Arkansas History course when required.~~

~~4.02.14.8~~ The initial teaching license shall be converted to the five-year standard Arkansas teaching license upon successful completion of Induction (mentoring and Praxis III-Performance Assessment).

~~4.02.15~~ Only the areas of licensure and/or endorsement listed on an out-of-state or out-of-country license shall be recognized for licensure through reciprocity.

~~4.02.16~~ Candidates from out of state that have completed a teacher education program and hold an initial or provisional teaching license shall meet the following requirements for their Arkansas three-year initial teaching license.

~~4.02.16.1~~ Submit an application for teacher license.

~~4.02.16.2~~ Submit an official transcript reflecting the completion of a teacher preparation program with a minimum of a bachelor's degree (Master's degree when required), from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation, or that is state approved. The specific program, as well as the institution shall meet these criteria.

~~4.02.16.3~~ Submit an official transcript reflecting the completion of a Bachelor's Degree (Master's Degree when required), from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.

~~4.02.16.4~~ Document testing that was required for the out-of-state initial teaching license. When it cannot be documented that the applicant has met the requirements of Section 4.02.4 of these Rules, the applicant shall successfully complete the state required basic skills assessments(s), specialty area assessment(s) for each licensure/endorsement area and pedagogical assessment at one of their levels of licensure.

~~4.02.16.5~~ Successfully clear a background check through the Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann 6-17-410.

- ~~4.02.16.6~~ Successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services.
- ~~4.02.16.7~~ Candidates shall provide a copy of their out-of-state teaching license to the Office of Professional Licensure.
- ~~4.02.16.8~~ Candidates receiving the Initial Arkansas teaching license shall complete Induction (mentoring and Praxis III Performance Assessment).
- ~~4.02.16.9~~ Candidates shall successfully complete the three-hour, college-level, Arkansas History course when required.
- ~~4.02.16.10~~ The initial teaching license shall be converted to the five-year, standard or advanced Arkansas teaching license upon the successful completion of mentoring and the Praxis III — Performance Assessment.
- ~~4.02.17~~ The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas teaching license that has been issued in error.
- ~~4.02.18~~ Candidates from out of state that have completed a teacher preparation program and hold a standard teaching license shall meet the following requirements for their five-year, standard or advanced Arkansas teaching license.
 - ~~4.02.18.1~~ Submit an application for teacher licensure.
 - ~~4.02.18.2~~ Submit an official transcript reflecting the completion of a Bachelor's Degree (Master's Degree when required), from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.
 - ~~4.02.18.3~~ Successfully clear a background check through the Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann 6-17-410.
 - ~~4.02.18.4~~ Successfully clear a child maltreatment central registry check to be conducted by Department of Human Services.
 - ~~4.02.18.5~~ Provide verification of three years of teaching experience or verification of having successfully passed

a specialty area assessment(s) required for the out-of-state teaching license.

~~4.02.18.6~~ Candidates that cannot verify experience or testing shall successfully pass the state required specialty area assessment(s) for each licensure/endorsement area and pedagogical assessment at one of their levels of licensure.

~~4.02.18.7~~ Candidates shall provide a copy of their out-of-state teaching license.

~~4.02.18.8~~ Candidates shall pass the three-hour Arkansas History course when required.

~~4.02.19~~ Candidates from out-of-state that have completed a teacher preparation program and hold either an expired initial or expired standard teaching license, shall complete the following requirements for their initial, standard, or advanced teaching license.

~~4.02.19.1~~ Submit an application for teacher licensure.

~~4.02.19.2~~ Submit an official transcript reflecting the completion of a Bachelor's Degree (Master's Degree when required), from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.

~~4.02.19.3~~ Successfully clear a background check through the Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann 6-17-410.

~~4.02.19.4~~ Successfully clear a child maltreatment central registry check to be conducted by Department of Human Services.

~~4.02.19.5~~ Submit a copy of their expired out-of-state teaching license.

~~4.02.19.6~~ Successfully pass the state required specialty area assessment for each licensure/endorsement area, and the state required pedagogical assessment for one of their levels of licensure.

- ~~4.02.19.7~~ Candidates shall successfully pass a three-hour, Arkansas history course when required.
- ~~4.02.19.8~~ Candidates receiving the initial Arkansas teaching license shall complete Induction (mentoring and Praxis III-Performance Assessment).
- ~~4.02.19.9~~ The initial license shall be converted to the five-year, standard or advanced Arkansas teaching license upon the successful completion of mentoring and the Praxis III-Performance.
- ~~4.02.19.10~~ Candidates holding an expired teaching license shall be eligible for a provisional teaching license.
- ~~4.02.20~~ Candidates who completed an out-of-country teacher preparation program shall meet the following requirements for their initial, Arkansas teaching license.
 - ~~4.02.20.1~~ Submit an application for teacher licensure.
 - ~~4.02.20.2~~ Document successful passing of the state required basic skills assessment, specialty area assessment(s) for each licensure/endorsement area, and pedagogical assessment at one of their levels of licensure.
 - ~~4.02.20.3~~ Successfully clear a background check through the Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann § 6-17-410.
 - ~~4.02.20.4~~ Successfully clear a child maltreatment central registry check to be conducted by Department of Human Services.
 - ~~4.02.20.5~~ Meet the requirements of section 4.02.6 of these rules.
 - ~~4.02.20.6~~ Successfully pass the three-hour college-level Arkansas History course when required.
 - ~~4.02.20.7~~ The initial teaching license shall be converted to the five-year, standard or advanced Arkansas teaching license upon successful completion of Induction (Mentoring and Praxis III-Performance Assessment).
- ~~4.02.21~~ Candidates adding additional licensure/endorsement areas by reciprocity to a current Arkansas teaching license, shall meet the

