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DEPARTMENT OF EDUCATION
 FISCAL IMPACT STATEMENT OF PROPOSED REGULATION
 (In compliance with Ark. Code Ann. §§ 10-3-309 and 25-15-204)

MAR 15 2012

BUREAU OF
LEGISLATIVE RESEARCHRegulation Title: **Rules Governing Non-Traditional Licensure Program****Summary Description of Regulatory Proposal:**

Act 1178 of 2011 amends the Non-Traditional Licensure program by allowing experienced professionals to obtain a three-year provisional license to teach on a full-time basis, and then allowing those professionals the opportunity to obtain a standard license at the end of the three years. Act 1178 also allows individuals who complete the Teach for America program, or who obtain a master's degree in teaching (MAT, M.Ed., or M.T.L.), to receive a standard license. These rule revisions accomplish the following: 1) Implement the changes mandated by Act 1178; 2) Clarify language throughout the rule to make it clearer and more consistent with the Department's other licensure rules; and 3) Remove legally questionable impediments in the current rule affecting individuals receiving degrees from out-of-state colleges and universities.

Cite Statutory Authority for this Regulatory Proposal: **A.C.A. §§ 6-11-105, 6-17-402, 6-17-410, 6-17-424, 25-15-204, and Act 1178 of 2011**

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **No additional resources required.**
 - B. Time Required for Implementation. **No additional time required.**
 - C. Procedural Changes. **None.**
 - D. Other.

- II. Fiscal Impact on Local School District or Others? (Include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **None.**
 - B. Time Required for Implementation. **None.**
 - C. Procedural Changes. **None.**
 - D. Other.

- III. Additional Comments.

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Staff Attorney
September 15, 2011

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SUMMARY OF PROPOSED CHANGES TO THE
ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
THE NON-TRADITIONAL LICENSURE PROGRAM

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Changes Made Before Public Comment Period:

The accompanying appendix listing areas of licensure, along with grade-level restrictions on licensure areas, have been deleted so that these rules need not be amended every time the State Board approves a new licensure area.

Redundant provisions contained in other rules have been deleted (section **3.03.1** & **3.03.2**).

Section **3.12** (previously numbered as **3.12**) has been amended to clarify that required coursework may be taken at an out-of-state college or university, so long as the institution is accredited. Also, the phrase used to define accreditation has been amended for clarity in this section and in sections **4.01.2** and **4.01.7**.

New sections **3.13**, **3.15.4**, **3.15.5**, **3.15.6**, **5.03**, **10.0**, and **11.0** have been added to implement Section 2 of Act 1178 of 2011.

The definition of "Teacher-of-Record" in section **3.17** (previously numbered as **3.16**) has been updated in anticipation of the new teacher evaluation system to be implemented pursuant to Act 1209 of 2011.

The statutory requirement of a Child Maltreatment Registry background check has been noted by amending sections **4.01.5** and **5.02.7**.

Section **4.01.6** was amended and section **5.05.3** added to make explicit the statutory authority for charging fees.

Section **8.01.4** has been rewritten to clarify the language and remove grammatical errors.

Changes Made After First Public Comment Period:

Sections **3.02**, **3.11.1**, **3.15.2**, **5.05.2**, and **7.04.2.3** have been amended, and section **7.02.7** deleted, to clarify that non-traditional licensees are no longer required to take the Praxis III as a requirement for standard licensure.

New section **3.15.4** has been added to clarify that individuals holding a Provisional Professional Teaching License are eligible to seek standard licensure.

Section **5.02.6** has been amended to utilize the same language as is used in the Department's other rules to refer to the state-mandated content-knowledge assessment. The assessment currently being used by the Department is the Praxis II, and that will not change as a result of this modification.

Proposed section **5.03.3** has been deleted to remove the requirement of 30 hours of training for individuals seeking a Provisional Professional Teaching License. This change is in response to public comment objecting to the Department requiring both training and passage of a pedagogical assessment. The rule as revised will require only that PPTL applicants pass the state-mandated pedagogical assessment.

Proposed section **10.01.4** has been deleted, and subsequent sections renumbered, to remove language requiring Teach for America Provisional License applicants to meet all professional development obligations. This requirement is already imposed by other rules, and no purpose is served by repeating the requirement in these rules. This change is in response to public comment.

Section **11.01.1.2** has been amended to recognize master's degrees in teaching not only from institutions accredited by the National Council for Accreditation of Teacher Education (NCATE), but also from the Teacher Education Accreditation Council (TEAC) and the Council for Accreditation of Educator Preparation (CAEP). NCATE and TEAC have merged, and the combined organization is now known as CAEP. This change is made to reflect the merger, so that the rules will not refer to an organization that no longer exists.

Changes Made After Second Public Comment Period:

Sections **5.02.7**, **5.04.8**, **10.01.2**, **10.03.3**, and **11.01.2** have been amended to delete any reference to other background checks.

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE NON-TRADITIONAL
LICENSURE PROGRAM

July 2007

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1.0 PURPOSE

- 1.01 The purpose of these rules is to establish the requirements and procedures for obtaining teacher licensure through the Arkansas Department of Education (ADE) Non-Traditional Licensure Program.

2.0 REGULATORY AUTHORITY

- 2.01 These rules shall be known as the Arkansas Department of Education Rules Governing The Non-Traditional Licensure Program.
- 2.02 These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, ~~Ark. Code Ann. § 6-17-401, Ark. Code Ann. § 6-17-409 and Ark. Code Ann. § 25-15-204;~~ and Act 1178 of 2011.

3.0 DEFINITIONS

For the purpose of these Rules the following terms shall be defined to mean:

- 3.01 **Area of Licensure** - a particular content field as approved by the State Board of Education identified in Appendix A, Areas and Levels of Licensure/Endorsement.
- 3.02 **Induction** - the period of time beginning with a teacher's first employment as the teacher of record in an Arkansas public school, cooperative or agency that requires an Arkansas teaching license. The novice teacher, operating under an Initial License, is provided mentoring support and accelerated professional development during the Initial license period. ~~The induction period concludes with successful completion of the state mandated performance assessment.~~
- 3.03 **Initial Teaching License** - a three-year teaching license, issued by the State Board of Education, which allows one to teach in Arkansas public schools and is issued only in areas and levels of licensure as approved by the State Board of Education.
- ~~3.03.1 The Initial license is issued only in areas and levels of licensure as approved by the State Board of Education as referenced in Appendix A, Areas and Levels of Licensure/Endorsement, which are hereby incorporated into these rules.~~
- ~~3.03.2 The Initial license may be issued to:~~
- ~~3.03.2.1 Teachers who have completed an approved teacher education program from a regionally and/or National Council for Accreditation of Teacher Education accredited~~

