

ARKANSAS REGISTER

Proposed Rule Cover Sheet



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~~**ARKANSAS DEPARTMENT OF EDUCATION**~~
~~**DIVISION OF ELEMENTARY AND SECONDARY**~~
~~**EDUCATION RULES GOVERNING ARKANSAS**~~
~~**GOVERNOR'S SCHOOL SITE SELECTION**~~
January 2004

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 Site Selection for Arkansas Governor's School.
- 1.02 The State Board of Education enacted these rules pursuant to its authority under ~~Arkansas Code Annotated~~ Arkansas Code §§ 6-42-106 (Repl. 1999) and Arkansas Code Annotated § 6-11-105 (Repl. 1999).
- 1.03 Pursuant to ~~Arkansas Code Annotated Ark. Code Ann. §§ 6-42-106, (Repl. 1999) 6-42-108, and Arkansas Code Annotated § 6-11-105 (Repl. 1999), the~~ Arkansas Governor's School is under the jurisdiction of the State Board of Education and State Department of Education the Division of Elementary and Secondary Education and falls under the immediate administration of the Administrator of Programs for the Gifted and Talented, State Department of Education Office for the Education of Gifted and Talented Children.

2.00 Purpose

- 2.01 The purpose of these rules is to establish the rules governing operation of the criteria and procedures for site selection for and administration of Arkansas Governor's School.

3.00 Definitions: For purposes of these rules, these terms shall be defined as follows:

- 3.01 ~~Arkansas Governor's School (AGS): The Governors School will be a four or six week residential summer program for approximately 400 rising high school seniors in Arkansas.~~
"Arkansas Governor's School (AGS)" means a summer educational program with a residential component that provides enriched educational offerings for approximately four hundred (400) rising high school seniors who have demonstrated exceptional abilities in a specific academic discipline.
- 3.01.1 For purposes of this rule, a rising high school senior means a student who will graduate from high school during the school year immediately following their attendance at AGS.

3.02 “Host institution” means a four-year college or university in Arkansas that serves as the physical location of AGS and is responsible for all administrative requirements for the operation of the program.

3.023.03 ~~Program Director: The director will be a staff member of the college or university chosen as the site of the Governor’s School. The director will oversee the operation and management for the duration of the school.~~
“AGS director” or “AGS directors” means the individual or individuals responsible for overseeing the on-site operation and management of the school for the duration of each AGS cycle.

3.03.1 One (1) or two (2) staff member(s) of the host institution shall be appointed to serve as an AGS director or AGS directors.

3.03.2 The host institution must indicate in its proposal who will serve as AGS director(s), and, if the host institution chooses to use two AGS directors, each of their responsibilities must be clearly outlined in the proposal.

~~3.03 Length of program: The applying institution may choose between a four-week program or a six-week program. A four-week program will run four consecutive weeks (28 calendar days), without a break. A six-week program will run six consecutive weeks (42 calendar days), with a four-day break in the middle of the program~~

~~3.04 Request for Proposals (RFP): The RFP will be prepared by the Department of Education and distributed to presidents of all four-year colleges and universities in Arkansas no later than January of the last year of the current contract cycle for the new site selection cycle beginning the following year.~~

3.04 For purposes of these rules, “diverse” or “diversity” means representation in a group based on without limitation:

3.04.1 Age;

3.04.2 Country of origin;

3.04.3 Culture;

3.04.4 Disability;

3.04.5 Economic status;

3.04.6 Ethnicity;

3.04.7 Geographic location within the state;

3.04.8 Race;

3.04.9 School district student enrollment; and

3.04.10 Sex.

3.05 “AGS student selection committee” means a committee formed annually by the division that is consistent with section 3.04 with respect to the population of the state of Arkansas.

3.05.1 The committee is composed of at least 15 members, generally including:

3.05.1.1 School district administrators and teachers;

3.05.1.2 Coordinators of gifted programs;

3.05.1.3 Members of the Governor’s Advisory Council for the Education of Gifted and Talented Children; or

3.05.1.4 Other comparable individuals.

3.05.2 The committee is responsible for reviewing student applications and determining which students would most benefit from participation in AGS.

3.06 “AGS faculty selection committee” means a committee formed annually by the division that is consistent with section 3.04 with respect to the population of the state of Arkansas.

3.06.1 The committee is composed of no less than five and no more than ten members and includes:

3.06.1.1 Personnel from the Office for the Education of Gifted and Talented Children;

3.06.1.2 The AGS director(s);

3.06.1.3 Public school personnel; and

3.06.1.4 Postsecondary education personnel.

3.06.2 The committee may also include other division personnel and members of the Governor’s Advisory Council for Gifted and Talented Education.

3.06.3 The Commissioner shall annually approve this committee.

3.07 “AGS host institution selection committee” means a committee appointed by the Commissioner that is representative of the population of the state of Arkansas.

3.07.1 The committee is composed of seven (7) or more members chosen from:

3.07.1.1 School district administrators, teachers, and coordinators of gifted programs,

3.07.1.2 Members of the Advisory Council for the Education of Gifted and Talented Children,

3.07.1.3 Higher education personnel,

3.07.1.4 Personnel from education service cooperatives,

3.07.1.5 Parents, and

3.07.1.6 Community representatives.

3.08 “Faculty” means instructional personnel, including but not limited to educators hired to instruct in Area I, Area II, and Area III, as well as the AGS director(s).

