



**Career Education and  
Workforce Development Board**

**Board Meeting**

Governor  
*Asa Hutchinson*

Director  
*Charisse Childers, Ph.D.*

Commissioner  
*D. Alan McClain*

Board Chairman  
*Michael Garner*

**August 4, 2015**

*525 West Capitol Avenue  
Auditorium  
Little Rock, AR*

# AGENDA

## CAREER EDUCATION AND WORKFORCE DEVELOPMENT BOARD MEETING

August 4, 2015  
1:00 P.M.

Call to Order .....Michael Garner, Chair

**Agenda Item 1 – ACTION**

Approve Minutes of April 2, 2015 ..... Charisse Childers, Director

**Agenda Item 2 – ACTION**

Meeting Dates .....Charisse Childers, Director

**Agenda Item 3 – ACTION**

Expense Reimbursement and Stipend Payments ..... Charisse Childers, Director

**Agenda Item 4 – ACTION**

Adoption of the 2015-2016 Agency Budget.....Lorna Claudio, Chief Financial Officer, Career Education

**Agenda Item 5 – ACTION**

Adoption of the 2015-2016 Agency Budget.....Joseph Baxter, Chief Financial Officer, Arkansas Rehabilitation Services

**Agenda Item 6 – ACTION**

Certification of Candidates for President of Crowley’s Ridge Technical Institute.....Charisse Childers, Director

**Agenda Item 7 – ACTION**

Revised Policies and Procedures for Career and Technical Education .....Kathi Turner, Deputy Director Career and Technical Education

**Agenda Item 8 – ACTION**

Revised Policies and Procedures for Adult Education .....Trenia Miles, Associate Director Adult Education

**Agenda Item 9 – ACTION**

Request to Submit Rules and Regulations for ACT 1286 ..... Sonja Wright-McMurray Associate Director, Career and Technical Education Special Projects

**Agenda Item 10 – ACTION**

Rules and Regulations for Plumbing Apprenticeship Programs.....Randy Prather, Program Manager  
Apprenticeship and Construction Training

**Agenda Item 11– ACTION**

Rules and Regulations for Electrician Apprenticeship Programs.....Randy Prather, Program Manager  
Apprenticeship and Construction Training

**Agenda Item 12 – ACTION**

Rules and Regulations for Arkansas Registered Apprenticeship Programs.....Randy Prather, Program Manager  
Apprenticeship and Construction Training

**Agenda Item 13 – ACTION**

Appointment of New Member to State Plumbing Apprenticeship Committee.....Randy Prather, Program Manager  
Apprenticeship and Construction Training

**Agenda Item 14 – ACTION**

Appointment of New Member to State Electrical Apprenticeship Committee.....Randy Prather, Program Manager  
Apprenticeship and Construction Training

**Director’s Report**

**Adjournment**

MINUTES – MEETING OF THE  
STATE BOARD OF CAREER EDUCATION  
April 2, 2015  
11:00 a.m.

The State Board of Career Education (SBCE) was called to order by Chairman Phil Taylor. The meeting was held at the Arkansas Rehabilitation Services, 525 W. Capitol Avenue, Little Rock, Arkansas.

A record of member attendance is as follows:

PRESENT	<u>Ex-Officio Nonvoting Members</u>
Mr. Phil Taylor, Chairman	Dr. Charisse Childers, Ex-Officio Secretary
Mr. John Riggs, Vice Chair	Dr. Brett Powell, Ex-Officio Member
Dr. Ann Bain	
Ms. Martha Dixon	
Mr. Robert Smith	
ABSENT	<u>Ex-Officio Nonvoting Members</u>
Ms. Lottie Shackelford	Mr. Tony Wood
Ms. Margarita Solórzano	

Dr. Charisse Childers introduced Mr. Alan McClain as the new commissioner of Arkansas Rehabilitation Services and Dr. Brett Powell, Director of Arkansas Department of Higher Education.

A. ACTION ITEM – APPROVAL OF MINUTES OF DECEMBER 4, 2014

On a motion by Mr. Riggs and second by Mr. Smith, the State Board of Career Education unanimously approved the minutes of December 4, 2014.

B. ACTION ITEM - APPROVAL OF MINUTES OF THE SPECIAL CALLED MEETING ON JANUARY 20, 2015

On a motion by Mr. Smith and second by Mr. Riggs, the State Board of Career Education unanimously approved the minutes of January 20, 2015.

C. ACTION ITEM – AUTHORIZATION OF EXPENSE REIMBURSEMENT AND STIPEND FOR BOARD MEMBERS PERFORMING OFFICIAL BOARD DUTIES

Dr. Childers recommended that the State Board of Career Education approve by a majority vote the authorization of payment to its members of a stipend not to exceed eighty-five dollars (\$85.00) per meeting attended.

Dr. Childers also recommended that the State Board of Career Education approve by a majority vote the authorization of expense reimbursement for each board member for performing official board duties. This vote indicates that expense reimbursements to board members shall not exceed the rate established for state employees by state travel regulations.

On a motion by Mr. Smith and second by Mr. Riggs, the State Board of Career Education unanimously approved the authorization of payment of a stipend and expense reimbursement for each board member performing official board duties.

D. INFORMATION ITEM – REQUEST TO SUBMIT REVISED POLICIES AND PROCEDURES FOR CAREER AND TECHNICAL EDUCATION

Ms. Sandra Porter, Interim Deputy Director, career and technical education, provided the board members information concerning the revisions that have been made to the Career and Technical Education Policies and Procedures to reflect changes in endorsement/permit areas; definition of Program of Study; and other changes in wording.

Ms. Porter stated that it is the recommendation of the agency that the board approve the revised Policies and Procedures for Career and Technical Education to begin the Legislative Rules and Regulations process.

E. INFORMATION ITEM – ARKANSAS ADULT EDUCATION PROGRAM POLICIES

Mr. Jim Smith, deputy director of adult education, asked Dr. Trenia Miles, associate director of adult education to provide the board members information concerning the revisions to the Adult Education Program Policies.

Dr. Miles stated that in order to align the adult education policies with recent and upcoming changes in Federal requirements, high school equivalency testing, and the increasing cost of living, the Adult Education Division proposes updates to the Adult Education Program Policies.

DIRECTOR'S REPORT

Dr. Childers provided information to the board members concerning the legislation that was passed during this legislative session concerning our agencies.

Dr. Childers discussed SB791 (ACT 907) An Act to establish the Arkansas Workforce Innovation an Opportunity Act; to repeal the Arkansas Workforce Investment Act; to repeal the Temporary Assistance for Needy Families Oversight Board and establish it as a committee of the Arkansas Workforce Development Board.

Dr. Childers discussed SB891 (ACT 1131) An Act to establish the Workforce Initiative Act of 2015.

Dr. Childers discussed SB368 (ACT 892) An Act to create a comprehensive statewide workforce development system; to rename the State Board of Career Education; to coordinate various workforce development programs; to create a board to oversee Career Education and Workforce Development in Arkansas; to create an Office of Skills Development.

ADJOURNMENT

Mr. Taylor adjourned the meeting at 12:13 p.m.

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Dr. Charisse Childers, Ex-Officio Secretary  
Career Education and Workforce  
Development Board

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Michael Garner, Chairman  
Career Education and Workforce  
Development Board

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

August 4, 2015

TO: Career Education and Workforce Development Board  
FROM: Charisse Childers, Ph.D., Director *Childers*  
SUBJECT: ACTION ITEM – APPROVAL OF MEETING DATES FOR 2015

RECOMMENDATION: It is recommended that the Career Education and Workforce Development Board set meeting dates for 2015.

INFORMATION/RATIONALE: A.C.A 25-6-302 states "The board shall meet at least once during each calendar quarter and at such other times upon call of the chairman or any other three (3) members."

The following are proposed meeting dates for 2015:

Thursday, October 1, 2015  
Thursday, December 3, 2015

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

August 4, 2015

TO: Career Education and Workforce Development Board

FROM: Charisse Childers, Ph.D., Director 

SUBJECT: ACTION ITEM – AUTHORIZATION OF EXPENSE REIMBURSEMENT AND STIPEND FOR BOARD MEMBERS PERFORMING OFFICIAL BOARD DUTIES

**RECOMMENDATION:** It is recommended that the Career Education and Workforce Development Board approve by a majority vote the authorization of payment to its members a stipend not to exceed eighty-five dollars (\$85) per meeting attended. The Board action will be effective January 1, 2015, as required by A.C.A. 25-16-904.

It is also recommended that the Career Education and Workforce Development Board approve by a majority vote the authorization of expense reimbursement for each board member for performing official board duties. This vote (as required by A.C.A. 25-16-902) indicates that board members will comply with an expense reimbursement that will not exceed the rate established for state employees by state travel regulations.

Per A.C.A. 25-16-906, no state employee may receive any stipend. Those persons who are paid a salary for serving as a member of a state board shall continue to receive such salary and shall receive no stipend.

**INFORMATION/RATIONALE:** During the 1995 Legislative Session, a special subcommittee of the Joint Budget Committee was formed to study the number and costs of the various boards and commissions required by state law. Act 1211 of 1995 is one result of the study. Every board and commission is to vote during the first regularly scheduled meeting of each calendar year to authorize its members a stipend (if eligible) and to authorize expense reimbursement.

This law also states that travel expense reimbursement for board and commission members will not exceed the rate established for state employees as set forth by state travel regulations.

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
Governor

Charisse Childers, Ph.D.  
Director

August 4, 2015

TO: Career Education and Workforce Development Board

FROM: Dr. Charisse Childers, Ph.D., Director *CC*  
Lorna Claudio, Chief Financial Officer *LC*

SUBJECT: ACTION ITEM – ADOPTION OF THE 2015-2016 AGENCY BUDGET

RECOMMENDATION: It is recommended that the Career Education and Workforce Development Board approve the 2015-2016 budget as presented.

