

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

**Mark Martin**

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



**For Office**

**Use Only:**

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency \_\_\_\_\_

Department \_\_\_\_\_

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

Statutory Authority for Promulgating Rules \_\_\_\_\_

**Rule Title:** \_\_\_\_\_

**Intended Effective Date**

(Check One)

**Date**

☐

Emergency (ACA 25-15-204)

Legal Notice Published ..... \_\_\_\_\_

☐

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

Final Date for Public Comment ..... \_\_\_\_\_

☐

Other \_\_\_\_\_

(Must be more than 10 days after filing date.)

Reviewed by Legislative Council ..... \_\_\_\_\_

Adopted by State Agency ..... \_\_\_\_\_

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

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.)

Signature

Phone Number

E-mail Address

Title

Date

# **DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULE GOVERNING CAREER-READY PATHWAYS TO DIPLOMA**

**Effective date:**

## **1.0 REGULATORY AUTHORITY AND PURPOSE**

- 1.1** This rule is enacted pursuant to the State Board of Education’s authority contained in Arkansas Code §§ 6-11-105, 6-15-2907, 6-15-2911, and 6-16-1801 et seq. for the purpose of establishing guidelines for the implementation of career-ready pathways to a high school diploma.

## **2.0 DEFINITIONS**

- 2.1** “Career awareness and exploration activity” means any activity that creates links between what a student does in school and what a student wants to achieve in life, including exposing students to career and technical and academic fields of study.

**2.1.1** Activities may include without limitation the following: field trips, guest speakers, community services,; dedicated curricula, and other activities designed to introduce students to occupations that are found to be in demand in Arkansas.

- 2.2** “Career-ready pathway” means a sequence of courses and activities to prepare students for success after high school that includes (the minimum academic core approved by the Higher Education Coordinating Board, in consultation with the State Board of Education), a sequence of career and technical education courses in a program of study aligned with high-wage, high-growth jobs in Arkansas, and the opportunity to earn a credential of value.

**2.2.1** Career-ready pathways shall meet the requirements for state distinction published by the Division of Elementary and Secondary Education.

- 2.3** “Credential of value” means a certification, credential, or license aligned to a high-wage, high-growth career as defined by the Division of Higher Education in conjunction with other agencies represented in the Governor’s Workforce Cabinet.

- 2.4** “Employer” means without limitation: any individual, partnership, limited liability company, association, or corporation carrying on any employment, the receiver or trustee of the same, or the legal representative of a deceased employer.

- 2.5** “Early Postsecondary Opportunity (EPSO)” means a course, assessment, or combination of course and assessment that confers postsecondary credit to a student in high school. EPSOs may include without limitation: Advanced Placement (AP), International Baccalaureate (IB), Cambridge AICE, concurrent enrollment, and recognized industry certificate.

- 2.6 “Student Success Plan” means a plan that is developed by school personnel in collaboration with parents and the students that is reviewed and updated Annually beginning in eighth grade eight (8). The plan should guide students’ educational and career pathway choices to prepare students for success after high school, as outlined in Arkansas Code § 6-15-2911.

### **3.0 CAREER-READY PATHWAYS - IMPLEMENTATION**

- 3.1 Beginning with the ninth-grade class of 2024-2025, a public high school student shall have the option to earn a high school diploma through a career-ready pathway.

- 3.2 A career-ready pathway to a high school diploma shall include:

- 3.2.1 Challenging academic courses, as defined by the minimum academic core approved by the Higher Education Coordinating Board, in consultation with the State Board of Education, and in alignment with the graduation requirements established by the state board, including courses approved by the Department of Education to satisfy those requirements; and

- 3.2.2 Career and technical education programs of study aligned with high-wage, high-growth jobs in Arkansas.

- 3.2.2.1 The list of high-wage, high-growth aligned career and technical education programs of study shall be published by the Division of Elementary and Secondary Education annually and shall be informed by the division’s annual audit of the state’s career pathways informed by labor market information.

- 3.2.2.2 For the 2024-2025 school year, the list of high-wage, high growth aligned career and technical education programs of study shall be approved by the Division of Career and Technical Education.

