## ARKANSAS REGISTER



### **Proposed Rule Cover Sheet**

Secretary of State John Thurston 500 Woodlane Street, Suite 026 Little Rock, Arkansas 72201-1094 (501) 682-5070 www.sos.arkansas.gov



Name of Department Arkansas Department of Education
Agency or Division Name Division of Elementary and Secondary Education
Other Subdivision or Department, If Applicable Educator Effectiveness and Licensure
Previous Agency Name, If Applicable
Contact Person Amy Douglas
Contact E-mail amy.douglas@ade.arkansas.gov
Contact Phone 501-682-0166
Name of Rule Master Principal
Newspaper Name Arkansas Democrat Gazette
Date of Publishing November 14, 15 and 16, 2021
Final Date for Public Comment December 16, 2021
Location and Time of Public Meeting ADE, Four Capitol Mall, Little Rock 12/7/21 at 1:30pm

### Arkansas Department of Education

# <u>Division of Elementary and Secondary Education</u> Rules Governing Eligibility and Financial Incentives For Arkansas Leadership Academy Master Principal Program <u>July 2014Effective Date</u>

### 1.00 Regulatory Authority

- 1.01 These rules shall be known as the Arkansas Department of Education
   <u>Division of Elementary and Secondary Education (Department—"Division")</u> Rules Governing the Arkansas Leadership Academy Master Principal Program.
- 1.02 These rules are enacted under the Arkansas State Board of Education's (State Board) authority pursuant to Ark. Code. Ann.§§ 6-11-105, 6-17-1601 et seq., and 25-15-201 et seq., and Act 459 of 2013.

### 2.00 Purpose

- 2.01 The purpose of these rules is:
  - 2.1.1 The improvement of student learning by strengthening principal leadership;
  - 2.1.2 The encouragement of principals to participate in and complete the Master Principal Program by authorizing the Department Division to pay full incentive bonuses to participants;
  - 2.1.3 The establishment of eligibility requirements; and
  - 2.1.4 The establishment of the mechanism for the payment to principal participants, as determined by the amount of funding available for the program.

Source: Ark. Code Ann.§ 6-17-1602

### 3.00 Definitions

For the purposes of these rules, the following terms shall mean:

3.01 "Building Level Principal" means a principal who is required to holds a standard building-level administrator license from the <u>Division or is</u> working under an approved licensure exception, and who serves as a full-time school principal in an Arkansas public school.

- 3.02 "High-need public school" means an Arkansas public school that at the time a master principal first becomes entitled to a high-need school salary bonus, is identified as failing to meet certain established levels of academic achievement under rules adopted by the State Board.
- 3.03 "High-need school salary bonus" means an annual bonus to a Master Principal serving as a principal of a high-need public school. High needs schools will be schools that are identified every three years in need of comprehensive support and improvement (CSI) using the ESSA School Index score as approved in Arkansas ESSA plan:

3.03.1	Lowest performing 5% of all schools
	receiving Title I Part A funds.
3.03.2	High schools with a four-year Adjusted
	Cohort Graduation Rate below 66.667
	<u>percent</u>

- 3.04 "Hold-back longevity bonus" means a portion of the high-need school salary bonus held back to be paid at the end of three (3) years and five (5) years of serving as a principal of the same high-need public school.
- 3.05 "Incentive bonus" means a bonus paid to a Master Principal serving as a principal of any public school in the state.
- 3.06 "Successful completion" of the Master Principal Designation process is defined as officially being designated as a Master Principal by the Arkansas Leadership Academy.
- 3.07 "The Arkansas Leadership Academy" is defined as a collaborative partnership which identifies and designates principals who meet rigorous standards by effectively demonstrating student learning in their schools as well as demonstrating high levels of knowledge, skills, dispositions, and commitments approved by the State Board of Education. reflected in the following five core areas:
  - 3.07.1 Building and Sustaining Accountability Systems
  - 3.07.2 Building and Maintaining Collaborative Relationships
  - 3.07.3 Leading and Managing Change
  - 3.07.4 Developing a Deep Knowledge of Teaching and Learning
  - 3.07.5 Creating and Living the Mission and Vision

Source: Ark. Code Ann.§ 6-17-1601

- 4.00 Selection Process and Requirements
  - 4.01 The Arkansas Leadership Academy administers the Master Principal Program.

