

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



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**METHODS OF ADMINISTRATION**

**Submitted In Compliance With**

**VOCATIONAL EDUCATION PROGRAMS  
GUIDELINES FOR ELIMINATING DISCRIMINATION  
AND DENIAL OF SERVICES ON THE BASIS OF RACE, COLOR  
NATIONAL ORIGIN, SEX AND HANDICAP DATED  
MARCH 21, 1979  
FEDERAL REGISTER**

**BY**

**ARKANSAS DEPARTMENT OF EDUCATION VOCATIONAL AND TECHNICAL  
EDUCATION DIVISION  
THREE CAPITOL MALL  
LITTLE ROCK, ARKANSAS 72201-1083**

**JULY 1, 1990**

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## FOREWARD

~~The Department of Health, Education and Welfare was directed by the Court decision (Adams v. Califano) to enforce civil rights requirements in vocational education programs through compliance reviews/evaluations, analysis of enrollment data and the issuance of guidelines for applying civil rights regulations to vocational education. An outcome of the Court directive was a requirement that by March 21, 1980, all states and outlying areas (territories) must have completed a document entitled Methods of Administration (MOA). The Office for Civil Rights issued a comprehensive set of Guidelines on March 21, 1979, designed to clarify the application of Vocational Education to:~~

- ~~a. Title V I of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, and national origin in any program receiving federal financial assistance;~~
- ~~b. Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities receiving or benefiting from federal financial assistance;~~
- ~~c. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap in programs and activities receiving federal financial assistance.~~

~~The original Methods of Administration (MOA) for Arkansas was approved on October 6, 1980, by the Office for Civil Rights (OCR). The document herein presented is the second major revision of that MOA.~~

~~The United States Department of Education, Office of Vocational and Adult Education, presently monitors state agencies for compliance with the Carl O. Perkins Vocational Education Act. Under the OCR Guidelines the Arkansas Department of Education will engage in oversight compliance activities supplementary to the responsibilities of the Office for Civil Rights.~~

## PART ONE — DEVELOPMENT OF THE METHODS OF ADMINISTRATION (MOA)

### 1-A. ~~Lead Agencies Responsible for Development of the MOA~~

~~—— The Arkansas State Board of Education is the legal governing body for all state-supported non-collegiate education programs in the state of Arkansas. —— The Board is authorized to receive federal education funds and is the "state educational authority" responsible for the development and implementation of the Methods of Administration (MOA) required by the Office for Civil Rights Vocational Education Guidelines for eliminating discrimination and denial of services on the basis of race, color, national origin, sex and handicap, as published in the Federal Register, Wednesday, March 21, 1979.~~

~~—— By virtue of the Arkansas Statutes, civil rights responsibilities in postsecondary-collegiate level institutions rest solely with the Arkansas State Board of Higher Education. Therefore, the State Department of Education does not conduct civil rights reviews of institutions under the State Higher Education System.~~

~~—— The Arkansas Department of Education is under the governance of the State Board of Education which is composed of nine members. —— The State Board of Education performs the legal functions of the State Board of General Education and also that of the State Board of Vocational Education as prescribed by Arkansas statutes. —— Both the Director of the General Education Division and the Director of the Vocational and Technical Education Division are employed by the Board to act as agents of the Board and perform such other duties as are assigned by the Board or by statute. ——~~

~~—— The Vocational and Technical Education Division of the Arkansas Department of Education is the administrative agency for the State Board of Vocational Education and is responsible for developing the MOA for the Board.~~

~~1 B. Approval of the Methods of Administration~~

~~The Methods of Administration were reviewed and approved through the following channels:~~

- ~~1. Program Manager, Vocational Evaluations, Vocational and Technical Education Division;~~
- ~~2. Associate Director for Instructional Programs, Vocational and Technical Education Division;~~
- ~~3. Administrator for Personnel, Vocational and Technical Education Division;~~
- ~~4. Associate Director for Vocational Technical Schools, Vocational and Technical Education Division;~~
- ~~5. Associate Director for Support Services, Vocational and Technical Education Division;~~
- ~~6. Supervisor, Sex Equity, Vocational and Technical Education Division;~~
- ~~7. Program Manager, Special Needs Section, Vocational and Technical Education Division;~~
- ~~8. Deputy Director, Adult Education, Vocational and Technical Education Division;~~
- ~~9. Deputy Director, General Services, Vocational and Technical Education Division;~~

- ~~10. Associate Director, Special Education, Division of General Education;~~
- ~~11. Program Support Manager, Equity Assistance Center, Division of General Education;~~
- ~~12. Director, Vocational and Technical Education Division; and~~
- ~~13. Director, Division of General Education.~~

~~Additionally, public input was invited through a public review conducted in compliance with the State's Administrative Procedure Act.~~

~~The State Board of Education approved the MOA on \_\_\_\_\_, 1990.~~

## PART TWO – ORGANIZATION TO MEET CIVIL RIGHTS RESPONSIBILITIES

### 2-A. Organization of Compliance Activities

The Director of the Vocational and Technical Education Division of the Arkansas Department of Education will direct the activities of the Civil Rights Compliance Program. These compliance activities will be coordinated by the Program Manager, Vocational Program Evaluations, who will have responsibility to the Associate Director for Instructional Services.