- 3.2.2.3 For subsequent years, the list of high-wage, high-growth aligned career and technical education programs shall be approved by the Division of Higher Education, in conjunction with other agencies represented in the Governor’s Workforce Cabinet in alignment with the statewide definition of a credential of value.

- 3.2.2.4 The Division of Career and Technical Education may approve a pathway it determines to be high-wage and high-growth for districts who, based on their geographic location, have a need for a regional career and technical education program of study

which may meet high-wage, and high-growth thresholds for their geographic area but is not included on the statewide list.

**3.3** A public school district shall issue a diploma to a student who successfully completes the requirements published annually by the department for a career-ready pathway.

**3.3.1** A diploma issued to a student under section 3.03 shall be given the same status and recognition for purposes of the Arkansas Educational Support and Accountability Act, Arkansas Code § 6-15-2901 et seq., as is given any diploma issued by a public school district.

**3.3.2** A public school district or open-enrollment public charter school shall not be penalized in any manner for students who are issued a diploma through a career-ready pathway.

#### **4.0 EARLY EXPOSURE TO CAREER-READY PATHWAYS**

**4.1** To prepare students for choosing a career option at the high-school level, in grades six through eight (6-8), each public school district and open-enrollment public charter school shall incorporate career awareness and exploration activities that expose students to career and technical and academic fields of study, including without limitation the following:

**4.1.1** Field trips;

**4.1.2** Guest speakers;

**4.1.3** Community services;

**4.1.4** Dedicated curricula; and

**4.1.5** Other activities designed to introduce students to occupations that are found to be in demand in Arkansas.

**4.2** Each public school district and open-enrollment public charter school shall annually provide a minimum of four (4) career awareness and exploration activities for each student in grades six through eight (6-8).

**4.2.1** The Division of Elementary and Secondary Education will issue guidance annually on specific career awareness and exploration activities that are considered age-appropriate and scaffolded to support students and their families.

**4.2.1.1** A public school district or open-enrollment public charter school shall ensure that students in grade six (6) experience

activities that allow students to determine their interests and determine course acceleration opportunities aligned to their individual interests and available fields of study.

4.2.1.2 A public school district or open-enrollment public charter school shall ensure that students in grade seven (7) experience activities that allow them to select additional courses that could expose them to potential career and technical education and academic fields of study available to them in high school and determine opportunities for further acceleration if appropriate.

4.2.1.3 A public school district or open-enrollment public charter school shall ensure that students in grade eight (8) experience activities that allow them to complete a Student Success Plan which outlines course choices toward their interests and selected pathway to a diploma.

4.2.1.4 Every student shall be required to participate in a Career Awareness or Career Development course at least once during grades six through eight (6-8) and participation in the course may count toward the annually required four (4) career exploration activities.

4.02.1.4.a Following the Course Approval Process, a public school may request to combine or embed the Arkansas Academic Standards for the Career Awareness or Career Development course with standards from another course into one (1) combined course. The public school must continue to teach the Arkansas Academic Standards for each separate course that is combined.

4.3 Each public school district and open-enrollment public charter school with an approved career-ready pathway shall annually conduct an informational meeting for the parents, legal guardians, and persons standing in loco parentis to students in grade eight (8) regarding the approved curriculum offered by the public school district or open-enrollment public charter school.

## **5.0 CAREER-READY PATHWAY REQUIREMENTS**

5.1 A career-ready pathway to a diploma shall:

5.1.1 Enable a student to earn credentials of value in a desired high-wage, high-growth career and the minimum academic core credits required by the Standards for Accreditation of Arkansas Public Schools and Public School Districts;

5.1.2 Be offered to each high school student;

5.1.3 Prepare students to be qualified to continue their pathway in:

5.1.3.1 An institution of higher education;

5.1.3.2 An industry-based training or certification;

5.1.3.3 An apprenticeship;

5.1.3.4 A branch of the United States uniformed services; and

5.1.3.5 Immediate employment in a career field with available stackable credentials for continued advancement in that field.