- 4.01.1 <u>Program Aapplications are available on line from the Arkansas Leadership Academy.at: www.arkansasleadershipacademy.org.</u>
- 4.01.2 All Arkansas public school building level principals with one (1) year of experience as a building-level principal and who hold a standard building-level administrator's license-may apply.

  Preference will be given to applicants with three (3) or more years of leadership experience. The years of experience preference may be evaluated on a case by case basis.
- 4.01.3 The number of participants each year in each phase may be determined by the amount of funding available for the program.
- 4.02 Criteria and Selection to the Master Principal Program
  - 4.02.1 Phase I (Principal Institute) Selection:
    - 4.02.1.1 Phase I shall expand the knowledge base and leadership skills of the principal.
    - 4.02.1.2 Selection of participants for Phase I will be based on responses to the application and on a balance of demographic information.
    - 4.02.1.3 The number of participants each year may be determined by the amount of funding available for the program.
  - 4.02.2 <u>Phase II</u>: Selection of participants for Phase II and Phase III shall be based on evidence presented showing implementation of knowledge and skills in the principal's school and based on criteria in the scoring guides.
    - 4.02.2.1 Phase II shall require the principal to apply strategies and to collect evidence of improvement in student learning and school processes Current Principal Institute graduates will present evidence of success in Phase I performance areas and complete the required Phase I assessments to apply for Phase II.
    - 4.02.2.2 Phase II participants are those who have successfully demonstrated a thorough understanding and implementation of Arkansas Leadership Standards addressed in Phase I as evidenced by Phase I assessments, which may include portfolios, student achievement data, site visits, self-assessments, and other forms of evidence. Principals completing Building Level Administrator Licensure requirements, under the current performance based licensure system, will have the opportunity to present evidence of success

## in Phase I performance area and complete the required Phase I assessments to apply for Phase II.

- 4.02.3 <u>Phase III</u>: <u>Selection of participants for Phase III will be based on a participant's successful completion of Phase II assessments, evidence of school results, and letters of recommendation.</u>
  - 4.02.3.1 Phase III shall require the principal to publicly demonstrate the ability and skills that lead to sustained academic improvement in a school and a school district.
  - 4.02.3.2 Phase III participants are those who have successfully demonstrated a thorough understanding and implementation of Arkansas Leadership Standards addressed in Phase II as evidenced by Phase II assessments,, which may include portfolios, student achievement data, site visits, self-assessments, and other forms of evidence.
- 4.02.4 <u>Master Principal Designation:</u> The Arkansas Leadership Academy will make a Master Principal Designation after a participant successfully completes Phase III, passes extensive reviews of school results, and passes rigorous assessments <u>based on the performance areas of the assessment</u>.
- 4.02.5 Participants in the Master Principal Program will have up to two (2) years to complete the assessments for each phase for a maximum time of six (6) years to complete the process program and earn designation, unless waived extended at the discretion of by the Arkansas Leadership Academy due to for extenuating circumstances.

Source: Ark. Code Ann. § 6-17-1602

- 5.00 Payment of Fees and Bonuses
  - 5.01 Incentive Bonus
    - 5.01.1 The Department of Education Division of Elementary and Secondary Education shall pay a \$9,000 annual incentive bonus to a school district that employs a Master Principal Designee as a full-time building-level principal for payment to the Master Principal Designee as a bonus in the first school year after designation and a yearly bonus for each of the next four (4) consecutive years of eligibility.
    - 5.01.2 The lifetime maximum for an incentive bonus is \$45,000.
    - 5.01.3 A qualified applicant will establish eligibility for receipt of the incentive bonus by submitting to the Department Division, on ADE 272-4

### an annual basis, proof of:

- 5.01.3.1 Receiving the official Master Principal Designation from the Arkansas Leadership Academy;
- 5.01.3.2 At the time of receiving the bonus, being employed full-time as a building-level principal in an Arkansas public school district, verified by the school district;
- 5.01.3.3 Not having received the \$9,000 annual incentive bonus for more than four (4) years.

