

Title 6. Education

Chapter I. Division of Elementary and Secondary Education

Subchapter A. Generally

Part 5. Junior Fire Marshals' Programs

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows: "Act 61 of 1959 - Junior Fire Marshals' Programs"

"Policies of the Arkansas State Board of Education Covering the Activation of Act 61 of the General Assembly".

"Proposed Amendment To Policies Of The Arkansas State Board Of Education Covering The Activation Of Act 61 Of The 1959 General Assembly[.] Acts 1959, No. 61 required the State Board of Education to promulgate reasonable and necessary rules for the establishment of minimum requirements to be met by the school districts of this state for a school fire marshal program. The board developed the required rules and adopted those policies on September 13, 1959. We propose that Section I of these regulations be amended to require a compliance report three (3) times a year instead of every month. The proposed reporting dates are as follows: September 20[,], February 20[,], June 20[.] The purpose of this amendment is to help reduce the amount of paperwork local school districts are required to submit to the Department of Education. This amendment will not alter the intent of Act 61 because the schools will still be required to conduct a fire drill every month school is in session. The reporting requirement on these drills will be the only change."

Subpart 1. Generally

6 CAR § 5-101. Requirements.

The State Board of Education, after due consideration, adopted the following policies which it believed were necessary to the implementation of Acts 1959, No. 61:

(1) That a monthly report be required of all local school districts showing that the district is complying with the provisions of Acts 1959, No. 61;

(2) That the report include a certification statement to the effect that the following items have or have not been accomplished:

(A) That an adequate fire marshal program has been activated;

(B) That an adequate plan for evacuation of all school facilities has been adopted and placed in operation;

(C) That copies of this plan are on file in the superintendent's office and available for inspection;

(D)(i) That each school facility has or will be inspected by the most competent person or persons available;

(ii) This inspection to be carried out at least once during each twelve-month period and to cover fire and other hazards;

(E) Routine check for fire hazards before buildings are locked for the day or night, especially after games and large public gatherings; and

(F) That a program of training essential to the reasonable protection of the lives of students and property from fire and other hazards has been activated and is in operation in each unit of the system;

(3)(A) That the superintendent be required to furnish the Department of Education, Division of Instructional Services, information necessary to determine whether the program has been placed in effect in each unit of the local school system.

(B) This information is to be made a part of the annual report required by the Division of Instructional Services which is due to be filed by each local school district on or before November 15 of each respective school year.

(C)(i) The check to be made by the Division of Instructional Services as a part of the annual accreditation visit for each local school district.

(ii) Any noncompliance found by the Division of Instructional Services will be reported to the Division of School Plant Service.

(D) This report to cover the following:

(i) That a fire marshal program has been activated in each unit of the local school district;

(ii) That all fire marshals shall have attained a minimum of sixth grade enrollment level;

(iii) That evacuation plans and regularly scheduled fire drills have been placed into effect and that plans for these are on file in the superintendent's office;

(iv) Indicate whether or not cooperative programs with other agencies interested in fire prevention have been activated; and

(v) That continuing checks for fire and other hazards are maintained;

(4)(A) The State Board of Education will encourage all local districts to organize and carry out adequate fire prevention programs and safety programs essential to the protection of the lives of children and other school personnel and school property.

(B) That in carrying out this part of the program, the State Board of Education will activate a supervisory program designed to implement Acts 1959, No. 61, and rules pertaining thereto, as established by the board; and

(5)(A) By statute the board is required to withhold one-tenth (1/10) of Minimum Foundation Program Aid where any district fails to comply with the minimum requirements set up in the law and by board rule.

(B) In carrying out this responsibility, the board will provide a thirty-day grace period for any district reported to be in noncompliance.

(C) The withholding of such funds should be subject to the approval of the Commissioner of Elementary and Secondary Education in keeping with state law.

Authority. Arkansas Code § 6-10-110.