5.2 Each public school district and open-enrollment public charter school shall offer at least one (1) career-ready pathway that is aligned to state and regional workforce demands as determined by the list of qualified pathways published annually by the Department of Education.

5.2.1 Public school districts and open-enrollment public charter schools shall work in partnership with local business and industry leaders, local economic development agencies, and postsecondary education leaders, and shall annually review and select appropriate career-ready pathways to offer, according to guidance published by the Division of Career and Technical Education; and

5.2.2 Expand offerings as appropriate, including without limitation:

5.2.2.1 Courses that are a part of a local or statewide articulation agreement with postsecondary institution(s);

5.2.2.2 Concurrent enrollment courses;

5.2.2.3 Industry training programs; and

5.2.2.4 Digital learning opportunities.

5.3 A public school student in a career-ready pathway shall complete the minimum academic core of courses as required for high school graduation and a career and technical sequence of courses or an approved training program that leads to an approved, industry-based credential in a high-wage, high-growth field, as published annually by the department.

## **6.0 CAREER-READY PATHWAY PROGRAM DEVELOPMENT**

6.1 To develop and implement a career-ready pathway program, public school districts and open-enrollment public charter schools may:

6.1.1 Work as a system in developing a district-wide or school-wide program;

6.1.2 Work as individual schools in developing individual school programs;

6.1.3 Work as groups of high schools or education service cooperatives in developing consortia programs; or

6.1.4 Partner with a secondary career center or community college.

6.2 The faculty for career-ready pathway courses shall include career and technical instructors and other teachers who have received the appropriate staff development or in-service training to enable them to teach career-ready pathway courses, including specific certifications where relevant, according to educator licensure requirements outlined by the Division of Elementary and Secondary Education.

6.2.1 Public school districts and open-enrollment public charter schools may employ content experts who hold a certification or credential relevant to a specific career-pathway program.

6.3 Whenever a teacher is unavailable to teach a career-ready pathway course, the career-ready pathway course may be taught in partnership with another public school district, open-enrollment public charter school, secondary career center, or community college including through the aid of technology and computer software whenever possible.

## **7.0 WORKERS' COMPENSATION INSURANCE PREMIUM REIMBURSEMENT**

7.1 A public school student who is in a career practicum or pre-apprenticeship work-based learning opportunity that is provided in coordination with a career and technical education program of study offered by a public school district or open-enrollment public charter school shall be covered by the workers' compensation insurance of his or her employer as provided in the Workers' Compensation Law, Arkansas Code § 11-9-101 et seq.

7.01.1 A public school district and open-enrollment public charter school shall be considered an employer, and a student an employee and eligible for workers' compensation coverage under Arkansas Code §§ 6-17-1401 and 11-9-102, when the student is providing services under a work-based learning opportunity provided in coordination with the public school district or open-enrollment public charter school.

- 7.2 Subject to legislative appropriation, the Department of Education shall reimburse employers, including without limitation public school districts and open-enrollment public charter schools, for the proportionate cost of worker's compensation premiums for students in work-based learning opportunities in accordance with department rules.

## **8.0 LONG-TERM VALUE OF A CAREER-READY PATHWAY**

- 8.1 To ensure that a career-ready pathway to a diploma adequately prepares public school students for high-wage, high-growth opportunities within Arkansas, the Department of Education, shall collaborate with the Arkansas Workforce Development Board to develop a system for collecting, analyzing, and reporting the public school student outcomes associated with the completion of high-wage, high-growth career-ready pathways.
- 8.2 The system under section 6.01 shall include without limitation the:
- 8.2.1 Hiring and retention of students and graduates within their respective fields of training; and
- 8.2.2 Remediation courses taken, including both quantity and type, for career-ready high school graduates entering postsecondary institutions.
- 8.3 Data collected under this section shall be used to inform:
- 8.3.1 Adjustments, approvals, and denials of high-wage, high-growth career-ready pathways to diplomas approved for high school graduation as published annually by the division; and
- 8.3.2 Accountability measures for high schools.



**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.