~~requirements of the Rules Governing the Addition of Areas of Licensure or Endorsement.~~

- ~~4.02.22~~ Candidates choosing not to transfer all licensure/endorsement areas by reciprocity when licensing initially in Arkansas, shall meet the requirements of the Rules Governing the Addition of Areas of Licensure or Endorsement if/when the candidate chooses to add those licensure/endorsement areas at a later date.
- ~~4.02.23~~ All candidates for licensure by reciprocity shall clear the required State Police and Federal Bureau of Investigation background checks regardless of previous background checks already completed.
- ~~4.02.24~~ All candidates for licensure by reciprocity shall clear a child maltreatment central registry check to be conducted by the Department of Human Services.
- ~~4.02.25~~ Teachers licensing in P.E./Wellness/Leisure by reciprocity shall be given the licensure code numbers of 227 and/or 228 upon documentation of one year or more of prior coaching experience or eligibility to be employed as a coach.
 - ~~4.02.25.1~~ A coaching endorsement will not be added automatically to license with these codes, but the teacher will be allowed to coach.
- ~~4.02.26~~ When prior coaching experience or eligibility to be employed as a coach cannot be documented, the new licensure code numbers for P.E./Wellness/Leisure of 235 and/or 236 shall be assigned.
 - ~~4.02.26.1~~ Teachers holding the new licensure code numbers of 235 and/or 236 shall not be automatically approved to be employed as a coach in the public schools of Arkansas.
 - ~~4.02.26.2~~ Teachers holding the new licensure code of 235 and/or 236, employed as coaches shall work under the ALP (Additional Licensure Plan) for the coaching endorsement (7-12).
- ~~4.02.27~~ Individuals licensing as a Speech Language Pathologist shall meet the following requirements.

~~4.02.27.1 Document completion of a Master's Degree in Speech Language Pathology from a regionally accredited college/university.~~

~~4.02.27.2 Document successful passing of the required specialty area assessment.~~

~~4.02.27.3 Successfully clear the required State Police and FBI background checks.~~

~~4.02.27.4 Successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services.~~

~~4.02.28 Individuals licensing as a School Psychology Specialist shall meet the following requirements.~~

~~4.02.28.1 Document completion of an advanced degree in School Psychology from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation; or~~

~~4.02.28.2 Document completion of a Master's Degree in Counseling/Psychology with a graduate level program of study in School Psychology from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.~~

~~4.02.28.3 Document successful passing of the required Specialty area assessment.~~

~~4.02.28.4 Successfully clear the required State Police and FBI background checks.~~

~~4.02.28.5 Successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services.~~

~~4.02.29 The Office of Professional Licensure reserves the right to license individuals by Reciprocity that have met their state's degree/program of study requirements and testing requirement but have not fulfilled other ancillary requirements for licensure.~~

5.00 REQUIREMENTS FOR OBTAINING A PROVISIONAL TEACHING LICENSE BY RECIPROCITY

~~5.01~~ A one-year non-renewable provisional teaching license shall be issued to:

~~5.01.1~~ Out-of state or out-of country applicants who:

~~5.01.1.1~~ Have completed a teacher preparation but have not licensed or,

~~5.01.1.2~~ Hold a provisional, initial, or standard teaching license and,

~~5.01.1.3~~ Have been required to take Arkansas History or State-required licensure assessments.

~~5.02~~ The one-year non-renewable provisional teaching license shall be issued upon providing the following documentation, to the Office of Professional Licensure:

~~5.02.1~~ A completed licensure application form

~~5.02.2~~ Written documentation of transcript evaluation by a State approved, independent Evaluation agency located in the United States that meets the requirements of Section 4.02.6 of these rules.

~~5.02.3~~ Successfully clear the Arkansas State Police and Federal Bureau of Investigation background checks required by Ark. Code Ann. § 6-17-410.

~~5.02.4~~ Successfully clear a child maltreatment central registry check to be conducted by the Department of Human Services

~~5.02.5~~ Official transcripts

~~5.02.6~~ Copy of out-of state or out-of country teaching license.

~~5.02.7~~ Proof of employment on the Verification of Provisional Licensure Eligibility Form that reflects the employing school district and hire date.

