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**DIVISION OF ELEMENTARY AND SECONDARY EDUCATION OFFICE OF EARLY  
CHILDHOOD RULES GOVERNING THE ARKANSAS BETTER CHANCE PROGRAM**

**PUBLIC COMMENTS AND RESPONSES**

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**1<sup>st</sup> Public Comment Period**

**Commenter Name:** Kathy Pillow-Price, Ed.D., Managing Director, Early Care and Education Projects, June 28, 2024

**Comments:** *Submitted Electronically*

**Re:** June 2024 Comments on the Division of Elementary and Secondary Education Office of Early Childhood Rules Governing the Arkansas Better Chance Program

**From:** University of Arkansas Early Care and Education Projects

**Date:** June 28, 2024

**About Our Organization**

Since 1992, the University of Arkansas Early Care and Education Projects (ECEP) has been dedicated to enhancing the quality of early childhood care across Arkansas. We are committed to **educating, connecting, and equipping** early childhood professionals throughout the state. As a state contractor, ECEP offers statewide professional development, coaching, and quality improvement initiatives for early educators. Our highly qualified trainers provide the most current resources and training in various settings, including child care centers, public schools, vocational centers, technical institutes, community colleges, and other post-secondary education facilities.

**Our Comments**

We appreciate the opportunity to provide input and participate in this public comment process. ECEP values the Office of Early Childhood's efforts in reviewing the Arkansas Better Chance (ABC) Rules and recognizes the program's critical role in supporting child care and early childhood development. We commend our state's commitment to incorporating public input in shaping policies that directly impact families, early childhood educators, and communities.

Below are our comments, organized by specific sections and page numbers, to offer suggestions and recommendations.

**ADE 257-1:** We applaud the emphasis on Arkansas Kindergarten Readiness and remind the Office of Early Childhood (OEC) that the Early Learning Standards in Arkansas are currently under review and update.

**ADE 257-15, Section 11.01.1:** We are pleased to see that lead teachers will need to hold an Arkansas Educator license in Early Childhood Pre-K. We recommend reintroducing early childhood licensure bachelor's degree programs while retaining K-6 preparation programs.

**ADE 257-16, Section 11.01.2:** We suggest including Human Development and Family Life Sciences with Child Life or Child Development concentrations.

**ADE 257-16, Section 11.01.4:** In addition to the existing three competencies, we recommend adding child development as a fourth competency.

**ADE 257-17, Sections 11.09 and 11.10:** We are concerned that simply requiring ABC teachers to complete a minimum of 36 and 25 hours of staff development on early childhood education topics may not ensure high-quality training. We recommend the state endorse state-funded contractors as providers of free professional development focused on early childhood learning and programs approved by the OEC.

**For example, 11.10 Training Areas**

Teachers and professionals shall be required to engage in professional development focused on early childhood learnings and programs approved by the OEC. *OEC partners with the following professional development agencies to make free professional development opportunities available across the state: Arkansas State University Childhood Services, University of Arkansas Early Care and Education Projects, UAMS, etc... Available free trainings are listed on PDR.*

*Note: Additionally, we suggest that OEC update PDR in the upcoming year to make it easier for providers to navigate and find free state-contracted training. Currently, the lack of a filter for free training makes it difficult for early educators to access high-quality training at no cost.*

**ADE 257-17 11.10.1.1.** We suggest removing the term "Academics" and reverting to the language of domains originally used in this document:

Topics should include the following **domains**: Physical health, well-being, and motor skills; Social-emotional development, including self-regulation and relationships with peers and adults; Language and literacy development, including language understanding, emergent literacy, and early writing; Cognition and general knowledge, including math, science, and problem-solving; Approaches to learning including initiative, attentiveness, persistence and play.

We also feel that the "big four" that ECEP considers a gold standard of early childhood professional development should remain included in the rules as required, either through training or embedded in college coursework.