3.09 “Staff” means all other personnel hired to operate AGS, this includes but is not limited to residential life assistants (RAs), security personnel, food service specialists, recreational specialists, health services personnel, and office management personnel.

4.00 Intent of the Arkansas Governor’s School

~~4.01~~ The intent of ~~AGS the Governor’s School~~ is to provide enriched educational offerings for students who have demonstrated exceptional abilities in a specific subject area, and to give selected students an opportunity to experience challenging concepts and theories in a collegiate setting prior to postsecondary education with an emphasis on twentieth and twenty-first century thought for the interpretation of facts.

~~4.024.01.1~~ The emphasis of ~~the school will be placed on AGS~~ is to develop an engaged community of critical thinkers through conceptual or abstract learning experiences contrast with the practical or concrete intelligence.

~~4.034.02~~ The school’s ~~program~~ AGS shall will offer students the opportunity to develop and/or expand their ~~power~~ ability to think “abstractly,” to conceptualize, to theorize, and to explore the latest progress and problems complex subjects of in various fields disciplines of the arts and the sciences. Because this emphasis is not a frequent component of the regular high school curriculum, it provides the foundation, rationale, and support for this program.

~~4.04~~ The curriculum is not intended to be an acceleration of high school nor anticipation of college curricula.

5.00 Curriculum

- 5.01 The curriculum will be designed to (1) focus on contemporary and futuristic topics and issues, and (2) provoke curiosity and inquiry from the students.
- 5.02 Investigation into current thought will be accomplished through suggested readings, lectures, individual studies, and small group discussions. In addition, great lectures, concerts, dramatic productions, exhibits, forums, films, and events in the school site community will expose students to contemporary culture.
- 5.03 The curriculum for the school will be divided into three areas of study and will maintain continuity through concerted efforts of all staff persons.
- 5.04 Area I Academic and arts will include those fields of special talent whereby the student was chosen to attend the Governor's School. Visual Art, Choral Music, Drama, Instrumental Music, English/Language Arts, Mathematics, Natural Science, Social Science, and a Specialty Area if desired. The specialty area is for individual institutions applying for site selection to be able to offer an additional course unique to that institution and its resources.
- 5.05 Materials will be chosen to acquaint students with the latest advances in each of these specialized fields.
- 5.06 Area II General Conceptual development will focus on thinking; on the ways we think, the assumptions that underlie our own thinking and the thinking that takes place within the various discipline, on the twentieth century developments that have influenced our thinking about truth and knowledge and on means of thinking more effectively.
- 5.07 Area III Personal and Social development will be designed to foster the personal and social development necessary for the students to fully benefit from their Area I and Area II classes and the comprehensive cultural and social events of the AGS program.

6.00 Faculty Selection

- 6.01 Faculty selection will be made by a committee of no less than five and no more than ten members, composed of Department of Education personnel, members of the Governor's Advisory Council for Gifted/Talented Education, public school and higher education personnel, and the director and/or area coordinators of the Governor's School. The Director of the Department of Education will approve this committee.
- 6.02 Faculty selection criteria will be based on the applicant's: 1) extensive knowledge of subject area; 2) familiarity with twentieth and twenty first century theories, concepts, and practices in area(s) of expertise; and 3)

ability to communicate effectively with high school students of high potential.

- 6.03 — All faculty positions are open each year. The previous year's faculty may submit a faculty update form to indicate their interest in being considered for the upcoming school. A Director's Memo announcing the availability of faculty positions shall be online on the ADE website by November 1. Educators in all Arkansas public and private schools as well as all Arkansas institutions of higher education and all state directors of gifted programs are invited to apply for faculty positions. Classified ads shall be placed in state newspapers and in professional journals encouraging applications.
- 6.04 — Applications are previewed by the Governor's School Director and Administrator of Gifted Programs, ADE to determine applications for interview. The Administrator of Gifted Programs schedules the interviews and contacts each interview candidate. References are checked. Out-of-State applicants are usually interviewed by telephone. After the committee has reached consensus on the applicants based upon the majority vote of the committee, a list of recommended faculty is prepared and sent to the Assistant Director of School Improvement and Professional Development for approval. After approval, all recommended faculty applicants will voluntarily agree to a criminal background check paid for by the Department. After approval of the background check by the committee, all recommended faculty applicants will be notified and contracts will be issued.

7.00 — Recreation

Recreation will be provided by offering a well rounded program of athletic activities to be planned as a part of the total school program. Participation will be on a volunteer basis.

8.00 — Expenses

Tuition, board and room, approved activities, fees, instruction supplies, books, and school medical services will be furnished for the students. Travel to and from the program and personal expenses will be furnished by the student.

9.00 — Credit/Grades

No credit or grades are given. Work at the Governor's School will supplement, not supplant the general high school curriculum.