~~5.03~~ Eligibility for a one-year renewable (two times) provisional teaching license:

~~5.03.1~~ Out-of state or out-of country applicants who

~~5.03.1.1~~ Completed a teacher preparation program but have not licensed or,

~~5.03.1.2~~ Holds an initial, provisional, or standard teaching license and,

~~5.03.1.3~~ Holds licensure/endorsement area (s) that are not equivalent with Arkansas licensure/endorsement areas and,

~~5.03.2~~ Completion of one-third of the program of study (coursework) shall be completed before renewing the provisional license for each of the two renewals allowed.

~~5.03.3~~ Completion of the program of study (coursework and testing) is required to convert the provisional to a standard or advanced Arkansas license.

~~5.04~~ The one-year renewable (two times) provisional teaching license shall be issued upon providing the following documentation.

~~5.04.1~~ A complete licensure application form.

~~5.04.2~~ Written documentation of transcript evaluation by a state approved, independent evaluation agency located in the United States that meets the requirements of Section 4.02.6 of these rules.

~~5.04.3~~ Successfully clearing the State required Arkansas State Police and Federal Bureau of Investigation background checks.

~~5.04.4~~ Successful clearance of a child maltreatment central registry check to be conducted by the Department of Human Services

~~5.04.5~~ Official transcripts reflecting completion of one-third of required coursework with no less than six hours per year.

~~5.04.6~~ Copy of out-of-state or out-of-country teaching license.

~~5.04.7~~ Proof of employment on the Verification of Provisional Licensure Eligibility Form that reflects the employing school district and hire date.

~~5.05~~ Applicants wishing to renew the provisional teaching license shall submit the following.

~~5.05.1~~ A completed application form

~~5.05.2~~ Proof of employment on the Verification of Provisional Licensure Eligibility that reflects the employing school district and hire date.

~~5.05.3~~ Verification of having completed the required coursework the preceding year.

~~5.06~~ A provisional teaching license shall become effective for one year from the date the teacher/administrator is hired.

~~5.07~~ A provisional license shall not be issued to any person possessing a valid Arkansas initial, standard, or advanced teaching license.

~~6.00~~ **REQUIREMENTS FOR CONVERTING A PROVISIONAL TEACHING LICENSE TO AN INITIAL, STANDARD, OR ADVANCED TEACHING LICENSE BY RECIPROCITY**

~~6.01~~ The one-year non-renewable provisional teaching license shall be converted to the three-year Initial or five-year Standard or Advanced teaching license when the following documentation has been submitted to the Office of Professional Licensure.

~~6.01.1~~ A completed application for licensure requesting the conversion of the provisional teaching license.

~~6.01.2~~ Score reports reflecting successful completion of the state required basic skills assessment (all parts), specialty area assessment(s) and pedagogical assessment when required.

~~6.01.3~~ Official transcript(s) reflecting the successful completion of a three (3)-hour Arkansas History course when required.

~~6.02~~ The one-year renewable provisional teaching license shall be converted to the three-year initial or five-year standard or advanced teaching license when the following documentation has been submitted to the Office of Professional Licensure.

~~6.02.1~~ A completed application for licensure requesting conversion of the provisional to the three-year initial or five-year standard or advanced teaching license.

~~6.02.2~~ Official transcript reflecting successful completion of a three (3)-hour Arkansas History course when required.

~~6.02.3~~ Score report reflecting successful completion of state required content assessment(s), pedagogical assessment and basic skills assessments (all parts) when required.

~~6.02.4 Official transcript and documentation of successful completion of program of study (coursework) when required.~~

~~**7.00 REQUIREMENTS FOR CONVERTING AN INITIAL TEACHING LICENSE TO A STANDARD OR ADVANCED TEACHING LICENSE.**~~

~~7.01 The three-year initial teaching license shall be converted to the five year standard or advanced teaching license upon providing the following documentation.~~

~~7.01.1 Verification of the successful completion of Induction (Mentoring and the Praxis III Performance Assessment).~~

~~**8.00 REQUIREMENTS FOR OBTAINING AN INITIAL BUILDING LEVEL OR CURRICULUM PROGRAM ADMINISTRATOR LICENSE BY RECIPROCITY**~~

~~**8.01 ELIGIBILITY**~~

~~8.01.1 The applicant shall hold or have previously held a standard "teaching area" of licensure in another state or country.~~

~~8.01.2 The applicant shall hold a valid Initial Administrator license or its equivalent in another state or country.~~

~~8.01.2.1 There are two Initial Administrator licenses.~~

~~8.01.2.1.1 Building Level Administrator,~~

~~AND~~

~~8.01.2.1.2 Curriculum Program Administrator~~

~~8.01.3 Applicants shall have completed a graduate degree from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.~~

~~8.01.4 If the graduate degree is not in Educational Leadership, the applicant shall have completed in addition to the degree a graduate level Educational Leadership program of study at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.~~

~~8.01.5~~ The applicant seeking licensure as an Initial Building Level Administrator shall have a minimum of four years of teaching experience.

