



Arkansas Department of Education

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Sarah Sanders
Governor

Jacob Oliva
Secretary

February 11, 2025

Administrative Rules Subcommittee, ALC
The Hon. Tyler Dees, Co-Chair
The Hon. Matthew J. Shepard Co-Chair
c/o Rebecca Miller-Rice, BLR
Email: miller-ricer@blr.arkansas.gov

Request for Leave from Rule Making Required under Act 867 of 2023

Senator Dees and Representative Shepard:

On behalf of the Division of Career and Technical Education, I write to respectfully request leave from further reporting regarding rule making required under Act 867 of 2023. As you are aware, Act 867 of 2023 § 11 directs the Career Education and Workforce Development Board (Board) to promulgate rules for the allocation of funds appropriated for vocational start-ups. The Act identifies the Board as the responsible entity for developing and implementing rules governing the distribution of these appropriations to support the establishment and expansion of vocational programs statewide. Act 910 of 2019 § 126 transferred the Career Education and Workforce Development Board to the Department of Commerce but the rulemaking responsibility of the Board appeared in a Department of Education - Division of Career and Technical Education appropriation bill because the funds are appropriated to DCTE.

However, the Department of Education has existing rules codified at 6 C.A.R. § 300-307 which governs how vocational start-up funds are allocated. Consequently, there is no need for additional rulemaking to satisfy the allocation requirements of Act 867 of 2023. While these rules are promulgated under existing rule making authority of the State Board of Education, not the Career Education and Workforce Development Board, the ADE has determined that no additional rules are necessary to allocate vocational start-ups funds.

Accordingly, we respectfully request that the Arkansas Legislative Counsel grant the Division of Career and Technical Education leave from the current reporting obligations associated with Act 867 of 2023. We appreciate your consideration of this request and remain committed to advancing high-quality career and technical education opportunities across the state. Please do not hesitate to contact our office if you require additional information.

Sincerely,



Courtney Salas-Ford
Chief of Staff
Department of Education

6 CAR § 300-307. State start-up grants.

(a)(1) Annually, state start-up grants are provided on a competitive basis to assist with the start-up expenses of a new program of study.

(2) Occupational area grant awards shall be available for the exclusive purpose of purchasing new equipment and program specific supplies, required training, assessment, and software to support newly approved career focus programs of study.

(b) The factors used for determining both approval and the amount of the grant awards are contingent on:

- (1) Funds available;
- (2) State priority;
- (3) Labor market data; and
- (4) Evaluation and review of application and rubric.

(c)(1) To be considered for funding, school districts shall submit a proposal for a new program start-up by November 1 prior to implementation in the following school year.

(2) Applications and rubric will be available beginning September 1 each year as announced through a Division of Elementary and Secondary Education commissioner's memo.

(3) Applications for districts/schools shall be submitted by CTE coordinators.

(d) Schools applying for more than one (1) program of study shall submit a list that prioritizes the programs of study being requested.

(e)(1) The grant award or awards shall not exceed eighty-five percent (85%) of the minimum start-up costs as established by Division of Career and Technical Education program standards.

(2) The district is responsible for fifteen percent (15%) of the minimum start-up costs.

(f) The equipment, supplies, and software purchased with state funds authorized under the biennial appropriation for grants and aids to school districts (public school fund) shall be utilized only for the activities for which it was originally approved and

purchased and shall not be used in any other fashion without prior written approval of the Division of Career and Technical Education.

(g)(1) Reimbursement requests for new program start-up shall be submitted to the state office at any time prior to the November 1 deadline.

(2) The request for reimbursement of state funds shall not exceed the amount of the grant award.

(h)(1) For new program start-up equipment and program specific supplies and software, it shall be the responsibility of the local school districts to maintain and repair the equipment purchased with the state grant during its life cycle.

(2) After the life cycle (five (5) years), it shall become the property of the local school district.

(i)(1) The Division of Career and Technical Education shall retain a vested interest in the equipment and program-specific supplies and software purchased with new program start-up grants for their life cycle.