Source: Ark. Code Ann.§ 6-17-1603

- 5.02 High-need School Salary Bonus
  - 5.02.1 The <u>Division Department</u> shall pay a high-need salary bonus of twenty- five thousand dollars (\$25,000) for every school year for no more than five (5) years to any building-level principal who:
    - 5.02.1.1 Receives Master Principal Designation from the Leadership Academy; and
    - 5.02.1.2 Is employed full time as a building-level principal at the time of receiving the bonus in a high-need public school.
  - The high-need school salary bonus shall be paid as follows:
    - 5.02.2.1 Twenty thousand dollars (\$20,000) for each school year that a Master Principal is employed in a high-need public school; and
    - 5.02.2.2 An additional five thousand dollars (\$5,000) to be set aside for each qualifying school year to be paid as follows:
      - 5.02.2.2.1 An initial hold-back longevity bonus of fifteen thousand dollars (\$15,000) at the end of three (3) consecutive school years as a Master Principal in the same school; and
      - 5.02.2.2.2 A <u>final</u> hold-back longevity bonus of ten thousand dollars (\$10,000) at the

end of five (5) consecutive school years as a Master Principal in the same school.

- 5.02.3 The high-need school salary bonus with the hold-back longevity bonus payable under this section shall be paid in addition to the five-year incentive bonus allowed in 5.01 if the Master Principal is within the timeframe for eligibility for the five-year incentive bonus.
- 5.02.4 Regardless of a person's past participation iIn the Master Principal Program, a person shall not receive a yearly incentive bonus, a salary bonus, or a longevity bonus if the person leaves the full-time employment as a principal of an Arkansas public school district; becomes employed as a district level, central office administrator; is employed by an Arkansas institution of higher education; or is employed by an education service cooperative and does not serve in a school with students.
- 5.02.5 No increase in the starting or yearly bonus is retroactive.
- 5.02.6 A Master Principal eligible for and receiving a high need salary bonus as of May I, 2013, for serving as a principal of a public school in school improvement shall remain eligible for a high need school salary bonus and hold back longevity bonus while serving as principal of that same public school.

Source: Ark. Code Ann. § 6-17-1604

### 6.00 Repayment of Yearly Incentive Bonus

- 6.01 Repayment of state funds for the Arkansas Leadership Academy Master Principal is required if a recipient does not complete the school-year in which the bonus was received as a full-time building-level principal. The repayment amount shall be prorated for the time not served.
- 6.02 The State Board may revoke a building-level administrator license for failure to repay state funds under these rules.

### 7.00 Monitoring

7.01 The local public school district that employs a Master Principal must verify to the <u>Department-Division</u> annually the employment status of that principal for each year of the five-year annual incentive bonus eligibility.

### 8.00 Funding

- 8.01 The payment for any bonus under these rules is subject to the appropriation and availability of funds.
- 8.02. To the extent funds as provided for by Ark. Code Ann§ 6-17-1601 et seq. are available, such funds may be used to fund the incentive bonus, high- need salary bonus, and hold-back longevity bonus.



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

			f Education Division of Elementary and Secondary Education
	VISION Division of Educator Effectiveness an	nd Licensure	New Artist Control of the Control of
	VISION DIRECTOR Karli Saracini		· · · · · · · · · · · · · · · · · · ·
	ONTACT PERSON Amy Douglas		
	DDRESS 4 Capitol Mall	FAX NO	E-MAIL amy.douglas@ade.arkansas.gov
	HONE NO. 501-682-0166 AME OF PRESENTER AT COMN		
	RESENTER E-MAIL amy.douglas@ad		
	ADDELLI BILLES INTANTO		50.
			INSTRUCTIONS
B. C. D.	If you have a method of indexing Rule" below.	pletely us your rule tionnaire	sing layman terms. You may use additional sheets if necessary. es, please give the proposed citation after "Short Title of this e and Financial Impact Statement attached to the front of two (2)
**	Jessica C. Sutton Administrative Rules Review Sec Arkansas Legislative Council Bureau of Legislative Research One Capitol Mall, 5th Floor Little Rock, AR 72201		*****
	What is the short title of this rule		
2.	What is the subject of the propose		The purpose of the rules is to provide avenues to receive the bonus incentives through the Master Principal Program
3.	Is this rule required to comply wi	th a fede	ral statute, rule, or regulation? Yes No X
	If yes, please provide the federal i	ule, reon	lation, and/or statute citation.
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4.	Was this rule filed under the eme	rgency pi	rovisions of the Administrative Procedure Act?
	Yes No X	_ •	
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	If yes, what is the effective date of	the eme	rgency rule?
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	Will this emergency rule be prom	ulgated u	under the permanent provisions of the Administrative Procedure