~~8.01.5.1~~ Four (4) years of experience as a school counselor or library media specialist may be counted toward the total of four (4) years of classroom teaching experience for Building Level Administrator only.

~~8.01.6~~ The applicant seeking licensure as an Initial Curriculum Program Administrator shall have a minimum of four years of teaching experience.

~~8.01.7~~ Applicants for licensure as an Initial Curriculum Program Administrator shall also hold Arkansas licensure in the specialty area where applicable.

~~8.01.7.1~~ If the specialty area is an added endorsement area gained without a program of study, it will not serve as a platform for gaining the Curriculum Program Administrator License.

~~9.00 CONVERTING THE INITIAL BUILDING LEVEL ADMINISTRATOR LICENSE TO A STANDARD BUILDING LEVEL ADMINISTRATOR LICENSE~~

~~9.01~~ The Initial Building Level Administrator License shall be converted to a Standard Building Administrator license when:

~~9.01.1~~ A minimum of one year work experience as a Building Level Administrator is verified.

~~9.01.2~~ The applicant has completed one year of the state mentoring program for Building Level Administrators.

~~9.01.3~~ The applicant has passed and submitted a score report for the School Leaders Licensure Assessment.

~~9.02~~ If experience and/or testing and/or mentoring were completed out of state, and/or verified, they shall be waived in Arkansas.

~~10.00 CONVERTING THE INITIAL CURRICULUM PROGRAM ADMINISTRATOR LICENSE TO A STANDARD CURRICULUM PROGRAM ADMINISTRATOR LICENSE~~

~~10.00~~ The Initial Curriculum Program Administrator license shall be converted to a Standard Curriculum Program Administrator license when:

~~10.00.1~~ A minimum of one-year work experience as a Curriculum Program Administrator is verified.

~~10.00.2~~ The applicant has completed one year of the state mentoring program for Curriculum Program Administrator.

~~10.00.3~~ The applicant has passed and submitted a score report for the School Leaders Licensure Assessment.

~~10.02~~ If experience and/or testing and/or mentoring were completed out of state, and/or verified, they shall be waived in Arkansas.

~~11.00 REQUIREMENTS FOR ADDING ADDITIONAL AREAS OF LICENSURE/ENDORSEMENT BY RECIPROCITY~~

~~11.01~~ Applicants shall submit a completed application requesting the addition of the area(s) of licensure or endorsement.

~~11.02~~ Applicants seeking to add content teaching areas, adult education, added endorsement areas, non-instructional student services areas, and professional and technical areas to an Arkansas license by reciprocity shall meet the requirements of the Rules Governing the Addition of Areas of Licensure or Endorsement and/or rules governing a particular licensure/endorsement area.

~~11.03~~ Arkansas required Praxis Assessment(s) shall be waived upon providing documentation of having completed the specialty area assessment required for the out-of-state licensure area.

~~11.03.1~~ When testing was not required for the out-of-state teaching license, or the licensure area being added by reciprocity is incompatible with the equivalent Arkansas licensure/endorsement area, the applicant shall successfully complete the required Arkansas Praxis Assessment(s).

~~11.04~~ A Master's Degree in an area other than Education Leadership shall be a Master's Degree in Education or a Master's Degree in a content/added endorsement area as identified in the areas and levels of licensure as approved by the State Board of Education.

~~12.00 ACT 1178 OF 2011 STANDARD LICENSE RECIPROCITY~~

~~12.01~~ A teacher holding a current, valid, standard teaching license or its equivalent from another state may apply for and receive an Arkansas five-year Standard or Advanced Teaching License upon meeting the following requirements:

- ~~12.01.1~~ Provide a copy of the out-of-state teaching license to the Office of Professional Licensure;
- ~~12.01.2~~ Submit proof that the applicant is in good standing with the licensing state, and that the applicant has been in good standing with the licensing state during the most recent two (2) years of the applicant's teaching experience, if any;
 - ~~12.01.2.1~~ For the purpose of this section, "good standing" is defined as holding a current, unrestricted, non-probationary, non-provisional license to teach in the licensing state, with no ethics or similar proceedings pending against the license;
- ~~12.01.3~~ Successfully pass a criminal background check and Child Maltreatment Central Registry check;
- ~~12.01.4~~ Submit higher education transcripts evidencing the award of at least a bachelor's degree by an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation;
- ~~12.01.5~~ Submit reports evidencing all test scores required for licensing in the licensing state;
 - ~~12.01.5.1~~ This requirement to submit test scores may be waived by submitting documentation of three (3) years of teaching experience as documented on school district, agency, or organization letterhead;
- ~~12.01.6~~ Submit documentation of one (1) of the following:
 - ~~12.01.6.1~~ Completion of a program of teacher education at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation; or
 - ~~12.01.6.2~~ Completion of a program of teacher education accredited by the National Council for Accreditation of Teacher Education (NCATE), Teacher Education Accreditation Council (TEAC), or Council for Accreditation of Educator Preparation (CAEP); or

~~12.01.6.3~~ Certification from the National Board of Professional Teaching Standards; and

~~12.01.7~~ Pay applicable licensure fees as established by the State Board of Education pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C).