INFORMATION/RATIONALE: The major budget components include:

	Adult Education	CTE	Office of Skills Development	Agency Operations	Totals	Percentage
State Funds	22,964,881	23,846,603	6,901,233	6,694,172	53,505,656	59%
Federal Funds	8,303,612	17,613,698		14,800	26,241,494	25%
Other Funds		3,010,038	13,810,146	122,522	23,843,939	16%
	31,268,493	44,779,723	20,711,379	6,831,494	103,591,089	100%

The budget components funded with state appropriation were developed in a manner consistent with the requirements of the Revenue Stabilization Act and are based on the final forecast of FY16.

Budgets are subject to change because of changes in actual revenues, receipts of miscellaneous grants, and authorized reallocation of funds among appropriation and line items. The approved budgets will constitute authority to spend in a manner consistent with applicable state and federal laws and regulations. The Director of the Department of Career Education is authorized to make appropriate corrections and adjustments in accordance with policies and procedures established by the Career Education and Workforce Development Board.

STATE OF ARKANSAS



Asa Hutchinson  
Governor

Department of Career Education  
Arkansas Rehabilitation Services  
D. Alan McClain, Commissioner

Charisse Childers, Ph.D.  
Director

August 4, 2015

TO: Career Education and Workforce Development Board  
FROM: Charisse Childers, Ph.D., Director *Childers*  
Alan McClain, Commissioner, Arkansas Rehabilitation Services  
SUBJECT: ACTION ITEM – ADOPTION OF THE 2015-2016 AGENCY BUDGET

RECOMMENDATION: It is recommended that the Career Education and Workforce Development Board approve the 2015-2016 budget as presented.

INFORMATION/RATIONALE: The major budget components include:

	Vocational Rehabilitation	Supported Employment	Independent Living	Special Programs	Totals	Percentage
State Funds	12,132,651	16,000	28,000	950,000	13,126,651	17%
Federal Funds	57,485,924	320,000	280,000	2,505,000	60,590,924	82%
Other Funds				625,000	625,000	1%
	69,618,575	336,000	308,000	4,080,000	74,342,575	100%

The budget components funded with state appropriation were developed in a manner consistent with the requirements of the Revenue Stabilization Act and are based on the final forecast of FY16.

Budgets are subject to change because of changes in actual revenues, receipts of miscellaneous grants, and authorized reallocation of funds among appropriation and line items. The approved budgets will constitute authority to spend in a manner consistent with applicable state and federal laws and regulations. The Commissioner of Arkansas Rehabilitation Services is authorized to make appropriate corrections and adjustments in accordance with policies and procedures established by the Career Education and Workforce Development Board.

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

August 4, 2015

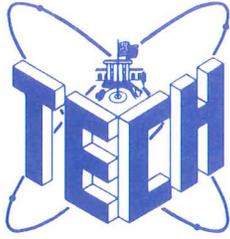
TO: Career Education and Workforce Development Board  
FROM: Charisse Childers, Ph.D., Director   
SUBJECT: ACTION ITEM – CERTIFICATION OF CANDIDATES FOR CROWLEY'S  
RIDGE TECHNICAL INSTITUTE PRESIDENT'S POSITION

RECOMMENDATION: It is recommended that the Career Education and Workforce Development Board certify the following candidates for the vacant technical institute president position.

Carla Borden  
David Brown  
Sandra Taylor

INFORMATION/RATIONALE: As a reference, A.C.A. 6-51-901 authorizes the duties of the local board for technical institutes. Act 923 of 2015 amended A.C.A. 6-51-901 (a)(3) by adding the approval by the Governor of the candidates for president of the technical institute, as noted below.

*(a) The powers and duties of the local board shall be as follows:  
(3) To appoint from the candidates certified by the State Board of Career Education and approved by the Governor, the president of the technical institute or the director of the comprehensive lifelong learning center.*



## Crowley's Ridge Technical Institute

P.O. Box 925  
Forrest City, AR 72336-0925  
(870) 633-5411  
FAX (870) 633-9328  
1-800-842-2317  
Burl W. Lieblong, President

Arkansas Department of Workforce Education  
Arkansas Department of Education

July 16, 2015

Dr. Charisse Childers, Ph.D.  
Department of Career Education  
Three Capitol Mall  
Luther S. Hardin Building  
Little Rock, AR 72201

Dear Dr. Childers:

The Local Board of Crowley's Ridge Technical Institute respectfully submits the following candidates to be certified by the Career Education and Workforce Development Board and approved by the Governor for the vacant technical institute president position as per A.C.A. §6-51-901(a)(3):

1. Carla Borden
2. David Brown
3. Sandra Taylor

Your consideration of these candidates is greatly appreciated.

Sincerely,

Ava S. Hankins  
Business Manager

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
Governor

Charisse Childers, Ph.D.  
Director

April 24, 2015

Mr. Fredric Smith, Chairperson  
Crowley's Ridge Technical Institute  
Board of Directors  
P.O. Box 925  
Forrest City, AR 72336-0925

Dear Mr. Smith:

I am writing to acknowledge receipt of the letter dated April 16, 2015 regarding the retirement of Mr. Burl Lieblong effective July 17, 2015.

As a reference, A.C.A. § 6-51-901 authorizes the duties of the local board for technical institutes. Act 923 of 2015 amended A.C.A. § 6-51-901(a)(3) by adding the approval by the Governor of the candidates for president of the technical institute, as noted below.

- (a) The powers and duties of the local board shall be as follows:*  
*(3) To appoint from the candidates certified by the State Board of Career Education and approved by the Governor, the president of the technical institute or the director of the comprehensive lifelong learning center.*

In addition, Act 892 of 2015 abolished the "State Board of Career Education" and created "The Career Education and Workforce Development Board." The board shall consist of members appointed by the Governor and the Governor shall call the first meeting of the board within 90 days after the appointment of the board members. Due to the emergency clause, I anticipate the board to be appointed in May 2015 and the first board meeting to be held in June 2015.

I am confident that the new board will be timely in reviewing the candidates that are submitted by the local board, however, as I discussed with Ms. Ava Hankins, the change in the law will require the candidate to be approved by the Governor prior to the appointment.

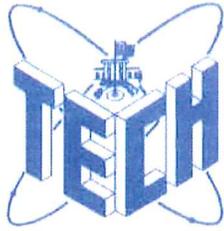
Sincerely,

A handwritten signature in cursive script that reads "Charisse Childers".

Charisse Childers, Ph.D., Director

C: Burl Lieblong, President  
Ava Hankins, Business Manager

15/CMC/0019



## Crowley's Ridge Technical Institute

P.O. Box 925  
Forrest City, AR 72336-0925  
(870) 633-5411  
FAX (870) 633-9328  
1-800-842-2317  
Burl W. Lieblong, President

Arkansas Department of Workforce Education  
Arkansas Department of Education

July 24, 2015

Dr. Charisse Childers, Ph.D.  
Department of Career Education  
Three Capitol Mall  
Luther S. Hardin Building  
Little Rock, AR 72201

Dear Dr. Childers:

The President's position at Crowley's Ridge Technical Institute was recently vacated by Mr. Burl Lieblong due to his long awaited retirement. Until the process of filling the position is complete, an interim must be appointed. On July 17, 2015, the Local Board of Crowley's Ridge Technical Institute appointed Mr. David Brown to serve as interim President.

Sincerely,

*Fredric Smith by CDA*

Fredric Smith  
Local Board Chairperson

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

August 4, 2015

TO: Career Education and Workforce Development Board

FROM: Charisse Childers, Ph.D., Director  
Kathi Turner, Deputy Director, CTE

Handwritten signatures in blue ink, including one that appears to be "C. Childers" and another that appears to be "K. Turner".

SUBJECT: ACTION ITEM – REVISED POLICIES AND PROCEDURES FOR CAREER  
AND TECHNICAL EDUCATION

RECOMMENDATION: It is the recommendation of the agency that the Board approve the revised Policies and Procedures for Career and Technical Education.

INFORMATION/RATIONALE: Revisions have been made to the Career and Technical Education Policies and Procedures to reflect changes in endorsement/permit areas; definition of Program of Study; and other changes in wording.



Program Policies and Procedures

for

CAREER AND TECHNICAL  
EDUCATION

Secondary Programs  
Adult Skill Training

Effective Date

August 4, 2015

## Statement of Assurance

All vocational opportunities are offered without regard to race, color, national origin, sex, handicap, or age. The following civil rights laws protect individuals from discrimination in programs or activities receiving federal financial assistance:

- Title IV of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- Section 504 of the Rehabilitation Act of 1973
- Age Discrimination Act of 1975

RELATED LINK: Go to the Department of Labor for assistance with specific laws and regulations. <http://www.dol.gov/dol/compliance/compliance-majorlaw.htm>

### Summary of Forms Associated with Instructional Programs

(Information not a part of policies and procedures.)

