

## **Title 6. Education**

### **Chapter I. Division of Elementary and Secondary Education**

#### **Subchapter B. Student Enrollment and Choice**

#### **Part 32. Schools of Innovation**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows: "Effective: February 7, 2020".

"Authority[.] The Arkansas State Board of Education's authority for promulgating these rules is pursuant to Ark. Code Ann. §§ 6-11-105, 6-15-2801 et seq., and 25-15-201 et seq."

#### **Subpart 1. Generally**

##### **6 CAR § 32-101. Purpose.**

The purpose of this part is to improve education in Arkansas and to set forth the process and procedures necessary to administer the Schools of Innovation Program.

**Authority.** Arkansas Code § 6-15-2802.

##### **6 CAR § 32-102. Definitions.**

As used in this part:

(1) "District of innovation" means a public school district with one (1) or more schools of innovation that has:

(A) Developed a school of innovation plan in compliance with Arkansas Code § 6-15-2801 et seq. and this part;

(B) Obtained necessary exemptions from laws, rules, and local policies to improve the educational performance of students from the Commissioner of Elementary and Secondary Education in accordance with 6 CAR § 32-107 and 6 CAR § 32-109; and

(C) Been approved as a district of innovation by the Commissioner of Elementary and Secondary Education;

(2) "Eligible employees" means the full-time employees who are employed at a school that is considering being designated as a school of innovation;

(3) "Innovation" means a new or creative alternative to the existing instructional and administrative practices that is intended to improve academic performance and learning for all students;

(4)(A) "School council of innovation" means a body of individuals from a current or aspiring school of innovation composed of:

(i) Teachers;

(ii) Classified employees;

(iii) The building-level principal or his or her administrative designee;

(iv) Parents;

(v) Community members;

(vi) A minimum of two (2) students from the school of innovation;

and

(vii) Other interested parties selected by the council to participate, as referred to in 6 CAR § 32-103.

(B) The teacher representatives shall be elected by a majority vote of the school's licensed eligible employees.

(C) The classified representatives shall be elected by a majority vote of the school's classified eligible employees.

(D)(i) The parent representatives shall:

(a) Be selected by a majority vote of the attendees at a meeting called for the purpose of selecting the school's parent representatives; and

(b) Have a child in the school to be eligible to serve on the council.

(ii) Schools with a ten percent (10%) or greater minority student population shall have minority representation on the council; and

(5) "School of innovation" means a public school that participates in a district of innovation to transform and improve teaching and learning.

**Authority.** Arkansas Code § 6-15-2802.

**6 CAR § 32-103. Council of innovation.**

(a)(1) Each school or district applying to be a school of innovation must establish a council of innovation.

(2) The school council of innovation shall:

(A) Generate innovative ideas and proposals of its own;

(B) Determine a method for requesting innovative ideas and proposals from school employees, community members, and other stakeholders to be submitted to the council;

(C) Receive innovative ideas and proposals from:

(i) School employees;

(ii) Community members; and

(iii) Other stakeholders;

(D) Consider all innovative ideas and proposals submitted by community members and other stakeholders; and

(E) Determine the content and format of the school of innovation application that will be voted on by eligible employees.

(b) The council may create subcommittees, which may include noncouncil members, to work on developing portions of the school of innovation application.

(c) A school of innovation application is subject to approval by the Commissioner of Elementary and Secondary Education.

**Authority.** Arkansas Code § 6-15-2802.

**6 CAR § 32-104. Approval, designation, and revocation.**

(a)(1) The Commissioner of Elementary and Secondary Education may approve a public school's application to become a school of innovation for the purpose of transforming and improving teaching and learning.

(2) The commissioner must notify the applicant in writing whether the school of innovation application is approved or denied.

(3)(A) The public school must demonstrate substantial progress towards meeting the goals outlined in the approved school of innovation application with the purpose of transforming and improving teaching and learning within two (2) years of approval of the application.

(B) The Division of Elementary and Secondary Education shall provide support and monitoring of approved school of innovation application sites.

(C) The public school must request an on-site designation review within the two-year period to demonstrate substantial progress.

(D) Any school that does not demonstrate substantial progress towards meeting the goals outlined in the approved application, or fails to request an on-site designation review within the two-year period will not be designated as a school of innovation.

(E) If a school is not designated as a school of innovation within two (2) years of approval of the application:

(i) It must submit a new application to the commissioner; and

(ii) All waivers approved as part of the application shall be revoked.

(b)(1) The division may designate a public school as a school of innovation under Arkansas Code § 6-15-2802(a), if the public school has met the objectives outlined in the public school's application to become a school of innovation within the time period established in the public school's application.

(2) A school of innovation shall be approved and designated for a period of four (4) years.

(3)(A) A school of innovation may be renewed for four-year periods thereafter, at the commissioner's discretion.

(B) The review of renewal applications is based on the school of innovation's statement of goals and performance targets as required by 6 CAR § 32-106(b).

(c)(1) The commissioner may revoke a public school's school of innovation designation at any time if the public school fails to:

(A) Substantially fulfill the school of innovation plan as established in the public school's school of innovation application;

(B) Meet goals and performance targets; or

(C) Comply with applicable laws or rules.

(2) The commissioner will notify the district or school of innovation in writing of the revocation and include the reasons for the revocation.