~~12.02~~ An applicant seeking licensure in Early Childhood P-4, Middle Childhood 4-8 or Secondary Social Studies, shall successfully complete three (3) college credit hours in *Arkansas History* at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation before receiving an Arkansas five-year Standard or Advanced Teaching License.

~~12.02.1~~ A one-year, non-renewable provisional teaching license shall be available for an applicant who has not completed the three-hour *Arkansas History* course.

~~12.03~~ An applicant whose standard teaching area(s) are not recognized by Arkansas shall receive the teaching area and level that most closely parallels their out-of-state licensure area(s).

~~12.03.1~~ If none of the Applicant's standard teaching area(s) parallel an Arkansas teaching area, the Office of Professional Licensure shall issue a license reflecting the same area reflected on the out-of-state license, with a notation that the identified license area is by reciprocity and is not an approved Arkansas teaching area.

~~12.04~~ Standard or advanced teaching licenses will become effective January 1 of the year the license is issued and shall expire December 31 of the last year the license is valid. A standard or advanced teaching license shall be valid for five years.

~~12.05~~ The areas of licensure and/or endorsement listed on an out-of-state license shall be recognized for licensure through reciprocity.

~~12.06~~ The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas teaching license that has been issued in error.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT: Arkansas Department of Education

DIVISION: Division of Human Resources

PERSON COMPLETING THIS STATEMENT: Mark White, Staff Attorney

TELEPHONE NO.: 501-682-4227 **FAX NO.:** 501-682-4249 **EMAIL:** Mark.White@Arkansas.gov

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 Educator Licensure

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes _____ No X_____

2. Does this proposed, amended, or repealed rule affect small businesses?
Yes _____ No X_____

If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

Next Fiscal Year

General Revenue _____-0-_____

General Revenue _____-0-_____

Federal Funds _____

Federal Funds _____

Cash Funds _____

Cash Funds _____

Special Revenue _____

Special Revenue _____

Other (Identify) _____

Other (Identify) _____

Total _____

Total _____

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

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

DEPARTMENT OF EDUCATION
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION
(In compliance with Ark. Code Ann. §§ 10-3-309 and 25-15-204)

Regulation Title: **Rules Governing Educator Licensure**

Summary Description of Regulatory Proposal:

These rules are intended to replace seven (7) of the Department's existing rules governing educator licensure, which are being proposed for repeal. The purposes of the Rules are to establish requirements and procedures for the issuance, licensure, relicensure, and continuance of licensure of educators in the public schools of this state, as required by Ark. Code Ann. § 6-17-402; to provide for the acceptance of educator licenses by reciprocity, as required by A.C.A. § 6-17-403; to implement as a prerequisite to licensure the requirement of basic-skills, pedagogical, and content-area assessments, as required by A.C.A. §§ 6-17-402, 6-17-601, & 6-15-1004; to implement as a prerequisite to licensure the requirement of college coursework in Arkansas History for certain educators, as required by A.C.A. § 6-17-418; and to provide for the issuance of provisional licenses, as required by A.C.A. §§ 6-17-403 & 6-17-418.

Cite Statutory Authority for this Regulatory Proposal: **A.C.A. §§ 6-11-105, 6-17-401 et seq., and 25-15-204.**

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **No additional resources required.**
 - B. Time Required for Implementation. **No additional time required.**
 - C. Procedural Changes. **None.**
 - 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. **None.**
 - B. Time Required for Implementation. **None.**
 - C. Procedural Changes. **None.**
 - D. Other.
- III. Additional Comments. **None.**

Prepared by: **Mark White**
Staff Attorney
June 14, 2012

ARKANSAS REGISTER

Transmittal Sheet

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



Secretary of State

Mark Martin

State Capitol, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-3527

www.sos.arkansas.gov



For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Department of Education

Department Division of Human Resources

Contact Mark White E-mail Mark.White@Arkansas.gov Phone (501) 682-4227

Statutory Authority for Promulgating Rules Ark. Code Ann. §§ 6-11-105, 6-17-401 et seq., and 25-15-201 et seq.

Rule Title: Repeal of ADE Rules Governing Parental Notification of an Assignment of a Non-Licensed Teacher

Intended Effective Date

(Check One)

Emergency (ACA 25-15-204)

30 Days After Filing (ACA 25-15-204)

Other _____
(Must be more than 30 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

06/15/2012

07/16/2012

12/12/2012

10/08/2012

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Mark White

Mark.White@Arkansas.gov

12/13/2012

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

Signature

(501) 682-4227

Mark.White@Arkansas.gov

Phone Number

E-mail Address

Staff Attorney

Title

12/13/2012

Date

~~ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING PARENTAL NOTIFICATION OF AN ASSIGNMENT
OF A NON-LICENSED TEACHER TO TEACH A CLASS FOR MORE THAN
THIRTY (30) CONSECUTIVE DAYS AND FOR GRANTING WAIVERS~~

