

**DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULE GOVERNING  
PROFESSIONAL DEVELOPMENT  
PUBLIC COMMENTS AND RESPONSES**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 4, 2024

Comments: In 3.01.1.1 (formerly 3.02.1.1) that there is nothing specifically stated the ESCs can offer PD to their own staff without going through the approval process unless we are including them under the school districts. 3.01.1.2 allows ESCs to provide training to districts without receiving training, but does not include their own staff.

Division Response: **Comment considered. A substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 4, 2024

Comments: Several sections are being repealed despite them still being included in the statutes:

- 3.06 is still included in 6-17-705 by reference to the sick leave statutes 6-17-1201.
- 3.07 is still included in 6-17-705 by reference to the sick leave statutes 6-17-1201.
- 3.14 is still included in the list of options in 6-17-704(d)
- 4.04 is included in 6-17-704
- 4.07 is still in 6-17-705
- 9.01.2.4 would still be covered by 6-15-2907(i) as it is nearly identical language as was previously found in 6-15-438.
- 9.01.2.9 effectively got moved from 6-18-1004 to 6-18-2004 with the transition to the Comprehensive School Counseling Plan by Act 190 of 2019.
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Division Response: **Comment considered. Nonsubstantive changes were made.**

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Commenter Name: Sally Bennett, PLC Regional Network Consultant, AAEA, January 9, 2024

Comments: “Learning Teams - a group of educators who meet regularly as a team to identify essential and valued student learning, develop common formative assessments, analyze current levels of achievement, set achievement goals, share strategies, and then create lessons to improve upon those levels.”

I would like to see this section remain in the rules. Research is clear regarding the collective teacher efficacy of teams of teachers working collaboratively. In the rules governing professional

learning communities, this language is prevalent. In an aligned system, all components of the system should support one another.

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

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Commenter Name: Sally Bennett, PLC Regional Network Consultant, AAEA, January 9, 2024

Comments: “‘Study Group’ means a group of educators who meet to learn, implement, and reflect on research-based techniques in a focus area(s). Members read and discuss current research, examine and reflect on effective instruction, or examine student work.”

The collaborative work teachers do with one another is much more than a "study group." They are collaborative teams who have a common goal and who work interdependently to support high levels of learning. I would recommend changing the "study group" term to "collaborative team" to emphasize the important professional work and job-embedded learning done by teachers.

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

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Commenter Name: Sally Bennett, PLC Regional Network Consultant, AAEA, January 9, 2024

Comments: "Collaborative learning community"

Inserting the word "professional" would align with the rules governing professional learning communities. This would support the significance of this work that has been and will continue across the state.

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

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Commenter Name: Christopher Smith, January 9, 2024

Comments: Replacing School Districts with Public School Districts sets a clear line that private schools will not be required to have professionally trained and effective educators. Whats good for the goose is good for the gander, and if government money is being used to subsidise private education it should be required to adhere to the same level of professionalism that is expected and required of all public schools.

Division Response: **Comment considered. No changes made. This change is outside the scope of rulemaking and the Department’s jurisdiction.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: The “and” at the end of 1.02.2.1 should be stricken and moved to be after 1.02.2.2 instead.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: The period at the end of 1.02.2.2 should be changed into a semicolon and followed by an “and” to account for the extension of the list.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In section 1.03, given that the acts being cited are eight years old at this point and were being cited for the changes in 2016, I would recommend removing these from the citations. In addition, 6-17-701 and 6-17-402 are out of numerical order.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In section 3.01.1., for consistency with other places in the rules and further clarification, I would recommend changing this to read ”school district, open-enrollment public charter school, or education service cooperative”.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In section 3.01.1.3, due to this being the end of the list, the semicolon on the end should be a period.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In section 3.02, as individuals teaching under a waiver can also use Arkansas IDEAS, I would recommend striking “licensed” so that it just reads “Arkansas educators”.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In former sections 3.06 and 3.07, both of these are still required by A.C.A. § 6-17-705(c)(1) through its incorporation of A.C.A. § 6-17-1202.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In other places in the Rules, “Division” is used while “Department” is used in section 3.13.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In section 4.02.3, for grammatical purposes, I would recommend changing this to read “Required for the educator to obtain”.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In section 4.03, for grammatical purposes, a “that” needs to be included before “earned”.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In former section 4.04, this language is still required by A.C.A. § 6-17-704(f) and A.C.A. § 6-17-705(c)(1).

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In former section 4.06.2, this language is required by A.C.A. § 6-15-1004(b)(2)(B)(i).

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In former section 4.07, this language is still required by A.C.A. § 6-17-705(a) and (b).

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In section 5.04.1.2.b, I would recommend changing “under this section” to “under section 6.04.2.2 5.04.1.2.a”.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: Section 6.02 is missing the sudden cardiac arrest prevention training requirement from Act 1013 of 2017.