Pre-K Early Literacy Learning (Pre-K EL)

Pre-K Math and Science (Pre-K MS)

Pre-K Social-Emotional Learning (Pre-K SEL)

Pre-K Standards: Arkansas CDELS (Pre-K S)

**ADE 257-20, Section 13.04:** For consistency and adherence to our kindergarten readiness requirements, we suggest the curriculum plan align with the previously mentioned **domains**:

Physical health, well-being, and motor skills; Social-emotional development, including self-regulation and relationships with peers and adults; Language and literacy development, including language understanding, emergent literacy, and early writing; Cognition and general knowledge, including math, science, and problem-solving; Approaches to learning, including initiative, attentiveness, persistence, and play.

Thank you again for the opportunity to provide these comments for our state's consideration.

**Division Response: Comment considered; no changes made. The rule allows for broadened licensure degree programs to be accepted as teachers for ABC programs and does not narrow it as the commentor requests for section 11.01.1. The comment changes for sections 11.01.2 and 11.01.4 were considered but not changed as the rule is already written in a broad manner to allow for those areas of concentration to be applied. The comment changes for sections 11.09 and 11.10 were considered and no changes made as the rule already allows for this training. The licensure hours were changed by ADE to match licensing requirements for K through 12 teachers. OEC is grateful for recommendations to making the PDR easier to filter, but those recommendations are not relevant to the current rule. Section 13.04 language aligns with statutory provisions and will not be changed. Comments were considered in regard to section 11.10.1.1, however, the rule is written to be broader to allow for more options in professional development so no changes were made.**

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**Commenter Name:** Amy Rottinghaus, KidSPOT, July 8, 2024

**Comments:** *Submitted Electronically*

KidSPOT Arkansas Better Chance Program Concern:

The ability for a classroom to not pass ERS on the first try, receive Technical Assistance, and request a re-assessment wording was removed from Section 9.05.

9.05 All ABC classrooms programs shall meet the criteria for becoming an "academic approved" Early Childhood program set by the Arkansas State Board of Education.

9.05.1 A state approved quality rating assessment tool will be utilized to determine a classroom and program quality rating under the Arkansas Child Early Care and Education Approval System Rules and Regulations, Ark. Code Ann. § 6-45103 and 106. An overall score of 5.0 is required for the ERS which is applicable to each classroom.

DESE will utilize the following procedure for any program failing to meet these requirements: Result of Program Review Action Taken 1st No Pass (ERS Score < 5.0) Recommendations for improvements shall be made in writing to the Agency ABC Administrator/Coordinator and Teacher. Technical assistance shall be given to the Agency. 2nd No Pass (ERS Score < 5.0) Conference shall be held between Agency ABC Administrator/Coordinator, Teacher and DESE staff to advise Agency of 2nd No Pass Status and required improvements. Agency is placed on probationary status with third review scheduled

within 60 days of conference. 3rd No Pass (ERS Score < 5.0) Agency is partially or fully de-funded for next program.

Many Arkansas Better Chance programs across the state hire and employ novice teachers. Sometimes, being a new teacher is overwhelming and having a state assessment adds stress to the classroom environment. Receiving an initial review and then being given the opportunity for Technical Assistance and support can provide opportunities for teaching staff to improve on weak areas. TA is a critical “hands-on” learning component of the ERS process. Within my twenty years of experience, 90% of teaching staff that receive technical assistance receive passing ERS scores on the second assessment attempt. We ask that the ability for Technical Assistance after a non-passing ERS score be added back as an option for ABC programs.

Thank you in advance for your time and consideration of this matter.

**Division Response: Comments considered; no changes made. The proposed rule is currently written in broad language by the department so that the department will not have to amend the rule if there are future changes to technology and/or quality assurance programs.**

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**Commenter Name:** Geania Dickey, Malvern, Arkansas, July 8, 2024

**Comments:** *Submitted Electronically*

Thank YOU in advance for your consideration to these notes. The following are my thoughts on the items that were reworded, changed, or omitted.