- ~~college or university (including the appropriate state-mandated assessments)~~
- ~~3.03.2.2~~ ~~Teachers who have completed the Non-Traditional Licensure Program (including the appropriate state-mandated assessments).~~
- ~~3.03.2.3~~ ~~Teachers who were prepared out of state but did not license.~~
- 3.04 Level of Licensure** - the grade/age level parameter of the teaching license content area as approved by the State Board of Education ~~identified in Appendix A, Areas and Levels of Licensure/Endorsement.~~
- 3.05 Mentor** - a licensed master teacher with a minimum of three years successful teaching experience who is trained in the state-adopted mentoring model. Mentors are assigned in their districts to assist a novice teacher by providing focused feedback with regard to instructional skills, classroom management and professional behaviors.
- 3.06 Mentoring** - the act of a certified mentor providing support and focused feedback to a novice teacher (through the state-adopted mentoring model) with the goal of enhanced instructional skills, competency and professional development.
- 3.07 Non-Traditional Licensure Program (NTLP)** - the program administered by the Arkansas Department of Education, whose participants hold a minimum of a baccalaureate degree (and have passed the appropriate state-mandated assessments) and are allowed to teach in an Arkansas school via a Provisional license. The program requirements consist of two years of teaching and instructional modules, which must be completed within three years.
- 3.08 Non-Traditional Provisional License** – the provisional teaching license issued to participants in the Non-Traditional Licensure Program.
- 3.09 Novice Teacher** - any licensed teacher-of-record with less than one year of public school, or accredited private school, classroom-teaching experience, not including student internship or substitute teaching.
- ~~3.10~~ ~~**Out of Country Candidate**~~ ~~a person from a foreign country who holds the equivalent of a four-year degree, and who comes from a foreign country that does not have reciprocity with Arkansas.~~
- ~~3.10~~ **Performance Assessment** - an assessment tool used for evaluation of the classroom performance of a novice teacher, conducted by a trained assessor who utilizes a framework of essential teaching skills in which the novice teacher must demonstrate competency in an authentic classroom setting.
- ~~3.11.1~~ ~~Successful completion of the performance assessment is defined as meeting the state-adopted cut score/minimum passing score.~~

3.112 Professional Teaching Permit – a one-year permit issued to an experienced professional to teach one or two classes per semester as teacher-of-record in an Arkansas public school. This may be issued under the auspices of the Non-Traditional Licensure Program to any active or retired professional in the field related to the teaching/licensure subject area or any retired professional with at least three years of experience in the field related to the teaching/licensure subject area.

3.123 Program of Study - a ~~state-approved teacher preparation~~ curriculum offered at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation ~~Arkansas college or university, based on the Arkansas Licensure Standards~~. The program requires a candidate to demonstrate and document competency in the specific knowledge, skills and dispositions for a particular licensure area and level.

3.13 Provisional Professional Teaching License - a three-year provisional license issued to an experienced professional for the purpose of teaching on a part-time or full-time basis as teacher-of-record in an Arkansas public school.

3.14 Provisional Teaching License - a temporary teaching license available to candidates who have not completed all requirements for the Initial or Standard Arkansas teaching license.

3.15 Standard Teaching License - a five-year renewable license, issued by the State Board of Education, which allows one to teach in Arkansas public schools. The Standard License is issued to:

3.15.1 Initial License holders who have successfully completed the state required induction for novice teachers and the performance assessment.

3.15.2 Provisional License holders who have successfully completed the Non-Traditional Licensure Program (including all appropriate assessments); and the state required induction for novice teachers; and the performance assessment.

3.15.3 Teachers who have completed all requirements for standard licensure through reciprocity.

3.15.4 Individuals holding a Provisional Professional Teaching License who complete the requirements set forth in Section 5.05 of these Rules.

3.15.5 Teach for America participants who complete the requirements set forth in Section 10.0 of these Rules.

3.15.6 Individuals receiving a master's degree in teaching who complete the requirements set forth in Section 11.0 of these Rules.

3.16 Teach for America – the nationally-established program operated by Teach for America, Inc., consisting of recent college graduates and professionals of all academic majors and career interests who commit to a minimum of two (2) consecutive years of classroom teaching in a low-income urban or rural public school.

3.17 Teacher of Record - an instructional teacher, who is officially responsible for a class and its grades, employed under contract (in a licensed staff position) by a school, school district or other Arkansas agency or organization requiring an Arkansas teaching license individual who has been assigned lead responsibility for a student’s learning in a subject/course with aligned performance measures.

4.0 REQUIREMENTS FOR ADMISSION TO THE NTL PROGRAM

- 4.01** The following is required for admission to the NTL program:
- 4.01.1** A completed Non-Traditional Licensure Program application with all required accompanying documentation.
 - 4.01.2** Official transcript(s) documenting an awarded four-year college bachelor’s degree or higher from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation. ~~a regionally and/or National Council for Accreditation of Teacher Education (NCATE) accredited institution.~~
 - 4.01.2.1** For out-of-country candidates, an official college transcript evaluation from a private credential evaluation agency documenting that the bachelor’s degree is equivalent to a four-year degree from an ~~accredited~~ institution of higher learning in the United States that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation. The degree is to be evaluated by a private credential evaluation agency. This must be a course-by-course-evaluation prepared in English indicating the candidate’s major course of study to include documentation of the candidate’s cumulative Grade Point Average (GPA).
 - 4.01.3** Documentation of a minimum cumulative undergraduate or graduate grade point average (GPA) of 2.50 or a minimum GPA of 2.75 on the last 60 credit hours of coursework.
 - 4.01.3.1** Candidates for the NTLP may be exempt from the standard minimum GPA requirement if all the following conditions are met:
 - 4.01.3.1.1** Have at least fifteen (15) years of experience in the field related to the teaching/licensure subject area.

- 4.01.3.1.2 Demonstrate a minimum of a 2.0 undergraduate or graduate grade point average.
 - 4.01.3.1.3 Submit one (1) letter of justification from the applicant expressing the relevance of the applicants' credentials to teach the subject in question.
 - 4.01.3.1.4 Have two (2) professional letters of recommendation submitted by references to the NTL office.
 - 4.01.3.1.5 Complete the regular NTL application process.
- 4.01.4 An official score report reflecting passing scores, as approved by the State Board of Education, on the following state required assessments:
- 4.01.4.1 The basic skills assessment (all parts)
 - 4.01.4.1.1 If a candidate holds a Master's Degree or above, and has taken the graduate level assessment, and has scored at or above the State Board established cut-score/minimum passing score, that assessment shall be accepted in lieu of the basic skills assessment(s).
 - 4.01.4.2 The state required subject-content-area assessment(s) for the specific licensure area(s) sought.
- 4.01.5 Documentation of passing the required background checks by the Child Maltreatment Central Registry, Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann. § 6-17-410.
- 4.01.6 Payment of the Non-Traditional Licensure Program Fee which is established annually by the Arkansas Department State Board of Education pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C).
- 4.01.7 Applicable college/university coursework (in advance) from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation a ~~regionally/nationally accredited institution recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.~~ Required coursework includes:
- 4.01.7.1 Three (3) college credit-hours of *Arkansas History* (in advance) for the licenses of: Early Childhood Education (P-4), Middle Childhood Education (4-8), and Social Studies (7-12). Ark. Code Ann. § 6-17-418
 - 4.01.7.2 Six (6) college credit-hours in *Methods of Teaching Reading* (in advance, completed with a grade of "C" or better) for the licenses of: Early Childhood Education (P-4) and/or Middle Childhood Education (4-8).

5.0 PROFESSIONAL TEACHING PERMIT OR LICENSE

5.01 A Professional Teaching Permit (PTP):

- 5.01.1 Is a one-year permit issued to an experienced professional for the purpose of teaching one or two classes per semester as teacher-of-record in an Arkansas public school.
- 5.01.2 Is issued for licensure content areas in grades 9-12 only.
- ~~5.01.2.1~~ 5.01.3 Any candidate who teaches for three (3) years with a PTP and applies to the Non-Traditional Licensure Program (NTLP) would be eligible for the NTLP "one-year" track.