### 2-B. Personnel Assigned to Implement the Compliance Program

\_\_\_\_\_ The position for coordinating the State Vocational Education Agency's Civil Rights Compliance Program is:

Program Manager, Vocational Program Evaluations  
Vocational and Technical Education Division  
Three Capitol Mall  
Little Rock, AR 72201-1083

Expertise and assistance from other agencies and sections of the General Education Division and the Vocational and Technical Education

Division of the Arkansas Department of Education will be utilized to the maximum extent possible, making the entire undertaking a team effort.

Professional staff members of both the Vocational and Technical Education and General Education Divisions will serve as evaluation team members in on-site evaluations, and will conduct follow-up monitoring activities.

Technical assistance and monitoring activities will also be provided by the Special Education section, Equity Assistance Center, and the Instructional section of the General Education Division.

Other sections and personnel within the Vocational and Technical Education Division will be involved with the implementation of the MOA.



Coordination of these activities is the responsibility of the Program Manager for Vocational Evaluations. Specific assignments for involvement with major components of the MOA are outlined below and are described in greater detail throughout the MOA.

Policy Review

A Policy Review Task Force will review policies and procedures administered by the Vocational and Technical Education Division on an on-going basis for compliance with Section II (A) of the OCR Guidelines.

Members of the task force will include:

1. Associate Director, Instructional Programs
2. Associate Director, Vo-Tech Schools
3. Associate Director, Support Services
4. Deputy Director, General Services
5. Deputy Director, Adult Education
6. Associate Director, Vocational Finance
7. Administrator for Personnel
8. Program Manager, Special Needs
9. Program Manager, Vocational Evaluations

### PART THREE REVIEW OF STATE POLICIES AND PROGRAMS

~~As required by Section I I (A) of the Guidelines, the State Education Agency will ensure that its own programs, policies and procedures will be free from discrimination. This will be carried out by an agency review of pol i cies and procedures and be based on the relevant provisions of the Guidelines.~~

#### 3 A. Conduct of the State Policy Review

~~State policies and procedures relating to vocational education will be reviewed in light of the relevant provisions of the guidelines and regulations under Title VI, Title IX, and Section 504. A determination will be made if any of the State policies and procedures conflict with civil rights requirements. Recommendations will be made for amendment of those policies and procedures that are necessary to meet civil rights requirements and a documentation on of change made as a result of the review. The policies and procedures which the Vocational and Technical Education Division, Arkansas Department of Education, will review shall include the following:~~

- ~~\_\_\_\_\_ 1. the establishment of criteria or formulas for distribution of Federal funds to vocational programs in the State:~~
  - ~~\_\_\_\_\_ a. the State Plan funding distribution formulas;~~
  - ~~\_\_\_\_\_ b. policy manuals;~~
  - ~~\_\_\_\_\_ c. program applications for approval ;~~
  - ~~\_\_\_\_\_ d. criteria for distributing construction/equipment funds;-~~
  - ~~\_\_\_\_\_ e. criteria for awarding competitive grants and contracts;~~
  - ~~\_\_\_\_\_ f. criteria for dissemination of information regarding competitive grants- (RFP) ;~~
- ~~\_\_\_\_\_~~

- ~~2. the establishment of requirements for admission to vocational education programs operated by the State:~~
  - ~~a. policies concerning priority systems for admission to programs including pre-requisite requirements;~~
  - ~~b. testing programs;~~
- ~~3. the establishment of requirements for the administration of vocational education programs operated by the State:~~
  - ~~a. handbook for administrators of postsecondary vocational technical schools;~~
  - ~~b. State Plan for Vocational Education as it relates to administration;~~
  - ~~c. Affirmative Action Plan;~~
  - ~~d. Standards for Approving Local Vocational Administrator's Positions;~~
- ~~4. the approval of action by local entities providing vocational education:~~
  - ~~a. local plan for vocational education;~~
  - ~~b. annual applications for program approval;~~
  - ~~c. training plan and placement of cooperative students;~~
  - ~~d. student follow-up data;~~
  - ~~e. travel policies for students and/or teachers to state activities;~~
  - ~~f. policy bulletin;~~
  - ~~g. procedures for selection of textbooks and development of materials;~~
  - ~~h. student organization activities;~~