10.00 — Student Selection

- 10.01 — Juniors who are residents of Arkansas and attending any public or private high school, or who are home schooled, are eligible for nomination. — Local high

~~schools make nominations, limited to 10% of their junior class, and provide the required test scores and grade information. School personnel also write recommendations. The school sees that each student's application packet (as outlined in the Student Nomination Packet that is available by November of each school year) is assembled and mails them to the Governor's School office. Parents or guardians of home schooled students will fill out the Student Nomination Packet, attach the required documentation and mail to the Governor's School office.~~

~~10.02 The Arkansas Department of Education recruits three statewide committees, composed of twelve to thirty members each, made up of school administrators, teachers, coordinators of gifted programs, members of the Governor's Advisory Council, higher education personnel, and others to conduct student selection. Committees shall be selected so as to take into consideration diversity of membership based upon sex, age, size of school district, geographic location in the state and other factors to allow the committee to consider the various and diverse applications submitted to them.~~

~~10.03 One of the three committees shall conduct auditions. Another committee shall read the arts applications, and the third committee shall read the academic applications.~~

~~10.04 Student selection is based on multiple criteria which includes: grades; student accomplishments, achievements or awards; evidence of task commitment; student's presentation of themselves; the teacher(s) recommendation(s); why a student wants to apply in a particular area; current test scores and the specific courses a student has chosen to take in high school. Committee members do not look at any one item alone.~~

~~11.00 Faculty/Staff Training~~

~~A representative of the Department will participate in faculty/staff training activities.~~

~~12.00 Evaluation~~

~~An evaluation report must be submitted to the Department after the close of the school. This report must include a detailed summary or syllabus of Area I, Area II, and Area III activities including specific works read.~~

~~13.00 Site Requirements~~

~~13.01 A written plan will provide specific details guaranteeing no other campus activity or its participants will interfere with any Governor's School activity or student including the requirements listed in Section 13.02 through 13.06.~~

~~13.02 The institution will provide personnel to operate dining facilities to provide three meals a day during the time the school is in session.~~

- ~~13.03 The institution will provide separate dormitory space for male and female students plus appropriate space for dormitory counselors and faculty.~~
- ~~13.04 The institution will employ librarians and assistants as needed to provide adequate library services and will make its total library collection available for the duration of the school~~
- ~~13.05 The institution will provide appropriate classroom, laboratory, studio (art and music), auditorium, offices, and other instructional and administrative facilities as will be mutually agreed upon, between the institution and the site selection committee referenced in section 13.07 below.~~
- ~~13.06 The institution will make available appropriate facilities, supplies, and staff for the duration of the Governor's School. Other facilities and services to be provided by the college/university include tennis courts, gymnasium, playing fields, custodians, and security.~~
- ~~13.07 A site selection committee of seven or more members chosen from school administrators, teachers and/or coordinators of gifted programs, members of the Governor's Advisory Council, higher education personnel, personnel from education service cooperatives, and parents/community representatives will be appointed by the Director of the Department of Education.~~
- ~~13.08 The selection committee will receive complete copies of all applications and will make site visits to each institution under consideration. The committee will consider the following criteria for site selection as described in these Rules with specific emphasis given to the items set out in parentheses: proposed program director (background, vision, leadership); dates campus is available for use (written plan guaranteeing no other campus activity or its participants will interfere with any Arkansas Governor's School student activity); curriculum; minimum of part time office operations (staff, facilities, services); staff development activities; food services; library (staff); dormitories (male and female dorms, air conditioned); classrooms, labs, studios, theater, etc.; recreational facilities; maintenance and security; health services; and student rules of conduct. Each area will be ranked on an individual scale providing a total possible of 100 points for each committee member.~~
- ~~13.09 After site visits the committee shall recommend a site to the Director of the Department of Education based on majority vote of the committee members. That recommendation will be presented to the State Board of Education for approval.~~
- ~~13.10 Recruitment activities by the host campus may not be conducted during Arkansas Governor's School.~~

~~13.11 Site selection will be for a period of three years contingent upon successful annual evaluations.~~

~~14.00 Budget~~

~~14.01 The budget for a four week program will be based on 400 students times 27 days (dinner for the first day and breakfast for last day are counted as one day) times \$50 per student (amount may increase in the future as funding provisions allow) providing a total budget, (unless funds increase), of \$540,000.~~

~~14.02 The budget for a six week program with a four day break will be based on 400 students times 37 days (dinner for first day and breakfast for the last day are counted as one day) times \$50 per student (amount may increase in the future as funding provisions allow) providing a total budget amount of \$740,000 (unless funding increases).~~

~~14.03 Budgets will include: Faculty and staff (salaries, housing, administrative cost, staff development planning); contracted services (consultant/speaker fees, consultant and speaker travel, travel and expenses for audition and selection teams, special meals); office management (equipment rental, telephone, printing and duplication, supplies, postage, insurance); instructional expenses (books, materials and supplies); equipment and building damage; publicity, media, audio-visual; student activities (social events, student directory, etc.); and contract with institution for student services and facilities (room and board and school medical services).~~

5.00 Program Logistics

5.01 The host institution shall designate a staff member(s) with appropriate experience, leadership capacity, and vision to serve as AGS director(s).

5.02 The program shall be in operation for a minimum of 28 days and a maximum of 38 days.

5.02.1 The host institution shall determine the length of the program and include the program length in their proposal.

5.02.2 The length shall remain the same throughout the institution's contract cycle.

5.02.3 A multi-day break may be included in the proposal; however, the duration of the break shall not exceed four days and shall not count towards the program length.

5.02.4 Students shall participate in structured activities scheduled by the host institution at least six out of seven days each week.

5.03 A written plan developed by the host institution shall provide specific details of AGS activities and facilities usage, guaranteeing no other campus activity or its participants will interfere with any AGS activity or student.

5.04 The host institution shall provide year-round operational support for AGS, including;

5.04.1 Recruiting students to attend AGS;

5.04.1.1 AGS student recruitment by the host institution should aim to be representative of the population of the state of Arkansas, including increasing representation from underrepresented school districts.