5.02 To obtain a Professional Teaching Permit a candidate must:

- 5.02.1 ~~A Bachelor's~~ Hold a bachelor's degree with a minimum of three years of working experience in the content area of the class to be taught.
- 5.02.2 Be offered employment to teach one (1) or no more than two (2) regularly scheduled, for-credit classes in an AR public school.
- 5.02.3 Submit to the Office of Teacher Quality a complete PTP application.
- 5.02.4 Submit one (1) letter of justification from the applicant expressing the relevance of the applicants' credentials to teach the subject in question.
- 5.02.5 Have two (2) professional letters of recommendation submitted by references to the Office of Teacher Quality.
- 5.02.6 Pass the appropriate ~~Praxis II Content Knowledge test~~ state-mandated content-knowledge assessment(s) for the class to be taught.
- 5.02.7 Pass a ~~non-criminal background check~~ and Child Maltreatment Central Registry check.
- 5.02.8 Successfully complete a thirty (30)-hour PTP pedagogy training within the first year of teaching. Reinforcement of pedagogical skills will be scheduled as needed by the ADE, Office of Teacher Quality.

5.03 A Provisional Professional Teaching License (PPTL):

- 5.03.1 Is a three-year provisional license issued to an experienced professional for the purpose of teaching on a part-time or full-time basis as teacher-of-record in an Arkansas public school.
- 5.03.2 Is issued for a licensure content area(s).

5.04 To obtain a Provisional Professional Teaching License a candidate must:

- 5.04.1 Hold a bachelor's degree from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.
- 5.04.2 Have a minimum of three (3) years of working experience in the content area of the class to be taught.
- 5.04.3 Be offered employment to teach classes for credit in an Arkansas public school.

- 5.04.4 Submit one (1) letter of justification from the applicant expressing the relevance of the applicants' credentials to teach the subject in question.
- 5.04.5 Have two (2) professional letters of recommendation submitted by references to the Office of Professional Licensure.
- 5.04.6 Pass all appropriate state-mandated content-knowledge assessment(s) for the specific licensure area(s) sought.
- 5.04.7 Pass all appropriate state-mandated pedagogical assessment(s).
- 5.04.8 Pass a criminal background check and Child Maltreatment Central Registry check.

5.05 To obtain a Standard Teaching License, an individual holding a Provisional Professional Teaching License must:

- 5.05.1 Undergo a summative evaluation at the end of three (3) years of provisional licensure.
- 5.05.2 Successfully complete a performance assessment that includes student achievement.
 - 5.05.2.1 The assessment shall be administered no earlier than the completion of the first academic school year of teaching and before the expiration of the three-year provisional license.
- 5.05.3 Pay applicable licensure fees as established by the State Board of Education pursuant to Ark. Code Ann. § 6-17-422(h)(3)(C).

6.0 REQUIREMENTS FOR OBTAINING A (NON-TRADITIONAL) PROVISIONAL TEACHING LICENSE

- 6.01** To obtain a Provisional Teaching License through NTLP a candidate must:
 - 6.01.1** Be admitted into the Arkansas Department of Education's Non-Traditional Teacher Licensure Program (NTLP);
 - 6.01.2** Successfully complete the summer instructional modules; and
 - 6.01.3** Document appropriate employment as teacher-of-record, teaching a minimum of five hours per day in the appropriate licensure area(s), with a certified mentor approved by the ADE in an Arkansas public school or a private school within the state of Arkansas accredited by a nationally recognized accrediting association during the provisional licensure period.
 - 6.01.3.1** If employment is not secured by September 1, of the year of admission into the NTLP, the participant shall accept teaching employment (if offered) working in conjunction with the ADE Office of Teacher Recruitment.
 - 6.01.3.2** If the candidate does not accept said employment, he or she may be administratively withdrawn from the program.
 - 6.01.3.3** If appropriate employment is not found by the candidate or the Office of Teacher Recruitment, the candidate shall be maintained on "hold" (one year only), until the following year.

6.01.3.4 A candidate on “hold” shall not be issued a license and shall be required to teach the following year. (The candidate shall still be required to complete two years of teaching within a three-year period.)

6.02 A one-year Provisional teaching license is:

6.02.1 Issued to NTL participants at the beginning of each year of the program;

6.02.2 Effective as of August first of the year of issue; and

6.02.3 Active for one year.

6.03 Provisional licenses are issued to participants (in one license area, except as follows) based upon the areas and levels of teaching assignment approved by the State Board of Education according to Appendix A, NTL Teaching Areas and Levels of Licensure/Endorsement.

6.03.1 Secondary NTLP participants teaching in the content licensure areas of Mathematics, English, Science, Social Studies, Speech/ Drama, or any Foreign Language may be issued a license in two (2) of these areas. Participants may be licensed in both areas if they have successfully completed all content specific licensure Praxis exams, and have a teaching assignment, in both licensure areas. (Those candidates wishing to add social studies must also complete the required three (3) college credit-hours of *Arkansas History*, in advance of licensure.)

6.03.1.1 A Journalism endorsement may be added as the second area of licensure to any of these five areas if the required program of study for Journalism has been successfully completed (including the required Praxis II assessment) and the teacher has a teaching assignment in Journalism.

6.03.1.2 An English Second Language (ESL) endorsement (grades 7-12) may be added as the second area of licensure to any of these five areas if the required program of study for ESL, or the ESL Academy for college credit, has been successfully completed (including the required Praxis II assessment) and the teacher has a teaching assignment in ESL.

6.03.2 An ESL endorsement (P-8) may be added to an Early Childhood (P-4) or Middle Childhood (4-8) provisional license if the required program of study for ESL, or the ESL Academy for college credit, has been successfully completed and the teacher has a teaching assignment in ESL.

6.03.2.1 The ESL endorsement does not allow teachers licensed in Early Childhood or Middle Childhood to “test-out” in any Secondary Licensure area.

6.03.3 A Coaching endorsement may be added as the second area of licensure to any license area if the required program of study for Coaching and the appropriate Praxis II assessment are successfully completed and the teacher has a position that requires a Coaching endorsement.

6.04 NTLP participants may not file an ALP or teach out-of- licensure area while enrolled in the NTLP.

7.0 **GENERAL POLICIES AND PROCEDURES RELATING TO THE NON-TRADITIONAL LICENSURE PROGRAM PROVISIONAL TEACHING LICENSE**

- 7.01** There are two tracks in the NTLP, a one-year program or a two-year program.
- 7.01.1** Candidates with a four-year degree who have completed a program of study in the field of Education (all coursework with the exception of Student Teaching) may be eligible to complete a one-year program if their degree was awarded within five years of the date of application.
- 7.01.2** Candidates with a four-year degree, who have not completed a program of study in the field of Education, or those whose Education degree was awarded more than five years before the date of application, must complete a two-year program.
- 7.02** Participants in the Non-Traditional Licensure Program shall:
- 7.02.1** Be employed as the teacher of record in an Arkansas school;
- 7.02.2** Teach a minimum of five hours per day in their licensure area(s);
- 7.02.2.1** Teach for one year, if in the one-year program; or
- 7.02.2.2** Teach for two years, if in the two-year program;
- 7.02.3** Be assigned to, and attend a Non-Traditional Licensure Program satellite site for instructional modules;
- 7.02.4** Be mentored according to the Arkansas Department of Education Teacher Induction Guidelines;
- 7.02.5** Complete all instructional modules prescribed by the Arkansas Department of Education;
- 7.02.6** Pass the appropriate state mandated pedagogical assessment; and
- 7.02.7** ~~Become eligible to participate in the state-mandated performance assessment in their final semester in the program, after the pedagogical assessment has been successfully completed~~
- 7.02.8** ~~Adhere to and abide by all the policies and procedures as outlined in the published NTL Handbook for the year of admission.~~
- 7.03** The required NTL program prescribed by the Arkansas Department of Education includes:
- 7.03.1** Required Instructional Modules during the summer;
- 7.03.2** Required Instructional Modules during the school year;
- 7.03.3** Development of a professional portfolio;
- 7.03.4** Novice Teacher Induction (which includes Mentoring by a trained and certified mentor); and
- 7.03.5** Teaching a minimum of five hours per day (or the equivalent) in the licensure area(s).

