



Arkansas Department of Education

Four Capitol Mall • Little Rock, Arkansas • 72201-1030 • (501) 682-4475 • Fax (501) 682-1079

Asa Hutchinson
Governor

Johnny Key
Secretary

November 30, 2021

ADE Report of Rules to be adopted, repealed, or amended, as a result of newly enacted laws following the 2021 legislative session, in accordance with Ark. Code Ann. § 25-15-216.

Division of Elementary and Secondary Education

Act(s)	Description of Act(s)	Rule: New/ Amend/ Repeal/ Not necessary*	Rule Title: <i>DESE Rules Governing . . .</i>	Status
96	Amends provisions of the Arkansas Code concerning ethical violations by licensed educators and the investigation process.	Amend	The Code of Ethics for Arkansas Educators	Approved by SBE for public comment 9/9, pending GO review
182	Amends provisions of the Arkansas Code concerning required training for school board members.	Amend	Required Training for School Board Members	Drafted pending internal review
251 319	Amend provisions of the Arkansas Code concerning academic content standards and academic assessments.	Amend	The Arkansas Educational Support and Accountability Act Standards for Accreditation of Arkansas Public School and School Districts	Drafted pending internal review Approved by SBE for public comment 9/9, pending GO

				review
320	Amends provisions of the Arkansas Code concerning mandated vision screenings for public school students and requires rules to address the tests, procedures, equipment, and instruments that shall be used to perform eye and vision screenings.	Amend	Eye and Vision Screening Report in Arkansas Public Schools	Drafted pending internal review
322	Amends provisions of the Arkansas Code concerning enhanced student achievement funding (formerly NSL funding) and requires rules that shall include the process for submitting an enhanced student achievement plan; the process for monitoring the expenditure of ESA funds; and the specific requirements, qualifications, and criteria for allowable supports and resources.	Amend	Student Special Needs Funding	Approved by SBE for public comment 11/10, pending GO review
490	Amends provisions of the Arkansas Code concerning school choice, including deadlines and notification procedures.	Amend	School Choice	Out for public comment
513 657 746	Amend provisions of the Arkansas Code concerning teaching licenses and add provisions for noncitizens, university professors and assistant professors.	Amend	Educator Licensure	Approved by SBE for public comment 9/9, pending GO review
544 644	Amend provisions of the Arkansas Code concerning visual art and music instruction.	Amend	Visual Art and Music Instruction	Drafted pending internal review
545 647	Amend provisions of the Arkansas Code concerning technical and vocational education including the general control and supervision of all programs of vocational, technical, and occupational education in secondary institutions.	Amend	DCTE Policies and Procedures for Career and Technical Education	Final
551 622	Amend provisions of the Arkansas Code concerning school resource officers and require that a school district board of directors and the local law enforcement agency with jurisdiction adopt a memorandum of understanding governing school resource officers and that school resource officers and certain public school employees complete specialized training.	New	School Safety	Drafting in process

620 648	Establishes the Arkansas Center for School Safety of the Criminal Justice Institute Advisory Board and requires the Division to promulgate rules specifying how school district compliance with school safety requirements shall be verified.			
606	Amends provisions of the Arkansas Code concerning reading programs and curriculum and requires the ADE to hire an Education Ombudsman.	Amend	The Right to Read Act	Drafted pending internal review
630	Requires all fingerprints to be in electronic format.	Amend	Background Checks	Out for public comment
646	Requires school districts to develop a three-year teacher and administrator recruitment and retention plan focusing on minority races and ethnicities to increase diversity in the district and include annual goals.	New	Teacher and Administrator Recruitment and Retention Plans	Drafting in process
650	Provides rulemaking authority to DESE.	New	The School Counseling Improvement Act	Drafting in process
662	Amends provisions of the Arkansas Code concerning when a district proposes to close a school received through voluntary annexation.	Amend	Consolidation and Annexation of Public School Districts	Approved by SBE for public comment 9/9, pending GO review
678 688	Amend provisions of the Arkansas Code concerning notification procedures for review of Act 1240 waivers and what provisions may not be waived.	Amend	Act 1240 Waivers	Out for public comment
679 680	Created the Teacher Salary Equalization Fund to provide additional funding dedicated to increasing teacher salaries.	Amend	The Educator Compensation Reform Program <i>and the Teacher Salary Equalization Fund</i>	Guidance issued via CM FIN-21-048; holding rules until after year 1 implementation
689 741	Amend provisions of the Arkansas Code concerning the Succeed Scholarship Program including application, award, and eligibility.	Amend	The Succeed Scholarship Program	
774	Amends provisions of the Arkansas Code concerning public charter schools and waivers available to public	Amend	Charter Schools	Drafted pending internal review