~~5. the conduct of programs operated by the State Education Agency:~~

- ~~—— a. State Plan for Vocational Education;~~
- ~~—— b. evaluation instruments;~~
- ~~—— c. material s utilized by postsecondary schools and other institutions;~~
- ~~—— d. local plans;~~
- ~~—— e. student organization bylaws and competitive events program.~~

~~The Office of the State Attorney General provides legal counsel to the State Education Agency and will be available in the review of procedures.~~

### 3 B. Scheduling the Policy Review

~~When significant changes are made in State policies or procedures that could affect civil rights compliance, the Vocational and Technical Education Division will conduct reviews and report the results in the annual report due by the end of July of each year.~~

### 3 C. Evaluation of State-operated Institutions and Programs

~~State-operated institutions and programs will be the subject of an agency review and at least one on-site review during the five-year period that this document covers. Methods used for determining which state programs and institutions will be evaluated are outlined in section 4-8-2.~~

## ~~PART FOUR ENSURING COMPLIANCE BY SUBRECIPIENTS~~

### ~~4 A. Agency Level Review~~

~~An agency level review will be conducted each year for 20 percent of all recipients (including state-operated institutions and programs), that provide vocational education programs and services that directly benefit students. An on-site review will be conducted for 25 percent of those recipients reviewed at the agency level each year. Approximately 326 public school districts, 24 postsecondary state-operated area vocational-technical schools, 16 secondary vocational centers, two state-operated schools for the blind and deaf, and two youth services schools comprise the universe for review.~~

~~From the total pool of recipients, those which fall within one or more of the following categories will be omitted from the total pool from which recipients will be selected for an agency level review:~~

~~1. Recipients that received an on-site civil rights compliance review within the previous five (5) years by the Vocational and Technical Education Division;~~

~~2. Recipients that are subjects of pending litigation in Federal or State courts because of alleged discrimination on the basis of race, color, national origin, sex or handicap, or~~

~~3. Recipients that are subjects of pending or recent investigation or enforcement proceedings by OCR. The Vocational and Technical Education Division will also rely on the General Education Division to provide this information.~~

——— Recipients will be selected from the remaining pool for agency level review. The number selected will be equal to 20 percent of all recipients providing vocational education programs and services that directly benefit student. The following factors will be used for selection to reach those institutions most in need of a compliance review at the earliest possible date.

——— Recipients will be selected where:

——— 1. there is knowledge of a school's practices that raise potential civil rights compliance problems;

——— 2. written reports are received of alleged noncompliance from complaints filed by parents, students or others; and

——— 3. reports from the Divisions of Vocational and Technical Education and General Education staff that raise questions about potential civil rights compliance problems.

——— If the above factors fail to identify 20 percent of the recipients, the remainder will be composed of randomly selected recipients.

——— Recipients selected for the agency level review will be notified in writing at least 30 days prior to the start of the review. The notification of an agency level review will describe the reason and authority for the review; contain information on how the review will be conducted; and a timeframe for the estimated completion of the review.

——— The agency level review will involve an analysis of numerical data and other pertinent information about the recipients. The analysis is a way of making a threshold determination of whether a recipient is complying with civil rights laws without going on-site.

~~———— A profile will be developed for each recipient selected for agency level review. The profile will be composed of the following data and information:~~

~~4-8-1. Data and Sources~~

~~Local Public School Districts~~

~~DATA~~

~~1. Secondary enrollment percentages by racial categories, sex, handicapping conditions, and limited English proficiency for each vocational program offered by the recipient.~~

~~2. Total secondary enrollment percentages by racial categories, sex, handicapping conditions, and limited English proficiency for each school in the district.~~

~~3. Vocational staff by racial categories, sex, handicap and program employed by the recipient.~~

~~Secondary Vocational Centers~~

~~DATA~~

~~1. Secondary enrollment percentages by racial categories, sex, handicapping conditions, and limited English proficiency for each vocational program offered by the recipient.~~

~~2. Secondary enrollment percentages by racial categories, sex, handicapping conditions, and limited English proficiency of each feeder school whose students attend the area vo tech center.~~

~~3. Postsecondary Area Vocational Schools~~

~~DATA~~

~~1. Full time adult enrollment percentages by racial categories sex, handicapping conditions, and limited English proficiency for each program offered by recipient.~~

~~2. Total full time adult enrollment percentages by racial categories, sex, handicapping conditions, and limited English proficiency by campus site.~~