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ht	tp://dese.ade.arkansas.gov/division/legal/rules/pending
Will a	public hearing be held on this proposed rule? Yes No If yes, please complete the following:
	December 7, 2021
Time:	1:30pm
Place:	ADE Auditorium, Four Capitol Mall, Little Rock, AR 72201
When	does the public comment period expire for permanent promulgation? (Must provide a date.)
	is the proposed effective date of this proposed rule? (Must provide a date.)
	provide a copy of the notice required under Ark. Code Ann. § 25-15-204(a), and proof of the publication notice.  Please see attached.
Please 15-204	provide proof of filing the rule with the Secretary of State as required pursuant to Ark. Code Ann. § 25.  [(e)
Please	give the names of persons, groups, or organizations that you expect to comment on these rules? Please
	le their position (for or against) if known.
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### FINANCIAL IMPACT STATEMENT

### PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEP DIVI	AKTWENT	ator Effectiveness and Licensu	re	
		HIS STATEMENT Amy Dougla		
TEL.	EPHONE NO.	FAX NO	EMAIL: amy.douglas@ade.arkansas.gov	·
		nn. § 25-15-204(e), please con ionnaire and proposed rules.	uplete the following Financial Impact Statement	and file
SHO	RT TITLE OF THIS R	ULE Master Principal		
1. D	oes this proposed, ame	ded, or repealed rule have a f	financial impact? Yes No X	
2. Is	s the rule based on the b	est reasonably obtainable scie	entific, technical, economic, or other evidence and	đ
	ıformation available cor ′es⊠No□	cerning the need for, consequ	nences of, and alternatives to the rule?	
	n consideration of the alule considered? Yes		s rule determined by the agency to be the least co	ostly
If	an agency is proposing	a more costly rule, please stat	te the following:	
a)	How the additional be	enefits of the more costly rule	justify its additional cost;	
<b>b</b> )	The reason for adopti	on of the more costly rule;		
c)	Whether the more cos	tly rule is based on the interes	sts of public health, safety, or welfare, and if so, p	 please
	explain; and			<del></del> 1
d)	Whether the reason is	within the scope of the agenc	y's statutory authority, and if so, please explain.	

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

7.	With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of a	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.

Principal Program.



### REQUEST FOR GOVERNOR'S APPROVAL OF PROPOSED RULES

Please submit this form and all required documents in the checklist as a single pdf document. Failure to comply will result in the rule being denied.

Rules identified as mandatory promulgations in Form 2021A must be submitted to the Governor's Office for approval no later than <u>December 31, 2021.</u>

Cabinet Department: Arkansas Department of Education
Division/Commission/Board/Agency: Division of Elementary and Secondary Education
Rule Number: 272 Short Title of Rule: Master Principal
New Rule: ☐ Yes X No Rule Amendment: X Yes ☐ No Rule Repeal: ☐ Yes X No
Proposed Effective Date: Date Rule Submitted:
Emergency Rule:   Yes X No Expedited Request:  Yes X No Reason:
Drafted in Code of Rules Format  Yes X No If not, explain:
Please explain the need for an Emergency/Expedited Rule:
AUTHORITY TO PROMULGATE
State Mandate: X Yes    No Federal Mandate:    Yes X No Act No.:
Statutory Authority to Promulgate the Rule: 6-17-1603 and 6-17-1604
Department/Agency Legislation from Legislative Session: ☐ Yes X No Act No.:
House Sponsor: Senate Sponsor:
Cabinet Review: X Yes   No Secretary's Signature:   No Secretary's Signature:   Date: 9/20/2002
RULE SUMMARY
Purpose of Rule:

The purpose of the rules is to provide avenues to receive the bonus incentives through the Master

