

**DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULES
GOVERNING STUDENT DISCIPLINE
PUBLIC COMMENTS**

Commenter Name and Organization (if applicable): Tripp Walter, Arkansas Public School Resource Center

Comments:

There is no basis in law for adding open-enrollment charter schools to the rules governing student discipline as the statute does not apply directly to charter schools, or the rule should acknowledge the charter school's ability to seek a waiver of this rule per Ark. Code Ann. § 6-23-101 et seq.

Division Response: Comment considered, no changes made. While the original language on which the student discipline rule was based did not reference charter schools, many of the obligations reflected in the rule are based on statutory provision which would have applicability to charter schools. As with almost all provision of law pertaining to public schools, charter schools are eligible to seek a waiver from this rule. An explicit reference was not included because the division was concerned if we begin stating what rules can be waived it could give the impression that rules without an explicit reference cannot be waived in the charter authorization process.