~~SOURCE~~

~~Student Accounting Systems, Vocational and Technical Education Division~~

~~General Education Division Enrollment File~~

~~Teacher Master File Vocational and Technical Education Division~~

~~SOURCE~~

~~Student Accounting Systems, Vocational and Technical Education Division~~

~~General Education Enrollment File~~

~~SOURCE~~

~~Student Accounting Systems, Vocational and Technical Education Division~~

~~Student Accounting Systems, Vocational and Technical Education Division~~

~~3. Estimated percentage of adults by racial categories in the district's service area.~~

~~Census Data~~

~~4. Estimated statewide average of handicapped adults.~~

~~Office of Rehabilitation; OHS Services~~

~~5. Vocational staff by racial categories, sex, handicap and program employed by recipient.~~

~~Teacher Master File Vocational and Technical Education Division~~

~~Schools for the Blind and Deaf~~

~~DATA~~

~~SOURCE~~

~~1. Secondary enrollment percentage by racial categories, sex, handicapping conditions, and limited English proficiency for each vocational program offered by recipient.~~

~~Student Accounting System, Vocational and Technical Education Division~~

~~2. Vocational staff by racial categories, sex, handicap and program.~~

~~Teacher Master File System, Vocational and Technical Education Division~~

~~Arkansas Youth Services Schools~~

~~DATA~~

~~1. Full-time enrollment percentages by racial categories, sex, handicapping conditions, and limited English proficiency for each program.~~

~~SOURCE~~

~~Student Accounting System, Vocational and Technical Education Division~~

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~~4 B-2. Analysis and Indicators:~~

~~—The data which are assembled for each recipient will be analyzed to determine if disproportionate enrollments exist with regard to race, sex, handicap, and limited English speaking skills. The percentages of minorities, males, handicapped, and limited English speaking students enrolled in each school district will be calculated from the Division of General Education files. The percentages of minorities, males, handicapped, and limited English speaking students in each vocational program will be calculated from the Student Accounting System files at the~~



~~Vocational and Technical Education Division. The percentages of vocational program enrollees in each of the above mentioned categories will be compared with percentages of total secondary enrollees in the district.~~

~~———— In addition to analyzing data relating to students, an analysis will be made of vocational staff with regard to race, sex, and handicap. Percentages of vocational staff with regard to the categories discussed will be compared to percentages of total student representation in the district.~~

~~———— Other information that may be available for use in the analysis includes: (1) accreditation and evaluation reports of area vocational and technical schools, (2) evaluation reports of vocational center programs, (3) supervisory staff visitation reports, and (4) information from the Equity Assistance Center in the General Education Division.~~

~~———— Several persons in the Vocational and Technical Education Division will assist in analyzing the data and information to target those recipients that appear to have the highest indicators of possible discrimination, which will be used for selecting recipients for on-site reviews. The Educational Equity Coordinator will be asked to review the data to determine indicators of discrimination with regard to sex. The State Supervisor of Special/Needs Programs will be asked to review the data to determine indicators of discrimination with regard to handicap. The Program Manager for Vocational Evaluations will analyze the data to determine indicators of discrimination with regard to race. Recipients that exhibit indicators of discrimination will be flagged for possible on-site reviews. The Vocational and Technical Education Division will report to OCR in the annual report whether or not it secures corrective actions~~

~~from subrecipients which exhibit compliance problems or clear and present violations at the agency level review, but which are not scheduled for an on-site review.~~

~~———— The recipients selected for on-site reviews will be those that, after reviewing the data relating to race, sex, handicap, and limited English speaking skills, have the highest number of indicators of possible noncompliance with civil rights regulations.~~

#### ~~4-8-3. Selection and Notification of Recipients for On-Site Review~~

~~———— If the indicators fail to identify 25% for on-site reviews, the balance will be made up of randomly selected institutions from the total pool of those reviewed at the agency level in that year.~~

~~———— At the conclusion of the agency level review, recipients will be notified of the results. The notification will identify one of three possible results:~~

~~———— 1. The agency level review revealed no violations; therefore, there will be no on-site review by the Vocational and Technical Education Division. However, the recipient has ongoing responsibilities for compliance and may be reviewed by the Office of Civil Rights during the year. Also, technical assistance is available upon request from the Vocational and Technical Education Division.~~

~~———— 2. The agency level review revealed no apparent violations, but in order to comply with the minimum number of reviews required, the recipient will receive an on-site review.~~

~~3. The agency level review revealed some possible compliance violations and these specific problem areas, as well as a general review of the recipient's operations, will be the subject of an on-site review. The list of possible violations will be included in the notification.~~

~~All recipients selected for an on-site review will receive notification at least 30 days prior to the on-site review. The notification will also include an explanation of the on-site review process.~~