- 7.04** Successful completion of the Non-Traditional Licensure Program may yield either an Initial or a Standard Teaching license:
- 7.04.1** To receive an Initial teaching license, the participant shall:
 - 7.04.1.1** Complete all NTL program requirements prescribed by the Arkansas Department of Education, and
 - 7.04.1.2** Pass the appropriate state mandated pedagogical assessment(s).
 - 7.04.2** To receive a Standard teaching license, the participant shall:
 - 7.04.2.1** Complete all NTL program requirements prescribed by the Arkansas Department of Education;
 - 7.04.2.2** Pass the appropriate state mandated pedagogical assessment(s); and
 - 7.04.2.3** Successfully complete Induction ~~and the state required performance assessment.~~
 - 7.04.3** If the pedagogical assessment is not successfully completed within the NTLP program period, a subsequent license will not be issued. The participant will be allowed to attend ADE-scheduled remedial sessions for one year, during which time the participant may attempt to pass the assessment and, if successful, will be issued an Initial license.
 - 7.04.4** If the pedagogical assessment is not successfully completed within the remedial year, the participant will be administratively withdrawn from the program.
- 7.05** Annual enrollment in the NTL program may be limited by:
- 7.05.1** Licensure requirements.
 - 7.05.2** Licensure area and level of candidates (shortage areas may be given preference).
 - 7.05.3** Program capacity (in which case applications will not be accepted after capacity is reached).

8.0 RULES PERTAINING TO NOVICE TEACHER INDUCTION FOR NON-TRADITIONAL NOVICE TEACHERS

- 8.01** All Arkansas School Districts shall implement, support, and monitor the quality of mentoring as outlined in ADE Induction Guidelines and the district's approved plan for mentoring.
- 8.01.1** Implementation of the district mentoring plan shall include:
 - 8.01.1.1** Selecting mentor candidates according to the Arkansas Mentor Qualifications form; and
 - 8.01.1.2** Providing a trained mentor for each NTL enrollee.
 - 8.01.2** Support includes:
 - 8.01.2.1** Providing a minimum of two (2) hours every two weeks of released time (on average) during the contract day for the mentor and novice teacher to work together.
 - 8.01.2.2** Assisting the novice and mentor to schedule focused observations and professional development activities, and

8.01.2.3 Providing activities for mentors and novice teachers, which engage them in collaborative dialogue, problem solving, and professional development

8.01.3 Monitoring of the quality of the district program is achieved by review of the required mentoring documentation by the District Project Director.

8.01.4 ~~All other mentoring~~ observation documents shall ~~become the sole possession of the novice teacher and shall not be utilized for employment decisions or employment evaluation decisions~~ be collected and maintained by the District's Project Director. At the ~~conclusion of Induction all documentation, exclusive of the timesheets,~~ end of the school year, the Professional Growth Plan and Observation forms shall become the sole possession of the Novice Teacher and shall not be utilized for employment decisions or employment evaluation decisions.

8.02 Mentoring observational information shall not be utilized in any way to make employment decisions unless students are at risk, either physically or emotionally.

9.0 GENERAL POLICIES PERTAINING TO LICENSES

9.01 NTL participants are issued the Provisional License in level(s)/area(s) of licensure based on having passed the assessment(s) in that licensure level(s)/area(s) and securing appropriate teaching employment in that level(s)/area(s) in accordance with the published NTL Handbook for the year of admission.

9.02 NTL participants will be issued either the Initial or Standard Teaching License in the level(s)/area(s) of licensure based on having passed the assessment(s) in that licensure level(s)/area(s) and successfully completing two years of employment in that level(s)/area(s) in accordance with the published NTL Handbook for the year of admission. (One year of teaching is permitted for those candidates who have been identified in the "one-year" program).

9.03 NTL teachers must teach in a traditional classroom setting. An ESL endorsement is granted to allow the NTL teacher to work with ELL students in the regular classroom environment. (This excludes the NTL teacher from being assigned to a transitional or any other non-regular classroom setting.)

9.04 Teachers who need a duplicate Arkansas teaching license must submit a completed application form (indicating "duplicate") to the Office of Professional Licensure.

9.04.1 A duplicate license will be issued only for a license that is current.

9.05 All information and documentation submitted for an Arkansas Teacher License must be timely, accurate, authentic and unaltered in any way.

9.05.1 Any license issued as a result of information submitted that is not in compliance with section ~~8.04~~ 9.05 will be null and void and shall be

rescinded by the Office of Professional Licensure, as authorized by the State Board of Education.

- 9.06 The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas Teacher License that has been issued in error.
- 9.07 The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to non-renew a Non-Traditional Provisional License if the licensee does not successfully complete the required preparation modules, and non-renewal is recommended by the Non-Traditional Licensure Office. The Office of Professional Licensure shall not convert a provisional license to an initial license if the candidate fails to meet all criteria of the NTL program.

10.0 TEACH FOR AMERICA PROVISIONAL AND STANDARD LICENSURE

10.01 A Teach for America Provisional License is a provisional license issued to participants in Teach for America and is valid for up to two (2) years as long as the individual:

10.01.1 Is a participant in Teach for America;

10.01.2 Passes a criminal background check and Child Maltreatment Central Registry check;

10.01.3 Submits an official score report reflecting passing scores, as approved by the State Board of Education, on all appropriate state-mandated content knowledge assessment(s) for the specific licensure area(s) sought;

10.01.4 Is teaching in an Arkansas public school; and

10.01.5 Successfully completes three (3) college credit-hours of *Arkansas History*, if required by the grade level or content area in which the participant is teaching, at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation, within one (1) year of the issuance of the provisional license.

10.02 So long as an individual possesses a Teach for America Provisional License, the individual must participate in mentoring as provided in Section 8.0 of these Rules, or its substantial equivalent as offered by Teach for America.

10.03 To obtain a Standard Teaching License, an individual holding a Teach for America Provisional License must:

10.03.1 Submit an application for licensure;

10.03.2 Furnish evidence of successful completion of the two-year Teach for America program;

10.03.3 Pass a criminal background check and Child Maltreatment Central Registry check;

- 10.03.4 Submit an official score report reflecting passing scores, as approved by the State Board of Education, on all appropriate state-mandated pedagogical and content-area assessment(s); and
- 10.03.5 If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of three (3) college credit-hours of *Arkansas History* at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.
- 10.03.6 A one-year, non-renewable provisional teaching license shall be available for an applicant who has never held a Teach for America Provisional License under Section 10.01 and who has not completed the three-hour *Arkansas History* course, but who meets the remaining qualifications of this Section 10.03.