Reason for Creating or Amending the Rule: To update the process, criteria and selection of applicants for the Master Principal program to align with the RFP in place.			
How does the Rule deviate from the Act:			
Rule Based on a Rule From Different Jurisdictions:   Yes × No Jurisdictions:			
Short Summary of New Rule or Rule Changes: (explain in greater detail in your executive summary)			
With the newest RFP, the requirements of how a candidate progresses through the process wer significantly changed. Therefore, the Master Principal rule changes update the process, criteria an selection of the Master Principal candidates and applicants.			
Applicable Federal Regulations:   Yes X No C.F.R. No:			
Proposed Rule the Least Restrictive Alternative: X Yes  \square No. If not, why?			
Does it Mirror Federal Regulations or Impose Additional Requirements: ☐ Yes ☐ No  Explain:			
Note: In addition to these explanations, the Department/Agency seeking to promulgate this rule shall submit the attached executive summary. Failure to include the summary will result in the rule being denied.			
CONTROVERSY			
Rule Controversial: ☐ Yes X No Act Controversial in Legislative Session: ☐ Yes X No			
Known Interested Parties: Arkansas Leadership Academy, Arkansas Public School Resource Center, Arkansas State University- Jonesboro, Local Education Agency principals			
Comments Made at Legislative Session:			
Public Hearing: X Yes No Expect public comment from: Arkansas Leadership Academy, Arkansas Public School Resource Center, Arkansas State University- Jonesboro, Local Education Agency principals, Arkansas Association of Educational Administrators			

### FINANCIAL IMPACT

Financ	ial Impact:   Yes X No Total Impact: FY2020: FY2021:			
Impact Mitigated by Federal Funding:   Yes  No FY2020: FY2021:				
Reasons for Financial Impact:				
FINAL CHECKLIST				
rule if	note that the Governor's office will not begin the approval process of the foregoing any of the following applicable documents are not enclosed in the order listed in a PDF file.			
	Rule Request Form			
	Executive Summary Mark-Up Version of the Proposed Rule			
	Clean Version of the Proposed Rule			
	BLR Questionnaire BLR Financial Impact Statement			
	Copy of Act or Regulation			



### Division of Elementary and Secondary Education

Transforming Arkansas to lead the nation in student-focused education

### Johnny Key

Secretary

September 9, 2021

Dr. Ivy Pfeffer

Deputy

Commissioner

Stacy Smith

Deputy

Commissioner

State Board of Education

**Ouida Newton** 

Poyen Chair

Dr. Sarah Moore

Stuttgart Vice Chair

Charisse Dean

Little Rock

Dr. Fitz Hill

Little Rock

Kathy McFetridge

Springdale

**Steve Sutton** 

Marion

Adrienne Woods

Rogers

Dr. Beth Anne Rankin

Magnolia

Randy Henderson Blytheville

**PURPOSE** 

The Arkansas Department of Education Division of Elementary and Secondary Education is seeking Governor Hutchinson's review of proposed amendments to the Rules Governing Eligibility and Financial Incentives for Arkansas Leadership Academy Master Principal Program.

BACKGROUND

Pursuant to Ark. Code Ann §§ 6-11-105, 6-17-1601 et seq., and 24-15-201 et seq., the State Board of Education has been given general supervision of the public schools of the state and to perform all other functions that may now or hereafter be delegated to the state board by law. The Rules Governing Eligibility and Financial Incentives for Arkansas Leadership Academy Master Principal Program were last promulgated in 2014 to improve student learning by strengthening principal leadership, encourage principals to participate in the Master Principal Program by authorizing financial incentives and the establishment of eligibility requirements.

### KEY POINTS

- Chapter 3 updated the definitions of building level principal as well as high need school salary bonus requirements.
- Chapter 4 updated applicant and selection criteria and process to include a broader range of administrators.
- Chapter 5 outdated language was removed.

### DISCUSSION

Prior to rule change, a high-need public school was not specifically stated. A principal in a high-need public school qualifies for a higher bonus. The new definition allows for growth opportunity for principals and schools falling within the selected categories.

The Master Principal applicant criteria was updated to allow the Master Principal program to be accessible to a larger group of administrators.

The program consists of three phases. The updates to the phase requirements provide more flexibility for participants. It allows participants to work at various paces in applying strategies and to collect evidence of improvement in student learning and school processes.

### RECOMMENDATION

We recommend the proposed amendments to the Rules Governing Eligibility and Financial Incentives for Arkansas Leadership Academy Master Principal Program be approved as proposed by the Arkansas Department of Education Division of Elementary and Secondary Education State Board of Education.