- First section- Early Learning Standard in Arkansas
  - Is this referring to the CDELS or will something new be introduced?
- 3.10 COPA and 3.28
  - Are you using a generic description for the “state data system” or is there a new system being considered?
- 3.16 “classroom quality and include:” are not crossed out however it doesn’t say anything else
- 3.27.2 and 13.09.1.2 Kindergarten readiness will be measure by Department of Education state approved assessment aligned with the Early Learning Standards in Arkansas
  - What is the state approved assessment? Will there be an assessment for K readiness?
- 3.33 and 11.10.2 WSS is crossed out. There is no replacement for it. What will be used?
- 5.02.1 What is the quality approval accreditation now?
- 6.05 “from the previous year’s October enrollment”
  - Does this mean programs will only be awarded the number of slots for the next school year based upon the enrollment in October of the current year? Program may typically still be recruiting at this time.
- 6.05.1 and 9.06.2 “Program will be paid monthly based on enrollment and the number of full days offered”

- It is already a practice to be paid based upon enrollment. Therefore, what about the number of full days offered? It states a program must offer 178 days; will they be paid for any days over the 178? I am sure programs are wondering if they are going to pay for more than 178 days and if they are changing the way many have been funded in the summer.
- 9.05 State approved quality rating
  - What will be used to determine rating, Better Beginning and if so how?
- 9.08 Handbook
  - Only the attendance and tardy policy is left in this section however a handbook is mentioned in another section. No guidance for the handbook from ABC.
- 11.01.2 “requisite number of hours in early childhood...”
  - This has been a problem with some sponsoring agencies because it does not give a specific number.
- 11.10 and 11.10.2 Training Areas
  - What are the approved trainings? Will there be a specific list, or do they have to go out to find these on their own?
- 11.12 “OEC approved Professional Development System”
  - Will PDR still be utilized?
- 13.01 Is this CLASS?
- 13.04.5 Is this Pre-K Rise?
- No change, we are trying to be broad
- 13.10 Can you choose which nutrition program your site can participate in? I always thought it had to be CACFP, is that correct or are there other options.
- 14.01.1 “The Multi-Tiered System of Supports Framework”
  - What is this and who will be trainings on this? Also, where will the “early childhood and infant mental health consultation” come from?
- 14.03.1, 2, and 3 Is there a program or tool your are looking at for this?

Many of the items listed above are not listed as a concern but I hope will be considered in future communications with ABC Coordinators and grantees. In the absence of clear information and directions it is likely to lead to much confusion and possible incorrect interpretations.

**Division Response: Comments considered; section 3.16 technical changes were made. Section 11.01.2 will be changed to define that requisite number hours is twelve (12). No changes were made to sections 3.27.2 and 13.09.1.2 as kindergarten assessments will be handled by the Department of Secondary Education. The proposed rule is currently written in broad language by OEC ADE so that it will not have to amend the rule if there are future changes to technology, quality assurance programs, or professional development systems. Sections 6.05 and 9.06 were not changed as the rule now reflects a starting day and days of the operation consistent with ADE. The rule also addresses that any days over 178 are paid pro-rata. Summer funding is not included in this funding source. No change is made the Multi-Tiered System of Supports Framework found in section 14.01.1 as this language reflects federal special education language.**

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**Commenter Name:** Dee Cox, Ed.D., Educational Consultant, June 28, 2024

**Comments:** *Submitted Electronically*

### **Rules Governing the Arkansas Better Chance Program January 2024**

#### **3.27.1 Kindergarten readiness includes the following domains:**

**3.27.1.1 - 3.27.1.5** Does not reflect the *nine* Domains within the *Arkansas Child Development Early Learning Standards* (CDELS) nor the correlated *Kindergarten Readiness Indicator Checklist* (KRIC). There should be **nine** Domains noted instead of *seven*.