5.09.1.2 Traditional college or university recruitment activities by the host institution shall not be conducted during AGS, with the exception of hosting college fairs with participation from other institutions.

5.09.2 Recruiting candidates to serve as AGS faculty;

5.09.2.1 The host institution shall actively recruit AGS faculty and staff and aim to be representative of the population of the state of Arkansas.

5.09.3 Developing, disseminating, and managing student and faculty applications;

5.09.3.1 The applications shall be developed in consultation with the division.

5.09.3.2 The host institution and the division shall disseminate and promote the applications to ensure distribution to multiple stakeholders.

5.09.3.3 The host institution shall provide the student selection committee and faculty selection committee members access to the corresponding applications, while maintaining privacy and confidentiality of the contents of the applications.

5.09.4 Communicating program information to the public, school districts, students, and families.

5.09.4.1 The host institution shall maintain an AGS website.

5.09.4.2 The host institution shall host special events while AGS is in session, including events for educators, legislators, families, and alumni.

5.09.4.3 The host institution shall publish and distribute an AGS yearbook to students, faculty, and the division.

5.10 If the State Board of Education approves a transition to another host institution, the Office for the Education of Gifted and Talented Children shall consult with the incoming host institution, including providing a review of the current host institution's student and faculty recruitment and of the committees' student and faculty selection processes; the Division of Elementary and Secondary Education shall also assist with planning for and implementation of the next AGS session, including providing the incoming host institution with the annual evaluation reports submitted to the division for the current host institution's five-year cycle.

5.10.1 The incoming host institution shall be determined in accordance with the host institution selection process outlined in section 13.00.

5.11 The division shall annually consult with and assist the host institution in program logistics prior to the start of each session in an advisory role.

6.00 Curriculum

6.01 The curriculum shall be designed to:

6.01.1 Focus on topics and issues relevant to current events and future developments in academics;

6.01.2 Provoke curiosity and inquiry from the students;

6.01.3 Engage students in critical thinking and analysis;

6.01.4 Develop communication and civil discourse skills; and

6.01.5 Fulfill the intent of the program as described in section 4.00.

6.02 The curriculum is not intended to be an acceleration of high school nor anticipation of postsecondary curricula.

6.03 Curriculum and its delivery shall be free of prohibited indoctrination as defined by Arkansas Code § 6-16-156 and any related Division of Elementary and Secondary Education rules.

6.04 Curriculum content shall be age-appropriate for high school students who are under the age of 18.

6.05 The curriculum shall be divided into three Areas of study and shall maintain continuity through concerted efforts of all staff persons.

6.05.1 All Areas shall employ Socratic teaching and engage students in interactive higher order thinking experiences.

6.05.2 Area I – Academic Development shall focus on the following academic disciplines: English/language arts, mathematics, natural sciences, social sciences, choral music, drama, instrumental music, and visual arts.

6.05.2.1 The division may require an additional academic discipline not included above.

6.05.2.2 Additional academic disciplines may be included in an individual institution's proposal.

6.05.2.3 An innovative integrated curriculum maintaining fidelity to the academic disciplines outlined in section 6.01 may be included in an individual institution's proposal.

6.05.3 Area II – General Conceptual Development shall focus on:

6.05.3.1 How individuals process thinking;

6.05.3.2 The assumptions that underlie thinking;

6.05.3.3 Thinking that takes place within the various disciplines;

6.05.3.4 Developments that influence thinking about truth and knowledge;

6.05.3.5 Logic; and

6.05.3.6 Means of thinking effectively.

6.05.4 Area III – Personal Development shall foster personal skills that help people get along with others, communicate in an effective and civil manner, and make positive contributions in their own lives and communities.

6.06 Materials and content shall expand the AGS experience by:

6.06.1 Providing exposure to multiple perspectives;

6.06.2 Acquainting students with the latest advances in each field of study; and

6.06.3 Supporting the unique needs of gifted high school students.

6.07 Faculties of Areas I, II, and III shall collaborate to create consistent student experiences, fostering engagement in the AGS community beyond the classroom setting.

6.08 Investigation and inquiry of topics shall be accomplished through readings, lectures, individual studies, small group discussions, concerts, dramatic productions, exhibits, forums, films, and events in the school community.

6.09 No credit or grades shall be given and any work at AGS shall supplement, not supplant, the general high school curriculum.

7.00 Student Selection

7.01 Rising high school seniors who are residents of Arkansas and attending any public school district, open-enrollment public charter school or private high school, or who are enrolled in a home school, are eligible for nomination.

7.01.1 Schools may nominate up to five (5) students or 10% of their junior class, whichever is greater.

7.01.2 The list of nominated students shall be representative of the rising high school senior student population and non-discriminatory procedures shall be used to determine which students are nominated for AGS.

7.02 Student selection is based on multiple criteria which includes, but is not limited to student accomplishments, achievements, awards, evidence of task commitment, student responses to application prompts, student auditions if applying in arts areas, educator(s) recommendation(s), current assessment data, grades, and the student's transcript.

7.02.1 Public school districts, open-enrollment public charter schools, or parents or guardians of students enrolled in a home school submit applications to the AGS director(s) or their representative at the host institution.

7.02.1.1 Public school districts, open-enrollment public charter schools, or parents or guardians of students enrolled in a home school supply data including current transcript and assessment data that provides evidence of the suitability of the nominated student based on the criteria outlined above.

