

# 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 Division of Elementary and Secondary Education, Office of Early Childhood

Department Department of Education

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Statutory Authority for Promulgating Rules Ark. Code Ann. 20-78-801, et seq.; Ark. Code Ann. 20-78-205(b) and 20-78-801 et seq.

Rule Title: DESE OEC Rules Governing the Requirements and Procedures for Obtaining an Arkansas Birth through Prekindergarten Teaching Credential

Intended Effective Date  
(Check One)

Date

☐ Emergency (ACA 25-15-204)

Legal Notice Published ..... 05/10/2024

☒ 10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment ..... 06/10/2024

☐ Other \_\_\_\_\_  
(Must be more than 10 days after filing date.)

Reviewed by Legislative Council ..... 07/30/2024

Adopted by State Agency ..... 4/22/2024

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Brianne Franks brianne.franks@ade.arkansas.gov

07/30/2024

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

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

Brianne Franks  
Signature

501-683-0960

brianne.franks@ade.arkansas.gov

Phone Number

E-mail Address

Legal Counsel

Title

July 30, 2024

Date

**Arkansas Department of Education  
Division of Elementary and Secondary Education  
Office of Early Childhood  
Rules Governing the Requirements and Procedures for Obtaining an Arkansas Birth  
through Prekindergarten Teaching Credential  
Effective Date: August 10, 2024**

**1.0 Regulatory Authority**

- 1.1** These rules are enacted pursuant to the authority of the Arkansas Department of Education, Office of Early Childhood under Arkansas Code § 20-78-801 et seq.
- 1.2** The Arkansas Department of Education, Office of Early Childhood, shall coordinate and administer the Birth through Prekindergarten Teaching Credential fulfilling the requirements of Ark. Code § 20-78-205 (b) and 20-78-801 et seq.

**2.0 Purpose**

- 2.1** The purpose of these rules is to establish the requirements and procedures for obtaining an Arkansas Birth through Prekindergarten Teaching Credential. The Arkansas Birth through Prekindergarten Teaching Credential is a competency-based credential created to provide an additional professional pathway for individuals wishing to pursue a more advanced level of knowledge and skill in working with young children and their families. The credential provides a for the preparation of teachers for all children, birth through age five, including children with special needs, but shall not be utilized in lieu of the teaching license issued by the State Board of Education when it is required for a public early childhood education program. Professionals working in a variety of early care and education settings including Head Start, Arkansas Better Chance, Early Intervention Day Treatment or other inclusive programs, home visiting programs, and various community-based early care and education services will find this credential supportive of their professional development needs.
- 2.02** In addition, the credential will strengthen the infrastructure in Arkansas which will improve the quality of programs and experiences available for all children, birth to age five, regardless of setting. The Arkansas Birth through Prekindergarten Teaching Credential reflects the Professional Development Registry (PDR Workforce Knowledge and Competencies for Early Childhood (WKC).

**3.0 Definitions**

For the purpose of these rules, the following definitions shall apply:

- 3.01** *Birth through Prekindergarten* refers to children from birth through age four or five.
- 3.02** *Birth through Prekindergarten Teaching Credential* is a credential based on attainment of specified competencies. These competencies can be found in a core of college credit hours at either the two year or four year level.
- 3.03** *Competency* is knowledge or skill which has been identified as critical to the Birth through Prekindergarten teaching credential.

- 3.04** *Core course* is a course designed by higher education to include specified early childhood competencies.
- 3.05** *Designated Assessment* is a knowledge or skill assessment for the Birth through Prekindergarten teaching competencies.
- 3.06** *Minimum Educational Level* is defined as 18-27 college credit hours in early childhood development and early childhood education focused specifically on infants, toddlers, and preschoolers with no course grade below a "C".
- 3.07** "*OEC*" means the Department of Education, Office of Early Childhood.
- 3.08** *Public Early Childhood Education Program* means an education program which is all or partially funded with state or federal funds, and serves children from Birth through Prekindergarten.
- 3.09** *Qualifying Assessment Score* refers to the score determined by the Office of Early Childhood.