	school districts.			
820	Creates the Arkansas Student Protection Act, which prohibits public school districts from entering into a transaction with an entity that performs, induces, or provides abortions.	New	The Arkansas Student Protection Act	Approved by SBE for public comment 11/10, pending GO review
909	Enables districts to receive both declining enrollment and student growth funding.	Amend	Declining Enrollment and Student Growth Funding	Drafted pending internal review
912	Creates the Arkansas Tutoring Corps Act to support the implementation of a sustainable tutoring program in response to learning loss.	New	The Arkansas Tutoring Corps	Out for public comment
958	Creates the Star-Spangled Banner Act requiring school districts to play the star-spangled banner at certain events.	New	The Star-Spangled Banner Act	Approved by SBE for public comment 10/14, pending GO review
959	Requires the State Board to adopt a policy requiring the pledge of allegiance and a moment of silence in public schools.	Not necessary		On Dec. ALC agenda
1031	Creates the Arkansas Military Child School Transitions Act.	New	The Arkansas Military Child School Transitions Act	Approved by SBE for public comment 10/14, pending GO review
1050	Amends the law concerning the health and safety of public school students and requires the Division of Elementary and Secondary Education, in coordination with the Arkansas State Board of Nursing, to promulgate rules concerning the administration of an emergency dose medication to a public school student with adrenal insufficiency by trained public school personnel.	Amend	Insulin and Glucagon Administration for Students Diagnosed with Diabetes	Drafted pending internal review
1070 1074	Creates the Healthy Active Arkansas Schools Act and requires the Division of Elementary and Secondary Education, in consultation with the Department of Health, to develop guidance for public schools to	Amend	Nutrition and Physical Activity Standards and Body Mass Index	Drafting in process

	address the following priorities and require that the following priorities be included in the public school's or open-enrollment public charter school's health and wellness priority: physical and built environment, nutritional standards and access to healthy foods, physical education and activity, and breastfeeding practices, as applicable. Addresses food in vending machines.			
1089	Requires school nurses to participate in nursing professional development, requires the Division to develop an education program for school nurses, and requires districts to participate in the annual health services survey.	Amend	Professional Development	Drafting in process

Division of Higher Education

Act Number	Description	New/ Amend/ Repeal/ Not necessary*	Rule Title: <i>DHE Rules Governing ...</i>	Status
69	Enhances higher education fiscal accountability and transparency and amends provisions of the Arkansas Code concerning student accounts receivable policies and certain financial condition reports.	Not necessary*		On Dec. ALC agenda
79 217 331 743	Amends provisions of the Arkansas Code concerning scholarship requirements and eligibility criteria.	Amend	The Governor's Scholars' Program	Out for public comment
80 636	Amends provisions of the Arkansas Code concerning scholarship requirements and eligibility criteria.	Amend	The Arkansas Academic Challenge Scholarship	Out for public comment
82	Amends provisions of the Arkansas Code concerning scholarship requirements and eligibility criteria.	Amend	The Arkansas Concurrent Challenge Scholarship	Out for public comment
388	Adds private, non-profit institutions of higher education as approved institutions for purposes of the Arkansas Future Grant Program.	Amend	The Arkansas Future Grant	Out for public comment

539	Creates the Higher Education Consumer Guide Act.	Not necessary*		On Dec. ALC agenda
636	Establishes procedure and funding requirements for scholarships funded with net revenue.	Amend	The Arkansas Workforce Challenge Scholarship	Out for public comment
958	Creates the Star-Spangled Banner Act.	New	The Star Spangled Banner Act	Board approved; pending GO review
988	Allows dependents of veterans to receive tuition waivers.	Amend	Veterans' Dependents' Scholarships	Out for public comment

Commission for Public School Academic Facilities and Transportation

Act(s)	Description of Act(s)	Rule: New/ Amend/ Repeal/ Not necessary*	Rule Title: <i>CAPSAFT Rules Governing . . .</i>	Status
126	Amends provisions of the Arkansas Code concerning the Academic Facilities Master Plan Program and bus driver qualifications and certification.	Amend	The Facilities Master Plan Maintenance and Operations of Public School Buses and Physical Examinations of School Bus Drivers	Approved by GO 11/30 Approved by GO 11/30

*Written request explaining why rules are not necessary submitted.

ADE Contact:

Courtney Salas-Ford, Chief Legal Counsel
 Courtney.Salas-Ford@ade.arkansas.gov
 (501) 682-4752