<u>FORM #</u>	<u>NAME OF FORM</u>
<u>WE-APP-242</u>	Annual Applications for Apprenticeship State Improvement Funds  Traditional Apprenticeship: <u>Annual Report Memo</u> & <u>Annual Report Funding Options for Traditional Apprenticeship Program</u>  Computer Submission of Teacher Information (Deadline Friday after Labor Day)  Notification by letter of schools using concurrent credit to meet standards
<u>WE-92</u>	C & T New Program Start-up Proposals (Deadline October 1)
<u>WE-APP-233</u>	Class Organization Report for Traditional Apprenticeship Related Classroom Instruction
<u>WE-APP-253</u>	Local Apprenticeship Committee and Instructors Personnel Record
<u>WE-APP-236</u>	Traditional Apprenticeship Related Classroom Instruction Reimbursement Request for Fall sem.
<u>WE-APP-237</u>	Traditional Apprenticeship Related Classroom Instruction Attendance/Contact Hour Report for Fall semester
<u>WE-4</u>	Reimbursement for C & T New Program Equipment (Deadline December 15)
<u>WE-APP-236</u>	Traditional Apprenticeship Related Classroom Instruction Reimbursement Request for Spring sem.
<u>WE-APP-237</u>	Traditional Apprenticeship Related Classroom Instruction Attendance/Contact Hour Report for Spring semester
<u>WE-6</u>	Application for Adult Skill Training Class (No classes will be approved after May 1)  Off cycle program approval (Deadline May 1)
Add form number	Course Approval Form (Deadline May 1)

No later than 2 weeks  
after completion of  
class

WE-PD

Adult Skill Training Class Enrollment Report (all  
reimbursement requests must be received by May 30)

**Dr. Charisse Childers, Director**  
**ARKANSAS DEPARTMENT OF CAREER EDUCATION**  
**Three Capitol Mall**  
**Little Rock, AR 72201**  
**Website Address: <http://ace.arkansas.gov>**

**CAREER AND TECHNICAL EDUCATION**

Deputy Director	Room 405	682-1043
		Fax 682-1805

<u>Career and Technical Education</u>		
Associate Director	Room 403	682-1040
		Fax 682-1805

<u>Workforce Training</u>		
Associate Director	Room 402.1	682-1505
		Fax 682-1501

<u>Arkansas Works</u>		
Associate Director	Room 209	683-4434
		Fax 682-8306

<u>Accountability and Funding</u>		
Program Coordinator	Room 403.1	682-1528
		Fax 682-1805

Perkins and Related Federally Funded Programs  
Career and Technical Education Coordinators

**Occupational Programs:**

Office of <u><a href="#">Agricultural Science and Technology</a></u>	Room 501	682-2561
Cluster Responsibility: Agriculture, Food & Natural Resources		Fax: 682-1268

Office of <u><a href="#">Business/Marketing Technology</a></u>	Room 502	682-1768
Cluster Responsibility: Business, Management & Administration; Finance; Hospitality & Tourism; Information Technology; Marketing, Sales & Service		Fax: 682-1268

Office of <u><a href="#">Family and Consumer Sciences Education</a></u>	Room 601	682-1115
Cluster Responsibility: Education & Training; Hospitality & Tourism; Human Services		Fax: 682-9440

Office of <u><a href="#">Skilled &amp; Technical Sciences</a></u>	Room 505	682-1271
Cluster Responsibility: Architecture & Construction; Arts, A/V Technology & Communication; Government & Public Administration; Health Sciences; Law, Public Safety & Security; Manufacturing; Transportation, Distribution & Logistics		Fax: 682-1355

**Program Support:**

Office of <u><a href="#">Apprenticeship</a></u>	Room 506	682-1360
		Fax 682-1355

Issues of:

- Adult Apprenticeship
- Youth Apprenticeship
- Construction Training

Office of <a href="#">Assessment</a>	Room 503	682-1042
		Fax 682-1268
Issues of:		
<ul style="list-style-type: none"> <li>• Student Assessment and Accountability</li> </ul>		
Office of <a href="#">Curriculum and Career Development</a>	Room 406	683-5970
		Fax 682-1026
Issues of:		
<ul style="list-style-type: none"> <li>• Curriculum Revision and Development</li> <li>• Career Awareness</li> <li>• Career Counselor Professional Development</li> <li>• Career Focus and Pathways</li> <li>• Career Planning</li> </ul>		
Courses/Classes:		
<ul style="list-style-type: none"> <li>• Career Orientation/Career Development</li> <li>• Internship</li> <li>• Keystone</li> <li>• Senior Seminar/Capstone</li> <li>• Workplace Readiness/College and Career Readiness</li> <li>• Workforce Technology</li> </ul>		
Office of <a href="#">School Improvement</a>	Room 402	682-1616
		Fax 682-8306
Cluster Responsibilities: Architecture & Construction; Information Technology; Science, Technology, Engineering & Mathematics		
Issues of:		
<ul style="list-style-type: none"> <li>• Contextual Learning</li> <li>• Curriculum Integration</li> <li>• Post-Secondary Articulations</li> <li>• Teacher Education Programs</li> </ul>		
Support Programs:		
<ul style="list-style-type: none"> <li>• Career Academy Initiative</li> <li>• <i>High Schools That Work</i></li> <li>• <i>Technology Centers That Work</i></li> </ul>		
Office of <a href="#">Support for Special Populations</a>	Room 407	682-1535
		Fax 682-1805
Issues of:		
<ul style="list-style-type: none"> <li>• Non-Traditional Services</li> <li>• Equity and Accessibility</li> <li>• Special Populations</li> <li>• Adaptive Equipment</li> </ul>		
Courses:		
<ul style="list-style-type: none"> <li>• JAG (Jobs for Arkansas' Graduates)</li> <li>• STRIVE (Students and Teachers Responsibly Integrating Vocational Education)</li> </ul>		
<u>Arkansas Law Enforcement Support Office (LESO)</u>	Room 207	682-1137
		Fax 682-1509
Issues of:		
<ul style="list-style-type: none"> <li>• Assisting State, County and Municipal Law Enforcement Agencies with Equipment Needs</li> <li>• Dissemination of Information Pertinent to Law Enforcement Agencies</li> </ul>		
<u>Arkansas Approving Agency for Veterans Training</u>	ARS Room 105	324-9473
		Fax 324-9610

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## I. DEFINITIONS

### A. CAREER CLUSTER

A grouping of occupations and broad industries into a national classification of 16 clusters that are based upon common knowledge and skills. Career clusters include hundreds of occupations that may be grouped into pathways around which educational programs of study can be built.

### B. CAREER FIELD

The organizing structure for the 16 career clusters and 38 pathways. The fields represent the broadest aggregation of careers. Students are normally exposed to career field exploration in middle school and early high school.

### C. CAREER PATHWAY

An organization of related occupational areas within a specific career cluster. These pathways have identified knowledge and skills validated by industry from which programs and programs of study are developed.

### D. PROGRAM OF STUDY

A planned program of courses and learning experiences that:

- (1) begins with exploration options;
- (2) supports basic academic and life skills; and
- (3) enables achievement of high academic standards, leadership, high skill and high wage employment preparation, and advanced continuing education.

### E. COMPLETER

A student who has completed three (3) Carnegie units of credit in grades 9-12 including all the required core courses in a career focus/program of study and graduated from high school. If core classes are taught below ninth grade level, they may fulfill the course requirement for completer status, however three units must be taken during grade 9-12. See lists of courses and grade levels at which they may be taught in each area's section of this handbook.

### G. EQUIPMENT

Tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$1,000 or more per unit.

### H. NEW PROGRAM START-UP LIST

Equipment and program specific supplies and software that are required for approval and operation of pathway program of study and foundation courses.

### I. PARTICIPANT

A student who is enrolled in a career and technical course during the reporting period.

### J. PROFESSIONAL DEVELOPMENT

Sustained, intensive, and focused opportunities for administrators, teachers, and faculty foster POS design, implementation, and maintenance.

K. "SHALL"

The use of "shall" in these regulations indicates that the activity is mandatory.

L. ADULT SKILLS TRAINING

Adult skills training classes offered on a short-term basis for the purpose of training and upgrading the workforce.

## II. PROGRAM APPROVAL

PROGRAM APPROVAL is reviewed annually. Programs granted approval status shall:

- follow all policies and procedures,
- participate in end-of-course assessment,
- meet or show improvement in documented performance indicators,
- remove all critical elements identified in technical assistance visits,
- submit program approval information through the ACE Teacher Information System by listed dates, and follow all required program guidelines.

Schools may offer for graduation credit, only career and technical classes approved by ACE.

### A. ACCOUNTABILITY

The following items will be reviewed annually to maintain program continuation: a) academic skill attainment, b) technical skill attainment, c) number of students completing career focus, d) placement of students in postsecondary education, e) placement of students in the workforce, and f) non-traditional enrollment, g) advisory council status, h) career and technical student organization (CTSO), i) critical elements from technical assistance visit, j) any conditional item from previous year.

### B. GRANTS FOR NEW, EXPANDED, OR PRIORITY PROGRAMS

1. Grant awards shall be available for the exclusive purpose of purchasing equipment and program specific supplies, required training, assessment, and software to support newly approved career focus programs of study, foundation courses, expanded programs of study, and other career and technical related courses.
2. The factors used for determining both approval and the amount of the grant awards are contingent on:
  - funds available
  - state priority
  - rubric evaluation
  - proposed technical programs in local districts located within a 25 mile radius or within 30 minutes travel time (one way) of a technical career center offering the same program
3. To be considered for funding school districts and secondary technical career centers shall submit a proposal for new program start-up by October 1 prior to implementation in the following school year.
4. The grant award(s) shall not exceed the cost of the start-up as established by ACE program standards.
5. 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 ACE.
6. Reimbursement requests for new program start-up shall be submitted on the Form WE-4 to the state office at any time prior to the December 15 deadline. The request for reimbursement of state funds shall not exceed the amount of the grant award. Waivers may be given for the advancement of grant funds.

7. For new program start-up equipment and program specific supplies and software, it is the responsibility of the local school district and secondary vocational centers to maintain and repair the equipment purchased with the State grant during its life cycle. After the life cycle (5 years), it will become the property of the local school district and/or secondary technical career center.
8. ACE 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. At the discretion of the program coordinator, items shall be re-inventoried to another CTE program.
9. ACE will provide up-to-date equipment standards for each program and foundation course. Prior written approval is required for any item or expenditure not on the ACE program start-up list.
10. A request to restart a closed program shall be funded only if funds have not been granted within the last five (5) years. Under extraordinary circumstances, the CTE Deputy Director may grant approval at a reduced funding amount.