~~September 2007~~

~~1.00 REGULATORY AUTHORITY~~

~~1.01 These rules shall be known as the Arkansas Department of Education (ADE) Rules Governing Parental Notification of an Assignment of a Non-Licensed Teacher to Teach a Class for More Than Thirty (30) Consecutive School Days During a School Year and for Granting Waivers.~~

~~1.02 These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, 6-17-309 and 25-15-201 et seq.~~

~~2.00 PURPOSE~~

~~2.01 The purpose of these Rules is to establish the procedure whereby a school district may obtain a waiver from the Arkansas Department of Education for teachers who will be teaching outside of the grade level or subject area they are licensed to teach for more than thirty (30) consecutive school days in the same class during a school year.~~

~~3.00 DEFINITIONS — For the purpose of these rules, the following definitions shall apply:~~

~~3.01 **Licensed teacher** is defined as any teacher who holds a current _____ standard, initial or provisional teaching license issued by the Arkansas _____ Department of Education.~~

~~3.02 **Not licensed to teach the grade level** is defined as any teacher assigned to a grade level for which the teacher does not have the appropriate license or approval for that grade level.~~

~~3.03 **Not licensed to teach the subject area** is defined as any teacher assigned to teach a subject for which the teacher does not have the appropriate license or approval to teach.~~

~~3.04 **Teacher** is defined to mean any person employed by a school district on a full-time or part-time employment basis, that are assigned a teaching position with a class of students and for which a teaching license is required. Teacher shall also include counselors, library media specialist and school administrators.~~

- 3.05 ~~**Undue Hardship** is defined as the inability of a school district to employ a qualified teacher who is licensed at the grade level or for the subject area assigned.~~
- 3.06 ~~**Waiver** is defined as an approval granted by the Arkansas Department of Education allowing a school district to employ a licensed teacher in a subject or grade level for which they are not licensed for longer than thirty consecutive days during a school year.~~
- 4.00 ~~EMPLOYMENT OF TEACHERS WHO ARE NOT LICENSED TO TEACH THE GRADE LEVEL OR SUBJECT AREA OF THE CLASS ASSIGNED~~
- 4.01 ~~School districts shall aggressively seek to employ teachers who are licensed and highly qualified (when required) for the grade level and subject areas assigned.~~
- 4.02 ~~When a school district cannot employ a qualified teacher licensed at the grade level or for the subject being assigned, the school district shall actively recruit a licensed teacher who will work towards becoming licensed and highly qualified (when required) for the grade level assigned or for the specific subject assigned to teach.~~
- 4.03 ~~The licensure requirements of Ark. Code Ann. § 6-17-309 (Act 1623 of 2001) shall not apply to non-degreeed vocational-technical teachers and those persons approved by the Department of Education to teach the grade level or subject area of the class in the Department of Education's distance learning program.~~
- 4.04 ~~Teachers with letters of provisional eligibility (six-month or one-year) and teachers presenting other letters verifying their eligibility for a provisional, initial or standard license that are employed by a school district will be considered licensed teachers and will not require a waiver as long as they are teaching at the grade level or the specific subject for which they are licensed.~~
- 5.00 ~~APPROVAL PROCEDURES AND REPORTING OF WAIVERS~~
- 5.01 ~~Superintendents may apply for a waiver from the Arkansas Department of Education if the requirement imposes an undue hardship on the school district.~~
- 5.02 ~~A waiver application shall be submitted to the Assistant Commissioner for Human Resources/Licensure as soon as an undue hardship is determined by the superintendent. All applications for waivers shall be reviewed by the Arkansas Department of Education. The application shall include:~~

- ~~A. A listing of all teachers including Social Security numbers, current licensure area(s), out of area and out of grade level teaching assignment, whether the assignment requires the teacher to be Highly Qualified or not, completed Additional Licensure Plan (ALP) and all school years, employed out of area, or grade level.~~
 - ~~B. A justification for the waiver documenting the effort of the district to find a fully licensed and Highly Qualified teacher. Districts will not have to verify re-advertising for the second and third years for a position, as long as the teacher has made adequate yearly progress on the ALP.~~
 - ~~C. The school written plan with timelines for completion of the program of study and/or specialty area assessment for becoming licensed and Highly Qualified when required.~~
 - ~~D. For teachers who taught on a waiver in this subject area last year or in previous years, the district shall provide evidence of progress made by this teacher to become licensed and Highly Qualified (when required).~~
 - ~~E. Districts shall apply for a waiver each year that a teacher is teaching/working out of area for a maximum of three (3) years.~~
 - ~~F. The superintendent of any school district that obtains a waiver shall send written notice of the assignment of a non-licensed teacher to the parent or guardian of each student in that classroom no later than thirty (30) school days after the date of the assignment.~~
 - ~~G. The superintendent is exempt from sending out parental notifications of the assignment of a non-licensed school counselor, librarian, or other individuals employed in positions requiring licensure as a building level administrator, district level administrator, or curriculum program administrator.~~
- 5.03 Upon approval of a waiver request, the Arkansas Department of Education shall issue a letter of waiver to the school district in care of the superintendent of the school district.
- 5.04 The final decision regarding the granting of the waiver shall rest with the Arkansas State Board of Education.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT: Arkansas Department of Education