7.02.1.2 Nominated students complete portions of the application reflecting their interests, achievements, and commitment to AGS.

7.03 The student selection committee shall review submitted student applications.

7.03.1 Each application is reviewed by multiple committee members and is considered in its totality by each reviewer.

7.03.2 Attention shall be given to selecting a group of qualified students that is consistent with section 3.04, including representation from all geographic regions of the state and student groups.

7.04 After reaching consensus regarding which students will be invited to attend AGS, the statewide student selection committee shall submit their decisions regarding the status of student applications to the AGS director(s).

7.04.1 The AGS director(s) shall communicate the resolution of each student's application to the student and school in writing.

8.00 Faculty Selection

8.01 Faculty are hired for one summer term, with the exception of the AGS director(s).

8.01.1 Educators and other professionals may apply for faculty positions.

8.01.2 A Commissioner's Memo announcing the availability of faculty positions shall be posted by November 1.

8.02 Faculty selection shall be made based on the applicant's:

8.02.1 Extensive knowledge of subject area;

8.02.2 Familiarity with theories, concepts, and practices in area(s) of expertise; and

8.02.3 Ability to communicate effectively and facilitate discussion with gifted high school students.

8.03 Faculty applications are previewed by the faculty selection committee to determine which applicants to interview.

8.03.1 The AGS director(s) is responsible for scheduling the interviews.

8.03.2 Once the committee has reached majority consensus on the applicants, a list of recommended faculty is sent to the Division of Elementary and Secondary Education for approval.

- 8.04 After approval of the recommended faculty list, the host institution shall ensure all recommended faculty applicants complete an annual criminal background check, including a child maltreatment registry check, paid for using AGS funds awarded to the host institution.
- 8.05 All recommended faculty applicants will be notified, and contracts will be issued by the host institution, subject to a satisfactory background check and approval by the division.

9.00 Faculty Professional Learning

- 9.01 A representative of the division shall participate in faculty professional learning.
- 9.02 Professional learning content for all faculty shall include:
- 9.02.1 Needs of gifted high-school students;
 - 9.02.2 Socratic teaching and higher-order-thinking engagement techniques;
 - 9.02.3 Neutral facilitation of student-led learning and conversation;
 - 9.02.4 Unbiased lesson delivery which facilitates examination of multiple perspectives and student-led discourse free of prohibited indoctrination as defined by Arkansas Code § 6-16-156 and any related Division of Elementary and Secondary Education rules;
 - 9.02.5 Role of faculty and staff in contributing to the AGS community beyond classroom instruction responsibilities;
 - 9.02.6 Ensuring the well-being of students and adherence to mandated reporting; and
 - 9.02.7 Consistent curriculum delivery across sections of each Area of instruction.
- 9.03 The AGS director(s) should attend the National Conference of Governor's Schools, paid for using AGS funds awarded to the host institution, to increase their knowledge about the functioning of governors' schools across the country.
- 9.04 Instructional staff shall be provided contracted time to collaborate within and across Areas to ensure a consistent and cohesive AGS experience for learners.
- 9.05 The AGS director(s) shall provide classroom observation and feedback to ensure high quality and appropriate instruction is occurring in each classroom.

10.00 Residential Life and Student Experience

10.01 Tuition, meals, housing, activities, fees, instructional supplies, books, and school medical services shall be furnished for the students.

10.01.1 Travel to and from the program and unlisted personal expenses shall be furnished by the student.

10.02 AGS yearbooks and program shirts shall be provided for students, faculty, and residential life personnel.

10.03 Recreation shall be provided by offering a well-rounded program of social and athletic activities as a part of the total school program.

10.03.1 Participation in recreational activities shall be on a volunteer basis.

10.04 The host institution shall employ AGS residential life personnel and ensure all residential life personnel complete an annual criminal background check, including a child maltreatment registry check, paid for using AGS grant funds awarded to the host institution.

10.05 Professional learning content for all residential life personnel shall include:

10.05.1 Needs of gifted high-school students;

10.05.2 Basic first responder training;

10.05.2.1 Standard procedures for responding to and reporting student needs;

10.05.2.2 Ensuring the well-being of students and adherence to mandated reporting;

10.05.4 Neutral and unbiased facilitation of student discussions free of prohibited indoctrination as defined by Arkansas Code § 6-16-156 and any related Division of Elementary and Secondary Education rules; and

10.05.5 The role of staff in contributing to the AGS community.

11.00 Facilities and Services

11.01 The host institution shall be responsible for providing instructional and ancillary facilities, services, and personnel throughout the duration of the program and shall:

11.01.1 Provide appropriate classroom, laboratory, studio (art and music), auditorium, offices, and other instructional and administrative facilities to support Area I, II, and III offerings.

- 11.01.2 Provide dining facilities and personnel to supply three (3) meals a day for students, faculty, and residential life staff while AGS is in session.
- 11.01.3 Provide separate housing or dormitory spaces for male and female students.
- 11.01.4 Provide housing for residential life personnel and faculty.
- 11.01.5 Employ a media specialist(s) to provide adequate media services and access to the library collection and facilities.
- 11.01.6 Provide physical and mental health services while AGS is in session.
- 11.01.7 Provide other facilities and services including recreational facilities, technology support, security, and facility maintenance personnel.