### III. PROGRAM DESIGN, DEVELOPMENT, IMPLEMENTATION, AND EVALUATION

#### A. ADULT SKILLS TRAINING

1. ACE will approve adult skills training programs/courses upon availability of funds under the biennial appropriation.
2. Funding for faculty salaries for short-term adult classes sponsored by the secondary public schools will be provided at an hourly rate of \$30 per direct contact instructional hour.
3. Approval of short-term adult classes is contingent upon the following criteria:
  - A minimum enrollment of eight participants is required for approval of the class.
  - A minimum of six (6) hours and a maximum of 60 hours of instruction are required for approval courses.
  - Applications (Form WE-6) for adult classes are to be submitted to the applicable occupational program manager a minimum of two weeks prior to the beginning of the proposed class. (No classes will be approved after May 1.)
  - The applicable occupational program manager will notify the local school administrator/faculty/institution of approval/disapproval of the class.
  - Reimbursement of faculty salaries to the local entity will be initiated after the Class Enrollment Report (WE-PD-19) is received by the program manager. (All reimbursement requests must be received by May 30.)
4. Upon the annual approval by ACE, grants to supplement salaries of full-time teacher(s) who have been designated to plan, design, develop, and direct the skill training programs existing as of July 1, 1995, in adult education centers may be approved.
5. Adult education centers with approved skill training courses that existed as of July 1, 1995, are required to establish a fee structure for students enrolled in the courses. A minimum charge of \$20 per course or fifty (50) cents per clock hour of instruction, whichever is less, shall be charged for all approved skill training adult classes (clock hours of instruction are the total hours approved for the course). Fifty dollars shall be the maximum fee assessed an individual student in any semester or other school term of lesser length. Annual reports are due July 15.

#### B. ADVISORY COMMITTEE(S)

1. Each career and technical program shall have an active advisory committee or a school-wide advisory committee with representation from each program/career pathway.
2. The committee shall have appropriate, diverse representation of community, business/industry, and post-secondary partners. The committee shall meet twice annually and minutes shall be kept.
3. The committees' functions should include program evaluation and technical assistance relating to program development, employment opportunities, skills requirements of the occupation, and specialized equipment acquisition.

## C. CAREER FOCUS PROGRAMS OF STUDY

1. Career focus programs of study make up the career and technical delivery system in these career clusters:
  - Agriculture, Food & Natural Resources
  - Architecture & Construction
  - Arts, A/V Technology & Communications
  - Business, Management & Administration
  - Education & Training
  - Finance
  - Government & Public Administration
  - Health Science
  - Hospitality & Tourism
  - Human Services
  - Information Technology
  - Law, Public Safety & Security
  - Manufacturing
  - Marketing, Sales & Service
  - Science, Technology, Engineering & Mathematics
  - Transportation, Distribution & Logistics
2. Each career focus program of study shall consist of foundation courses in grades 7 or 8: as defined by the Department of Career Education. A minimum of three (3) Carnegie units in grades 9-12, a career focus is required for a program of study in career and technical education. Approved programs must offer a complete program of study on a two year rotational basis. Core courses must be offered annually.
3. Approved program must follow programs of study and guidelines established and identified in the supplemental program operational guides and approval of CTE Deputy Director and/or their designee. All changes to the operational guides will go through a review process.
4. Schools that, due to local business and industry requirements or school improvement plans, find it necessary to modify career focus programs of study or core course requirements to meet the needs of the students by improving completion and placement may request a local modification.

The request:

- shall document need and expected outcomes,
- shall have input from postsecondary and industry representation,
- shall be submitted to the Deputy Director of Career and Technical Education, and
- shall not be initiated until written approval is received.

## D. CAREER PLANNING

Upon completion of the eighth grade, each student shall have on file a four-year Career Development Portfolio, either hardcopy or electronic format, which includes secondary courses to be taken. At least two years of postsecondary education planning is recommended. The career plan shall be revisited each year for any necessary adjustments. Parents/guardians shall be involved in the education and career planning process, with signatures documenting involvement each year.

## E. CLASS PERIODS – LENGTH

1. Class periods shall conform to the minimum class hours established by the Standards for Accreditation of Public Schools and AdvanceED.

## F. CLASS SIZE

1. Class size shall conform to the Standards for Accreditation of Public Schools; however, enrollments may vary and will depend on the availability of equipment, tools, furniture, and instructional materials that support the program.
2. Additionally, safety conditions should be a consideration in establishing class sizes.

## G. CONCURRENT CREDIT

All concurrent credit courses offered for high school graduation (required 22 units) credit must have approval and alignment from ACE.

## H. WORK BASED LEARNING

Work based learning combines classroom instruction with alternating periods of on-the-job training occupation related to the student's career goal. Training sponsors are selected to coordinate the learning experiences provided on the job. Training plans are developed cooperatively by the teacher/coordinator and the training sponsor (employer) to ensure the development of required competencies. Students may be paid and shall be given academic credit.

Students shall be sixteen (16) years of age to meet labor law requirements.

### 1. Coordinator/teacher Supervision Periods

- a. For off campus paid work based programs, coordinators will be assigned:
  - one supervision period for 1-25 students,
  - two supervision periods for 26-50 students, and
  - three supervision periods for 51 or more students.

The conference period may count as one of the three (3) supervision periods.

- b. For students of special populations, coordinators will be assigned:
  - one supervision period for 1-15,
  - two supervision periods for 16-30 students, and
  - three supervision periods for 31 or more students.

The conference period may count as one of the three (3) supervision periods.

### 2. Contract Length

Local school districts' and secondary technical career centers' governing authorities shall have the option of extending the length of career and technical teachers' contracts beyond the minimum number of contract days required by the Standards for Accreditation of Public Schools.

Exception: State law requires twelve (12) -month contracts for agriculture teachers.

### 3. Course Credit

It is recommended that three (3) units per year be given—one (1) unit for the related class and two (2) units for the 270 per semester/540 per year hours of on-the-job training required.

## I. CURRICULUM CONTENT FRAMEWORKS

Each teacher shall follow State curriculum/content frameworks for each course approved by ACE.

## J. FACILITIES

Facility requirements must meet ADE guidelines (<http://arkansasfacilities.arkansas.gov>). Equipment requirements may be obtained from the appropriate program section and must be met within the specified time for program approval.

## K. FEDERAL FUNDS

The federal funds received through the Department must be used to improve CTE programs and services for students enrolled in the program. Federal rules and regulations along with the state's Plan for the funds must be followed. Pertinent information regarding the federal CTE federal funds may be obtained through the Perkins Coordinator Manual and the State's Five-Year Plan (posted on the Department's website) and through the U.S. Department of Education, Office of Vocational and Adult Education.

## L. FOUNDATION COURSES

Foundation courses are those classes that encompass the skills and knowledge necessary to be successful in any selected career and technical program. These courses are prerequisite in nature and required for all career and technical program approvals as defined by the Department of Career Education.

## M. REQUIRED TRAINING

Instructors shall attend ACE required training for program start-up and/or annual approval.

## N. REPORTS

Information is necessary via various reports and shall be submitted by due date. Refer to program area operational guides for program-specific reports.

## O. SECONDARY SLOT-INS AT POSTSECONDARY INSTITUTIONS

1. Occupational-specific programs at technical institutes, community colleges, or two-year colleges in which high school students are admitted (slot-ins) shall count toward meeting the state standards relating to the requirement for three units each of three occupation-specific career and technical programs.
2. A copy of the written contract (agreement) with the postsecondary institution must be submitted to the Deputy Director for Career and Technical Education, ACE, by October 1 of each academic year.

## P. SKILLED AND TECHNICAL SCIENCES PROGRAM ACCREDITATION

The following programs of study must maintain accreditation by the National Automotive Technicians Education Foundation (NATEF):

- a. Automotive Service Technology
- b. Collision Repair Technology
- c. Diesel Mechanics Technology

## Q. STANDARDS FOR ACCREDITATION OF PUBLIC SCHOOLS

### 1. Curriculum grades 9-12

Arkansas public schools are required to offer nine (9) units of Career and Technical Education.

2. To meet state standards for accreditation, public schools shall provide students access to a minimum of one career focus program of study in three (3) different occupational clusters (offered annually).

Schools who do not offer these programs on campus may utilize public schools, technical career centers, or postsecondary institutions.

If occupational programs are offered off-site to fulfill the required three (3) occupational programs, the school must provide students transportation, sufficient time to complete a three-unit program of study, and sufficient effort to provide these opportunities to students. Students must be enrolled in the program to count toward the three (3) required.

3. Secondary schools utilizing off-campus options as a means for meeting curricula standards must have on file with the Deputy Director for Career and Technical Education a written agreement between both institutions as documentation to this effect before October 1 of each academic year. Schools having no students in attendance will not meet this standard.

## R. CTE TECHNICAL SKILL ATTAINMENT

The Department provides end-of-course assessments for the core required courses of the CTE programs of study. Districts with students enrolled in any of the assessed courses are required to test students through the web-based assessment system. The assessment results shall be used to guide program improvement. Along with industry-credentials/certifications, the end-of-course assessment data is used to determine achievement for the technical skill attainment performance indicator required by the federal Perkins Act. These results are published annually on the CTE School Report Card.

## S. STUDENT ORGANIZATIONS (CTSO)

The career and technical student organization(s) (CTSO):

- shall be an integral part of the career and technical education program(s) offered in each school and shall follow the applicable guidelines, goals, objectives, and participate in activities of the appropriate state and/or national student organization for each program;
- shall be supervised by career and technical personnel in the applicable occupational area.

## T. WORKFORCE EQUITY

ACE will continue to inform school administration of current policies regarding gender equity, discrimination and nontraditional training with the intention that these policies will be infused into the local curriculum and instruction. Onsite monitoring of selected programs is required by federal law.

### IV. TEACHER LICENSURE AND TRAINING

#### A. Career and Technical Degreed Teachers Licensure

##### 1. Integrated Career and Technical Education Licensure

Arkansas Career and Technical teachers in the areas of Agriculture and Science Technology, Business Technology, Marketing Technology, Family and Consumer Sciences, and Industrial Technology Education will be licensed through the Arkansas Department of Education (ADE)

##### 2. Driver Education Endorsement

Must complete Driver Education I, II, and First Aide (2 sem. hrs. each). The instructor must also complete the Praxis II Principles of Learning and Teaching 7-12 with a minimum score of 164.

