

SUMMARY OF RULES AMENDMENTS

DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULES GOVERNING ACT 1240 WAIVERS

The proposed amendments incorporate the provisions of Acts 678 and 688 of 2021. In summary, Act 678 requires that if the State Board of Education seeks to review an already granted Act 1240 waiver (for potential modification or revocation), the Division must notify the president of the local board of directors in addition to the district's superintendent. If timely notice is not given, the State Board may not proceed with its consideration until the notification requirement is met. Act 688 provides that a school district may not receive an Act 1240 waiver of the school start date set forth in Ark. Code Ann. § 6-10-106 (i.e., the first day of school shall not be earlier than the Monday two weeks before Labor Day). Technical changes also were made to reflect that Act 1240 Waiver requests will be handled by the Division's Office of Legal Services instead of its Charter School Office.

POST-PUBLIC COMMENT AMENDMENTS

Following public comment, only non-substantive clarifying and technical changes were made.