12.00 Evaluation

12.01 An annual evaluation report shall be submitted to the Division of Elementary and Secondary Education by September 30 and shall include:

12.01.1 An academic summary of AGS, including:

12.01.1.1 A comprehensive summary of the program from the AGS director(s);

12.01.1.2 A detailed summary of Area I, Area II, and Area III including specific works read;

12.01.1.3 Titles and summaries of guest speakers, lectures, concerts, dramatic productions, exhibits, forums, films, and other events in the school community;

12.01.1.4 Student evaluations of faculty, staff, curriculum, special events and speakers, residential life, and the overall program;

12.01.1.5 Faculty and staff evaluations of curriculum, special events and speakers, residential life, and the overall program; and

12.01.1.6 A calendar of events spanning the full AGS session including the daily schedule;

12.01.2 An administrative summary of AGS, including:

12.01.2.1 A summary of AGS student recruitment;

12.01.2.2 A summary of student applicant and attendee data;

12.01.2.3 A summary of faculty recruitment;

12.01.2.4 Faculty roster, including AGS teaching assignment, years of experience with AGS, and current or most recent employer;

12.01.2.5 A summary of residential life;

12.01.2.6 Cumulative statistical data reports for students and faculty; and

12.01.2.7 Copies of student, faculty, and staff codes of conduct.

12.01.9 A final financial summary.

12.02 The AGS director(s) shall present the annual evaluation report to representatives from the division, including the Office for the Education of Gifted and Talented Children, by November 30.

12.03 If an annual evaluation indicates the program is unsuccessful at the host institution, the division shall assist the host institution in developing action plans to help ensure success.

12.03.1 If, after reasonable assistance from the division, the host institution is unable to achieve the goals of the program, the division may petition the State Board of Education to relocate AGS to another host institution.

12.03.2 Selection of the incoming host institution shall be done in accordance with the host institution selection procedure outlined in section 13.00.

13.00 Host Institution Selection Procedure

13.01 The request for proposals to serve as AGS host institution shall be prepared by the Division of Elementary and Secondary Education and distributed to presidents of all four-year colleges and universities in Arkansas no later than February of the final year of the current grant cycle.

13.01.1 Grant cycles are every five (5) years.

13.01.2 In its submitted proposal, the host institution shall define a proposed budget based on availability of grant funds appropriated from the General Assembly.

- 13.02 The Office for the Education of Gifted and Talented Children shall facilitate the work of the host institution selection committee; however, during all substantive discussions by the committee with respect to a host institution recommendation, representatives of the division shall not be present.
- 13.03 The host institution selection committee shall select a chair and co-chair.
- 13.04 Each host institution selection committee member shall actively participate in the site selection process.
- 13.04.1 A committee member who fails to actively participate shall not vote for a host institution recommendation.
- 13.05 Each member of the host institution selection committee shall receive and review complete copies of all submitted proposals.
- 13.06 Any institution to be considered as host must receive a site visit. Site visits shall be conducted for each institution submitting a proposal, within the following provisions:
- 13.06.1 After review of all submitted proposals, the host institution selection committee may elect to limit the number of site visits.
- 13.06.1.1 However, if the committee receives more than one proposal, the committee shall conduct site visits for at least two institutions.
- 13.06.2 Each institution shall provide a private space for the host institution selection committee to meet periodically throughout the visit.
- 13.06.3 The proposed AGS director(s) shall guide the host institution selection committee throughout the course of the visit.
- 13.06.4 Each visit shall include:
- 13.06.4.1 Introductions of host institution selection committee members and institution personnel;
- 13.06.4.1.a Institution personnel shall include the proposed AGS director(s) and may also include the president or chancellor of the host institution and any other university personnel, to be determined by the institution.
- 13.06.4.2 Presentation of proposal highlights from proposed AGS director(s);

13.06.4.3 Tour of facilities designated for use during AGS;

13.06.4.4 A closing presentation from the host institution;

13.06.4.5 Opportunity for the
host institution selection committee
to ask questions;

13.06.4.6 Dedicated time for the host institution selection committee to
meet privately after the conclusion of the visit.

13.07 The host institution selection committee shall evaluate the following elements of
the proposal for host institution selection:

13.07.1 AGS program logistics, under section 5.00;

13.07.2 Curriculum, under section 6.00;

13.07.3 Faculty professional learning, under section 7.00;

13.07.4 Residential life and student experience, under section 8.00; and

13.07.5 Facilities and services, under section 9.00.

13.08 In order to determine the host institution selection committee's recommendation
for the host institution, these steps shall be followed at a committee meeting after
the conclusion of the site visits:

13.08.1 Each member shall individually evaluate each institution being
considered using the factors in section 13.07.

13.08.2 Committee members shall collectively discuss all institutions under
consideration

13.08.3 Each member shall individually vote for a host institution based on
their own independent evaluations as well as the collective discussion.

13.08.4 The votes shall be tallied by the Office for the Education of Gifted and
Talented Children. The institution with the most votes will be
recommended as the host institution.

13.08.4.1 In the event of a tie, the steps listed above shall be repeated
until a recommendation can be determined.

- 13.08.5 The committee shall collectively prepare a rationale that supports its recommendation for the chair and co-chair to present to the State Board of Education.
- 13.08.6 The committee's recommendation shall be submitted by the Office for the Education of Gifted and Talented Children to the Commissioner.
- 13.08.7 The division shall notify the institutions of the committee's recommendation.
- 13.08.8 The committee's chair and co-chair shall present the host institution recommendation to the State Board of Education for approval.

