

QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS
WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM
COMMITTEE

DEPARTMENT/AGENCY Education
DIVISION Accountability
DIVISION DIRECTOR Dr. Charity Smith
CONTACT PERSON Ron Tolson
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PHONE NO. 501-682-4342 FAX NO. 682-4898

INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after Short Title of this Rule below.
- D. Submit two (2) copies of this questionnaire attached to the front of two (2) copies of your proposed rule and mail or deliver to:

Donna K. Davis
Subcommittee on Administrative Rules and Regulations
Arkansas Legislative Council
Bureau of Legislative Research
Room 315, State Capitol
Little Rock, AR 72201

- 1. What is the short title of this rule? Emergency Rules and Regulations for Adding Additional Areas of Licensure and For the Probationary Route to Teacher Licensure.
- 2. What is the subject of the proposed rule? Guidelines for a teacher to add additional areas of licensure to their current teaching license and for gaining an initial teaching license through the Probationary Route to Teacher Licensure.

- 3. Is this rule required to comply with federal statute or regulations?
Yes _____ No X _____

If yes, please provide the federal regulation and/or statute citation.

- 4. Was this rule filed under the emergency provisions of the Administrative Procedures Act? Yes X _____ No _____
If yes, what is the effective date of the emergency rule? June 11, 2001

When does the emergency rule expire? October 8, 2001

Will this emergency rule be promulgated under the regular provisions of the Administrative Procedure Act? Yes No

5. Is this a new rule? Yes No

Does this repeal an existing rule? Yes No
If yes, please provide a copy of the repealed rule.

Is this an amendment to an existing rule? If yes, please attach a markup showing the changes in the existing rule and a summary of the substantive changes.

6. What state law grants the authority for this proposed rule? If codified, please give Arkansas Code citation. 6-11-105

7. What is the purpose of this proposed rule? Why is it necessary?

These Emergency Rules and Regulations are needed to comply with policy changes adopted by the State Board of Education.

8. Will a public hearing be held on this proposed rule? Yes No
If yes, please give the date, time, and place of the public hearing.

September 14, 2001, Arkansas Department of Education, 2:00 P.M.

9. When does the public comment period expire? September 22, 2001.

10. What is the proposed effective date of this proposed rule? November 19, 2001.

11. Do you expect this rule to be controversial? Yes No
If yes, please explain.

12. Please give the names of persons, groups, or organizations which you expect to comment on these rules. Please provide their position (for or against) if known.

Comments are expected to be heard from Deans and Professors within the colleges and universities. Comments may also come from public school administrators and teachers.

PLEASE ANSWER ALL QUESTIONS COMPLETELY

July 28, 1995

DEPARTMENT/ AGENCY Education_____

DIVISION Accountability_____

PERSON COMPLETING THIS STATEMENT Ron Tolson_____

TELEPHONE NO. 682-4342_____ FAX NO. 682-4898_____

FINANCIAL IMPACT STATEMENT

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Rules and Regulations Governing the Adding of Additional Areas of Licensure and the Probationary Route to Licensure

1. Does this proposed, amended, or repealed rule or regulation have a financial Impact?
 Yes_____ No X_____
2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain. N/A
3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation.

<u>2001-02 Fiscal Year</u>		<u>2002-03 Fiscal Year</u>	
General Revenue	<u>N/A</u>	General Revenue	<u>N/A</u>
Federal Funds	<u>N/A</u>	Federal Funds	<u>N/A</u>
Cash Funds	<u>N/A</u>	Cash Funds	<u>N/A</u>
Special Revenue	<u>N/A</u>	Special Revenue	<u>N/A</u>
Other	<u>N/A</u>	Other	<u>N/A</u>
Total	<u>N/A</u>	Total	<u>N/A</u>

What is the total estimated cost by fiscal year to any party subject to the Proposed, amended, or repealed rule or regulation?

<u>2001-02 Fiscal Year</u>	<u>2002-03 Fiscal Year</u>
None	None

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?

<u>2001-02 Fiscal Year</u>	<u>2002-03 Fiscal Year</u>
None	None

DEPARTMENT OF EDUCATION
FISCAL IMPACT STATEMENT
OF PROPOSED REGULATION
(In compliance with Acts 884 and 1253 of 1995)

Regulation Title: Rules and Regulations Governing the Adding of Additional Areas of Licensure and the Probationary Route to Licensure.

Summary Description of Regulatory Proposal: These rules and regulations will serve as guidelines for adding new areas of licensure to an existing teaching license and for gaining an initial license through the Probationary Route to Teacher Licensure.