11.0 MASTER'S DEGREE IN TEACHING STANDARD LICENSURE

11.01 To obtain a Standard Teaching License under these Rules, an individual holding a master's degree in teaching (MAT, M.Ed., or MTL) must:

- 11.01.1 Submit official transcript(s) documenting an awarded master's degree in teaching from an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation, and whose teacher preparation program is:
 - 11.01.1.1 Nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation;
 - 11.01.1.2 Accredited by the National Council for Accreditation of Teacher Education (NCATE), Teacher Education Accreditation Council (TEAC), or Council for Accreditation of Educator Preparation (CAEP); or
 - 11.01.1.3 Approved by a member entity of the National Association of State Directors of Teacher Education and Certification (NASDTEC);
- 11.01.2 Pass a criminal background check and Child Maltreatment Central Registry check;
- 11.01.3 Submit an official score report reflecting passing scores, as approved by the State Board of Education, on the appropriate state-mandated pedagogical and content-area assessment(s);
- 11.01.4 If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of three (3) college credit-hours in *Arkansas History* at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation; and

11.01.5 If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of six (6) college credit-hours in *Methods of Teaching Reading* (completed with a grade of "C" or better) at an institution of higher education that is regionally or nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation.

11.01.6 A one-year, non-renewable provisional teaching license shall be available for an applicant who holds a master's degree in teaching but has not successfully completed the required three (3) hours of *Arkansas History* or six (6) hours of *Methods of Teaching Reading*.

11.02 An individual receiving a Standard Teaching License under these Rules shall participate in mentoring as provided in Section 8.0 of these Rules, unless the individual has completed mentoring or its substantial equivalent within one (1) year prior to the date of licensure.

Appendix A
Arkansas Department of Education
NTL Teaching Areas and Levels of Licensure/Endorsement

Areas of Licensure	Grade Levels*		
Early Childhood	P-4	-	-
Middle Childhood: Math/Science	4-8	-	-
Middle Childhood: English Lang Arts/Social Studies	4-8	-	-
Mathematics	-	7-12	-
English	-	7-12	-
Social Studies	-	7-12	-
Physical/Earth Science	-	7-12	-
Life/Earth Science	-	7-12	-
Drama/Speech	-	7-12	-
P.E. Wellness & Leisure	P-8	7-12	
Art	P-8	7-12	
Music, Vocal, & Instrumental	P-8	7-12	
Spanish	P-8	7-12	
French	P-8	7-12	
German	P-8	7-12	
Family & Consumer Science	4-8	7-12	4-12
Agriculture	4-8	7-12	4-12
Industrial Technology	4-8	7-12	4-12
Business Technology	4-8	7-12	4-12
Marketing Technology	4-8	7-12	4-12
Areas of Endorsement	-	-	-
Coaching		7-12	
ESL	P-8	7-12	
Journalism	-	7-12	-
Mandarin-Chinese		7-12	

* Level of licensure issued is determined based on grade level(s) taught in the NTL program.

Date, Name, Affiliation	Section & Comment	Resolution
<p>September 27, 2011 Mr. Don McGohan, Bryant Public Schools</p>	<p>4.01.2 & 1.1.01.1.2 – Has heard concerns from others about recognizing degrees from institutions other than NCATE-accredited programs.</p> <p>7.02.7 – Has heard concerns from others about NTL candidates being exempted from the Praxis III performance assessment.</p> <p>3.12 (formerly 3.13) – Has heard concerns from others about the deletion of the requirement that a program of study be completed at an Arkansas college or university.</p>	<p>Comment considered. The current language of 4.01.2 allows admission to the NTL program with a bachelor's or higher degree from an institution of higher education that is regionally accredited or NCATE accredited. NCATE does not accredit institutions generally, it only accredits teacher education programs, and the NTL program is generally not intended for graduates of teacher education programs. The proposed language clarifies that an NTL candidate must hold a degree from a regionally or nationally-accredited institution.</p> <p>Comment considered. The Department is presently evaluating future uses of the Praxis III with regards to all licensure candidates.</p> <p>Comment considered. The U.S. Constitution forbids the state from burdening interstate commerce, meaning the state as a general rule may not impose a regulation that discriminates against out-of-state entities in favor of in-state entities. The current regulation does not articulate a legally-significant rationale for its preferential treatment of in-state institutions of higher education.</p>

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Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 2

October 7, 2011
Dr. David B. Burks,
President, Harding
University

The focus of this comment is the inequity created by the proposed rules for the Teach for America candidates. The rules remove many of the rigid standards placed on candidates being prepared in the Teacher Education Programs in the institutions of higher education in Arkansas. This highly disadvantages candidates who are pursuing traditional licensure in Arkansas. I acknowledge the need for additional teachers in Arkansas, especially in the Delta region, but disagree with allowing shortcuts for the candidates who are a part of the Teach for America program, while, in the name of quality and excellence, forcing those who pursue licensure through teacher education programs, to meet high standards. No doubt many who seek positions through the Teach for America program are strong students and have the capacity to become excellent teachers; nevertheless, their skills should be developed and evaluated in a manner that is as nearly equal as possible to the methods used to develop and evaluate the skills of candidates trained through the teacher education process in the institutions of higher education in our state.

I am certainly not against quality standards. Teacher education programs in the institutions of higher education are held accountable by NCATE and the content area SPA organizations, and the candidates are evaluated rigorously by the Pathwise system in order to achieve, first, provisional and

Comment considered. The comment cannot be accepted without violating the express provisions of Act 1178 of 2011. The concerns of the comment appear to be not with the specific details of the proposed rules, but with the overall provisions of Act 1178. The changes sought by the commenter may be made only by the General Assembly.

October 7, 2011
Dr. David B. Burks,
President, Harding
University
(continued)

then initial and finally standard licensure. Based on the information I have seen, candidates through the Teach for American program would face none of these assessments and accountability pieces and would, without a clear reason, skip from provisional to standard licensure. If quality is a legitimate concern in regard to candidates being trained through teacher education programs and the assessment and accountability processes are efforts to ensure that quality, then it does not seem fair to allow other candidates to bypass all of these measures and then receive standard licenses in an expedited manner.

Graduates of the Harding University teacher education program consistently do well on standardized assessments, perform well on the Pathwise evaluations, and are sought by school districts in Arkansas, numerous other states, and even other nations. We have been recognized by NCATE as fully accredited for over forty years. Our program enrolls high quality candidates and prepares them for the rigor of teaching in a complex and challenging professional environment, and we take appropriate pride that our candidates are well prepared. We believe in quality and support standards for quality. However, we also believe in fairness and equity of treatment for all candidates. In regard to the proposed rules, we do not see equity in play.

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program - Sept./Oct. 2011, Dec./Jan. 2012 - Page 4

<p>October 31, 2011 Tripp Walter, Staff Attorney Arkansas Public School Resource Center</p>	<p>3.12 - The proposed new language is not contained in Act 1178. The Rules should not contain language that goes beyond the Act.</p> <p>5.02.7, 5.04.8, 10.01.2, 10.03.3, & 11.01.2 - These sections require the successful passing of "other background checks as required by law," along with passing the statutorily required criminal background checks and Child Maltreatment Central Registry check. Neither Act 1178, nor other statutes, requires passing "other background checks" as a prerequisite to license. The Rules should not contain language that goes beyond the Act and the licensure statutes.</p> <p>5.03.3 - This section, as written, does not capture the language or intent of Act 1178. It is suggested that the language be rewritten as follows: "An individual who receives a Professional Provisional Teaching License shall pass the Praxis II Pedagogy or have thirty (30) hours of training in pedagogy, and submit proof of same to the Office of Professional Licensure before he/she is eligible to receive a standard teaching license."</p>	<p>Comment considered. Section 3.12 defines "program of study"; Act 1178 does not address programs of study, and the proposed revisions are unrelated to Act 1178.</p> <p>Comment accepted. The language has been deleted.</p> <p>Comment accepted in part. Act 1178 contains conflicting provisions as to whether or not the Praxis II Pedagogy assessment is mandatory. It amended Ark. Code Ann. § 6-17-409(f)(2)(A)(i) to state that to receive a PPTL one "shall pass the Praxis II Pedagogy assessment or have thirty (30) hours of training in pedagogy." However, the Act also amended § 6-17-409(f)(1)(F) to make a passing score on the Praxis II Pedagogy assessment a prerequisite for receiving a PPTL. The State Board lacks the authority to resolve this contradiction. The language proposed in the comment directly contradicts the requirements of § 6-17-409(f)(1)(F). The Department initially proposed requiring both the training and the Praxis II, but in response to this comment, the Department elected to drop the training. It should be noted that Ark. Code Ann. § 6-15-1004(b) requires a pedagogical assessment of every teacher before a license is granted; nothing in Act 1178 repealed or modified that requirement.</p>
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Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 5