#### **4.0 Requirements for Obtaining an Arkansas Birth through Prekindergarten Teaching Credential**

- 4.1** A person applying for Birth through Prekindergarten Teaching Credential is not required to pay a fee for submitting the application or obtaining the credential.
- 4.2** A person must meet the minimum educational level as determined by the Birth through Prekindergarten Teaching Credentials which are embedded in 18-27 college credit hours in early childhood development and early childhood education focused specifically on infants, toddlers, and preschoolers.
- 4.3** A person must complete the content knowledge of a specialty area assessment designated by the Office of Early Childhood. Arkansas Early Childhood Commission/Early Learning Council with a score equal to or greater than the Arkansas Qualifying Assessment Score.
- 4.4** A person may obtain the *Birth through Prekindergarten Teaching Credential* by the following pathways:
  - (a) Complete 18-27 college credit hours in early childhood development and early childhood education focused specifically on infants, toddlers, and preschoolers.
  - (b) Complete an associate or bachelors degree which includes the Arkansas Birth through Prekindergarten teaching Competencies which appear in 18-27 college credit hours in early childhood development and early childhood education focused specifically on infants, toddlers, and preschoolers.
  - (c) Add the Arkansas Birth through Prekindergarten teaching Competencies to an existing two or four year degree.
  - (d) A person coming from another state within the United States may be issued the Arkansas Birth through Prekindergarten Teaching Credential by fulfilling §§ 4.01, 4.02, and 4.03 and need not have an associate degree.
  - (e) A person outside the United States may be issued the Arkansas Birth through

Prekindergarten Teaching Credential by fulfilling §§ 4.01, 4.02, and 4.03 and need not have an associate degree.

## **5.0 General Policies and Procedures Relating to the Arkansas Birth through Prekindergarten Teaching Credential**

- 5.1** The Birth through Prekindergarten Teaching Credential shall become effective upon the date of issue and shall be valid for five (5) years. The Credential shall expire five (5) years from the effective date as reflected on the Birth through Prekindergarten Teaching Credential.
- 5.2** The procedure for applying for a Birth through Prekindergarten Teaching Credential is as follows:
- (a) Complete the application form.
  - (b) Complete the non-criminal background check or show verification of completion.
  - (c) Complete Child Maltreatment Central Registry check or show verification of completion.
  - (d) Attach an official college transcript(s) of college hours with course objectives.
  - (e) Attach course objectives and Competencies for each course.
  - (f) Attach a report showing the designated Qualifying Assessment Score.
  - (g) Send a cover letter, application, and transcript(s) to The Office of Early Childhood.
- 5.3** A person holding the Birth through Prekindergarten Teaching Credential shall complete a minimum of thirty (30) hours of professional development annually in early childhood development or early childhood education. At least ten (10) of the thirty (30) hours should be in the areas of Special Populations, English as a Second Language, Nutrition, Health and Safety of Infants and Toddlers. This professional development shall be approved and documented by the Arkansas Department of Education or the Arkansas Professional Development Registry.

## **6.0 Monitoring and Assessment Requirements**

- 6.1.1** The Office of Early Childhood will verify the annual professional development hours of the applicants upon renewal of certification. Verification of hours can be completed through one of the following ways:
- 6.1.1.1** Applicants may submit a transcript of professional development hours
  - 6.1.1.2** Applicants may grant access to OEC to verify hours within the Arkansas Professional Development Registry.
- 6.2** A person shall complete the assessment designated by OEC with a Qualifying assessment score.

## **7.0 Requirements for the renewal of an Arkansas Birth through Prekindergarten Teaching Credential**

- 7.1** A Birth through Prekindergarten Teaching Credential shall be automatically renewed upon the person meeting the following requirements:
- (a) Complete the renewal application form.
  - (b) Attach a copy of a valid Birth through Prekindergarten Teaching Credential.
  - (c) Attach documentation which verifies the annual thirty (30) hours of professional development in early childhood development or early childhood education.

**FINANCIAL IMPACT STATEMENT**

**PLEASE ANSWER ALL QUESTIONS COMPLETELY.**

**DEPARTMENT** Department of Education

**BOARD/COMMISSION** State Board of Education

**PERSON COMPLETING THIS STATEMENT** Brianne Franks

**TELEPHONE NO.** 501 683-0960 **EMAIL** brianne.franks@ade.arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

**TITLE OF THIS RULE** DESE OEC Rules Governing the Requirements and Procedures for Obtaining an Arkansas Birth I

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 no, please explain:

(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 reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

(d) whether the reason for adoption of the more costly rule is within the scope of the agency's statutory authority, and if so, how.

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**

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

Total \$0.00

**Next Fiscal Year**

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

Total \$0.00

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

**Current Fiscal Year**

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

Total \$0.00

**Next Fiscal Year**

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

Total \$0.00

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

**Current Fiscal Year**

\$ \$0.00

**Next Fiscal Year**

\$ \$0.00

6. What is the total estimated cost by fiscal year to a state, county, or 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**

\$ \$0.00

**Next Fiscal Year**

\$ \$0.00

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.