**9.05** All ABC classrooms programs shall meet the criteria for becoming an "**academic approved**" Early Childhood program set by the Arkansas State Board of Education.

**9.05.1** A state approved quality rating assessment tool will be utilized to determine a **classroom and program quality rating** under the Arkansas Child Early Care and Education Approval System Rules and Regulations, Ark. Code Ann. § 6-45-103 and 106.

The word "**academic approval**" is not an appropriate description of ABC programs.

In **9.05.1**, The terminology, **classroom and program quality rating**, is used describing the state approved quality rating assessment tool.

#### **11.10 Training Areas**

**11.10.1** Teachers and paraprofessionals shall be required to receive training in the following areas: engage in professional development focused on early childhood learnings and programs approved by the OEC.

**11.10.1.1** Topics may include **Academics**, Family and Community

Engagement, Program Quality, Human Capital, Program Management, and Child Development and Growth.

The term **Academic** is not generally used in early childhood instruction descriptions. Should the wording be changed to **Developmental Readiness Skills**?

**11.10.1.1** Topics may include Academics, Family and Community Engagement, Program Quality, Human Capital, Program Management, and Child Development and Growth.

- ~~Arkansas Early Childhood or Infant/Toddler Education Frameworks~~
- ~~Pre-K ELLA (Early Literacy Learning in Arkansas)~~
- ~~INDEX (Math and Science for Young Children)~~

- ☐ ~~Social/ Emotional Learning in Arkansas~~
- ☐ ~~Work Sampling~~
- ☐ ~~COPA~~
- ☐ ~~Deveraux Early Childhood Assessment (DECA)~~
- ☐ ~~Special Needs, including process, Special Education rules and regulations and~~  
—~~IDEA~~

I have real concerns with not specifically identifying professional development required for the Lead Teacher, Teacher, and Paraprofessional. The prior list of professional development that is proposed to be removed from the Rules, are a vital part of our Arkansas Professional Development. I propose leaving the highlighted professional development within the requirements.

As a trainer, I am always curious where the early childhood Lead Teacher, Teacher, and Paraprofessional receive their mandated professional development hours. These are the major responses I am given:

- “I find them online somewhere or on PDR that is online and quick.”
- “I only take enough to get my hours.”
- “I take self-paced training. It is much easier and quicker.”
- “I take the “Big 4” courses upon requirements.”

No change, we will still provide PDR

### Questions:

- Why has the *Office of Early Childhood* been so heavily involved in the *PK RISE* initiative if the revised *PK Early Language and Learning (PK ELL)* is not going to be mandated?  
The Rules, Early Childhood Standards have been noted. If so, why wouldn't the PK CDELS, that is researched based, be mandated by at least the Lead Teacher and Teacher?
- Our state has focused on Social Emotional Learning for several years. You, as the Office of Early Childhood, recognize the increase of children diagnoses with mental illness, behavior disorders, aswell as, the lack of Social Emotion Learning Skills. Again, please mandate the PK Social Emotional Learning (PK SEL) Course.
- Finally, if the mandated professional development noted to be removed, it is of my opinion the Office of Early Childhood will be accepting **Quantity INSTEAD of Quality professional growth**. Our children need **Quality** early childhood developmental readiness instruction.
- NO, does not relate to rule,

**13.054** The program shall have a written overall curriculum plan which is arranged in thematic units, projects or topics of study and includes goals and objectives related to the following:  
Cultural diversity, ;

**13.04.1 Social/ and, or, or emotional development, ;**

**13.04.2 Creative/ and, or, or aesthetic learning, ;**

**13.04.3 Cognitive/ and, or, or intellectual learning, ;**

**13.04.4 Math, science, and problem solving;**

**13.04.4 Physical development; and**

**13.04.5 Language and literacy based on the science of reading.**

**13.04.1 – 13.04.5** This list identifies **eight** Domains instead of the **nine** in the PK CDELS. This section does not correlate to **3.27.1.1 - 3.27.1.5** where there are **seven** Domains noted.