(2) At the discretion of the accountability and funding program coordinator or the Division of Career and Technical Education audit coordinator, items shall be reinventoried to another CTE program if the program is discontinued or no longer needed before the five-year useful life of the equipment.

(j)(1) The Division of Career and Technical Education will provide up-to-date equipment standards for each program of study.

(2) Prior written approval shall be required for any item or expenditure not on the Division of Career and Technical Education program start-up list.

(3) Disclosure of existing equipment and resources shall be made on the state start-up application.

(k)(1) A request to restart a closed program of study shall be funded only if funds have not been granted within the last five (5) years and if additional funds are available, when feasible.

(2) Under extraordinary circumstances, the Director of the Division of Career and Technical Education may grant approval at a reduced funding amount.

(l)(1) The Division of Career and Technical Education state start-up funds are not

available for secondary technical centers programs or programs of study.

(2) Secondary technical centers shall contact the Office of Skills Development for availability of funds and for the separate application process and funding guidelines.

(m)(1) JAG new program start-up requests are accepted on a rolling basis through TANF or private support, as funds are made available.

(2) Awards are based on guidelines provided by the national JAG office and the requirements defined by the funding source.

(3) Please see <https://dcte.ade.arkansas.gov//Page/SpecialProjects> for additional details.

(4) Additional details about state start-up grants can be found on the division website at the following link: -

<https://dcte.ade.arkansas.gov/Page/FundingAndAccountability>.

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 61

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES AND FOR GRANTS AND AID TO
10 LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE
11 DEPARTMENT OF EDUCATION - DIVISION OF CAREER AND
12 TECHNICAL EDUCATION FOR THE FISCAL YEAR ENDING JUNE
13 30, 2024; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE DEPARTMENT OF EDUCATION -
17 DIVISION OF CAREER AND TECHNICAL
18 EDUCATION APPROPRIATION FOR THE 2023-2024
19 FISCAL YEAR.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. REGULAR SALARIES. There is hereby established for the
26 Department of Education - Division of Career and Technical Education for the
27 2023-2024 fiscal year, the following maximum number of regular employees.
28

Item	Class	Title	Maximum No. of Employees	Maximum Annual
				Salary Rate Fiscal Year
No.	Code			2023-2024
33	(1)	U077U ACE DIRECTOR CAREER & TECHNICAL ED	1	GRADE SE01
34	(2)	N069N ADE SPECIAL ADVISOR	1	GRADE GS14
35	(3)	E076C ADE CAREER EDUCATION DIVISION MANAGER	1	GRADE GS12
36	(4)	E061C ACE PROGRAM COORDINATOR	9	GRADE GS10



1	(5) A044C AUDIT COORDINATOR	1	GRADE GS10
2	(6) E062C ACE PROGRAM ADVISOR	18	GRADE GS09
3	(7) A060C SENIOR AUDITOR	1	GRADE GS08
4	(8) C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
5	(9) C056C ADMINISTRATIVE SPECIALIST III	3	GRADE GS04
6	(10) A098C FISCAL SUPPORT SPECIALIST	1	GRADE GS04
7	(11) R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
8	(12) V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
9	(13) C073C ADMINISTRATIVE SPECIALIST II	<u>5</u>	GRADE GS03
10	MAX. NO. OF EMPLOYEES	44	

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12 SECTION 2. APPROPRIATION - VOCATIONAL & TECHNICAL EDUCATION. There is
 13 hereby appropriated, to the Department of Education, to be payable from the
 14 Division of Career and Technical Education Fund Account, for personal
 15 services and operating expenses of the Department of Education - Division of
 16 Career and Technical Education - Vocational & Technical Education for the
 17 fiscal year ending June 30, 2024, the following:

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19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2023-2024</u>
21	(01) REGULAR SALARIES	\$1,980,918
22	(02) PERSONAL SERVICES MATCHING	705,112
23	(03) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	617,825
25	(B) CONF. & TRAVEL	15,446
26	(C) PROF. FEES	0
27	(D) CAP. OUTLAY	0
28	(E) DATA PROC.	0
29	(04) MOTOR VEHICLE EDUCATION PROGRAM	<u>2,500</u>
30	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,321,801</u></u>

