

Arkansas Department of Education  
Repeal of Rules and Regulations Governing the Funding of Alternative  
Learning Environments  
Repealed June 14, 2004

1.00—Regulatory Authority

1.01—~~These rules and regulations shall be known as the Arkansas Department of Education Rules and Regulations Governing the Funding of Alternative Learning Environments.~~

1.02—~~These rules and regulations are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§6-20-323 and 6-11-105.~~

2.00—Purpose

~~The purpose of these rules and regulations is to establish a mechanism for the funding of eligible Alternative Learning Environments.~~

3.00—Definitions

3.01—~~The Department. The Arkansas Department of Education.~~

3.02—~~Alternative Learning Environment (ALE). An environment conducive to learning, in compliance with Ark. Code Ann. §§ 6-18-508, and 6-18-509 (Supp. 1997), as amended by Act 1549 of 1999, Section 19(f).~~

3.03—~~Eligible ALE. An ALE consisting of a non-traditional or flexible instructional program, designed to improve student achievement in the core academic subjects which the students could not achieve in a regular classroom environment, and which meets the eligibility requirements for funding purposes.~~

3.04—~~Alternative Learning Student. A student enrolled in an eligible ALE for a minimum of twenty (20) consecutive days per school year.~~

3.05—~~Full Time Equivalent (FTE) Alternative Learning Student. An alternative learning student who has at least six (6) hours per day of student/teacher interaction time in the ALE.~~

3.06—~~Half Time Equivalent Alternative Learning Student. An alternative learning student who has at least three (3) hours per day of student/teacher interaction time in the ALE.~~

~~3.07—Quarter Time Equivalent Alternative Learning Student. An alternative learning student in Kindergarten through Grade 6 who has at least one and one-half (1 ½) hours per day of student/teacher interaction time in the ALE.~~

#### ~~4.00—Alternative Learning Environment Eligibility Requirements~~

~~4.01—To receive funding, an eligible ALE must meet the following eligibility requirements:~~

~~4.01.1—Have students supervised by a currently licensed teacher.~~

~~4.01.2—Have a student/teacher ratio in the ALE of no more than twenty (20) to one (1). If an aide is employed in addition to a licensed supervisor, the student/teacher ratio shall be no more than twenty-two (22) to one (1).~~

~~4.01.3—Provide each alternative learning student access to the services of a school counselor or a mental health professional.~~

~~4.01.4—Provide a curriculum including mathematics, science, social studies, and language arts correlated with the regular classroom instruction or with the standards for the tests of General Educational Development (GED).~~

~~4.02—The Department shall randomly monitor school districts to ensure that ALEs have been established, are conducive to learning, and are providing intervention services designed to address individual needs of students. Each school district shall be monitored at least once every three (3) years.~~

#### ~~5.00—Funding for Alternative Learning Environments~~

~~5.01—Funding shall be based on the current year's total FTE of alternative learning students enrolled in eligible ALEs.~~

~~5.02—The Department shall calculate a funding factor equal to the amount of funds budgeted for ALEs divided by the total statewide results of Section 5.01.~~

~~5.03 For each eligible ALE, the Department shall distribute funds equal to the school district's FTE of alternative learning students times the results of Section 5.02.~~

~~5.04 These funds shall be distributed in two installments.~~

~~5.04.1 The first installment will be calculated using the FTE of alternative learning students documented at the end of the first quarter. This installment will distribute 25% of the funds budgeted.~~

~~5.04.2 The second installment will be calculated using the FTE of alternative learning students documented at the end of the third quarter. This installment will distribute the remaining funds budgeted. The Department shall calculate the second and final installment to adjust for data changes between the first quarter FTE of alternative learning students and the third quarter FTE of alternative learning students.~~

~~6.00 Restricted Use of Funds~~

~~6.01 Any funds received by a local school district under this regulation may only be expended for eligible ALE programs.~~

~~6.02 Funds distributed shall be exempted from inclusion in calculations of Additional Base Funding (Ark. Code Ann. §6-20-303) and the Federal Range Ratio (34 C.F.R. § 222.61, et seq. (1994)) under the exemption provision for revenues generated for students with special educational needs. (See: 34 C.F.R. § 222.63(c)(3) (1994) and Ark. Code Ann. § 6-20-308(a) (Supp. 1997))~~