#### **14.05 Professional Services**

**14.05.1** If necessary, intervention shall ensure each child has access to professional service, such as:

**14.05.1.1** Referrals to the **educational cooperative behavioral specialist, ;**

I request the OEC to confirm that every Education Cooperative employs an Early Childhood Behavior Specialist. At this time, it is my understanding that not all cooperatives employ an Early Childhood Behavior Specialist. The Cooperative may sometimes hire a Behavior Specialist for K-12 and use that individual for early childhood but, as an early childhood educator, there are numerous behaviors related to younger children compared to older school children.

- No change,

#### **21.00 Child Care Family Homes**

**21.03** The ABC family home teacher must possess a minimum of a CDA credential and file a Staff Qualifications Plan which outlines a plan to complete a four-year degree in early childhood or child development. For any ABC room with more than 10 children, an additional staff person with a minimum of a CDA credential must also be present.

**Question** – How is the Staff Qualifications Plan (SQP) outlining a plan to complete a four-year degree in early childhood or child development monitored or verified? How many Child Care Family Homes Teacher have a SQP that is not being evaluated? I suggest a mandated number or evaluations of the SQP for Child Care Family Homes Teacher.

**Division Response: Comments considered; no changes made. The proposed rule is currently written in broad language by OEC ADE so that it will not have to amend the rule if there are future changes to technology, quality assurance programs, or professional**



development systems. Kindergarten readiness language concerns addressed by this comment are governed by statutory provisions.

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**Commenter Name:** Delta, June 21, 2024

**Comments:** *Submitted Electronically*

Please reword this section:

- ~~14.09.1 Access to proprietary information on the child shall be on a need-to-know basis.~~
- 14.09 A child shall not be dismissed from the ABC program due to a lack of toileting ~~training~~ development skills.
- ~~14.09.1 Nor may a program refuse to admit a child because of toileting ~~training~~ development issues if the child meets all other age and income eligibility requirements.~~
- 14.10 ABC programs shall assist children not yet toilet-~~trained~~ developed with cooperation and enthusiasm.
- ~~14.10.1 Programs shall not employ toilet ~~training~~ development techniques which could be construed as punishment or shaming the child.~~
- ~~14.10.2 Programs are encouraged to include the parent or guardian in any plan so it may be reinforced at home.~~
- ~~14.10.3 Funds from ABC may be used to purchase resources necessary to support toilet ~~training~~ development.~~

The terms toilet development skills, toileting development issues, toilet developed, toilet development techniques, and toilet development are confusing and convoluted.

Appropriate and widely accepted terms for these sections are:

14,09 toileting skills

14.09.1 the child is still toilet training or the child is still learning toileting skills

14.10 children who are still toilet training or children who are still learning toiling skills

14.10.1 toilet training or toileting skill development

14.01.3 toilet training or toileting skill development

**Division Response:** **Comments considered; no changes made. Toilet development is a term understood and used in the early childhood community.**

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**Commenter Name:** Lucas Harder, Arkansas School Boards, Policy Services Director, July 15, 2024

**Comments:** *Submitted Electronically*

**ABC Rule:**

1.3: I believe that the citation here is supposed to be to 2001 instead of 1001 at “Act 212 of 1001”.

3.20.1: This should be 3.21.1.