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

DEPARTMENT _____
BOARD/COMMISSION _____
BOARD/COMMISSION DIRECTOR _____
CONTACT PERSON _____
ADDRESS _____
PHONE NO. _____ EMAIL _____
NAME OF PRESENTER(S) AT SUBCOMMITTEE MEETING _____
PRESENTER EMAIL(S) _____

INSTRUCTIONS

In order to file a proposed rule for legislative review and approval, please submit this Legislative Questionnaire and Financial Impact Statement, and attach (1) a summary of the rule, describing what the rule does, the rule changes being proposed, and the reason for those changes; (2) both a markup and clean copy of the rule; and (3) all documents required by the Questionnaire.

If the rule is being filed for permanent promulgation, please email these items to the attention of Rebecca Miller-Rice, miller-ricer@blr.arkansas.gov, for submission to the Administrative Rules Subcommittee.

If the rule is being filed for emergency promulgation, please email these items to the attention of Director Marty Garrity, garritym@blr.arkansas.gov, for submission to the Executive Subcommittee.

Please answer each question completely using layman terms.

1. What is the official title of this rule?

2. What is the subject of the proposed rule? _____
3. Is this rule being filed under the emergency provisions of the Arkansas Administrative Procedure Act? Yes No

If yes, please attach the statement required by Ark. Code Ann. § 25-15-204(c)(1).

If yes, will this emergency rule be promulgated under the permanent provisions of the Arkansas Administrative Procedure Act? Yes No

4. Is this rule being filed for permanent promulgation? Yes No

If yes, was this rule previously reviewed and approved under the emergency provisions of the Arkansas Administrative Procedure Act? Yes No

If yes, what was the effective date of the emergency rule? _____

On what date does the emergency rule expire? _____

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

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

6. Is this rule required to comply with a *state* statute or rule? Yes No

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

7. Are two (2) rules being repealed in accord with Executive Order 23-02? Yes No

If yes, please list the rules being repealed.

If no, please explain.

8. Is this a new rule? Yes No

Does this repeal an existing rule? Yes No

If yes, the proposed repeal should be designated by strikethrough. If it is being replaced with a new rule, please attach both the proposed rule to be repealed and the replacement rule.

Is this an amendment to an existing rule? Yes No

If yes, all changes should be indicated by strikethrough and underline. In addition, please be sure to label the markup copy clearly as the markup.

9. What is the state law that grants the agency its rulemaking authority for the proposed rule, outside of the Arkansas Administrative Procedure Act? Please provide the specific Arkansas Code citation(s), including subsection(s).

10. Is the proposed rule the result of any recent legislation by the Arkansas General Assembly?
Yes No

If yes, please provide the year of the act(s) and act number(s).

11. What is the reason for this proposed rule? Why is it necessary?

12. Please provide the web address by which the proposed rule can be accessed by the public as provided in Ark. Code Ann. § 25-19-108(b)(1).

13. Will a public hearing be held on this proposed rule? Yes No

If yes, please complete the following:

Date: _____

Time: _____

Place: _____

Please be sure to advise Bureau Staff if this information changes for any reason.

14. On what date does the public comment period expire for the permanent promulgation of the rule? Please provide the specific date. _____

15. What is the proposed effective date for this rule? _____

16. Please attach (1) a copy of the notice required under Ark. Code Ann. § 25-15-204(a)(1) and (2) proof of the publication of that notice.

17. Please attach proof of filing the rule with the Secretary of State, as required by Ark. Code Ann. § 25-15-204(e)(1)(A).

18. Please give the names of persons, groups, or organizations that you anticipate will comment on these rules. Please also provide their position (for or against), if known.

19. Is the rule expected to be controversial? Yes No

If yes, please explain.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY.

DEPARTMENT _____
BOARD/COMMISSION _____
PERSON COMPLETING THIS STATEMENT _____
TELEPHONE NO. _____ **EMAIL** _____

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 _____

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 _____

Next Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

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

Current Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

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

\$ _____

Next Fiscal Year

\$ _____

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

\$ _____

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.



Division of Elementary and Secondary Education

Transforming Arkansas to lead the nation in student-focused education

Jacob Oliva
Secretary

April 18, 2024

Stacy Smith
Deputy
Commissioner

Proposed Rule Governing Arkansas Governor's School

**State Board of
Education**

PURPOSE

The Division of Elementary and Secondary Education is seeking the Governor's review of the proposed Rule Governing Arkansas Governor's School.

Dr. Sarah Moore
Stuttgart
Chair

BACKGROUND

This rule has not been amended since 2004. The administration of the program has changed drastically, and this amendment serves to overhaul the rule to align with current practice.

Kathy Rollins
Springdale
Vice-Chair

KEY POINTS

- Establishes the process by which the host institution is determined.
- Expands committees to determine student selection and faculty selection.
- Establishes process for student selection in rule.
- Establishes process for faculty selection in rule.
- Creates a professional development requirement for participating faculty.
- Creates an evaluation process to ensure program accountability and effectiveness.

Adrienne Woods
Rogers

Randy Henderson
Blytheville

Lisa Hunter
White Hall

DISCUSSION

Arkansas Governor's School is a program that dates back nearly half a century. The program is held at a host institution of higher education every summer for rising high school seniors. During the most recent transition from Hendrix College to Arkansas Tech University, the Division identified key areas of this rule that needed to be amended. The rule has not been substantively amended since 2004.