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32 SECTION 3. EXTRA HELP - FEDERAL VOCATIONAL & TECHNICAL EDUCATION.
 33 There is hereby authorized, for the Department of Education - Division of
 34 Career and Technical Education - Federal Vocational & Technical Education for
 35 the 2023-2024 fiscal year, the following maximum number of part-time or
 36 temporary employees, to be known as "Extra Help", payable from funds

1 appropriated herein for such purposes: four (4) temporary or part-time
 2 employees, when needed, at rates of pay not to exceed those provided in the
 3 Uniform Classification and Compensation Act, or its successor, or this act
 4 for the appropriate classification.

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 6 SECTION 4. APPROPRIATION - FEDERAL VOCATIONAL & TECHNICAL EDUCATION.

7 There is hereby appropriated, to the Department of Education, to be payable
 8 from the federal funds as designated by the Chief Fiscal Officer of the
 9 State, for personal services, operating expenses, and grants by the
 10 Department of Education - Division of Career and Technical Education -
 11 Federal Vocational & Technical Education for the fiscal year ending June 30,
 12 2024, the following:

13

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2023-2024</u>
16 (01) REGULAR SALARIES	\$662,907
17 (02) EXTRA HELP	13,923
18 (03) PERSONAL SERVICES MATCHING	242,529
19 (04) MAINT. & GEN. OPERATION	
20 (A) OPER. EXPENSE	1,066,755
21 (B) CONF. & TRAVEL	55,000
22 (C) PROF. FEES	100,000
23 (D) CAP. OUTLAY	0
24 (E) DATA PROC.	0
25 (05) VOCATIONAL EDUCATION GRANTS	<u>16,740,680</u>
26 TOTAL AMOUNT APPROPRIATED	<u>\$18,881,794</u>

27
 28 SECTION 5. APPROPRIATION - COORDINATED CAREER EDUCATION SERVICES.

29 There is hereby appropriated, to the Department of Education, to be payable
 30 from the Division of Career and Technical Education Public School Fund
 31 Account, for operating expenses and Coordinated Career Education Services -
 32 Special Needs Students Program grants and aid by the Department of Education
 33 - Division of Career and Technical Education - Coordinated Career Education
 34 Services for the fiscal year ending June 30, 2024, the following:

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36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2023-2024</u>
2	(01) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	\$0
4	(B) CONF. & TRAVEL	56,000
5	(C) PROF. FEES	0
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	0
8	(02) COORDINATED CAREER EDUCATION	
9	SERVICES-SPECIAL NEEDS STUDENTS	
10	PROGRAM GRANTS & AID	<u>1,063,433</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$1,119,433</u>

12

13 SECTION 6. APPROPRIATION - VOCATIONAL CENTER AID. There is hereby
 14 appropriated, to the Department of Education, to be payable from the Division
 15 of Career and Technical Education Public School Fund Account, for Vocational
 16 Center Grants and Aid by the Department of Education - Division of Career and
 17 Technical Education - Vocational Center Aid for the fiscal year ending June
 18 30, 2024, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2023-2024</u>
22	(01) VOCATIONAL CENTER GRANTS AND AID	<u>\$21,816,789</u>

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24 SECTION 7. APPROPRIATION - VOCATIONAL START-UP GRANTS AND AID. There
 25 is hereby appropriated, to the Department of Education, to be payable from
 26 the Division of Career and Technical Education Public School Fund Account,
 27 for Vocational Start-Up grants and aid by the Department of Education -
 28 Division of Career and Technical Education - Vocational Start-Up Grants and
 29 Aid for the fiscal year ending June 30, 2024, the following:

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31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2023-2024</u>
33	(01) VOCATIONAL START-UP GRANTS AND AID	<u>\$4,740,000</u>

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35 SECTION 8. APPROPRIATION - CAREER COACHES PROGRAM. There is hereby
 36 appropriated, to the Department of Education, to be payable from the Division