#### ~~4 B 4. On-Site Review~~

~~In Arkansas during FY 1990, there were 329 public school districts, 16 secondary vocational centers, 24 state-operated postsecondary area vocational technical schools, two schools for the blind and deaf, and two youth services schools receiving Federal funds and offering vocational education programs for a total of 373 recipients. The number of recipients receiving agency level reviews and on-site reviews will vary from year to year depending upon the actual number of recipients. Once recipients have been selected for on-site reviews, a schedule will be developed identifying recipients and the on-site review dates for each. All on-site visits will include team members from the Vocational and Technical Education Division staff. The General Education Division will be contacted and invited to participate in the review. The Vocational and Technical Education Division will conduct, inservice training sessions for all on-site team members prior to on-site reviews. Team members will be selected based on their knowledge and experience with civil rights regulations; specifically, Title VI, Title IX, and Section 504.~~

~~\_\_\_\_\_ The on-site review will examine and verify those issues raised by the agency level review. A review of additional compliance areas or issues not targeted by the agency level review will be addressed only when deemed necessary due to information received on-site such as:~~

- ~~\_\_\_\_\_ 1. Discriminatory faculty assignments;~~
- ~~\_\_\_\_\_ 2. Failure to provide access for handicapped students to programs;~~
- ~~\_\_\_\_\_ 3. Procedures used for notifying the public of the subrecipient's nondiscriminatory policies and practices;~~
- ~~\_\_\_\_\_ 4. Numerical limitations for admission of students to vocational education centers or programs;~~
- ~~\_\_\_\_\_ 5. Programs for students with limited English skills.~~

~~\_\_\_\_\_ A plan will be outlined prior to each on-site review based on the specific findings of the agency level review. The plan will identify:~~

- ~~\_\_\_\_\_ 1. Problems identified during the agency level review.~~
- ~~\_\_\_\_\_ 2. Issues related to the problems (drawn from the guidelines).~~
- ~~\_\_\_\_\_ 3. Questions for on-site interviews.~~
- ~~\_\_\_\_\_ 4. A list of data and documents to be reviewed and/or collected on-site.~~

~~\_\_\_\_\_ On-site techniques will primarily include interviews, observations and review, and collection of data and documents. The nature of the review will determine who is interviewed and the data to be reviewed.~~

#### 4 B 5. Notification of Findings of On-Site Review

~~At the conclusion of the on-site visit, a determination will be made on whether the finding(s) reported violate Title VI, Title IX, or Section 504.~~

~~Notification of the findings of an on-site review will be made in writing to the recipient with a copy to the Office for Civil Rights and the General Education Division when its schools are involved.~~

~~The notification will state that either:~~

- ~~1. No violations have been found (with a reminder of the recipient's continuing civil rights obligations and a statement that OCR may still wish to review the recipient); or~~
- ~~2. Violations have been found and the recipient will be given an opportunity to discuss the violations with the Vocational and Technical Education Division and to submit a plan to remedy the violations voluntarily.~~

~~\_\_\_\_\_ The notification will also outline how the Vocational and Technical Education Division can assist the recipient to come into compliance.~~

#### ~~4-B-6. Timetable~~

~~\_\_\_\_\_ Subject to change based on need, the following schedule for evaluations has been adopted by the State Education Agency for planning purposes:~~

~~\_\_\_\_\_ July: \_\_\_\_\_ verify schedule of schools to be evaluated; complete and forward annual \_\_\_\_\_ OCR report.~~

~~\_\_\_\_\_ August: \_\_\_\_\_ selection of team leaders for on-site evaluations.~~

~~\_\_\_\_\_ September: \_\_\_\_\_ subrecipients to be evaluated will be notified; inservice training for team \_\_\_\_\_ leaders~~

~~\_\_\_\_\_ November June: evaluations will be conducted and subrecipients notified of any apparent \_\_\_\_\_ violation findings.~~

#### ~~4-C. Technical Assistance Program~~

~~Both Divisions of General and Vocational and Technical Education will provide technical assistance to recipients upon request to prevent, identify, or remedy discrimination.~~

~~— The Vocational and Technical Education Division will annually notify all recipients offering vocational education of the availability of technical assistance. This will also be transmitted again to recipients in the following communications:~~

- ~~1. Notification of Agency Level Review;~~
- ~~2. Notification of Agency Level Review Findings and On-Site Reviews;~~
- ~~3. Notification of On-Site Review Findings; and~~
- ~~4. State Administrators' Meetings.~~

~~— The kinds of technical assistance that will be offered will depend on the specific needs of the institution and will be planned around those needs. Examples of areas for which assistance can be provided include:~~

- ~~1. Access and admission requirements;~~
- ~~2. Counseling and recruiting methods;~~
- ~~3. Curriculum and instructional materials;~~
- ~~4. Serving handicapped students;~~
- ~~5. Architectural barriers;~~
- ~~6. Student assignment/placement;~~
- ~~7. Testing procedures/assessment; and~~
- ~~8. Referral to other agencies and resources providing needed assistance.~~