- 3.27: I would recommend moving this and making it a 3.23 so that the definitions are in alphabetical order.
- 4.7.4: The parenthetical Arabic numeral “two” appears to be missing.
- 4.8: I believe that “the child record” should be “the child’s record”.  
There is a period in the middle of “community”.
- 6.06.1: The longhand and parenthesis are missing from “30”.
- 9.01: There is a missing colon at the end.
- 9.05.2: The longhand and parenthesis are missing for “12” here.
- 10.2.1: The longhand and parenthesis are missing from “1:4”.
- 10.2.2: The longhand and parenthesis are missing from “1:7”.
- 10.2.3: The longhand and parenthesis are missing from “1:10”.
- 13.09.1.2: There is a “the” missing from before “state”.
- 14.3.1: There is a colon missing from the end.
- 14.3.2: There is a colon missing from the end.
- 14.3.2.3: There is a colon missing from the end.
- 15.8: The longhand and parenthesis are missing from “45”.
- 16.3: I believe that “ABC” program” should be “programs”.
- 19.3: The longhand and parenthesis are missing from “31-40” here.  
The longhand and parenthesis are missing from “27” here.
- 19.6: The language starting with “Whichever program” is missing a subsection number.  
There is also the longhand and parenthesis missing from “25%”.
- 20.1: There is a “the” missing from between “in” and “PAT”.
- 20.4: The longhand and parenthesis are missing from “20”, “30”, and “40”.
- 20.5: The parenthetical Arabic numerals are missing for “twelve” and “six”.
- 22.3.4: The period should be a semicolon.
- 22.3.5: There is a “the” missing from before “program”.
- 22.3.6: The phrase” toilet-training” should be changed to “toilet-development” to match other areas in the Rules.
- 22.3.8: The parenthetical Arabic numeral for “five” is missing.

- 22.3.5-11: All of these are missing a semicolon at the end.
- 22.3.12-14: The period should be a semicolon.
- 23.3: This should be either “this Section” or “Section 23” but not both.
- 23.3.3.1: I believe it should be “assistant director” and not “assistance director”.
- 23.3.4: The slash does not appear to be struck here.
- 23.4.2.7.B: The slash does not appear to be struck.
- 23.4.7: There is an “of” missing from between “withdrawal” and “all”.

**Division Response: A change was made to correct an erroneous internal citation consistent with the comment. No additional changes were made.**

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Commenter Name: Toshia Smith, July 15, 2024

Comments: *Submitted Electronically.*

Hello! I work in a school district in Southeast Arkansas. We are in the Delta and as with many employers in our area, we are having trouble finding employees. I would like to express concerns over the current ABC staffing guidelines. At minimum, staff members are required to have a CDA. This makes it extremely hard when we have applicants that already have an Associates Degree in a different area other than education. Many of these applicants do not want to return to school to receive a degree that will not increase their pay. ABC has many professional development requirements that assists staff with preparedness for the positions they take on in a child care program. With that being said, I would love to see some different requirements for staffing as changes to the ABC rules are being made. Many of my staff members have an Associates Degree in Early Childhood, but we have missed many opportunities with possible employees that would be a great asset to our facility due to the current staffing guidelines. If new staff members are receiving adequate required professional development, why do they have to have a CDA? The professional development that is required should be thorough enough to provide new staff members with the training they need to be successful in an EC classroom.

Thank you for offering EC educators the opportunity to have a say in this matter!

**Division Response: Comments considered; no changes made. The rule allows for many different pathways for a teacher to gain the necessary qualifications to become a teacher under the program.**

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Commenter Name: Amy Ginder, Pre-K Teacher, Beebe Pre-K, June 28, 2024

Comments: *Submitted in person at Public Comment Hearing.*

Is it for the whole packet? We have comments. it's like throughout the whole package.

Like you know what I mean? Like, you're not going to rule by rule, or regulation by regulation. So on the ABC one, we had a question about meals, the efforts, for example.

And they refer to a rule where we are referring to the whole what you guys are saying is the whole package. And you can definitely get regulations on regulation. I think it's actually even got a new site to this specific section; we have those comments so that we know exactly where you should have come a little bit better. Sorry, we thought we were listening. Okay, I'm Amy.

And I just have a few and other people may have some. But on the first one was, y'all had marked out the early childhood education, Arkansas Department of Human Services, and then added the division of Elementary and Secondary Education for DESE. So, is it replacing it and we're going to eventually be part of the public schools, and it's going to be required pre-k in the long-term effect? That was one question I just kind of had, is it going to be a requirement eventually in the future? Is that why it's changing?

