

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



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Name of Department \_\_\_\_\_

Agency or Division Name \_\_\_\_\_

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact E-mail \_\_\_\_\_

Contact Phone \_\_\_\_\_

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Name of Rule \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Date of Publishing \_\_\_\_\_

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Location and Time of Public Meeting \_\_\_\_\_

**~~ARKANSAS DEPARTMENT OF EDUCATION~~**  
**DIVISION OF ELEMENTARY AND SECONDARY EDUCATION**  
**RULES GOVERNING PARENTAL INVOLVEMENT PLANS AND**  
**FAMILY AND COMMUNITY ENGAGEMENT**  
**July 2018**\_\_\_\_\_

**1.00 REGULATORY AUTHORITY**

- 1.01 These rules shall be known as ~~Arkansas Department of Education~~ the Division of Elementary and Secondary Education Rules Governing Parental Involvement Plans and Family and Community Engagement.
- 1.02 The State Board of Education enacts these Rules pursuant to its authority as set forth in Ark. Code Ann. §§ 6-11-105, 6-15-1005(f), 6-15-1701 *et seq.*, 6-15-2202, 25-15-201 *et seq.*, and ~~Act 936 of 2017~~ Act 757 of 2019.

**2.00 DEFINITIONS**

For the purposes of these Rules:

- 2.01 ~~“Department” means the Arkansas Department of Education.~~ “Division” means the Division of Elementary and Secondary Education.
- 2.02 “Parent” means a natural parent, a legal guardian, or other person standing *in loco parentis* (including without limitation a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child’s welfare).
- 2.03 “Parental Involvement” incorporates and encompasses references to “Family and Community Engagement,” as set forth in the Every Student Succeeds Act.
- 2.04 “Public School” means those schools created pursuant to Title 6 of the Arkansas Code and subject to the Arkansas Educational Support and Accountability Act, specifically excluding those schools or educational programs created by or receiving authority to exist pursuant to Ark. Code Ann. §§9-28-205, 12-29-301, et seq., or other provisions of Arkansas law. Any reference to “Public School” in these Rules includes open-enrollment public charter schools except to the extent these Rules or the underlying statutes are specifically waived by the State Board of Education.
- 2.05 “Public School District” means those school districts created pursuant to Title 6 of the Arkansas Code and subject to the Arkansas Educational Support and Accountability Act, specifically excluding those schools or educational programs created by or receiving authority to exist pursuant to Ark. Code Ann. §§ 9-28-205 and 12-29-301, et seq. Any reference to "Public School District" in these Rules

includes open-enrollment public charter schools except to the extent these Rules or the underlying statutes are specifically waived by the State Board of Education.

### **3.00 PARENTAL INVOLVEMENT PLANS**

3.01 Each public school district, in collaboration with parents, shall establish a parental involvement plan that establishes the district's expectations for parental involvement, and that includes programs and practices that enhance parental involvement and reflect the specific needs of students and their families.

3.01.1 Collaboration with parents may be accomplished through the coalition of parents and representatives of agencies, institutions, businesses and industries.

3.01.2 Annually by ~~October~~ August 1, the public school district's parental involvement plan shall be:

3.01.2.1 Developed, or reviewed and updated by the public school district;

3.01.2.2 Posted to the website of the public school district; and

3.01.2.3 Filed with the ~~Department's~~ Division's electronic filing process in electronic format, specifically in Microsoft Word (.doc or .docx), Adobe Acrobat (.pdf), or Rich Text (.rtf) format.

3.01.2.4 Provided in a parent-friendly summary as a supplement to the student handbook.

3.01.2.4.1 The parent shall sign a form acknowledging receipt of the summary and return the signed form to the school where the student is enrolled.

3.02 Each public school, in collaboration with parents, shall establish a parental involvement plan that reflects the specific academic improvement needs of the school, and that includes programs and practices that enhance parental involvement and address the specific parent involvement needs of students and their families.

3.02.1 Collaboration with parents may be accomplished through the coalition of parents and representatives of agencies, institutions, businesses and industries required for development and implementation of the school-level.