DIVISION: Division of Human Resources

PERSON COMPLETING THIS STATEMENT: Mark White, Staff Attorney

TELEPHONE NO.: 501-682-4227 **FAX NO.:** 501-682-4249 **EMAIL:** Mark.White@Arkansas.gov

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 Educator Licensure

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes _____ No X_____

2. Does this proposed, amended, or repealed rule affect small businesses?
Yes _____ No X_____

If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

Next Fiscal Year

General Revenue _____-0-_____

General Revenue _____-0-_____

Federal Funds _____

Federal Funds _____

Cash Funds _____

Cash Funds _____

Special Revenue _____

Special Revenue _____

Other (Identify) _____

Other (Identify) _____

Total _____

Total _____

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

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

DEPARTMENT OF EDUCATION
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION
(In compliance with Ark. Code Ann. §§ 10-3-309 and 25-15-204)

Regulation Title: **Rules Governing Educator Licensure**

Summary Description of Regulatory Proposal:

These rules are intended to replace seven (7) of the Department's existing rules governing educator licensure, which are being proposed for repeal. The purposes of the Rules are to establish requirements and procedures for the issuance, licensure, relicensure, and continuance of licensure of educators in the public schools of this state, as required by Ark. Code Ann. § 6-17-402; to provide for the acceptance of educator licenses by reciprocity, as required by A.C.A. § 6-17-403; to implement as a prerequisite to licensure the requirement of basic-skills, pedagogical, and content-area assessments, as required by A.C.A. §§ 6-17-402, 6-17-601, & 6-15-1004; to implement as a prerequisite to licensure the requirement of college coursework in Arkansas History for certain educators, as required by A.C.A. § 6-17-418; and to provide for the issuance of provisional licenses, as required by A.C.A. §§ 6-17-403 & 6-17-418.

Cite Statutory Authority for this Regulatory Proposal: **A.C.A. §§ 6-11-105, 6-17-401 et seq., and 25-15-204.**

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **No additional resources required.**
 - B. Time Required for Implementation. **No additional time required.**
 - C. Procedural Changes. **None.**
 - 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. **None.**
 - B. Time Required for Implementation. **None.**
 - C. Procedural Changes. **None.**
 - D. Other.
- III. Additional Comments. **None.**

Prepared by: **Mark White**
Staff Attorney
June 14, 2012

ARKANSAS REGISTER

Transmittal Sheet

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



Secretary of State

Mark Martin

State Capitol, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-3527

www.sos.arkansas.gov



For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Department of Education

Department Division of Human Resources

Contact Mark White E-mail Mark.White@Arkansas.gov Phone (501) 682-4227

Statutory Authority for Promulgating Rules Ark. Code Ann. §§ 6-11-105, 6-17-401 et seq., and 25-15-201 et seq.

Rule Title: Repeal of Arkansas Department of Education Rules Governing Waivers for Substitute Teachers

Intended Effective Date

(Check One)

- Emergency (ACA 25-15-204)
- 30 Days After Filing (ACA 25-15-204)
- Other _____
(Must be more than 30 days after filing date.)

	Date
Legal Notice Published	<u>08/16/2012</u>
Final Date for Public Comment	<u>09/17/2012</u>
Reviewed by Legislative Council	<u>12/12/2012</u>
Adopted by State Agency	<u>10/08/2012</u>

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Mark White Mark.White@Arkansas.gov 12/13/2012

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

_____ (501) 682-4227	_____ Mark.White@Arkansas.gov
_____ Phone Number	_____ E-mail Address
_____ Staff Attorney	_____ Title
_____ 12/13/2012	_____ Date

~~ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING WAIVERS FOR SUBSTITUTE TEACHERS
September 2007~~

~~1.00 — REGULATORY AUTHORITY~~

~~1.01 — These rules shall be known as the Arkansas Department of Education (ADE) Rules Governing Waivers for Substitute Teachers.~~

~~1.02 — These rules are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. §§ 6-11-105, 6-15-1004, 6-17-402, 25-15-201 et seq. and Acts 46 and 57 of 2007.~~

~~2.00 — PURPOSE~~

~~2.01 — The purposes of these rules are to improve instruction by ensuring that no class of students receives instructions from a substitute teacher(s) for more than thirty (30) consecutive school days in the same class during the year unless that teacher has a bachelor's degree awarded by an accredited college or university or has been licensed to teach by the State of Arkansas, and to establish the procedures for requesting from the State Board of Education, or its designee, a waiver for substitute teachers.~~

~~3.00 — DEFINITIONS — For the purpose of these Rules, the following definitions shall apply:~~

