

**DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULES  
GOVERNING VISUAL AND PERFORMING ARTS INSTRUCTION FOR STUDENTS  
IN GRADES ONE THROUGH EIGHT (1-8)**

**PUBLIC COMMENTS AND RESPONSES**

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Commenter Name: Jo Ann Koehler, Pulaski County Special School District (1/25/22)

Comment (1): In Section 1.01, change grades 1 - 6 to 1 - 8. If the fine arts requirement is extended in this way through 8th grade, secondary students will not have enough slots in the school day to participate in more than 1 full year elective, including athletics or performing arts electives such as band, choir, orchestra, dance, or theatre. This is a mathematical fact even in the event that a single building houses grades K-8. This will create classes instead of Performing Arts Programs.

Division Response: Comment considered. **No changes made.**

Comment (2): In Section 2.01, this proposed change includes "General Music" as a class that lends itself to large group instruction. General Music in the middle or junior high school is closer in resemblance to Elementary Music or Music Appreciation and does not lend itself to large group instruction as Band, Choir, or Orchestra does. In addition, most of the rotating 9 week wheels align General Music with General Art, PE, and Health. Because the other 3 rotations are bound by classroom limits, it is not logical to increase the General Music rotation to a number that cannot be seen in the other classes.

Division Response: Comments considered. It is a school decision to offer General Music in the wheel or rather as a yearlong class and utilize the large group provision. **No changes made.**

Comment (3): In Sections 2.02, 2.04, 2.05, changing the term "music" to "performing arts" in the 1-6 requirement leads to certification issues. The current proposal defines Performing Arts as Music, Dance, and Theatre. In the writing, it implies that 1-6 students will require 40 minutes per week or the equivalent thereof for each of these disciplines. If the intent is to allow Music OR Dance OR Theatre to count for the instruction required, the proposal should be reworded and can only be offered from grade 5 and up. There is still a certification issue in that Arkansas does not have a certification for K-4 in Dance or Theatre. It must also be understood that certification is specific to Music OR Dance OR Theatre. It would be extremely rare to find one teacher certified for all three disciplines.

Division Response: Comment considered. The definition of "licensed teacher" in Section 2.04 amended to eliminate any confusion. **Non-substantive changes made.**

Comment (4): In Section 3.01, under Implementation, this rule reverts back to grades 1 - 6 instead of 1 - 8. This also continues to require instruction in Performing Arts with no definition

as to which Performing Art or if the Performing Arts requirement will include all three disciplines of Music, Dance, and Theatre. This should be clarified.

Division Response: Comment considered. Performing Arts is defined in the definition section of the rules. Also, standards document clarifies which courses fulfill the performing arts requirements for K-8. These documents can be found at <https://dese.ade.arkansas.gov/Offices/learning-services/curriculum-support/fine-arts-standards-and-courses> **No changes made.**

Comment (5): Concerning Section 3.02, THIS IS A GREAT CHANGE for Performing Arts programs in Arkansas. Students in grades 5 or 6 that are structured in a middle school or junior high building instead of an elementary building will follow the same requirement as grades 7 or 8 and shall participate in Visual Art instruction OR Performing Art instruction (please clarify that any one of the three Performing Arts will meet the requirement).

Division Response: Comment considered. Each standards document clarifies under the *Standards for Accreditation Information* section which courses fulfill the performing or visual arts courses required by the Standards for Accreditation. *See e.g.*, page 15 in the Dance Standards (link above). **No changes made.**