

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 _____

Agency or Division Name _____

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person _____

Contact E-mail _____

Contact Phone _____

Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____

ARKANSAS ~~DEPARTMENT OF~~ DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
RULES GOVERNING VISUAL ~~ART AND MUSIC~~ AND PERFORMING ARTS INSTRUCTION FOR
STUDENTS IN GRADES ONE THROUGH ~~SIX (1-6)~~ EIGHT (1-8)

July 11, 2005

1.00 REGULATORY AUTHORITY

- 1.01 These rules shall be known as the Arkansas ~~Department of Education~~
(ADE) Division of Elementary and Secondary Education Rules Governing
Visual Art and Music and Performing Arts Instruction for students in
grades one through ~~six (1-6)~~ eight (1-8).
- 1.02 The State Board of Education (State Board) promulgates these rules
Pursuant to the regulatory authority provided in Arkansas Code
Annotated §6-11-105, and §6-16-130 ~~(as amended by Act 245 of the~~
~~85th General Assembly)~~.

2.00 DEFINITIONS

- 2.01 "Class Size" means maximum student/teacher ratios for grades one
through three (1-3) ~~and (4-6) four through six~~, and four through
eight (4-8) as defined in the ADE Rules Governing Standards for
Accreditation of Arkansas Public Schools and School Districts.
~~Elementary performing music classes (band, orchestra, choral)~~
(general music, instrumental ensemble, and vocal ensemble) lend
themselves to large group instruction and may exceed class size
ratios.
- 2.02 ~~"Curriculum Frameworks"~~ "Academic Standards" means discipline-based
documents, approved by the State Board, which clearly describe what
students must know and be able to do in each academic content area
of ~~visual art and music~~ and performing arts.
- 2.03 "Equivalent amounts of time" means the number of cumulative clock
hours of instruction that within a school year would be equal to
forty (40) minutes of instruction per week in each content area.
- 2.04 "Licensed teacher" means an individual who holds a valid Arkansas
teaching license with a certification in the subject area to be
taught. For the purpose of these rules, the subject areas are ~~art~~
~~and music~~ visual and performing arts (dance, music, and theatre).
- 2.05 ~~"Music Performing Arts Instruction"~~ means the teaching of those
content standards and learning expectations which are contained
within the ~~strands of the Music Curriculum Framework for grades one~~
~~(1) through six (6) artistic processes of the Academic Standards for~~
Dance, Music, and Theatre.
- 2.06 "Student" means any individual enrolled in grades one through ~~six~~
~~1-6) eight (1-8)~~, including those individuals with disabilities or
other special needs.
- 2.07 "Visual Art Instruction" means the teaching of those content
standards and learning expectations which are contained within the
~~strands of the Visual Art Curriculum Framework for grades one (1)~~
~~through six (6) artistic processes of the Academic Standards for~~
Visual Art.

3.00 IMPLEMENTATION

3.01 ~~Beginning July 1, 2005, e~~ Every student in grades one through six (1-6) enrolled in a public school or an open enrollment public charter school that is configured as an elementary school shall receive instruction for no less than forty (40) minutes in visual art instruction and no less than forty (40) minutes in music performing arts instruction based on the state academic standards for visual art and music frameworks and performing arts each calendar week of the school year, or an equivalent amount of time; or,

3.02 A student in grades five (5) or six (6) enrolled in a public school or an open-enrollment public charter school that is not configured as an elementary school, or a student enrolled in grade seven (7) or eight (8) shall participate in:
(1) Visual arts instruction, appreciation, and application; or
(2) Performing arts instruction, appreciation, and application.

3.03 The instruction in visual art and music and performing arts must be provided by a licensed teacher certified to teach art for each visual art class taught and by a licensed teacher certified to teach music for each music class taught in the respective course area being taught.

4.00 STIPEND

The ~~Department~~ Division of Elementary and Secondary Education shall provide a stipend of no less than one hundred dollars (\$100.00) stipend per class, to each school, for the purchase of supplies or equipment, depending upon appropriation and availability of funds, for the classes described in these Rules.

**Summary of the Changes to the Arkansas Division of Elementary and Secondary
Education Rules Governing Visual Art and Music Instruction for Students in Grades One
Through Six (1-6)**

The Arkansas Division of Elementary and Secondary Education Rules Governing Visual Art and Music Instruction for Students in Grades One Through Six (1-6) establish requirements for public schools and open-enrollment public charter schools visual art and music instruction. These rule amendments incorporate provisions of Act 644 of 2021, which updated language contained in Ark. Code Ann. § 6-16-130 concerning instructional requirements to include public schools and open-enrollment public charter schools whether or not configured as an elementary school. Removed “Department of Education” and replaced with “Division of Elementary and Secondary Education”. Added grades seven and eight to mirror the law. Changed “art and music” to “Visual and performing arts”. Amended definitions to include up to grade eight and remove outdated terminology.