~~Technical assistance will be administered through written correspondence, telephone conversations, visits to local schools, meetings, and inservice training workshops. All requests for assistance will be responded to in the most appropriate and timely manner possible.~~

~~— The extent or amount of time that can be provided for technical assistance will be determined based on the need of the recipient.~~

#### 4-D.1. Voluntary Compliance Plan.

~~———— If the compliance problems uncovered in the on-site review are minor, the Vocational and Technical Education Division will request the recipients to describe in writing the corrective measures and their implementation to the Vocational and Technical Education Division for approval.~~

~~———— If the problems are extensive, the Vocational and Technical Education Division will provide the recipients the opportunity to discuss the problems with state agency personnel.~~

~~———— A formal meeting will be scheduled at a designated time and location agreed to by all parties. Persons present will include representatives of the recipients, the Program Manager for Vocational Evaluations for the Vocational and Technical Education Division, and other Vo Tech personnel appropriate to the specific problems and needs of the recipient. General Education Division personnel will also be invited when their schools are involved.~~

~~———— The recipient will be requested to prepare a compliance plan outlining corrective measures and a timeframe for implementing them. The plan will be submitted to the Vocational and Technical Education Division for approval no later than 60 days after the Vocational and Technical Education Division notifies the recipient of the findings of noncompliance.~~

~~———— Monitoring compliance plans on the secondary and postsecondary levels will be on a continuing basis by the Vocational and Technical Education Division program supervisors and area supervisors during program visitations and evaluations. Monitoring efforts will be based on copies of evaluation reports and correspondence with subrecipients concerning potential OCR violations and compliance plans submitted by subrecipients.~~

~~—— In addition, the responsibility of compliance monitoring of postsecondary programs will be extended to the Associate Director for Vocational Schools. The Equity Assistance section of the General Education Division will also be furnished copies of all Letters of Finding (LOF) and will be asked to assist in monitoring activities. The Special Education Section of the General Education Division will be furnished copies of all LOFs citing apparent or potential violations concerning handicapped students and will assist in monitoring.~~

#### 4-D-2. Components of the Compliance Plan

~~An adequate compliance plan must:~~

- ~~1. Describe corrective actions to be taken to resolve each problem;~~
- ~~2. Include a specific timeframe for taking actions and coming to compliance; and~~
- ~~3. Describe any requested technical assistance needed.~~

#### 4-D-3. State's Responsibility to Report Noncompliance to OCR

~~The Vocational and Technical Education Division will notify the Regional Office of Civil Rights in the following circumstances:~~

- ~~1. If the institution fails to submit its voluntary compliance plan to take corrective action to remedy violations found during the on-site review, the Vocational and Technical Education Division will notify OCR as soon as it determines that it cannot secure voluntary compliance, but no later than 90 days after the Vocational and Technical Education Division issues its on-site review notification findings.~~



- ~~2. If the institution submits a plan that is inadequate but is working in good faith to remedy the plan's deficiencies, the Vocational and Technical Education Division will notify OCR no later than 120 days after the Vocational and Technical Education Division issues its on-site review notification of findings~~

## PART FIVE—REPORTING TO THE OFFICE FOR CIVIL RIGHTS

~~The Vocational and Technical Education Division will compile each fiscal year (July 1—June 30) a report of its MOA activities and findings. The report will be submitted by the end of July to the Regional office for Civil Rights in Dallas, Texas. The following illustrates the report format to be used and describes the content areas to be included in the report:~~

### 1. Compliance Organization and Staff

~~This section will report any modification regarding staff authority, personnel assignment, or organizational structure of the compliance program.~~

### 2. State Policy Review

~~Action of the Policy Review Task Force will be reported in the Annual Report.~~

### 3. Review of State Operated Institutions and Programs

~~The review of policies and procedures relating to institutions and programs operated by the Vocational and Technical Education Division will be conducted during the Policy Review described in Part III. These findings and any actions taken as a result of the review will be reported in the Annual Report. Findings of Reviews of recipients operated by the Vocational and Technical Education Division that receive an on-site review will be included in the Annual Report.~~

### 4. Recipients Receiving Agency Level Reviews

~~All recipients reviewed at the agency level will be reported in the Annual Report. The Annual Report will also list any changes in procedures, data sources, or analysis described in the MOA.~~

5. Identification of Recipients for On-Site Reviews

~~A report of all recipients receiving on-site reviews will be included in the Annual Report along with a copy of each voluntary compliance plan entered into with a subrecipient.~~

6. Technical Assistance Provided

~~The Annual Report will list recipients requesting technical assistance together with a summary of technical assistance provided.~~

