



Hugh McDonald
SECRETARY OF COMMERCE

Charisse Childers, Ph.D.
DIRECTOR
DIVISION OF WORKFORCE SERVICES

October 10, 2023

Rebecca Miller-Rice – miller-ricer@blr.arkansas.gov
Administrator
Administrative Rules Review Section
Bureau of Legislative Research

Re: Report on the Acts of 2023 Regular Session Requiring New Rulemaking

Dear Ms. Miller-Rice,

In its Report on the Acts of the 2023 Regular Session Requiring New Rulemaking, the Bureau of Legislative Research identified Act 237 of 2023 as an Act Requiring Action That Could Fall Within the Scope of Rulemaking for the Arkansas Division of Workforce Services (ADWS), specifically, the Arkansas Workforce Development Board (AWDB).

The AWDB was created by Act 907 of 2015 to serve in consultation with ADWS to outline a workforce development plan for Arkansas and to comply with the Workforce Innovation and Opportunity Act (29 U.S.C.A. §§ 3101 *et seq.*) by increasing access for Arkansans to opportunities for employment, education, training, and the support services they need to succeed in the labor market.

Act 237 of 2023 amended Ark. Code Ann. § 6-16-1806 to require that "... [AWDB], in consultation with the Arkansas Department of Education, develop a system for collecting, analyzing, and reporting the public school student outcomes associated with the completions of ... career-ready pathways ..." (pg. 37, line 27, to pg. 38, line 9).

Our determination is that the action required by ADWB under Act 237 of 2023 would not fall within the scope of rulemaking.

Sincerely,

A blue ink signature of David A.F. McCoy, written in a cursive style, is placed over the name and title of the General Counsel.

David A.F. McCoy
General Counsel

cc: Charisse Childers, Ph.D., Director