Cite Statutory Authority for this Regulatory Proposal: 6-11-105

- I. Fiscal Impact on the Department: (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.
None
- II. Fiscal Impact on Local School District or Others? (Include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space.
Non-Recurring
 - B. Time Required for Implementation.
Non-Recurring
 - C. Procedural Changes.
Non-Recurring
 - D. Other.
Non-Recurring
- III. Additional Comments.

None.

Prepared by: (Name) Ron Tolson
(Title) Coordinator, Professional Licensure
(Date) September 17, 2001

**ARKANSAS DEPARTMENT OF EDUCATION PROPOSED EMERGENCY
AMENDMENTS TO RULES AND REGULATIONS GOVERNING
APPLYING TO ADD AN ADDITIONAL AREA OF CERTIFICATION TO AN
EXISTING ARKANSAS CERTIFICATE
PROPOSED JUNE 11, 2001**

1.00 REGULATORY AUTHORITY

1.01 These regulations shall be known as the Arkansas Department of Education Emergency Rules and Regulations amending the current Rules and Regulations Governing Certification and Licensure.

1.02 These regulations are enacted pursuant to the authority of the State Board of Education under Ark Code § Ann. 6-11-105 (Repl. 1999) and 25-15-204 (supp. 1999).

2.00 PURPOSE

2.01 The purpose of these Emergency Rules and Regulations is to add amendments to selected sections of the current Rules and Regulations Governing Certification and Licensure which deal with adding an additional area of Certification/licensure to an existing Arkansas certificate/license and Probationary Route Certification.

3.00 AMENDMENT FOR ADDING AN ADDITIONAL AREA OF LICENSURE OR ENDORSEMENT PRIOR TO SEPTEMBER 1, 2001

3.01 Effective May 14, 2001, Deficiency and Removal Plans (DRPs) will no longer be issued in selected areas.

3.02 Teachers petitioning to add additional areas of licensure or endorsements may file a DRP for their selected area with the Office of Professional Licensure by August 31, 2001.

3.03 Teachers with a DRP(s) on file with the Office of Professional Licensure prior to September 1, 2001 will have until December 31, 2003 to complete all DRP requirements for adding that additional area or endorsement to their current license.

3.04 Teachers must have a valid Arkansas teaching license in order to add an additional area of licensure or endorsement.

3.05 Teachers with a DRP(s) on file with the Office of Professional Licensure prior to September 1, 2001, may elect to successfully complete the appropriate Praxis II assessment(s) at any time. The DRP(s) requirement will be considered to be fully met when the teacher meets or exceeds the cut score(s).

- 3.06** Teachers petitioning to add an additional licensure area or endorsement for area(s) for which a DRP is no longer issued as of May 14, 2001, may do so by completing all DRP coursework and assessment requirements and providing the necessary documentation to the Office of Professional Licensure by December 31, 2001 or they may elect to just successfully complete the appropriate Praxis II assessment(s).
- 3.07** Teachers, who do not complete all DRP requirements prior to December 31, 2003, will have to meet requirements for adding licensure areas or endorsements under the new Additional Licensure Plans.
- 3.08** Teachers or administrators enrolled in degree programs and/or completing DRP requirements for any area of educational administration must have a DRP on file in the Office of Professional Licensure prior to September 1, 2001, and must have all coursework completed by December 31, 2002. The applicant will have until June 30, 2002, to take and pass the PRAXIS II Specialty Area Test currently required (Educational Leadership).
- 3.09** Teachers or administrators working on DRPs for any area of educational administration who have not complete the required coursework prior to December 31, 2002, will have to become licensed in that administrative area under the new performance based licensure requirements for educational administration.
- 3.10** Teachers or administrators working on a DRP for any area of educational administration and who does not complete the PRAXIS II Specialty Area Test (Educational Administration) prior to June 30, 2002, must take and pass the new PRAXIS II Specialty Area Test(s) School Leaders Licensure Assessment (SLLA) and/or Superintendent Licensure Assessment (SSA) to add that administrative area to their license.
- 3.11** Teachers with a DRP on file with the Office of Professional Licensure prior to September 1, 2001, for which there is no subject specific PRAXIS II Specialty Area Test, must complete all coursework and prescribed assessment prior to December 31, 2002, to add that area of licensure or endorsement.
- 3.12** The Office of Professional Licensure reserves the right to amend and/or rescind an additional area of licensure or endorsement that is issued in error.
- 3.13** The Office of Professional Licensure will issue all additional licensure areas or endorsements upon receiving documentation that all DRP or Additional Licensure Plan requirements have been fully met.
- 3.14** Changes by the State Board of Education that become effective prior to the completion of a DRP or Additional Licensure Plan may necessitate a change in

the licensure requirements for either one of these plans.