#### B. Career and technical endorsements for level A.Y.A. (Adolescents and Young Adults)

Instructors who desire to teach identified courses, which require specific training not offered through Career and Technical approved programs of study, may receive added endorsement to an existing teaching license by completing the requirements identified for the following course specific-areas. Specific requirements for each course are found in the related section of the program policies and procedures for secondary career and technical programs.

Applications for these endorsements should be made to the Deputy Director for Career and Technical Education, ACE. Following documentation of the completion of individual requirements, a recommendation will be made to ADE Professional Licensure section to add related endorsements.

- Career Academy Endorsement (410) (grades 7-12)  
Keystone (grades 9-10)
- Career Orientation (411) (grades 7-8) and Career Development Endorsement (418) (grades 4-8)
- Career Preparation (412) (grades 7-12)
- Career Services for Special Populations (413) (grades 7-12)  
Jobs for Arkansas' Graduates  
STRIVE (Students and Teachers Responsibly Integrating Vocational Education)
- Integrated Academics Endorsement  
Physics in Context (PIC)  
Principles of Technology (PT)  
Project Lead the Way Specialization Courses

##### 1. Teacher Qualifications for Career Orientation or Career Development Endorsements (411 or 418)

Education – Career Orientation/Career Development teachers who are not certified counselors shall have a valid secondary or middle school teaching license or be enrolled in the non-traditional licensure program.

Endorsement - In addition to the licensing requirements, completion of the following coursework or the mentorship training program is required and must be completed prior to teaching Career Orientation or Career Development a second year:

Three semester hours of "Methods of Teaching Career Development"

OR

Mentorship Training Program

- Complete an equivalent mentorship training program designed and approved by ACE under an approved model trainer.
- b. Attend a Career Development New Teacher Endorsement Workshop provided by ACE.

Counselors who teach Career Orientation shall meet state licensing standards and the mentorship training program

## 2. Teacher Qualifications for the Career Preparation Endorsement (412)

Education – The instructor shall maintain a valid 7-12 teaching license or be enrolled in the non-traditional licensure program.

Endorsement – The instructor shall:

- Complete a mentorship training program designed and approved by ACE under an approved model trainer
- OR
- Complete approved coursework (Methods of Teaching Career Preparation) prior to the second year of teaching in this area.
- Attend the Career Development New Teacher Endorsement Workshop provided by ACE.

## 3. Teacher Qualifications for JAG

The JAG Specialist is to be secondary licensed in a career and technical or any core academic area and endorsed through the completion of program management training developed and approved by the Department of Career Education.

It is strongly recommended that during the first year of operation the JAG Specialist be employed on a contract of a minimum of 215 days. It is also strongly recommended that during each subsequent year the Specialist be employed on a contract of a minimum of 225 days.

## 4. Teacher Qualifications for the Career Academy Endorsement (410) – Keystone

For new programs it is the school administrator's responsibility to assemble a team of visionaries to design the course. The team shall include qualified counselor(s), administrators and both academic and career and technical certified teachers. The goal of the team shall be to establish the local guidelines and content for the Keystone course.

Annual professional development shall be held during which time the process shall be revisited. Newly recruited teachers shall participate in evaluating and modifying the Keystone course with veteran team members.

Education – The Keystone instructor shall maintain a valid 7-12 teaching license or be enrolled in the non-traditional licensure program.

Endorsement – The Keystone instructor shall:

- Complete or be enrolled in a mentorship training program approved by ACE under an approved model trainer to be completed before the end of the first semester of teaching Keystone.
- Attend the Career Guidance New Teacher Endorsement Workshop provided by ACE.

#### 5. Teacher Qualifications for Integrated Academics Endorsement

A qualified teacher of Physics in Context/Principles of Technology shall

- Hold a valid teaching license, be licensed in Physical – Earth Science (A.Y.A) in secondary education, or be licensed in physics or have physics approval
- Complete the required Department of Career Education workshop in teaching methods for the classes they plan to teach.

A qualified teacher of Project Lead the Way (PLTW): Pre-Engineering and Gateway to Technology shall;

A qualified teacher of Project Lead the Way (PLTW): Biomedical Sciences shall;

- Have successfully completed at least two semesters of college-level biology with a laboratory and have experience in the techniques and methods of modern biology, molecular biology, or physiology
- Complete the required training for each of the specific courses to be taught

A qualified teacher of Engineering Technology Education (ETE);

- Shall hold a teaching license in Industrial/Technology Education or hold a bachelor's degree and be certified in another area
- A certified teacher from another area may teach Engineering Technology Education with a passing score of 159 on the Praxis II Technology Education test
- Two year's work experience in a trade, technical, or industrial area
- Minimum of twelve credit hours or 180 clock hours in career and technical teacher education courses required (six hours of career and technical teacher education courses must related specifically to Industrial Technology)

#### 6. Teacher Qualifications for STRIVE

The STRIVE instructor is to be secondary licensed in any vocational area and/or either hold certification in Reading, Math, Language Arts, or Special Education and endorsed through the completion of program management training developed and approved by the Department of Career Education.

Existing PROVE instructors with teaching certificates may “grandfather” as STRIVE instructors. Instructors endorsed in CCVE and who hold teaching certificates may “grandfather” as STRIVE instructors upon completing the program management training.

#### 7. Teacher Qualifications for Grade 5/6 Business Technology Endorsement (419)

The Grade 5/6 Business Technology Endorsement candidate must be a licensed teacher in Arkansas and will complete the ACE approved professional development.

## C. Teacher Qualifications for Career and Technical Education Permit Areas

### 1. Minimum Requirements for CTE Permits

Experienced professionals may be issued a career and technical education provisional permit. The minimum requirements include a minimum of an Associate's Degree with two years of relevant work experience in the specialty area to be taught *or* four years of relevant work experience in the specialty area to be taught. Minimum education requirements/work experience shall be met prior to employment in the teaching specialty, verification of high school diploma or General Education Equivalency. All candidates must pass the required background checks.

### 2. Process for Obtaining CTE Permits

Candidates must submit the following documents to the ADE Office of Educator Licensure:

- a. The Arkansas Educator Licensure Application (located Arkansas Department of Education website)
- b. Official college transcript, copy of high school diploma, or copy General Equivalency Diploma (GED) (Submit the highest attained)
- c. Resume reflecting relevant work experience in Specialty Permit Areas
- d. Additional requirements as outlined under Specialty Permit Areas

Provisional permits will be valid for one (1) year from the applicants hire date. A second one (1) year provisional permit can be issued, if necessary, to allow additional time for completion of the specialty area requirements to obtain a standard 5-year permit. A new application shall be submitted for permit renewal.

PERMIT AREAS:

211	Engineering Technology Ed (7-8)	603	Criminal Justice
212	Engineering Technology Ed (9-12)	604	Horticulture
567	Automotive Collision Repair	605	Forestry
568	Automotive Service Technology	606	Pre-Engineering
569	Aviation Mechanics	607	Geospatial Technology
570	Construction Technology	608	Marine Mechanics
571	Advertising Design	609	Pulp and Paper Science
572	Computer Engineering	610	Child Care
573	Cosmetology	611	Medical Professions
574	Diesel Mechanics	612	JROTC
575	Drafting & Design	613	Performing Arts – Dance
576	Dry-cleaning Laboratory	614	Power Sports
577	Electronics	615	Legal Services
578	Heating Vent A/C	616	Advanced Manufacturing
579	Exploring Industrial Tech Ed	618	Communication
580	Culinary Arts & Chef Prep	619	Petroleum Production
581	Furniture/Cabinet Making	620	Renewable Energy Technology
582	Graphic Communication	625	Sports Medicine
583	Industrial Control Technology	628	Career-Aerospace Engineering (11-12)
584	Industrial Cooperative Training	629	Career-Biotechnical Engineering (11-12)
585	Industrial Equipment Maintenance	630	Career-Civil Engineering and Architecture (11-12)
586	Instrumentation	631	Career-Computer Integrated Manufacturing (11-12)
587	Machine Tool Technology	632	Career-Digital Electronics (11-12)
588	Major Appliance Repair	633	Career-Capstone Course: Engineering Design and Development (12)
589	Meat Processing	634	Foundational: Career-Automation & Robotics (7-8)
590	Piano Tuning	635	Foundational: Career-Design and Modeling (7-8)
591	Radio & Television Broadcasting	636	Career-Energy and the Environment (7-8)
592	Robotics	637	Career-Flight and Space (7-8)
593	Power Equipment Technology	638	Career-Green Architecture (7-8)
594	Surveying	639	Career-Magic of Electrons (7-8)
595	Television Broadcasting	640	Career-Medical Detectives (7-8)
596	Textiles	641	Career-Science of Technology(7-8)
597	Welding	642	Career-Principles of Biomedical Sciences (9-12)
598	Food Production Mgmt. & Serv.	643	Career-Human Body Systems (9-12)
599	Exploratory Trades and Industry	644	Career-Medical Interventions (9-12)
600	Cashier/Checker Instruction	645	Career-Biomedical Innovations (9-12)
601	Truck Driving	646	Foundational: Career-Principles of Engineering (10-11)
602	Commercial Photography	647	Foundational: Career-Introduction to Engineering Design (9-10)

### 3. Specialty Permit Areas Requirements

#### a. JROTC (612)

1. Instructor Approval Letter from Branch of Service

#### b. Cosmetology (573)

Standard 5-year permit requirements:

1. Submit an official score report reflecting passing scores, as approved by the State Board, on the appropriate basic skills, pedagogical and content-area assessment(s) as mandated by the State Board
2. Attend the Skills USA Chapter Management Institute (CMI)

Additional permit requirements:

1. Valid Arkansas Cosmetology License (submit copy with application)
2. Valid Arkansas Cosmetology Instructor's License (submit copy with application)

#### c. Culinary Arts/Food Production (580)

Standard 5-year permit requirements:

1. Submit an official score report reflecting passing scores, as approved by the State Board, on the appropriate basic skills, pedagogical and content-area assessment(s) as mandated by the State Board
2. Submit passing scores for the National Occupational Competency Test (NOCTI) in the specialty area or possess a valid national certification from an accredited organization (submit copy with application) which is approved by ACE
3. Complete the Arkansas FCCLA Adviser Academy or SkillsUSA Chapter Management Institute (CMI)
4. Complete teacher education coursework that shall include the following:
  - a. Domain 1: Planning and-Preparation
  - b. Domain 2: The Classroom Environment
  - c. Domain 3: Instruction
  - d. Domain 4: Professional Responsibilities

### 4. Skilled and Technical Sciences Permit Areas

The following requirements shall be completed by all Skilled and Technical Sciences program instructors:

1. Submit an official score report reflecting passing scores, as approved by the State Board, on the appropriate basic skills, pedagogical and content-area assessment(s) as mandated by the State Board
2. Complete the SkillsUSA Chapter Management Institute (CMI)
3. Complete teacher education coursework that shall include the following:
  - a. Domain 1: Planning and Preparation
  - b. Domain 2: The Classroom Environment
  - c. Domain 3: Instruction
  - d. Domain 4: Professional Responsibilities

## Additional Requirements for Skilled and Technical Specialty Areas

- a. Construction Technology (570) and Welding (597)
  - NCCER Certification
  - NOCTI Assessment
- b. Medical Professions (611)
  - Hold a Current Professional Medical License
- c. Sports Medicine (625)
  - Licensed in Arkansas to practice Athletic Training
- d. Automotive Collision Repair (567), Automotive Service Technology (568), and Diesel Mechanics (574)
  - ASE Certification in the specific areas taught

### D. Concurrent Credit Teacher Approval

Concurrent credit classes offered for high school career and technical credit in a secondary area technical center operated by a post-secondary institution must have approval and course alignment by ACE.

An ACE approved concurrent credit course number to be used by high schools to identify concurrent college classes will be issued following submission of course alignment approval request submitted to the deputy director for career and technical education. Three (3) hour college credit classes will normally align with 1 credit secondary courses.

Technical instructors teaching at a secondary area technical center operated by a two-year community/technical college shall have a minimum of an associate degree within the area of instruction, have completed all necessary background checks, and meet all college accrediting standards for instructors. Secondary area technical centers should submit documentation of these records to the Office of Workforce Training, ACE. Centers will annually submit a list of instructors providing concurrent credit and meeting the above requirements will be given an annual waiver from teacher licensure requirements. Those instructors not meeting these requirements or instructors teaching non-concurrent credit classes must hold an Arkansas Teacher's License/Technical Permit.

## V. APPRENTICESHIP

Apprenticeship is a structured training and educational system designed to prepare individuals for specific occupations. It combines on-the-job training (OJT) under the supervision of experienced journey workers at the work site along with education conducted by qualified instructors in related classroom instruction. Apprenticeship programs are driven by business and industry employers who specify the competencies or processes required for mastery in the occupations; these become the standards for which the apprentices will master. Apprenticeship programs require, at minimum, one year of training and education, but usually require four or five years. Specific apprenticeship programs require registry with the U.S. Department of Labor/Office of Apprenticeship (USDOL/OA). Apprentices who successfully complete the prescribed number of hours in OJT, classroom instruction in a registered apprenticeship program, and pass required tests are awarded certificates of completion and ~~are then~~ considered journeyman. Apprentices may also receive post-secondary certificates, diplomas, and degrees as a result of completing their specific apprenticeship program.

Qualifications of the apprentice vary according to the requirements of the occupation. However, all apprenticeship programs require applicants to be at least 16 years old and physically able to perform the job. All programs prefer and most require a high school diploma or equivalent certificate.

The State of Arkansas recognizes the significance of apprenticeship programs in enhancing the skill levels of the employees and workers in Arkansas businesses and industries. Three methods of providing improvement funds are available for employers and apprentices: Traditional Apprenticeship, Youth Apprenticeship, and Construction Training.

### A. Traditional Apprenticeship

The term “Traditional Apprenticeship” is used to designate the adult apprenticeship programs that are registered with the USDOL/OA and that receive State Improvement Funds based upon hours of related classroom instruction. These programs are operated by employers, employer associations, or jointly by management and labor on a voluntary basis. The State Apprenticeship Office (SAO), within ACE, monitors the related classroom instruction portion of USDOL/OA registered apprenticeship programs that apply and are approved for State Improvement Funds.

The Arkansas Apprenticeship Coordination Steering Committee (AACSC) provides guidance to and coordinates with the SAO to effectively promote and enhance apprenticeship programs in Arkansas. The AACSC is composed of 20 voting members, appointed by the Governor’s Office, from business/industry, labor, education, and female minority sector, and six non-voting, advisory members appointed by government and education agencies.

Teachers or instructors of Traditional Apprenticeship related classroom instruction are chosen by the local apprenticeship committee based upon the instructor’s experience and teaching abilities. Instructors are usually selected from the technical programs at high schools, technical institutes or colleges, and business/industry companies. The instructional materials are frequently developed by and available from labor associations and curriculum centers or developed locally by the employers and experienced journey workers.

The standards (or implementation plan) for each apprenticeship program is written in a specific format by the local committee and submitted to the USDOL/OA for approval and registry. This document states how and when the learning processes will occur, what the responsibilities are of the employer and apprentice, and what wages will be awarded upon completion of each level of mastery. The employer and apprentice then signs their respective employer agreement and apprentice agreement which are also registered with the

USDOL/OA. If an apprenticeship program is properly registered with the USDOL/OA then the program is eligible to apply for State Improvement Funds.

## B. Youth Apprenticeship

The term “Youth Apprenticeship” is a shortened version of the term Youth Apprenticeship/Work-Based Learning or YA/WBL. These terms designate the high school and post-secondary youth apprenticeship programs that are approved by the Department of Career Education/State Apprenticeship Office (ACE/SAO) and that receive State Improvement Funds based upon a performance based budget. The youth apprentice or work-based learning student is usually 16 to 21 years old, entered the YA/WBL program while in high school, has a six year career plan that includes high school and post-secondary education and training, agreed to a three year (minimum) apprenticeship program, and will obtain not only certification/license in his/her occupation but a high school diploma and a post-secondary certificate, diploma, or degree. These programs are operated by consortia of employers, employer associations, and educational institutions. The SAO monitors and provides guidance, in both the training and education portions, to youth apprenticeship consortia that apply and are approved for State Improvement Funds.

The instructors in YA/WBL programs are usually secondary licensed or team-teach with a secondary licensed teacher so that the youth apprentice will receive high school credit toward graduation. These instructors are usually selected from the technical programs at high schools, technical institutes or colleges, and business/industry companies. The instructional materials are usually in place at participating high and post-secondary schools, but are sometimes acquired from labor associations, professional associations, and curriculum centers. In a few cases the instructional materials are developed locally by the employers, experienced journey workers, and the high and post-secondary instructors. In either case, the applicable or program manager at the Department of Career Education/Career and Technical Education will review and approve the instructional materials.

The implementation plan for each occupational apprenticeship program, the employer agreements, the apprentice agreements, and the apprentice six year career plans will be completed and maintained at the YA/WBL consortia for review and approval by the SAO. Additionally, the YA/WBL apprenticeship consortia are expected to achieve and maintain seven common design principles and six essential elements to be approved for State Improvement Funds.

The seven common design principles are:

- 1) The creation of a strong infrastructure that represents local and state actors, including employers, organized labor, government, secondary schools, and two-year and four-year institutes, colleges, and universities.
- 2A) A system that is industry-driven, where employers and their representatives help set occupational skill standards, collaborate on curriculum, provide paid work experience and workplace instructors for apprentices, and certify mastery of skills leading to the award of a portable credential;
- 2B) Focus on learning about “all aspects” of a broad industry cluster rather than mastering a narrow set of occupational skills.
- 3A) Articulation of programs between high schools and post-secondary, credit-granting institutions;
- 3B) Program length must be a minimum of three years, at least one/two high school years and two/one post-secondary years, and the program must constitute the core of the students education during those years.
- 4) Structured integration between the workplace and the classroom and between academic learning and vocation training.

- 5) Priority on the provision of and training for high quality jobs with employers committed to the concept of “high performance work organizations”.
- 6) Adequate, effective support system for participants.
- 7) A model that is replicable, can reach significant scale, and is central to education reform strategies.

The six essential elements are:

- 1) Employers provide paid work experience and guided work site learning.
- 2) Schools integrate academic and occupational/vocational learning.
- 3) School and workplace learning are coordinated and integrated.
- 4) Programs articulate high school and post-secondary learning and are at least three years in duration.
- 5) Completers receive widely recognized credentials of both academic and occupational skill mastery.
- 6) Programs are governed by broad coalitions of institutional partners.

Approved YA/WBL consortia are also expected to submit quarterly narrative and expenditure reports by the 15<sup>th</sup> day following the closeout of a yearly quarter and to maintain an efficient program with a performance based budget.

### C. Construction Training

The Construction Industry Training Education Program (pursuant to Act 474 of 1999) is designed to assist the construction industry in Arkansas to develop and improve the competencies and skill levels of their employees. Monies for this program are acquired from a construction permit surcharge and are available to qualified construction programs that apply to the Department of Career Education/State Apprenticeship Office. Most of the approved applicants are adult apprenticeship programs but some are area technical centers, high schools, technical schools and colleges associated with adult apprenticeship programs. Specific funds (20% of the total funds) are set aside each year for the infusion of curriculum into the public schools as well as the construction education institutions of Arkansas.

Rules and Regulations outline the application and award process. To qualify, the program must be performing actual work in Arkansas, the training must occur in Arkansas, and the applicant should be currently sponsoring a training, apprenticeship, or educational program in Arkansas that is approved by or registered with the State Apprenticeship Office and/or the United States Department of Labor/Office of Apprenticeship. The State Apprenticeship Office and the Arkansas Apprenticeship Coordination Steering Committee review the applications.