- 3.02.2 The parental involvement plan shall be incorporated into the public school's improvement plan.
- 3.02.3 Annually by ~~October~~ August 1, the public school's parental involvement plan shall be developed, or reviewed and updated by the public school.
- 3.02.4 Annually by ~~October~~ August 1, the public school shall post to the website of the public school or public school district:
  - 3.02.4.1 The public school's parental involvement plan;
  - 3.02.4.2 A parent-friendly explanation of the public school's and public school district's parental involvement plans;
  - 3.02.4.3 The informational packet required by Section 5.01.1; and
  - 3.02.4.4 Contact information for the parent facilitator designated by the public school under Section 5.08 of these Rules.
- 3.03 A public school's parental involvement plan shall:
  - 3.03.1 Involve parents of students at all grade levels in a variety of roles, including without limitation:
    - 3.03.1.1 Involvement in the education of their children;
    - 3.03.1.2 Volunteer activities;
    - 3.03.1.3 Learning activities that support classroom instruction;
    - 3.03.1.4 Participation in school decisions;
    - 3.03.1.5 Collaboration with the community;
    - 3.03.1.6 Development of school goals and priorities; and
    - 3.03.1.7 Evaluating the effectiveness of the school-level improvement plan;
  - 3.03.2 Be comprehensive and coordinated in nature;
  - 3.03.3 Recognize that communication between home and school should be regular, two-way, and meaningful;
  - 3.03.4 Promote and support responsible parenting;

- 3.03.5 Acknowledge that parents play an integral role in assisting student learning;
- 3.03.6 Welcome parents into the school and seek parental support and assistance;
- 3.03.7 Recognize that a parent is a full partner in the decisions that affect his or her child and family;
- 3.03.8 Recognize that community resources strengthen school programs, family practices, and student learning; and
- 3.03.9 Support the development, implementation, and regular evaluation of the program to involve parents in the decisions and practices of the school district, using, to the degree possible, the components listed in this section.

#### **4.00 PUBLIC SCHOOL DISTRICT RESPONSIBILITIES**

- 4.01 Each public school district shall meet all the requirements for professional development related to this rule as identified in the ~~Arkansas Department of Education~~ Division of Elementary and Secondary Education Rules Governing Professional Development.
- 4.02 Each public school district shall provide training at least annually for volunteers who assist in an instructional program for parents.
- 4.03 Every public school district shall annually review and approve the parental involvement plan for each public school under the district's authority.

#### **5.00 PUBLIC SCHOOL RESPONSIBILITIES**

- 5.01 To encourage communication with parents, each public school shall:
  - 5.01.1 Prepare an informational packet to be distributed annually to the parent of each child in the school, appropriate for the age and grade of the child, describing in a parent-friendly manner:
    - 5.01.1.1 The school's parental involvement program;
    - 5.01.1.2 The recommended role of the parent, student, teacher, and school;
    - 5.01.1.3 Ways for the parent to become involved in the school and his or her child's education;
    - 5.01.1.4 A survey for the parent regarding his or her interests concerning volunteering at the school;

- 5.01.1.5 Activities planned throughout the school year to encourage parental involvement; and
    - 5.01.1.6 A system to allow the parents and teachers to communicate in a regular, two-way, and meaningful manner with the child's teacher and the school principal; and
  - 5.01.2 Schedule no fewer than two (2) parent-teacher conferences per school year.
    - 5.01.2.1 The school may plan and engage in other activities determined by the school to be beneficial to encourage communication with parents.
- 5.02 To promote and support responsible parenting, each public school shall, as funds are available:
  - 5.02.1 Purchase parenting books, magazines, and other informative material regarding responsible parenting through the school library, advertise the current selection, and give parents an opportunity to borrow the materials for review;
  - 5.02.2 Create parent centers; and
  - 5.02.3 Plan and engage in other activities determined by the school to be beneficial to promoting and supporting responsible parenting.
- 5.03 To help parents in assisting students, each public school shall:
  - 5.03.1 Schedule regular parent involvement meetings at which parents are given a report on the state of the school and an overview of:
    - 5.03.1.1 What students will be learning;
    - 5.03.1.2 How students will be assessed;
    - 5.03.1.3 What a parent should expect for his or her child's education; and
    - 5.03.1.4 How a parent can assist and make a difference in his or her child's education;
  - 5.03.2 Provide instruction to a parent on how to incorporate developmentally appropriate learning activities in the home environment, including without limitation:

- 5.03.2.1 Role play and demonstration by trained volunteers;
  - 5.03.2.2 The use of and access to ~~Department~~ Division website tools for parents;
  - 5.03.2.3 Assistance with nutritional meal planning and preparation; and
  - 5.03.2.4 Other strategies or curricula developed or acquired by the school district for at-home parental instruction approved by the ~~Department~~ Division; and
- 5.03.3 Engage in other activities determined by the school to help a parent assist in his or her child's learning.
- 5.04 To welcome parents into the school, each public school shall:
  - 5.04.1 Not have any school policies or procedures that would discourage a parent from visiting the school or from visiting a child's classrooms;
  - 5.04.2 Encourage school staff to use the volunteer surveys to compile a volunteer resource book listing the interests and availability of volunteers so that school staff may:
    - 5.04.2.1 Determine how frequently a volunteer would like to participate, including the option of just one (1) time per year;
    - 5.04.2.2 Include options for those who are available to help at home; and
    - 5.04.2.3 Help match school needs with volunteer interests; and
  - 5.04.3 Engage in other activities determined by the school to welcome parents and families into the school.
- 5.05 To encourage a parent to participate as a full partner in the decisions that affect his or her child and family, each public school shall:
  - 5.05.1 Include in the school's policy handbook the school's process for resolving parental concerns, including how to define a problem, whom to approach first, and how to develop solutions;
  - 5.05.2 Sponsor seminars to inform the parents of students in grades nine (9) through twelve (12) about how to be involved in the decisions affecting course selection, career planning, and preparation for postsecondary opportunities; and

- 5.05.3 Engage in other activities that the school determines will encourage a parent to participate as a full partner in the decisions that affect his or her child and family.
- 5.06 Each public school shall investigate and, where feasible, utilize community resources in the instructional program of the school.
- 5.07 To take advantage of community resources, each public school shall:
  - 5.07.1 Consider recruiting alumni from the school to create an alumni advisory commission to provide advice and guidance for school improvement;
  - 5.07.2 Enable the formation of a Parent Teacher Association or organization that will foster parental and community involvement within the school;
    - 5.07.2.1 Leaders of this organization shall be utilized in appropriate decisions affecting the children and families; and
  - 5.07.3 Engage in other activities that the school determines will use community resources to strengthen school programs, family practices, and student learning.
- 5.08 The principal of each public school shall designate one (1) licensed staff member who is willing to serve as a parent facilitator to:
  - 5.08.1 Help organize meaningful training for staff and parents;
  - 5.08.2 Promote and encourage a welcoming atmosphere to foster parental involvement in the school; and
  - 5.08.3 Undertake efforts to ensure that parental participation is recognized as an asset to the school.
  - 5.08.4 The certified staff member serving as a parental facilitator shall receive supplemental pay for the assigned duties as required by law.

## **6.00 MONITORING OF PARENTAL INVOLVEMENT PLANS**

- 6.01 Annually, the ~~Department~~Division shall:
  - 6.01.1 Review the parental involvement plan of each public school district; and
  - 6.01.2 Determine whether the plan is in compliance with law.