(d) The commissioner's decision to approve or deny an application, or to revoke a school's designation:

(1) Shall be a final decision; and

(2) Cannot be appealed.

**Authority.** Arkansas Code § 6-15-2802.

**6 CAR § 32-105. Application submission guidelines.**

(a)(1) To apply to become a school of innovation, schools must submit a school of innovation application following the instructions for submission provided by the Division of Elementary and Secondary Education.

(2) Guidelines for submission of proposed amendments to the school of innovation application shall be released by Commissioner's Memo.

(b) Original school of innovation applications must be submitted online by March 1 of each year.

(c)(1) Specific timelines for revisions prior to approval and amendments, including any ongoing evaluations of a school of innovation, shall be posted on the division's website.

(2) The deadline to submit final revisions is May 1.

(d) Reporting requirements and oversight responsibility of the school of innovation and the division shall be published on the division's website.

**Authority.** Arkansas Code § 6-15-2802.

**6 CAR § 32-106. School of innovation application.**

(a) A school district shall submit its school of innovation application, approved by the school district board of directors, to the Commissioner of Elementary and Secondary Education for approval to become a school of innovation.

(b) A school of innovation application shall address without limitation:

(1) The goals and performance targets for the school of innovation, which may include, without limitation:

(A) Reducing the achievement gap among one (1) or more groups of students by accelerating learning experiences for academically low-achieving students while increasing all student learning through the implementation of highly rigorous standards for student performance;

(B) Increasing student participation in curriculum options;

(C) Exploring new avenues for expanding students' college and career readiness;

(D) Motivating students by exploring innovative teaching and learning choices; and

(E) Transforming a school's culture and climate in a manner that will lead to transformative teaching and learning;

(2) Changes needed in the school that will lead to students who are better prepared for success in life and career; and

(3) Innovative practices to be used in the school of innovation.

(c) The school of innovation application shall include appropriate documentation of:

(1) Parental, school employee, and community engagement;

(2) The capacity for the changes proposed by the school of innovation;

(3) The rationale for law, rule, and local policy exception requests;

- (4) Goals and performance targets;
- (5) Approval of eligible employees of a school of innovation, as required in 6 CAR § 32-108;
- (6) Teacher collaboration and shared leadership responsibility within each school seeking to become a school of innovation;
- (7) A detailed budget and related financial information;
- (8) References for research-based practices; and
- (9) Other information, if requested by the commissioner.

**Authority.** Arkansas Code § 6-15-2802.

**6 CAR § 32-107. Mandatory compliance with existing law.**

An approved school of innovation shall:

- (1) Ensure that the same health, safety, civil rights, and disability rights requirements are in place as those that apply to all other public schools;
- (2) Ensure that the high school curriculum offered meets or exceeds the minimum high school graduation requirements adopted by the State Board of Education;
- (3) Adhere to financial audits, audit procedures, and audit requirements adopted by the board for public school districts;
- (4) Require criminal background checks for school employees and volunteers as required by law for public school districts;
- (5) Comply with open records and open meeting requirements;
- (6) Comply with purchasing limitations and requirements;
- (7)(A) Provide instructional time that meets or exceeds the instructional time requirement adopted by the state board unless granted an exception by the Commissioner of Elementary and Secondary Education.
  - (B) Instructional time may include:
    - (i) On-site instruction;
    - (ii) Distance, digital, or virtual learning; and

- (iii) Work-based learning on nontraditional school days or hours;
- (8) Provide data requested by the Division of Elementary and Secondary Education to generate reports;
- (9) Adhere to the Teacher Fair Dismissal Act of 1983, Arkansas Code § 6-17-1501 et seq.;
- (10) Comply with state law and rule regarding the education of gifted and talented students; and
- (11) Demonstrate and document research-based implementation of professional learning communities throughout the school that address the needs of the students and professionals.

**Authority.** Arkansas Code § 6-15-2802.

**6 CAR § 32-108. Election by eligible employees.**

(a) Before a public school district submits a school of innovation application to the Commissioner of Elementary and Secondary Education, the eligible employees of each proposed school of innovation shall vote on whether the school shall be designated a school of innovation.

(b)(1) At least sixty percent (60%) of eligible employees must vote in support of the school's application to become a school of innovation before the school of innovation application may be submitted to the school board of directors for approval.

(2) The school council of innovation shall be responsible for conducting the vote required under subdivision (b)(1) of this section.

**Authority.** Arkansas Code § 6-15-2802.

**6 CAR § 32-109. Waivers.**

(a) A school of innovation application may request waivers from local policies and specific laws and rules during the application process.

(b)(1) After a school is designated a school of innovation, it may request a waiver from specific laws and rules in writing to the Commissioner of Elementary and Secondary Education.

(2) All requests for waivers must:

(i) Be tied to a specific goal of the school of innovation; and

(ii) Contain an explanation of why the waiver is necessary to achieve the stated goal.

(c) No exemptions will be granted from the Teacher Fair Dismissal Act of 1983, Arkansas Code § 6-17-1501 et seq., or of any provision described in 6 CAR § 32-107.

**Authority.** Arkansas Code § 6-15-2802.

**6 CAR § 32-110. Negotiated employment contracts.**

A public school district with a negotiated employment contract in place shall follow the procedure set forth within the contract that allows the implementation of a school of innovation.

**Authority.** Arkansas Code § 6-15-2802.