<p>October 31, 2011 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>5.03.3.2 – The current language is not contained within Act 1178 and should be deleted. The Rules should not contain language that goes beyond the Act.</p> <p>5.03.3.2 – Add the following language: “The thirty (30) hours of training in Pedagogy may be provided by the Department through its NTLP, or by an organization which the Department contracts with to provide teacher training instruction and programs, as long as the training by such organization provides the instructional components deemed necessary by the Department to fulfill the pedagogy requirement.”</p> <p>5.04.1 – As written, this section’s language goes beyond the scope of Act 1178. The Rules should not contain language that goes beyond the Act. The current language should be replaced with the following to match the Act: “Submit to the Department higher education transcripts evidencing the award of at least a baccalaureate degree.”</p>	<p>Comment accepted. Because of the deletion of the training requirement, 5.03.3.2 is now unnecessary.</p> <p>Comment considered. Because of the deletion of the training requirement, 5.03.3.2 is now unnecessary.</p> <p>Comment considered. This section is essentially a definition of the statutory term “baccalaureate degree”. The Department does not believe the Legislature intended for teaching licenses to be granted to individuals holding “degrees” from diploma mills or other non-accredited institutions. The proposed language matches the “Highly Qualified Teacher” requirements of federal law.</p>
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<p>October 31, 2011 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>10.01.3 – This requirement from Act 1178 appears to apply to the issuance of the Standard Teaching License, as opposed to the Provisional Teaching License. The Rules should not contain language that goes beyond the Act.</p> <p>10.01.4 – While this may be a requirement for provisional licensure in general, it is not a requirement imposed by Act 1178. The Rules should not contain language that goes beyond the Act.</p> <p>10.01.6 & 10.03.6 – The provisions of these sections are not contained in Act 1178. The Rules should not contain language that goes beyond the Act. The completion of the Arkansas History course, where necessary, is a requirement of obtaining a standard Arkansas teaching license, not for obtaining or maintaining a provisional license.</p>	<p>Comment considered. Act 1178 does not prohibit the State Board from requiring applicants for provisional licensure to pass the relevant content-area assessment, to ensure that the applicant possesses the content knowledge necessary for the licensure area sought. This is a testing requirement, not an “academic or experience” requirement, and Act 1178 only prohibits additional “academic or experience” requirements. The State Board has broad authority by Act 350 of 1985 to implement a licensed personnel testing program; nothing in Act 1178 purports to exempt TFA candidates from these long-standing requirements. In addition, Ark. Code Ann. § 6-15-1004(a) requires a content-area assessment of every Arkansas teacher, and nothing in Act 1178 repealed or modified that requirement.</p>
		<p>Comment accepted. Section 10.01.4 is being deleted so as to be consistent with the State Board’s other licensure rules.</p> <p>Comment considered. Ark. Code Ann. § 6-17-418 prohibits the granting of any license for teaching social studies or elementary school if the applicant has not successfully completed of at least three (3) hours of college course work in Arkansas history. The statute does not limit its reach to standard licenses, nor does it exempt provisional licenses generally. Act 1178 did not repeal or modify any portion of § 6-17-418; therefore, the State Board must continue to enforce § 6-17-418 as it currently exists.</p>

<p>October 31, 2011 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>10.03.5 & 11.01.4 – Amend current language to read as follows: “<u>if required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of three (3) college credit hours of <i>Arkansas History</i> at an institution of higher education which provides such coursework, or through the completion of such coursework as may be offered through the Department through its NTL.P. or by an organization which approved by the Department contracts with to provide teacher training instruction and programs as long as the training by such organization provides the instructional components deemed necessary by the Department to fulfill the pedagogy requirement.”</u></p> <p>11.01.1 – Replace current Section 11.01.1 to read as follows: “Submit official transcript(s) documenting an awarded master’s degree in teaching from an accredited program at an institution of higher education.”</p> <p>11.01.1.1 – 11.01.1.3 – Delete these subsections in their entirety.</p> <p>11.01.5 – Amend current language to read as follows: “<u>if required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of six (6) college credit hours in Methods of Teaching Reading (completed with a grade of “C” or better) at an institution of higher education that is regionally or</u></p>	<p>Comment considered. Ark. Code Ann. § 6-17-418 specifically requires three (3) hours of “college course work” (emphasis added). Act 1178 did not repeal or modify any portion of § 6-17-418; therefore, the State Board must continue to enforce § 6-17-418 as it currently exists. The proposed language would directly contradict § 6-17-418 by accepting non-college course work.</p>
		<p>Comment considered. Because Act 1178 does not define the term “accredited program”, it is appropriate and necessary for these Rules to define that term, so as to prevent confusion in the future as the provisions of the Act are implemented.</p>
		<p>Comment considered. See explanation above for section 11.01.1</p> <p>Comment considered. As noted above, the State Board lacks authority to waive the requirement that <i>Arkansas History</i> be provided by an institution of higher education, rather than a non-college provider. For consistency with the <i>Arkansas History</i> requirement, and to ensure the standards of the required coursework, the Department prefers to require that <i>Methods of Teaching Reading</i> also be completed at an institution of higher education.</p>

<p>October 31, 2011 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p><u>nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation at an institution of higher education which provides such coursework or through the completion of such coursework as may be offered through the Department through its NTLP, or by an organization which approved by the Department contracts with to provide teacher training instruction and programs, as long as the training by such organization provides the instructional components deemed necessary by the Department to fulfill the pedagogy requirement.</u></p> <p>11.02 – The provision of this Section are contrary to the express language of Act 1178 contained in the proposed Ark. Code Ann. § 6-17-409(e)(4) (page 4, lines 7-13 of the Act), as they impose an additional requirement upon licensure candidates coming out of the Teach for America and Master’s In Teaching Licensure options. The Rules should not contain language that goes beyond the Act.</p>	<p>Comment considered. Act 1178 only addresses prerequisites for receiving a teaching license; it does not address requirements which the State Board may or may not impose on already-licensed teachers. The requirement of mentoring is not imposed on applicants, it is a requirement that applies to all newly-licensed teachers, after they are licensed. For this reason, the proposed language does not contradict Act 1178. The comment does not identify a rationale for why the named candidates should be exempted from the mentoring requirements that apply to every other licensed teacher. In addition, it should be noted the Department’s proposed language specifically exempts those individuals who have already undergone the “substantial equivalent” of mentoring, such as that provided by Teach for America.</p>
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Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 9