Then and then we had like Eckers is marked out work sampling. Those are some of our main components where they come in, they give us our scores. That's where some of our funding comes from, what's going to replace it? We have our professional development lined out to go along with our Eckers they came this past year they did our observations, we always used them. what's going to replace it? What are we going to use for professional development for this coming year? When do we need, I mean, when are we going to know timelines, timeframes, that kind of stuff for records and work sampling for our office staff, the Coppa? That's where we enter all of our kids and all of their data that was marked out what is replacing it, you know, we put them in the, at the beginning of the year. So is that something that's taken effect this year is going to be next year.

So, we needed to know that. One of the other things that I noticed we've always had some main components for professional development, like the early literacy, math, science, social, emotional, those are all marked out. And it just said, professional development geared towards early childhood or whatever, is there going to be required PD are going to list certain ones that we have to have instead of ones that are approved by the OEC? Is there going to be a list of them, you know, because there's a whole bunch out there. And then I noticed that y'all had marked out where we have always gone and registered for our professional development. It's changed again. It has changed multiple times over our timeframe of teaching. Is all of our stuff gonna transfer or is it gonna be in multiple places still? Now we're going to the OEC. So, is that going to transfer over? Are we going to have to re-register for OEC the stuff that we've already registered for for this year? We're gonna have to register again? Then on the professional development days, ABC has always said July starting in July 1 through the end of May, but then there was a spot that said June 1 or July 1. Well, that's two different days, is June 1 for certified teachers and July 1 for our parents? Or is it going to be both can start June 1, that's a big difference on as a whole month of being able to find training. And then the 35 or 36 hours for certified teachers that say the same for us, but then is it definite change for our parents that are going to be 25 or 26 hours? You know, that's because we've already been working for our PD

hours for this next year. So that's a change that we need to take into effect. And then the child assessment development checklists that it says is going to be done at the end of the year. And I think I said it had to be done mid year, end of the year or something is that one that y'all are going to provide? So it's done equal across all of the state? Or is that something that each school is going to come up with? And then, it said the curriculum has to be state approved in each year, y'all are gonna put one out there, or at least out there in the state approved? Well, they've been pushing in Launchpad, is that a state approved? You know, we're having PD to do it is that one of our state approved that's going to be go along with this child development Assessment Checklist? So those are some of the questions that we had one other one was we ran into which takes a lot of our funding is the free meals and in here y'all marked out free. So does that mean that the ABC program does not have to pay for their meals? and the parents just have to fill out for the free and reduced application and that's how they get it paid for? And then the parents are responsible for the other portion? So that was one of our other questions because that does take a big chunk of our funding paying for all the meals for the kids are all marked out the word free. But then it had on there, you know, the free and reduced which usually they do qualify for it. So we were wondering if we had to continue to pay for their meals for lunches.

That's all I have right now.

**Division Response: Comments considered; no changes made. The proposed rule is currently written in broad language by OEC ADE so that it will not have to amend the rule if there are future changes to technology, quality assurance programs, or professional development systems. Section 11.9 added June 1 and May 31 or July 1 and June 30 to complete development to allow staff more options that may align with public school districts. The OEC will inform participants/providers of changes to procedures and assessments with time for the participants/providers to receive training. Removing the word “free” did not change the requirement for food to be offered to ABC children.**

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Commenter Name: Donna Massengill, Administrator, Harrisburg, AR, June 28, 2024

Comments: *Submitted in person at Public Comment Hearing.*

Donna Massengill, and with high school daycare. I just have a question about section 605 6.05. The ABC funding award. It says it's based on the previous year's October enrollment I enroll 125 to start August 12. By October if I have a family of six foster children, they're gone by-- they could be gone by that October 1st. That could affect my funding because my budget is on that 125 children and I want know how can that be changed? Or how will that affect my budget? I mean you start with 125 that by October, like I said I have a lot of foster children.