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

August 4, 2015

TO: Career Education and Workforce Development Board

FROM: Charisse Childers, Ph.D., Director *Childers*  
Trena Miles, Ed.D, Associate Director, Adult Education Division *Miles by 2*

SUBJECT: ACTION ITEM – REVISED POLICIES AND PROCEDURES FOR ADULT EDUCATION

RECOMMENDATION: It is the recommendation of the agency that the Board approve the revised Policies and Procedures for Adult Education

INFORMATION/RATIONALE: Revisions have been made to the Adult Education Policies and Procedures and have been on public review from April 20, 2015 to May 19, 2015 and we are now requesting approval by the board to submit the revised policies to the Administrative Rules and Regulations Committee for review.

# ADULT EDUCATION

## Program Policies

June 20, 2015



Arkansas Department of Career Education

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**Subject: Effective and Efficient Evaluation Calculations**

**POLICY:** According to Arkansas Act 1280 of 2007, Section 30, "All funds that become available for adult education shall first be distributed to those administrative units determined to be operating effective and efficient adult education programs, under criteria established by the Career Education and Workforce Development Board. The criteria shall include the relative efficiency of administration of the program in the counties served and achievement of the federal performance indicators."

To be considered effective and efficient, local adult education programs and literacy councils receiving adult education funds will be required to meet or exceed the percentage of the federal negotiated core indicators as determined by the Deputy Director of Adult Education. Programs not meeting percentage requirement, in the first year will be required to submit an improvement plan. The improvement plan will address each core indicator of performance that was not met and will include measurable objectives for correcting deficiencies during the following year. State program advisors will provide technical assistance to each program submitting an improvement plan and closely monitor programs during the year. Core indicators of performance are defined in the federal Workforce Investment Act of 1998, Title II, the Adult Education and Family Literacy Act (AEFLA); however, using the core indicators as criteria for effective and efficient evaluations and imposing a minimum score is a state decision.

Programs that do not meet the percentage requirement, of their negotiated core indicators of performance for a second consecutive year will be assigned a state technical assistance team to assist the program in addressing its deficiencies. The team members may include but not be limited to state and local staff, administrators, teachers and students. Quarterly progress reports will be submitted by the program being monitored to the Adult Education Division describing the progress being made to bring the program into compliance with core indicators. Programs not achieving percentage requirement, of their negotiated core indicators of performance for three consecutive years will be submitted to the Career Education and Workforce Development Board for appropriate action prior to continuation of funding.

**INFORMATION/RATIONALE:** Relevant sections of law and regulation: Arkansas Act 1280 of 2007, Section 30; and federal Workforce Investment Act of 1998 (P.L. 105-220), Title II, The Adult Education and Family Literacy Act (AEFLA), Section 212 (b).

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Service Delivery Area**

**POLICY:** Adult education programs receiving state or federal funding for a designated service area or county are not to cross into counties or other designated service areas where there is an established adult education program without a written memorandum of understanding between the programs. The Adult Education Division must approve this agreement annually.

**INFORMATION/RATIONALE:** Funding for local adult education programs is based on census data intended for a designated area or county. Funds must be spent in the designated area or county for which the funds were provided. To ensure that each service area or county receives adequate adult education services and to avoid duplication, it is essential that each local program stay within its designated area.

EFFECTIVE DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Distribution of State Funds**

POLICY: According to Arkansas Act 1280 of 2007, Section 30, , “All funds that become available for adult education shall first be distributed to those administrative units determined to be operating effective and efficient adult education programs, under criteria established by the Career Education and Workforce Development. The criteria shall include the relative efficiency of administration of the program in the counties served and achievement of the federal performance indicators. The Career Education and Workforce Development Board shall promulgate rules and regulations for the distribution of funds in accordance with criteria to be determined by the Board. In distribution of funds to local units the board shall consider the literacy rate in each county and performance in meeting state and federal performance indicators. For the purposes of this section, the term ‘literacy rate’ shall be determined by the number of adults completing less than the twelfth grade as reported by the most recent decennial federal census. Unallocated funds will be redistributed based upon need as determined by the Career Education and Workforce Development Board.”

INFORMATION/RATIONALE: Procedures set forth in Arkansas Act 1280 of 2007, Section 30, govern distribution of all state adult education funds.

EFFECTIVE DATE: JULY 1, 1991  
REVISED DATE: SEPTEMBER 13, 1993  
REVISED DATE: APRIL 18, 2003  
REVISED DATE: NOVEMBER 15, 2008  
REVISED DATE: JUNE 20, 2015

**Subject: Direct and Equitable**

**POLICY:** Direct and equitable access to all federal funds will be provided to local educational agencies, community-based organizations of demonstrated effectiveness, volunteer literacy organizations of demonstrated effectiveness, institutions of higher education, public or private nonprofit agencies, libraries, and public housing authorities, nonprofit institutions that have the ability to provide literacy services to adults and families; or consortia of the agencies, organizations, institutions, libraries, or authorities described according to Section 203 (5) of Title II of the Workforce Investment Act of 1998, AEFLA. In order to provide direct and equitable access to all adult education federal funds provided under the Title II of the Workforce Investment Act of 1998, the Adult Education Division shall award funds on the basis of competitive applications submitted by eligible recipients. Direct and equitable access includes: (1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and (2) the same grant or contract announcement process and application process is used for all eligible providers in the State.

**INFORMATION/RATIONALE:**

Relevant sections of federal law and regulation: Workforce Investment Act of 1998 (P.L. 105-220), Title II, The Adult Education and Family Literacy Act (AEFLA), Sections 231(C) and 203(5).

**EFFECTIVE DATE:** SEPTEMBER 13, 1993

**REVISED DATE:** APRIL 18, 2003

**REVISED DATE:** NOVEMBER 15, 2008

**REVISED DATE:** JUNE 20, 2015

**Subject: Correctional/Institutional Federal Funding**

POLICY: Grants for correctional/ institutional education shall be awarded and used according to the guidelines as stated in the Workforce Investment Act of 1998. Not more than 8.25% of federal funds allotted to a state for adult education activities shall be used for corrections education and education for other institutionalized adults.

Local program operators will be charged with the responsibility of designing, developing, and implementing instructional programs. Various activities will be undertaken which will be designed to include--but not be limited to--basic education, special correctional and institutional education programs, and English literacy programs.

INFORMATION/RATIONALE:

Relevant sections of federal law and regulation: Workforce Investment Act of 1998 (P.L. 105-220), Title II, The Adult Education and Family Literacy Act (AEFLA), Sections 222 (a) and 225.

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Tuition, Fees, and Other Charges**

**POLICY:** Adults enrolled in Arkansas adult education programs will not be charged tuition or fees. Adults enrolled in adult basic education will not be required to purchase any books or any other materials needed for participation in the program.

**INFORMATION/RATIONALE:** The Arkansas State Unified Plan states the strategy to serve those populations most in need will focus on populations as listed in the federal Workforce Investment Act of 1998 (P.L. 105-220), Title II, The Adult Education and Family Literacy Act (AEFLA), Section 224 (b) (10).

EFFECTIVE DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Purchase/Disposal of Equipment**

**POLICY:** Equipment can be purchased by local adult education programs with adult education funds disbursed by the Adult Education Division. Prior to purchasing any equipment with adult education funds, written approval must be secured from the Adult Education Division. The local education agency (LEA) will only use the equipment for the purpose(s) for which it is acquired or for other allowable adult education use.

Once equipment is purchased, inventory procedures as stated in the most current revision of the Adult Education Inventory Control Form are to be followed by local programs. Since the inventory record is of a permanent nature, numbering should continue consecutively, year after year, rather than starting a new series each year. All equipment that is purchased with adult education funds will remain the property of the state Adult Education Division.

Equipment inventories should be updated as equipment is purchased. Current program inventories will be submitted to the Adult Education Division at the end of each program year.

Inventory must be disposed of using the Adult Education Inventory Transfer/Disposal Form. Procedures for inventory transfer/disposal should be in line with the LEA transfer/disposal institutional policies and noted on the form.

**INFORMATION/RATIONALE:** Programs must have authorization to purchase equipment as needed. In order to track location and use of equipment purchased with adult education funds, proper inventory procedures must be followed.

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Recruitment and Retention Plans**

**POLICY:** Programs receiving state and federal adult education funds will develop and implement recruitment and retention activity plans annually. A special effort will be made to recruit and serve those most in need as defined by the Workforce Investment Act of 1998 as low-income students, individuals with disabilities, single parents, displaced homemakers, and individuals with multiple barriers to educational enhancement including those with limited English proficiency. Recruitment/retention activities will include – but not be limited to – a close working relationship with other agencies serving persons eligible for adult education services and efficient utilization of local media. Student retention can be enhanced by follow-up on absenteeism.

**INFORMATION/RATIONALE:**

Programs receiving state and federal adult education funds must develop and implement recruitment activities so students are aware of available services. In order to ensure that students make substantial learning gains and meet their goals, they must remain in programs long enough to accomplish these gains and goals. While this is a state-imposed requirement, it relates to various definitions and activities under the Workforce Investment Act of 1998 (P.L. 105-220), Title II, the Adult Education and Family Literacy Act (AEFLA), Section 203 and Section 224 (b) (10).

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Enrollment Policy: Minimum Age Adult Education**

**POLICY:** Arkansas Code Annotated (ACA) § 6-18-201(a), concerning the age for compulsory attendance for school enrollment, is that “Under the penalty for noncompliance as shall be set by law, every parent, guardian, or other person residing within the State of Arkansas having custody or charge of any child age five (5) through seventeen (17) ... shall enroll and send the child to a public, private, or parochial school or provide a home school for the child...”

Under special circumstances, persons 16 or 17 years of age may be enrolled in adult education programs in accordance with Arkansas Act 1659 of 2001 and Act 604 of 2003.