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

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In section 6.04.4, to match the language in A.C.A. § 6-17-706(a)(4), this should be “High school equivalency test examiners”.

Division Response: **Comment considered. A substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In section 8.03.3, “Study groups” are still a valid option under A.C.A. § 6-17-704(d).

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: In section 7.03.6, there is an extra “s” at the end of “service” in “Education Service Cooperative”.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: ~~9.01-2.4:~~ As A.C.A. § 6-15-420 was repealed by Act 930 of 2017, I would recommend replacing this statutory citation with A.C.A. § 6-15-2907. For purposes of our model policy on professional development, we have been citing to A.C.A. § 6-15-2907(i) especially to make sure that a staff person would only be disciplined under 6-15-2907(i)(3) after receiving appropriate training.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: ~~9.01-2.9:~~ Act 190 of 2019 replaced the student services plan with the Comprehensive School Counseling Plan under 6-18-2004 that has similar training language.

Division Response: **Comment considered. A substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: ~~9.01.2.10~~ 8.01.2.8: I would recommend replacing “Department of Education” with “Division” for consistency with other places in the Rules.

Division Response: **Comment considered. A non-substantive change was made.**

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Commenter Name: Lucas Harder, Policy Services Director, Arkansas School Boards Association, January 12, 2024

Comments: ~~9.02~~ 8.02: As written, the language would not expressly allow for a district or open-enrollment charter that is under intensive support to be required to undertake specific PD. I would recommend changing this to “targeted, comprehensive, or intensive support”.

Division Response: **Comment considered. A substantive change was made.**

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Commenter Name: Alexis Jackson, Senior Fellow, Teach Plus, January 22, 2024

Comments: Attached document.

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

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024

Comments: 1.02.1 - The citation to “3.10” should be a citation to “3.13”.

Division Response: **Comment considered. A nonsubstantive change was made.**

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024

Comments: 1.03 - Language from A.C.A. § 6-15-1104 is still being used in the rules, especially subsection (b) is being used at “4.06 4.07” through “4.06.3.2 4.08.2”.

Division Response: **Comment considered. A nonsubstantive change was made.**

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024

Comments: ~~3.15~~ - Study groups are still included in the list of options for PD under A.C.A. § 6-17-704(d).

Division Response: **Comment considered. A nonsubstantive change was made.**

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024

Comments: 4.01.1 - Due to the definition of “TESS” at 3.19, this could be shortened to just “Based on the teacher's evaluation and professional growth plan under TESS;”.

Division Response: **Comment considered. A nonsubstantive change was made.**

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024

Comments: ~~4.05~~ 4.06 - The requirement for all professional development that an educator provides to receive two (2) hours of credit must be approved by the employer could substantially hinder getting presenters during the summer. I can see where it would make sense for a district to have to sign off on providing a professional leave day for an employee to be able to get trainer credit during the student instructional days, but not during the time that it outside of the basic teacher contract period. If this is instead to require the teacher’s employer to sign off on it receiving two (2) hours of credit for a training, I could see that as being problematic as what employer is going to want to sign off on it as being a training if they can get extra hours out of an employee.

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

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024

Comments: ~~4.06.3~~ 4.08 - The citation to “4.06.1” should be to “4.07” instead.

Division Response: **Comment considered. A nonsubstantive change was made.**

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024



Comments: ~~4.06.1~~ 4.06.2.2 - These are all statutorily required under A.C.A. § 6-15-1004(b).

Division Response: **Comment considered. A nonsubstantive change was made.**

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024

Comments: 5.04.1.1: The “two” is missing the parenthetical Arabic numeral.

Division Response: **Comment considered. A nonsubstantive change was made.**

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024

Comments: 5.04.1.2: The “two” is missing the parenthetical Arabic numeral.

Division Response: **Comment considered. A nonsubstantive change was made.**

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024

Comments: ~~7.02~~ 6.02: This section is missing the requirement for the training to include sudden cardiac arrest prevention from Act 1013 of 2017 and codified at A.C.A. § 6-18-708(a)(4).

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

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024

Comments: ~~8.03.3~~ - “Study groups” are still an option for earning PD under A.C.A. § 6-17-704(d).

Division Response: **Comment considered. A nonsubstantive change was made.**

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Commenter Name: Lucas Harder, Arkansas School Boards Association, Policy Services Director, 05/29/2024

Comments: ~~9.01.2.3~~ 8.01.2.3: As A.C.A. § 6-15-420 was repealed by Act 930 of 2017, I would recommend replacing this statutory citation with A.C.A. § 6-15-2907 as it covers similar language.

Division Response: **Comment considered. A nonsubstantive change was made.**

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