<p>January 16, 2012 Don McGohan, Chairman Professional Licensure Standards Board</p>	<p>10.03 - Section 4.01.7.2 dealing with requirements for admission into the non-traditional licensure program states six (6) college credit- hours in Methods of Teaching Reading (in advance, completed with a grade of "C" or better) for the licenses of: Early Childhood Education (P-4) and/or Middle Childhood Education (4-8). Section 10 Teach for America does not require these same reading courses. The PLSB believes the courses specified in section 4.01.7.2 are important for any teacher, no matter the path to licensure. Therefore, the PLSB questions the absence of these courses for TFA.</p>	<p>Comment considered. Act 1178 of 2011 specifically exempts individuals who have completed the two-year Teach for America program from taking Methods of Teaching Reading. The exemption is now codified at Ark. Code Ann. § 6-17-409(e)(3)(B)(ii). Given this statutory language, the State Board lacks the authority to require this course for individuals in the TFA program.</p>
<p>January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center</p>	<p>3.12 – The proposed new language is not contained in Act 1178. The Rules should not contain language that goes beyond the Act.</p> <p>5.02.7, 5.04.8, 10.01.2, 10.03.3, & 11.01.2 – These sections require the successful passing of “other background checks as required by law,” along with passing the statutorily required criminal background checks and Child Maltreatment Central Registry check. Neither Act 1178, nor other statutes, requires passing “other background checks” as a prerequisite to license. The Rules should not contain language that goes beyond the Act and the licensure statutes.</p>	<p>Comment considered. Section 3.12 defines “program of study”; Act 1178 does not address programs of study, and the proposed revisions are unrelated to Act 1178.</p> <p>Comment accepted. The language has been deleted.</p>

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program - Sept./Oct. 2011, Dec./Jan. 2012 - Page 10

<p>January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>5.04 - Where is the Act 1178 requirement to pass the Praxis II pedagogy assessment or have 30 hours of training in pedagogy?</p> <p>5.04.1 - As written, this section's language goes beyond the scope of Act 1178. The Rules should not contain language that goes beyond the Act. The current language should be replaced with the following to match the language of the Act: "Submit to the Department higher education transcripts evidencing the award of at least a baccalaureate degree."</p>	<p>Comment considered. Act 1178 contains conflicting provisions as to whether or not the Praxis II Pedagogy assessment is mandatory. It amended Ark. Code Ann. § 6-17-409(f)(2)(A)(j) to state that to receives a PPTL one "shall pass the Praxis II Pedagogy assessment or have thirty (30) hours of training in pedagogy." However, the Act also amended § 6-17-409(f)(1)(F) to make a passing score on the Praxis II Pedagogy assessment a prerequisite for receiving a PPTL. The State Board lacks the authority to resolve this contradiction. The Department initially proposed requiring both the training and the Praxis II, but in response to comments elected to drop the training option. It should be noted that Ark. Code Ann. § 6-15-1004(b) requires a pedagogical assessment of every teacher before a license is granted; nothing in Act 1178 repealed or modified that requirement. Because of the conflict within Act 1178, and the requirement of Ark. Code Ann. § 6-15-1004(b), the Department believes its only legally-permissible option is to require the Praxis II pedagogy assessment.</p> <p>Comment considered. This section is essentially a definition of the statutory term "baccalaureate degree". The Department does not believe the Legislature intended for teaching licenses to be granted to individuals holding "degrees" from diploma mills or other non-accredited institutions. The proposed language matches the "Highly Qualified Teacher" requirements of federal law.</p>
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<p>January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>10.01.3 – This requirement from Act 1178 appears to apply to the issuance of the Standard Teaching License, as opposed to the Provisional Teaching License. The Rules should not contain language that goes beyond the Act.</p> <p>10.01.6 & 10.03.6 – The provisions of these sections are not contained in Act 1178. The Rules should not contain language that goes beyond the Act. The completion of the Arkansas History course, where necessary, is a requirement of obtaining a standard Arkansas teaching license, not for obtaining or maintaining a provisional license.</p>	<p>Comment considered. Act 1178 does not prohibit the State Board from requiring applicants for provisional licensure to pass the relevant content-area assessment, to ensure that the applicant possesses the content knowledge necessary for the licensure area sought. This is a testing requirement, not an “academic or experience” requirement, and Act 1178 only prohibits additional “academic or experience” requirements. The State Board has broad authority by Act 350 of 1985 to implement a licensed personnel testing program; nothing in Act 1178 purports to exempt TFA candidates from these long-standing requirements. In addition, Ark. Code Ann. § 6-15-1004(a) requires a content-area assessment of every Arkansas teacher, and nothing in Act 1178 repealed or modified that requirement.</p>
		<p>Comment considered. Ark. Code Ann. § 6-17-418 prohibits the granting of any license for teaching social studies or elementary school if the applicant has not successfully completed of at least three (3) hours of college course work in Arkansas history. The statute does not limit its reach to standard licenses, nor does it exempt provisional licenses generally. Act 1178 did not repeal or modify any portion of § 6-17-418; therefore, the State Board must continue to enforce § 6-17-418 as it currently exists.</p>

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 12

<p>January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p>10.03.5 & 11.01.4 – Amend current language to read as follows: “If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of three (3) college credit hours of <i>Arkansas History</i> at an institution of higher education which provides such coursework, or through the completion of such coursework as may be offered through the Department through its NTLP, or by an organization which approved by the Department contracts with to provide teacher training instruction and programs, as long as the training by such organization provides the instructional components deemed necessary by the Department to fulfill the pedagogy requirement.” [sic]</p>	<p>Comment considered. Ark. Code Ann. § 6-17-418 specifically requires three (3) hours of “college course work” (emphasis added). Act 1178 did not repeal or modify any portion of § 6-17-418; therefore, the State Board must continue to enforce § 6-17-418 as it currently exists. The proposed language would directly contradict § 6-17-418 by accepting non-college course work.</p>
<p>11.01.1 – Replace current Section 11.01.1 to read as follows: “Submit official transcript(s) documenting an awarded master’s degree in teaching from an accredited program at an institution of higher education.”</p>	<p>11.01.1.1 – 11.01.1.3 – Delete these subsections in their entirety.</p>	<p>Comment considered. Because Act 1178 does not define the term “accredited program”, it is appropriate and necessary for these Rules to define that term, so as to prevent confusion in the future as the provisions of the Act are implemented.</p>
<p>11.01.5 – Amend current language to read as follows: “If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of six (6) college credit-hours in Methods of Teaching Reading (completed with a grade of “C” or better) at an institution of higher education that is regionally or</p>	<p>11.01.1</p>	<p>Comment considered. See explanation above for section 11.01.1</p>
<p>11.01.5 – Amend current language to read as follows: “If required by the grade level or content area for which the applicant seeks licensure, furnish evidence of successful completion of six (6) college credit-hours in Methods of Teaching Reading (completed with a grade of “C” or better) at an institution of higher education that is regionally or</p>	<p>11.01.1</p>	<p>Comment considered. As noted above, the State Board lacks authority to waive the requirement that <i>Arkansas History</i> be provided by an institution of higher education, rather than a non-college provider. For consistency with the <i>Arkansas History</i> requirement, and to ensure the standards of the required coursework, the Department prefers to require that <i>Methods of Teaching Reading</i> also be completed at an institution of higher education.</p>