7. Recipients Referred to OCR

~~The Annual Report will include a list of recipients referred to OCR as a result of failing to take measures to achieve voluntary compliance.~~

8. Monitoring Activities

~~The Annual Report will describe the activities the Arkansas Department of Education has taken to monitor and ensure that corrective action has been taken by recipients found to have compliance problems.~~

## APPENDIX A

### DEFINITION OF TERMS

AGENCY LEVEL REVIEW	An audit or review of subrecipients' data and documents to determine compliance with civil rights laws
COMPLIANCE PLAN	A written plan required of subrecipients who are found to have actual or potential compliance violations of civil rights requirements after an evaluation. Plan must include steps to remedy areas of discrimination.
COMPLIANCE REVIEW	A program review/evaluation conducted by the State Education Agency to determine areas of discrimination.
DISPROPORTIONATE IMPACT	All persons treated the same, but the rule or procedure applied has a greater impact on one group than on another. The policy may be neutral on its face, and may not be motivated by a discriminatory intent, but, nevertheless, it produces a discriminatory outcome.
DISPARATE TREATMENT	An individual who is a member of a protected group is treated less favorable than a similarly situated individual of a different group, or two groups are treated differently under similar circumstances.
EVALUATION GUIDELINES	See "COMPLIANCE REVIEW" and "ON-SITE REVIEW". Office for Civil Rights regulations outlining recipients responsibilities in carrying out its civil rights obligations in regard to vocational education.

GED	General Education Division, Arkansas Department of Education
LEA	Local Education Agency
MOA	Methods of Administration of Office for Civil Rights Guidelines
OCR	Office for Civil Rights
ON-SITE REVIEW/EVALUATION	A field audit or evaluation of subrecipients' facilities, policies, procedures, and data to determine compliance with civil rights laws.
<b>PROCEDURAL REQUIREMENTS</b>	Outlined by the regulations implementing Title VI, Title IX and Section 504. Failure to comply with these procedures by subrecipients is an actionable violation.

PROTECTED CLASS	That group in vocational education programs in which there is significant underrepresentation on the basis of race, color, national origin, sex, or handicap.
RECIPIENT	Any State or political subdivision, or any public or private agency, institution, organization, or any individual in any State, to whom Federal financial assistance is extended directly or through another recipient for any program or activity.
SEA	State Education Agency
SECTION 504 Rehabilitation Act of 1973	Prohibits discrimination on the basis of handicap in any education program receiving federal financial assistance.
SUBRECIPIENT	Vocational programs receiving Federal vocational funds through the Arkansas Vocational and Technical Division of the Department of Education. These consist of secondary vocational education programs operated by public school districts and postsecondary vocational technical (state-operated) institutions.
TECHNICAL ASSISTANCE	Assistance provided by the State to help subrecipients examine their current programs for possible civil rights violations or to plan future programs that are free from discrimination.
TITLE VI, Civil Rights Act of 1964	Prohibits discrimination on the basis of race in educational programs receiving federal financial assistance.
TITLE IX, Educational Amendments of 1972	Prohibits discrimination on the basis of sex in educational programs receiving federal financial assistance.
VTED	Vocational and Technical Education Division, Arkansas Department of Education.

## APPENDIX B

Vocational & Technical Education Division

Arkansas Department of Education

Organizational Chart

GOVERNOR

STATE BOARD OF

VOCATIONAL EDUCATION

VOCATIONAL EDUCATION

STATE COUNCIL ON

ADMINISTRATIVE SERVICES

Executive Assistant to Director Information  
Center Public Relations Data and Word Processing

DIRECTOR VOCATIONAL AND

TECHNICAL EDUCATION DIVISION

DEPUTY DIRECTOR  
ADULT EDUCATION

Coordinator, Adult Education  
Supervisors, Adult Education

DEPUTY DIRECTOR  
GENERAL SERVICES

DEPUTY DIRECTOR INDUSTRY  
TRAINING

Training Project Managers

ASSOCIATE DIRECTOR  
VOCATIONAL FINANCE

Internal Svcs. Mgr.

Accounting Supervisors

ASSOCIATE DIRECTOR  
INSTRUCTIONAL PROGRAMS

Agriculture Ed Home

Economics Ed

Business & Marketing Ed Health

Occup. & GCE Career Orientation

Special Needs

Technical Education Vocational

Evaluations Basic Skills/Dropout Prev.