- 6.02. On each annual school performance report published by the ~~Department~~ Division pursuant to Ark. Code Ann. § 6-15-1402, the ~~Department~~ Division shall indicate whether or not the public school district is in compliance with these Rules and Ark. Code Ann. § 6-15-1701 *et seq.*
- 6.03 Periodically on a rotating schedule, the ~~Department~~ Division shall monitor each public school district's plan to:
- 6.03.1 Evaluate whether the school district is implementing its plan and the implementation's effectiveness; and
- 6.03.2 Assess the areas in which a school district needs to revise its plan or its implementation of the plan.
- 6.04 The ~~Department~~ Division shall place priority for monitoring on public school districts that have been identified as being in need of:
- 6.04.1 Level 4—Directed Support; or
- 6.04.2 Level 5—Intensive Support.
- 6.05 The ~~Department~~ Division may monitor a public school district's plan at other additional times as determined necessary by the Commissioner of Education or the State Board of Education.
- 6.06 By January 1 of each year, the ~~Department~~ Division shall provide any recommendations in writing to a school district:
- 6.06.1 Concerning areas of noncompliance with these rules or Ark. Code Ann. §6-15-1701 *et seq.*; or
- 6.06.2 Arising from the ~~Department's~~ Division's review of public school district plans under section 6.01.2 of these Rules.
- 6.07 The ~~Department~~ Division shall allow a public school district opportunity to incorporate the ~~Department's~~ Division's recommendations into the district's parental involvement plan.

**QUESTIONNAIRE**  
**FOR FILING PROPOSED RULES WITH THE**  
**ARKANSAS LEGISLATIVE COUNCIL**

DEPARTMENT/AGENCY \_\_\_\_\_  
DIVISION \_\_\_\_\_  
DIVISION DIRECTOR \_\_\_\_\_  
CONTACT PERSON \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE NO. \_\_\_\_\_ FAX NO. \_\_\_\_\_ E-MAIL \_\_\_\_\_  
NAME OF PRESENTER AT COMMITTEE MEETING \_\_\_\_\_  
PRESENTER E-MAIL \_\_\_\_\_

**INSTRUCTIONS**

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

Jessica C. Sutton  
Administrative Rules Review Section  
Arkansas Legislative Council  
Bureau of Legislative Research  
One Capitol Mall, 5th Floor  
Little Rock, AR 72201

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1. What is the short title of this rule?

2. What is the subject of the proposed rule?

3. Is this rule required to comply with a federal statute, rule, or regulation? Yes No

If yes, please provide the federal rule, regulation, and/or statute citation.

4. Was this rule filed under the emergency provisions of the Administrative Procedure Act?

Yes No

If yes, what is the effective date of the emergency rule? \_\_\_\_\_

When does the emergency rule expire? \_\_\_\_\_

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes No

**5. Is this a new rule? Yes No If yes, please provide a brief summary explaining the rule.**

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

**Is this an amendment to an existing rule? Yes No If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled “mark-up.”**

**6. Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation.**

**7. What is the purpose of this proposed rule? Why is it necessary?**

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b).

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

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)

\_\_\_\_\_

11. What is the proposed effective date of this proposed rule? (Must provide a date.)

\_\_\_\_\_

12. Please provide a copy of the notice required under Ark. Code Ann. § 25-15-204(a), and proof of the publication of said notice. \_\_\_\_\_

13. Please provide proof of filing the rule with the Secretary of State as required pursuant to Ark. Code Ann. § 25-15-204(e). \_\_\_\_\_

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

## **FINANCIAL IMPACT STATEMENT**

**PLEASE ANSWER ALL QUESTIONS COMPLETELY**

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

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

### **SHORT TITLE OF THIS RULE**

1. Does this proposed, amended, or repealed rule have a financial impact? Yes No
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?  
Yes No
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes No

If an agency is proposing a more costly rule, please state the following:

- a) How the additional benefits of the more costly rule justify its additional cost;
- b) The reason for adoption of the more costly rule;
- c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and
- d) Whether the reason is within the scope of the agency's statutory authority, and if so, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

Next Fiscal Year

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

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

Total \_\_\_\_\_

Total \_\_\_\_\_

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

Current Fiscal Year

Next Fiscal Year

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

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

Total \_\_\_\_\_

Total \_\_\_\_\_

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

Current Fiscal Year

Next Fiscal Year

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

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

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

Next Fiscal Year

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

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

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?
- Yes      No

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
  - (a) justifies the agency's need for the proposed rule; and
  - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
  - (a) the rule is achieving the statutory objectives;
  - (b) the benefits of the rule continue to justify its costs; and
  - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.