4.00 AMENDMENT FOR ADDING AN ADDITIONAL AREA OF LICENSURE OR ENDORSEMENT AFTER AUGUST 31, 2001, AND UNTIL THESE EMERGENCY RULES AND REGULATIONS EXPIRE

- 4.01 Effective September 1, 2001, the Deficiency and Removal Plan (DRP) will be replaced with the Additional Licensure Plan (ALP).
- 4.02 Teachers and/or administrators must have a valid, standard teaching license in order to add an additional area of licensure or endorsement.
- 4.03 Teachers working in an out-of-field teaching assignment must file a completed Additional Licensure Plan (APL) with their school district and with the Office of Professional Licensure within thirty (30) days of beginning the out-of-field assignment.
- 4.04 The Additional Licensure Plan will be the recognized process for allowing a licensed teacher to be employed in a out-of-field teaching position while meeting the competency and assessment requirements for the new employment position.
- 4.05 Teachers/administrators will have three (3) years from the beginning of their out-of-field assignment to meet full licensure requirements for the additional licensure area or endorsement being sought.
- 4.06 The Office of Professional Licensure will issue additional licensure areas and/or endorsements upon reviewing documentation that all (ALP) requirements have been fully met.
- 4.07 Additional areas/levels of licensure or endorsements will be added to a valid, standard teaching license upon providing documentation of successful completion of the required state assessment(s).
- 4.08 To add an endorsement, for which no written PRAXIS II assessment exists, a candidate must successfully complete an approved Institution of Higher Education Program of Study.
- 4.09 Institutions of Higher Education that offer approved preparation programs for Additional Licensure Plans, will submit proposed Additional Licensure Plan offerings to the Office of Professional Quality Enhancement for review and approval.
- 4.10 The Office of Professional Licensure reserves the right to amend and/or rescind an additional area of licensure or endorsement that is issued in error.

4.11 Changes by the State Board of Education which become effective prior to the completion of an Additional Licensure Plan, may necessitate a change in the licensure requirements for that Additional Licensure Plan.

5.00 AMENDMENT TO THE PROBATIONARY ROUTE TO CERTIFICATION

5.01 Individuals currently teaching under the guidelines for the Probationary Route to Teacher Licensure and those individuals eligible for their first provisional license will have until December 31, 2004, to complete all licensure requirements and receive their standard teaching license.

5.02 Individuals who do not complete all requirements for their standard teaching license by December 31, 2004, may apply for licensure through the Non-Traditional Teacher Licensure Program or an Institution of Higher Education Teacher Education Program.

5.03 Individuals currently teaching under the guidelines for the Probationary Route to Teacher Licensure and those individuals eligible for their first provisional license may elect to complete all PRAXIS assessments for their teaching field and receive their standard teaching license.

5.04 Applications for the Probationary Route to Teacher Licensure will not be sent out or accepted by the Office of Professional Licensure after June 30, 2001.

5.05 The Office of Professional Licensure reserves the right to amend and/or rescind any license issued in error.

6.00 EFFECTIVE DATES

6.01 These Emergency Rules and Regulations shall go into effect on June 11, 2001.

6.02 These Emergency Rules and Regulations shall expire October 8, 2001.

7.00 EMERGENCY

7.01 Whereas, there is a need to continue using current rules and regulations governing Certification/Licensure Laws and Regulations for Adding an Additional Area of Certification/Licensure due to the fact these applicants are currently working under these requirements and whereas, there is also a need to implement new policies governing the Certification/Licensure Laws and Regulations for Adding an Additional Area of Certification/Licensure to an Existing Arkansas Certificate/License recently adopted by the State Board of Education, and

whereas, there is a need to implement new policies governing teacher certification/licensure through the Probationary Route to Certification/Licensure recently adopted by the State Board of Education and whereas, the Arkansas State Board of Education finds that imminent peril exists to the public educational health, safety and welfare of the school children in Arkansas due to the current teacher shortage; therefore the Arkansas State Board of Education and the Arkansas Department of Education promulgate these additional sections as Emergency Amendments to Rules and Regulations pursuant to authority of Ark Code Ann. § 25-15-204 (Supp. 1999) in order to add amendments to the procedures for adding additional areas of certification/licensure and/or endorsements to a current Arkansas teaching certificate/license and to add amendments to the procedures for gaining a standard Arkansas teaching certificate/license through the Probationary Route to Teacher Certification/Licensure.