



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

June 9, 2022

Division of Elementary and Secondary Education

DESE Rules Governing School Safety

- New rules to incorporate Acts 551, 622, 620, and 648 of 2021.
- Approved by SBE on April 14 for public comment and submitted to Governor's Office for review on April 22, 2022.

The DESE Rules Governing School Safety were drafted by DESE staff then discussed with members of the DESE Safe Schools Committee at one of its meetings. Members were given the opportunity to provide feedback, revisions were made to the Rules, then discussed again with the Committee as a whole. The Committee does not meet on a regularly scheduled basis but typically meets every two to three months. This caused a longer timeline than usual for approval of a draft by the State Board of Education on April 14, 2022.

Upon receiving approval from the Governor's Office staff, DESE will proceed with the 30-day public comment period, submit the Rules to the State Board for final approval, then the ALC for approval, and anticipates filing for final adoption by October 1, 2022.

DESE Rules Governing the School Counseling Improvement Act

- New rules authorized by Act 650 of 2021 will incorporate relevant portion of Act 648 of 2021.
- DESE staff continuing discussions and need for rules.

Act 650 of 2021 authorized, but did not require, the State Board to promulgate rules for the implementation of the School Counseling Improvement Act. Act 648 added a requirement that school counselors obtain certification in Youth Mental Health First Aid. This requirement exists even in the absence of rules but will be included in any rules promulgated. DESE staff is continuing to discuss implementation of the Act and what information is needed in rules.

DESE anticipates submitting final rules in Spring 2023.

DESE Rules Governing the Succeed Scholarship Program

- Amend existing rules to incorporate Acts 689 and 741 of 2021.
- Draft will be submitted to the SBE on July 14, 2022, to approve for public comment.

A preliminary draft of the DESE Rules Governing the Succeed Scholarship Program were drafted but then held pending the Spring application process to determine if additional changes needed to be made.

These Rules will be submitted to the State Board at its next meeting on July 14, 2022, then released for public comment.

Due to the necessary steps in the promulgation process, DESE anticipates filing for final adoption by November 1, 2022.

DESE Rules Governing Nutrition and Physical Activity Standards and Body Mass Index

- Amend existing rules to incorporate Acts 1070 and 1074 of 2021.
- Rules presented to Child Health Advisory Committee on May 19, 2022, and approved by the State Board on June 9, 2022, for public comment.

The DESE Rules Governing Nutrition and Physical Activity were required by statute to be presented to the Child Health Advisory Committee (CHAC), which meets quarterly. After receiving approval from the CHAC on May 19, 2022, the rules were submitted to the State Board for approval to be released for public comment.

Upon receiving approval from the Governor’s Office staff, DESE will proceed with the 30-day public comment period, submit the Rules to the State Board for final approval, then the ALC for approval, and anticipates filing for final adoption by October 1, 2022.

DESE Rules Governing Professional Development

- Amend existing rules to incorporate Act 1089 of 2021.
- Draft rules currently being finalized internally.

Act 1089 of 2021 added a professional development requirement for school nurses that will be implement into the Rules Governing Professional Development. As part of the review of the Rules and necessary changes, DESE leadership examined the current process of how professional development is obtained and measured. DESE is working on a draft of the Rules that will shift from a strict completion of time measure to a more personalized and competency-based measure to ensure a mastery of learning and improved outcomes. This process has taken a significant amount of time due to the importance of obtaining stakeholder input and thorough review of the proposed draft Rules.

Due to the necessary steps in the promulgation process and the continued need for stakeholder input, DESE anticipates filing for final adoption early in 2023.

ADE Contact:

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