

SUMMARY OF AMENDMENTS

DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULES GOVERNING PUBLIC CHARTER SCHOOLS

These rules were created per Ark. Code Ann. § 6-23-101, et. seq. Other than the language adding multi-year services contracts as an exception to the definition of debt, and the one-week extension added to paragraph 4.02.3.3, the amendments to the rules are either technical or a result of legislation, namely Acts 744 and 774 of 2021.

Act 744 of 2021 created the “Community Schools Act,” which is codified at Ark. Code Ann. § 6-15-3001, et. seq. Per Ark. Code Ann. § 6-23-109, the Charter Authorizing Panel may designate public charter schools as community schools, as defined by Ark. Code Ann. § 6-15-3001, if the schools meet certain application requirements. Language regarding this was added to the rules.

The amendments add language regarding transfer of funds and clarify that when an open-enrollment charter is revoked, transferred or assigned, the charter school shall provide the Division of Elementary and Secondary Education with a comprehensive list of all banking information and accounts in which the school holds state or federal funds. Additional language was added per the Act stating that the charter must receive approval from the division for expenditures over \$500 and that the charter must work in coordination with the division to draft a charter closure plan.

Language was added regarding open-enrollment public charter school policy regarding enrollment of students after the statutory deadline.

The language regarding multi-year services contracts was added because these contracts do not represent significant risks to the financial stability of the school(s). The existing rules state that after receipt of a request to change the physical location of a public charter school, the Commissioner is given a period of seven (7) days to request additional information. The rule has been amended to change that time period to fourteen (14) days in order to allow the Commissioner additional time to review and respond to the request.

There were also some technical changes made to the rules.