1 of Career and Technical Education Public School Fund Account, for operating
 2 expenses, Career Coaches grants and aid, and expenses by the Department of
 3 Education - Division of Career and Technical Education - Career Coaches
 4 Program for the fiscal year ending June 30, 2024, the following:

6 ITEM	FISCAL YEAR
7 NO.	<u>2023-2024</u>
8 (01) MAINT. & GEN. OPERATION	
9 (A) OPER. EXPENSE	\$7,000
10 (B) CONF. & TRAVEL	8,000
11 (C) PROF. FEES	0
12 (D) CAP. OUTLAY	0
13 (E) DATA PROC.	0
14 (02) CAREER COACHES GRANTS AND AID	2,263,997
15 (03) CAREER COACHES EXPENSES	<u>2,947,542</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$5,226,539</u></u>

17
 18 SECTION 9. APPROPRIATION - ADVANCED CAREERS PROGRAM. There is hereby
 19 appropriated, to the Department of Education, to be payable from the cash
 20 fund deposited in the State Treasury as determined by the Chief Fiscal
 21 Officer of the State, for expenses of the Advanced Careers Program in
 22 collaboration with the Southern Regional Education Board of the Department of
 23 Education - Division of Career and Technical Education - Advanced Careers
 24 Program for the fiscal year ending June 30, 2024, the following:

26 ITEM	FISCAL YEAR
27 NO.	<u>2023-2024</u>
28 (01) ADVANCED CAREERS	<u><u>\$11,250</u></u>

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 30 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 32 FEDERAL MATCHING. The funds appropriated in Sections for Coordinated Career
 33 Education Services, Vocational Center Aid and Vocational Start-up Grants and
 34 Aid of this Act may also be used to match any available federal funds from
 35 any agency in order to provide the maximum amount of money possible for the
 36 purposes enumerated in such Section.

1 The provisions of this section shall be in effect only from July 1, 2022
2 2023 through June 30, ~~2023~~ 2024.

3
4 SECTION 11. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title 6,
5 Chapter 50, Subchapter 1, is amended to add an additional section and to
6 codify special language in appropriation acts to read as follows:

7 6-50-105. Vocational start-up funding.

8 Funds appropriated for vocational start-ups shall be allocated in
9 accordance with rules promulgated by the Career Education and Workforce
10 Development Board.

11
12 SECTION 12. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
13 authorized by this act shall be limited to the appropriation for such agency
14 and funds made available by law for the support of such appropriations; and
15 the restrictions of the State Procurement Law, the General Accounting and
16 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
17 Procedures and Restrictions Act, or their successors, and other fiscal
18 control laws of this State, where applicable, and regulations promulgated by
19 the Department of Finance and Administration, as authorized by law, shall be
20 strictly complied with in disbursement of said funds.

21
22 SECTION 13. LEGISLATIVE INTENT. It is the intent of the General
23 Assembly that any funds disbursed under the authority of the appropriations
24 contained in this act shall be in compliance with the stated reasons for
25 which this act was adopted, as evidenced by the Agency Requests, Executive
26 Recommendations and Legislative Recommendations contained in the budget
27 manuals prepared by the Department of Finance and Administration, letters, or
28 summarized oral testimony in the official minutes of the Arkansas Legislative
29 Council or Joint Budget Committee which relate to its passage and adoption.

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31 SECTION 14. EMERGENCY CLAUSE. It is found and determined by the
32 General Assembly, that the Constitution of the State of Arkansas prohibits
33 the appropriation of funds for more than a one (1) year period; that the
34 effectiveness of this Act on July 1, 2023 is essential to the operation of
35 the agency for which the appropriations in this Act are provided, and that in
36 the event of an extension of the legislative session, the delay in the

1 effective date of this Act beyond July 1, 2023 could work irreparable harm
2 upon the proper administration and provision of essential governmental
3 programs. Therefore, an emergency is hereby declared to exist and this Act
4 being necessary for the immediate preservation of the public peace, health
5 and safety shall be in full force and effect from and after July 1, 2023.

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8 **APPROVED: 4/13/23**
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