**Division Response: Comments considered; no changes made. No changes were made to section 6.05 as enrollment will continue to look at the whole term, not just the month of October to base projected child enrollment awards.**

### Second Public Comment Period

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**Commenter Name:** Lucas Harder, Arkansas School Boards, Policy Services Director,  
September 24, 2024

**Comments:** *Submitted Electronically*

#### ABC Rule:

- 3.1: The parenthetical Arabic numeral five is missing.
- 4.1: This should be “birth through five (5)”.  
This should be “three(3) and “four(4)”.  
This should be “two hundred percent (200%)”.
- 4.3.4: This should be “eighteen (18)”.
- 4.3.9: This should end in a “or” rather than an “and”.
- 4.4.1: The parenthetical Arabic numerals are missing from three and four here.
- 4.7.2: This should be “thirty (30)”.
- 4.11.4: This should end with a “or” instead of a “and”.
- 5.1.2: This should be “twelve (12) of the application date”.
- 5.3: There should be a comma after “funding”.
- 5.04.1.6: There is a comma missing after “tuition”.
- 6.1.1: This should be seventy-five percent (75%)”.
- 6.1.2: This should be “School districts” rather than “schools” since the districts receive the level of support while the schools receive the letter grade.
- 11.01.4: A colon is missing from the end.
- 12.1.1: This should be “ten (10)”.
- 12.2: The parenthetical Arabic numerals are missing for “four” and “seven”.
- 13.021: A colon is missing from the end.
- 13.054: There is a comma missing after “projects”.
- 13.6.3: I believe this is supposed to read “Individual, small group, and, or, or large group”.

- 13.9.1: A colon is missing from the end.
- 13.10.2: A colon is missing from the end.
- 14.1.1: The parenthetical Arabic numeral five is missing.
- 14.2.1: There is a colon missing from the end.
- 16.2: The parenthetical Arabic numeral two is missing.
- 19.2: For consistency, it should be “one hundred sixty (160)”.
- It should be “twelve (12)”.
- It should be “two hundred fifty (250)”.
- It should be “one (1) part-time”.
- 19.4: It should be “twelve (12)”.
- 19.6: It should be “< two hundred percent (200%)”.
- 19.6.13: The “and” should be a “or”.

**Division Response: A change was made to correct erroneous internal citations consistent with the comment. No additional changes were made.**

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**Commenter Name:** Susan Kissire, Poyen School, Policy Services Director, September 24, 2024

**Comments:** *Submitted Electronically*

Good afternoon,

I would like to express a few concerns regarding Section 9.6 of these rules. As a 4 day school in a rural community, our parents love having that additional family time. We ensured that we had stakeholder support before implementing this calendar and it was overwhelmingly positive. My concern is that we only have 2 or 3 pre-k children attending on the Monday we don't have school. This was the same at Bismarck SD where I was previously supt. This results in a loss of 20% of instruction. Also, as a state we talk so much about the safety and security of our students yet we leave our pre-k teachers and students alone on campus on Mondays. This greatly concerns me. We also prepare meals for them on Friday's to be served on Mondays. Parents have repeatedly requested that their schedule more closely mirror that of their other children. Being able to drop off their other children then their pre-k child and then vice versa when pick up time comes is important when it comes to their daily schedules. Having to go back and forth to the school is basically a hassle, I'm told. They want consistency. But most importantly, they want that extended instruction time throughout the week so that their child is ready for kindergarten!

That is the purpose for pre-k!! Seeing that things would be "prorated" if we chose to do that is so disheartening. We would be penalizing our pre-k staff for wanting to provide additional services to more of our students. PLEASE talk to us--the superintendents and parents who are directly related to this issue.

Thank you,

Susan Kissire

**Division Response: Comments considered; no changes made. Division declines to make the suggested policy changes.**