<p>January 17, 2012 Tripp Walter, Staff Attorney Arkansas Public School Resource Center (continued)</p>	<p><u>nationally accredited by an accrediting organization recognized by the U.S. Department of Education or the Council for Higher Education Accreditation at an institution of higher education which provides such coursework, or through the completion of such coursework as may be offered through the Department through its NTL.P. or by an organization which approved by the Department contracts with to provide teacher training instruction and programs, as long as the training by such organization provides the instructional components deemed necessary by the Department to fulfill the pedagogy requirement.</u></p>	<p>Comment considered. Act 1178 only addresses prerequisites for receiving a teaching license; it does not address requirements which the State Board may or may not impose on already-licensed teachers. The requirement of mentoring is not imposed on applicants, it is a requirement that applies to all newly-licensed teachers, after they are licensed. For this reason, the proposed language does not contradict Act 1178. The comment does not identify a rationale for why the named candidates should be exempted from the mentoring requirements that apply to every other licensed teacher. In addition, it should be noted the Department's proposed language specifically exempts those individuals who have already undergone the "substantial equivalent" of mentoring, such as that provided by Teach for America.</p>
	<p>11.02 – The provision of this Section are contrary to the express language of Act 1178 contained in the proposed Ark. Code Ann. § 6-17-409(e)(4) (page 4, lines 7-13 of the Act), as they impose an additional requirement upon licensure candidates coming out of the Teach for America and Master's In Teaching Licensure options. The Rules should not contain language that goes beyond the Act.</p>	

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011. Dec./Jan. 2012 – Page 14

<p>January 19, 2012 Mr. Matthew B. Miller Administrator, Administrative Rules Review, Bureau of Legislative Research</p>	<p>3.01 – Are the areas of licensure not placed in a rule? It seems those would meet the definition of a rule (statement of general applicability that implements policy). Deleting the appendix seems to remove them from the rule.</p> <p>3.10 – Just curious, why was the definition of out-of-country candidate deleted?</p> <p>5.02 – Is the professional teaching permit statutory? The new provisional permit is in the law, but I wasn't sure about the professional teaching permit.</p> <p>5.04.1. -- 6-17-409(f)(1)(A) requires a provisional professional teaching license applicant to hold a bachelor's degree, but does not require that it be from an accredited institution (as seen in the rule).</p>	<p>Comment considered. The areas of licensure are presently listed in multiple rules, meaning that if any change is made, all of the rules must be changed. We are eliminating the list from all but one of the rules, for simplicity and to prevent any future conflicts between the various versions.</p> <p>Comment considered. The definition served no purpose, as it merely duplicated requirements reflected in section 4.01.2.1.</p> <p>Comment considered. The Professional Teaching Permit is not statutory, it was created by the State Board through rulemaking, pursuant to the Board's authority under Ark. Code Ann. § 6-17-409 to create and operate a non-traditional licensure program.</p> <p>Comment considered. Comment considered. This section is essentially a definition of the statutory term "baccalaureate degree". The Department does not believe the Legislature intended for teaching licenses to be granted to individuals holding "degrees" from diploma mills or other non-accredited institutions of higher education. In addition, the proposed language matches the requirements of federal law and the "Highly Qualified Teacher" requirements of the No Child Left Behind Act of 2001.</p>
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<p>January 19, 2012 Mr. Matthew B. Miller Administrator, Administrative Rules Review, Bureau of Legislative Research (continued)</p>	<p>5.04 -- The rule does not include 6-17-409(f)(2), which says a person must pass Praxis II OR have 30 hours of training in pedagogy. The summary of changes after the public comment period suggests the intent is to only require Praxis II, but the statute seems to provide an alternate route.</p> <p>5.05.1 – The provision on undergoing an evaluation is not part of the criteria for a standard license under 6-17-409 – its inclusion in this section of the rule suggests a person can't receive a standard license until the end of the 3-year provisional licensure, while 6-17-409 (f)(4) suggests the conversion can occur between the 1st and 3rd years of provisional licensure.</p>	<p>Comment considered. Act 1178 contains conflicting provisions as to whether or not the Praxis II Pedagogy assessment is mandatory. The Act amended Ark. Code Ann. § 6-17-409(f)(2)(A)(i) to state that an individual who receives a PPTL “shall pass the Praxis II Pedagogy assessment or have thirty (30) hours of training in pedagogy.” However, the Act also amended § 6-17-409(f)(1)(F) to state that a passing score on the Praxis II Pedagogy assessment is a prerequisite for receiving a PPTL. The State Board lacks the authority to resolve this contradiction. The Department initially proposed requiring both the training and the Praxis II, but in light of comments received in the first public comment period, the Department elected to drop the training requirement.</p>
		<p>Comment considered. Ark. Code Ann. § 6-17-409(f)(3) expressly requires that an individual receiving the provisional license “undergo a summative evaluation” after three years of “provisional” licensure. Given the language of (f)(3), the Department does not believe the State Board has authority to award a standard license before completion of the summative evaluation required by (f)(3).</p>

<p>January 19, 2012 Mr. Matthew B. Miller Administrator, Administrative Rules Review, Bureau of Legislative Research (continued)</p>	<p>10.01 – 6-17-409(e)(2) provides for a provisional teaching license for a person enrolled in the Teach for America program with no mention of other requirements. Section 10.01 makes an applicant for a TFA provisional license meet the standards for receiving a standard five-year license under 6-17-409(e)(1) (passing content knowledge test, Arkansas History, etc.). Is this section requiring more than the statute for the provisional license? 6-17-409(e)(4) says that no additional academic or experience requirements can be imposed.</p>	<p>Comment considered. Act 1178 does not prohibit the State Board from requiring applicants for provisional licensure to pass the relevant content-area assessment, to ensure that the applicant possesses the content knowledge necessary for the licensure area sought. This is a testing requirement, not an “academic or experience” requirement. The State Board was given broad authority by Act 350 of 1985 to implement a licensed personnel testing program; nothing in Act 1178 purports to exempt Teach for America candidates from these long-standing testing requirements. As for Arkansas History, Ark. Code Ann. § 6-17-418 bars the State Board from granting a license to an elementary or social studies teacher who does not have at least three hours credit in Arkansas History; it also allows only a one-year, nonrenewable, provisional license for individuals who lack the required credit. Nothing in Act 1178 repealed or modified 6-17-418, therefore the State Board must continue to enforce that statute.</p>
	<p>10.02 and 11.02 – Is this mentoring requirement an additional experience requirement on top of 6-17-409? That statute doesn’t mention mentoring. The difference may be that the person has been issued the license, while 6-17-409 says additional requirements cannot be imposed to obtain the license.</p>	<p>Comment considered. No, the mentoring requirement is neither an “academic” nor “experience” requirement. Act 1178 only addresses the prerequisites for obtaining a license; nothing in Act 1178 addresses or limits the State Board’s authority to regulate licensees after they receive their license.</p>

Public Comments: ADE Rules Governing the Non-Traditional Licensure Program – Sept./Oct. 2011, Dec./Jan. 2012 – Page 17

<p>January 19, 2012 Mr. Matthew B. Miller Administrator, Administrative Rules Review, Bureau of Legislative Research (continued)</p>	<p>10.03.5 – In the first sentence, the statute says “grade level and content area”, not “grade level or content area” as seen in the rule.</p> <p>10.03.6 and 11.01.6 – Can you explain these sections to me? These licenses doesn't seem to fit with 6-17-409.</p>	<p>Comment considered. Ark. Code Ann. § 6-17-418 imposes the Arkansas History requirement on the basis of either grade level (elementary) or content area (social studies). Therefore, because nothing in Act 1178 repealed or modified Ark. Code Ann. § 6-17-418, “or” better reflects the overall statutory requirements.</p> <p>Comment considered. These sections are required to comply with Ark. Code Ann. § 6-17-418 and its requirement that no license be issued to an elementary or social studies teacher who does not have at least three (3) hours credit in Arkansas History.</p>
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