~~3.01 — **Department** means the Arkansas Department of Education.~~

~~3.02 — **Licensed teacher** means any school district employee who is licensed by the ADE Professional Licensure Office.~~

~~3.03 — **Substitute teacher** is defined as the person who takes the place of the contracted licensed teacher on a short-term or long-term basis. Any person serving as a substitute teacher shall be a high school graduate or hold a Graduate Equivalent Degree (G.E.D.).~~

~~3.04 — **Undue Hardship Situations** means those events which would cause the school district to believe it could not attain compliance with these rules and thus apply to the Arkansas State Board of Education for a waiver.~~

~~4.00 — EMPLOYMENT OF SUBSTITUTE TEACHERS~~

~~4.01 — Since it is sometimes necessary to utilize the services of substitute personnel, school districts should select competent individuals who can be entrusted with the instructional responsibilities of the school. As much~~

~~care should be given to the recruitment, selection and utilization of those who will be used as substitutes as is given to licensed personnel.~~

~~4.02 — A person serving as a substitute teacher shall be a high school graduate or hold a Graduate Equivalent Degree (G.E.D.).~~

~~4.03 — Substitute teachers assigned to the same class for more than thirty (30) consecutive days during a school year must hold a bachelor's degree awarded by an accredited college or university or be licensed to teach by the State of Arkansas.~~

~~4.03.1 — The school district shall request a waiver to employ a substitute teacher(s) whenever a class of students will be receiving instructions from a substitute teacher or teachers for longer than thirty (30) consecutive days unless the substitute is fully licensed in Arkansas for areas in which the substitute is employed.~~

~~4.03.1.1 — School districts shall not avoid a waiver request by terminating the services of a substitute teacher(s) prior to the thirty first (31st) day of instruction.~~

~~4.04 — A substitute teacher or teachers possessing a bachelor's degree shall continue to teach the class from at least the thirty first (31st) consecutive day after the regular teacher is absent from the class until the return of the regular teacher to that class.~~

~~4.05 — This provision shall not apply to non-degreed vocational technical teachers.~~

~~5.00 — APPROVAL PROCEDURES AND REPORTING OF WAIVERS~~

~~5.01 — Superintendents may apply for a waiver from the Arkansas State Board of Education if the requirements set fourth in Section 4.00 of these rules impose an undue hardship on a school or district.~~

~~5.02 — A written application for waivers shall be submitted to the Department's Assistant Commissioner for Human Resources/Licensure, as soon as an undue hardship is determined by the superintendent. The application letter shall include:~~

~~5.02.1 — A justification of need for the waiver,~~

~~5.02.2 — Documentation that a currently licensed personnel and/or personnel with a bachelor's degree is not available to be employed,~~

~~5.02.3 — Instructional area that will be assigned to the substitute teacher, and~~

~~5.02.4 — The length of time the substitute will be employed.~~

- ~~5.03~~ — ~~Waivers for use of a substitute teacher(s) for longer than thirty (30) days may be granted for only one semester but may be renewed for a second semester. Such waivers are to be submitted immediately once the substitute(s) have been in the classroom for thirty one (31) days.~~
- 5.04 — Applications for waivers shall be reviewed by the Department and presented to the Arkansas State Board of Education for its decision.
- 5.05 — The final decision regarding the granting of the waiver will rest with the Arkansas State Board of Education.
- 5.06 — Any school district granted a waiver will be reported in the Department's annual school district report card.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT: Arkansas Department of Education

DIVISION: Division of Human Resources

PERSON COMPLETING THIS STATEMENT: Mark White, Staff Attorney

TELEPHONE NO.: 501-682-4227 **FAX NO.:** 501-682-4249 **EMAIL:** Mark.White@Arkansas.gov

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 Educator Licensure

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes _____ No X_____

2. Does this proposed, amended, or repealed rule affect small businesses?
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If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

Next Fiscal Year

General Revenue _____-0-_____

General Revenue _____-0-_____

Federal Funds _____

Federal Funds _____

Cash Funds _____

Cash Funds _____

Special Revenue _____

Special Revenue _____

Other (Identify) _____

Other (Identify) _____

Total _____

Total _____

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

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

Current Fiscal Year

Next Fiscal Year

\$ _____-0-_____

\$ _____-0-_____

DEPARTMENT OF EDUCATION
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION
(In compliance with Ark. Code Ann. §§ 10-3-309 and 25-15-204)

Regulation Title: **Rules Governing Educator Licensure**

Summary Description of Regulatory Proposal:

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Cite Statutory Authority for this Regulatory Proposal: **A.C.A. §§ 6-11-105, 6-17-401 et seq., and 25-15-204.**

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **No additional resources required.**
 - B. Time Required for Implementation. **No additional time required.**
 - C. Procedural Changes. **None.**
 - 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. **None.**
 - B. Time Required for Implementation. **None.**
 - C. Procedural Changes. **None.**
 - D. Other.
- III. Additional Comments. **None.**

Prepared by: **Mark White**
Staff Attorney
June 14, 2012