Curriculum Specialists

Trade and Trade and Industrial Ed

Plumbing Apprenticeship

Personnel Section

Surplus Property

Equip. Maint. &  
Dist. Center

ASSOCIATE DIRECTOR VO-  
TECH SCHOOLS

Postsecondary Vo Tech Schools

Vocational Centers (sec.) Vo Tech

Prog. Supervisors Industrial

Coordinators

Exemplary Section (JTPA)

Media Implementation Center

ASSOCIATE DIRECTOR

SUPPORT SERVICES

Higher Education Services Veterans

Approving Agency Vocational Equity

Single Parent/Displaced Homemaker Program

Program Analyst Program

Improvement/  
Adult Training & Retraining

Inservice Training

Counseling

Approved  
State Board of  
Vocational Education  
January 8, 1990

## APPENDIX C

Key Procedural* Requirements	Title VI	Title IX	Section 504	Guidelines
1. Filing assurances of compliance	100.4	106.4	104.5	
a) assuring that sub-contractors do likewise		106.17	104.22 (e)	VII (A), (B)
2. Notice to existing and potential program beneficiaries	100.6	106.9	104.8 ** 104.32	IV (0)
3. Designation of Coordinator		106.8 (a)	104.7 (a)	
4. Adoption of Grievance Procedure		106.8 (b)	104.7 (b)	
5. Preparation of a Self-evaluation		106.3 (c), (d)	104.6 (c)	
6. Preparation of a Transition Plan		106.17 106.2 (r)	104.22 (e)	
7. Record keeping	100.6	106.3 (d)	104.6 (c)(2) 104.22 (e)	
8. <b>Methods</b> of Administration	100.4 (a), (b), (c) Appendix B, HA, B, C			II (C)

\* Those obligations applicable to all recipients regardless of whether "unlawful discrimination" has been found to exist. Failure to meet any of those obligations is, by itself, an actionable violation.

\*\* Specific to elementary/secondary schools.



**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](mailto: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](mailto: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

February 2, 2024

**Stacy Smith**  
Deputy  
Commissioner

## **Proposed Repeal of 1990 Methods of Administration**

**State Board of  
Education**

### **PURPOSE**

The Division of Career and Technical Education and State Board of Education are seeking the Governor's review of a proposed repeal of the 1990 Methods of Administration.

**Dr. Sarah Moore**  
Stuttgart  
Chair

### **BACKGROUND**

In 1977 the Adams v. Califano decision required the federal Department of Education (DOE), to enforce civil rights protections contained in Title VII of the Civil Rights Act in career and technical education (CTE) programs by requiring states to submit to the DOE a desegregation plans called Methods of Administration (MOA), which outlined how the states would implement CTE in a non-discriminatory way, including the civil rights protections. The DOE did this by promulgating rules for compliance with Title VII, then later issuing guidance for the states in the form of a Memorandum of Procedures (MOP) in 1979. In 1980, Arkansas submitted its original MOA, which was not promulgated as a rule. In 1996, the DOE revised its MOP for state to use when preparing their MOAs. Arkansas, through the former Arkansas Department of Education, Vocational and Technical Education Division, made its second major revision to its MOA, which was promulgated as a rule – which are the ones the Division is proposing to repeal. Various statutes enacted by Congress, including Perkins III in 1998, Perkins IV in 2006, the Workforce Opportunity and Investment Act of 2014, the Every Student Succeeds Act of 2015, and Perkins V in 2018, as well as “Dear Colleague” letters from the DOE, made substantive changes to those civil rights protections for, and the related state requirements when implementing CTE. In February 2020, the DOE released a revised MOP based on those substantive changes to the state, including a new guidance to use when updating their MOAs. In July 2020, Arkansas, through the since renamed Division of Career and Technical Education prepared its new MOA based on the updated MOP.

**Kathy Rollins**  
Springdale  
Vice-Chair

**Adrienne Woods**  
Rogers

**Randy Henderson**  
Blytheville

**Lisa Hunter**  
White Hall

**Jeff Wood**  
Little Rock

**Ken Bragg**  
Sheridan

**Leigh Keener**  
Little Rock

### **KEY POINTS**

- Federal law only requires that the State Education Agency receiving federal funds submit a plan for how it intends to implement CTE in the state.
- Civil rights enforcement responsibility still rests with the federal Department of Education through the Office of Civil Rights (OCR).
- Arkansas, through the Department of Education, Division of Career and Technical Education, has submitted a plan, titled Arkansas' Methods of Administration (MOA), that complies with federal requirements.

### **DISCUSSION**

Because the 1990 MOA is outdated and incorrect due to substantive changes in the law, it should be repealed. Additionally, because the new Arkansas MOA, as written, complies with federal law and the Division is only obligated to provide oversight, auditing, data gathering and reporting of noncompliance to the OCR, promulgation of the MOA as a rule is unnecessary and inefficient.

### **RECOMMENDATION**

The Division of Career and Technical Education and State Board of Education recommend Governor's Office approval of this rules repeal.



## 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 10:00am: 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](mailto: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

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**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](mailto:daniel.shults@ade.arkansas.gov)

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**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.