This amendment overhauls the entire rule, putting into rule what had been practice. The rule also expands several key areas of the program that needed expansion, including selection processes for the host institution, faculty, and students. The rule also creates a transition procedure from host institution to host institution if the program is relocated at the end of the 5-year cycle or before. Additionally, the rule adds an evaluation procedure to ensure that the program is meeting its goals, is accountable to the division and is effective for gifted student learning. Finally, the rule makes several technical changes throughout in advance of the Code of Arkansas Rules.

Ken Bragg
Sheridan

Leigh Keener
Little Rock

RECOMMENDATION

The Division of Elementary and Secondary Education recommends Governor's Office approval of this rule.

Notice of Rulemaking

Pursuant to Arkansas Code Annotated § 25-15-201 et seq., notice is hereby given that the Division of Elementary and Secondary Education is considering new administrative rules. Public comment hearings will be held on the DESE Rule Governing Public School Policies Relating to Overnight Trips and Use of Public School Lavatories on May 22, 2024 at 1:30 p.m. Public comment hearings will be held for the following rules on May 31, 2024 at 10am: the DESE Rule Governing Professional Development; the DESE Rule Governing Arkansas Governor's School; the DESE Rule Governing Background Checks; the ADE, Office of Early Childhood Rules Governing Better Beginnings, Arkansas's Tiered Quality Rating and Improvement System; the DESE Rule Governing the Code of Ethics for Arkansas Educators; the DESE Rule Governing Dyslexia Screenings and Interventions; the DESE Rule Governing Educator Licensure; the DESE Rule Governing Emergency Response Equipment and Training in Arkansas Public Schools; the DESE Rule Governing Fiscal Assessment and Accountability Program; the DESE Rule Governing the Maternity Leave Cost Sharing Program; the DESE Rule Governing the Requirements and Procedures for Obtaining an Arkansas Birth through Prekindergarten Teaching Credential; and the DESE Rule Governing Water Safety Information Provided by Public Schools. Public comment hearings will be held for the repeal of the following rules on May 31, 2024 at 1:30pm: the DESE Rule Governing the Educator Compensation Reform Program; the DESE Rule Governing Eligibility of Participating School Districts in the Traveling Teacher Program; the DESE Rule Governing Incentives for Teacher Recruitment and Retention in High-Priority Districts; the DESE Rule Governing Reimbursement by School Districts for Election Expenses; the DESE Rule Governing School Board Zones and Rezoning; the DESE Rule Governing School District Duty to Report Student Criminal Acts; the DESE Rule Governing the Succeed Scholarship Program; and DCTE Rule Governing Methods of Administration of Career and Technical Education Programs. All hearings will be held at the Arkansas Department of Education, Arch Ford Building, Four Capitol Mall, Little Rock, AR, 72201. The public comment period for these rules ends on June 10, 2024. Written comments regarding these proposed rules may be mailed to ADE Legal Services, Four Capitol Mall, Room 302A, Little Rock, AR, 72201. Comments also may be emailed to ADE.RulesComments@ade.arkansas.gov. A copy of the proposed rules can be found on the Division of Elementary and Secondary Education's

website at: <https://dese.ade.arkansas.gov/Offices/legal/rules/pending>.

Copies also may be obtained by contacting ADE's Office of Legal Services at the above address or via phone at (501) 683-1390.

Re: Notice of Rulemaking

Legal Ads <legalads@arkansasonline.com>

Wed 5/8/2024 11:42 AM

To: Daniel Shults (ADE) <Daniel.Shults@ade.arkansas.gov>

Cc: LaBria Brown (ADE) <LaBria.Brown@ade.arkansas.gov>; Legal <legal@ade.arkansas.gov>

Caution: This is an external email and may contain a suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, contact [ADE IT Services](#).

Notice will run Fri 5/10, Sat 5/11, and Sun 5/12.

Sunday will be invoiced separate from Fri/Sat.

Thank you.

Gregg Sterne, Legal Advertising
Arkansas Democrat-Gazette
legalads@arkansasonline.com

From: "Daniel Shults (ADE)" <Daniel.Shults@ade.arkansas.gov>
To: "LaBria Brown, ADE" <LaBria.Brown@ade.arkansas.gov>, "Legal Ads" <legalads@arkansasonline.com>
Cc: "Legal" <legal@ade.arkansas.gov>
Sent: Wednesday, May 8, 2024 11:27:16 AM
Subject: RE: Notice of Rulemaking



ARKANSAS
DEPARTMENT OF EDUCATION

Daniel Shults
Deputy Legal Counsel
Arkansas Department of Education
4 Capitol Mall, Suite 302
Little Rock, Arkansas 72201
Office: (501) 682-4202
Cell: (501) 647-5939
Email: daniel.shults@ade.arkansas.gov

From: LaBria Brown (ADE) <LaBria.Brown@ade.arkansas.gov>
Sent: Wednesday, May 8, 2024 9:57 AM
To: Legal Ads <legalads@arkansasonline.com>
Cc: Legal <legal@ade.arkansas.gov>; Daniel Shults (ADE) <Daniel.Shults@ade.arkansas.gov>
Subject: Notice of Rulemaking

Good morning,

Please find the attached Notice of Rulemaking for several Division of Elementary and Secondary Education administrative rules and confirm receipt. Please run for three consecutive days, from Friday, May 10, 2024, through Sunday, May 12, 2024. Please let me know if you have any questions.