Public schools shall not release a student making application to the school district for a waiver until the adult education program agrees in writing to serve that student. A local school district may grant a waiver of attendance requirement to any student age 16 or 17 to enroll in an adult education program only after all of the following requirements have been met:

- 1) The student makes formal application to the school district for a waiver to enroll in an adult education program;
- 2) After formal application and prior to any further action on the application, the student shall be administered either a Test for Adult Basic Education (TABE) or an official General Educational Development (GED) practice test under standardized testing conditions by a designated K-12 public school official or adult education personnel;
- 3) If administered the TABE test (Level A, Forms 9, or 10 Online Assessment, Survey or Complete Battery), the student shall score 8.5 or above on all sections. If administered the official GED practice test, the student must score a minimum of 150 on each section and a minimum composite score of 600;

**Note:** Such minimum test scores shall not be required of any student who is subject to the attendance requirement of this policy but was not enrolled in any school district during the previous school year;

- 4) The student and the student’s parents, guardians, or persons in loco parentis meet with the school counselor to discuss academic options open to the student;
- 5) The school district determines that the student is a proper candidate for enrollment in adult education, contingent upon approval by the appropriate adult education program;
- 6) The adult education program reviews the student’s school and testing records and agrees to admit the student into the program;
- 7) The adult education program shall report attendance of all 16 and 17 year old enrollees to the sending school district on at least a monthly basis;
- 8) The adult education program shall require for continued enrollment a

Arkansas Department of Career Education, Adult Education Division Policy Manual

minimum of 20 hours per week of class attendance and instruction. A minimum of 10 hours of attendance per week shall be required for any student who is employed for 30 hours or more each week;

- 9) The student, the student's parents, guardians, or persons in loco parentis, and the administrative head of the adult education program agree in writing that the student will attend the requisite number of hours per week and maintain appropriate conduct as outlined in the local adult education program student handbook;
- 10) In the event that a more appropriate assessment test or testing and assessment mechanism shall be developed to determine a reasonable level of competency for success at the adult education level, that test or mechanism shall be substituted, with the approval of the Adult Education Division, for the tests required in this policy;
- 11) If the student does not attend class as mandated in this policy or make reasonable progress toward the completion of the adult education curriculum, the student shall re-enroll in the public schools within five days from the date the student is released from the adult education program.

**Note:** The above requirements shall not apply to students enrolled in a private, parochial, or home school in the state.

**Note:** Under ACA §6-18-201, any person age sixteen or seventeen who has received a high school diploma or its equivalent as determined by the State Board of Education is not subject to the compulsory attendance requirement.

**INFORMATION/RATIONALE:** The ages established for compulsory school attendance by Arkansas Act 292 of 1991 are ages five through seventeen, both inclusive. This Act allows, after certain provisions have been met, for persons age 16 or 17 to enroll in adult education programs. Arkansas Acts 1659 of 2001 and Act 604 of 2003 detail the process that must be followed and requirements that must be met to allow persons age sixteen or seventeen to enroll in adult education programs.

Relevant sections of federal law and regulation: Workforce Investment Act of 1998 (P.L. 105-220), Title II, The Adult Education and Family Literacy Act (AEFLA), Section 203(1). "Adult Education means services or instruction below the post-secondary level for individuals who have attained sixteen years of age; (and) who are not enrolled or required to be enrolled in secondary school under State law."

EFFECTIVE DATE: MAY 18, 1992

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Enrollment Policy:**  
**Private, Parochial or Home School Minimum Age**

**POLICY:** Arkansas Code Annotated (ACA) § 6-18-201(a), concerning the age for compulsory attendance for school enrollment, is that “Under the penalty for noncompliance as shall be set by law, every parent, guardian, or other person residing within the State of Arkansas having custody or charge of any child age five (5) through seventeen (17)... shall enroll and send the child to a public, private, or parochial school or provide a home school for the child....”

Under special circumstances, persons 16 or 17 years of age may be enrolled in adult education programs in accordance with Arkansas Act 1659 of 2001 and Act 604 of 2003.

Students age 16 or 17, enrolled in a private, parochial or home school, who desire to enroll in an adult education program shall meet the following requirements:

- 1) Students shall apply for enrollment to the adult education program;
- 2) A student enrolled in a private or parochial school shall provide a letter from the principal or administrator of the private or parochial school to verify enrollment; and shall score 8.5 grade level or above on the Test of Adult Basic Education (TABE) the TABE test (Level A, Forms 9, or 10 Online Assessment, Survey or Complete Battery) or a minimum score of 150 on each section and a minimum composite score of 600 on the official secondary credential practice test.
- 3) A student who is home schooled shall provide a notarized copy of the notice of intent to home school that was provided to the superintendent of the local school district as required by ACA §6-15-503;
- 4) The student and the student’s parents, guardians, or persons in loco parentis shall meet with the appropriate staff of the adult education program to discuss academic options open to the student;
- 5) The adult education program administrators shall review the student’s school and testing records prior to allowing admission to an adult education program;
- 6) The adult education program shall require, for continued enrollment, a minimum of 20 hours per week of class attendance and instruction. A minimum of 10 hours of attendance per week shall be required for any student who is employed for 30 hours or more each week;
- 7) The student, the student’s parents, guardians, or persons in loco parentis, and the administrative head of the adult education program agree in writing that the student will attend the requisite number of hours per week and maintain appropriate conduct as outlined in the local adult education program student handbook;
- 8) In the event a student does not attend class as mandated in this policy or make reasonable progress toward the completion of the adult education curriculum, the student shall re-enroll in either a public, private, parochial or home school within five

Arkansas Department of Career Education, Adult Education Division Policy Manual

days from the date the student is released from the adult education program;

- 9) If a home school student is accepted into an adult education program, the student's parent, guardian or person standing in loco parentis shall send written notification to the local public school superintendent of their intent to participate in the adult education program.

Students age 16 or above, enrolled in a private, parochial or home school, who desire to take the General Educational Development Tests shall meet the following requirements:

- 1) Students shall not be required to obtain permission or approval from any official in a public school district before being allowed to take the test;
- 2) A student enrolled in a private or parochial school shall provide a letter from the principal or administrator of the private or parochial school to verify enrollment;
- 3) A student enrolled in a home school shall provide a notarized copy of the notice of intent to home school provided to the superintendent of the local school district as required by ACA§6-15-503.
- 4) A student enrolled in a private, parochial or home school must achieve at least the minimum official General Educational Development practice test scores.

**Note:** Under Arkansas Code Annotated (ACA) §6-18-201, any person age sixteen or seventeen who has received a high school diploma or its equivalent as determined by the State Board of Education is not subject to the compulsory attendance requirement.

INFORMATION/RATIONALE: The ages established for compulsory school attendance by Arkansas Act 292 of 1991 are ages five through seventeen, both inclusive. This Act allows, after certain provisions have been met, for persons age 16 or 17 to enroll in adult education programs. Arkansas Acts 1659 of 2001 and Act 604 of 2003 detail the process that must be followed and requirements that must be met to allow persons age sixteen or seventeen to enroll in adult education programs.

Relevant sections of federal law and regulation: Workforce Investment Act of 1998 (P.L. 105-220), Title II, The Adult Education and Family Literacy Act (AEFLA), Section 203(1). "Adult Education means services or instruction below the post-secondary level for individuals who have attained sixteen years of age; (and) who are not enrolled or required to be enrolled in secondary school under State law. "

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Standardized Testing Instruments**

POLICY: Only the following state, National Reporting System for Adult Education (NRS), and Division of Adult Education and Literacy (DAEL) approved standardized tests will be utilized for pre-test, post-test, and continued student assessment for adult education students: Test of Adult Basic Education; Basic English Skills Test\*, and Comprehensive Adult Student Assessment System (Life Skills Assessment for ESL only). Other NRS/DAEL-approved standardized testing instruments, forms and versions may be used with the written approval of the Deputy Director of Adult Education. Different forms of the same test must be used for the pre-test and the post-test. Local programs will pre-test and place all students into an educational functioning level (EFL) at intake or shortly after intake, within the first 12 hours of instruction.

Post-testing of adult learners is to measure performance and completion of an educational functioning level. Within the fiscal year, students should be post-tested after completing the minimum hours of instruction, as outlined by the Arkansas Assessment Policy and Distance Education Guidelines, located on the Arkansas Department of Career Education (Adult Education Division) website.. Students should be assessed within 180 calendar days (defined as weekdays, weekends, and holidays) after the previous assessment to reflect a more current measurement of performance.

A complete description of the adult education assessment procedures can be found in the “Arkansas National Reporting System Guidelines.”

INFORMATION/RATIONALE: The levels of performance will be expressed in an objective, quantifiable, and measurable form and will show the progress of the state toward continuously improving in performance. According to the National Reporting System for Adult Education Implementation Guidelines, states must require local programs to measure educational gain with standardized assessments that are appropriate for measuring educational gain within the NRS framework and conform to accepted psychometric standards for validity and reliability.

\*refers to all approved versions of the Basic English Skills Test published by the Center for Applied Linguistics

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: DECEMBER 7, 2006

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Reporting of Student Data**

**POLICY:** Any person meeting the minimum age and educational functioning level restrictions as mandated by the Adult Education Division and the state compulsory attendance age requirements (Arkansas Act 1659 of 2001 and Act 604 of 2003) may be reported as a participant in an adult education program provided that either federal or state adult education funds are used to support that individual's participation in the program.

**Enrolled Students:** An individual is considered enrolled in adult education upon completion of 12 hours of contact. According to the National Reporting System for Adult Education, contact hours may include: hours of instruction or instructional activity the learner receives from the program. Instructional activity includes any program-sponsored activity designed to promote student learning in the program curriculum such as classroom instruction, assessment, tutoring or participation in a learning lab.

**Served Students:** For state-reporting purposes, an individual is considered served by adult education when the individual has registered to participate in adult education activities and has received at least one contact hour of instruction as defined above.

**INFORMATION/RATIONALE:** The National Reporting System for Adult Education Implementation Guidelines requires that the Adult Education Division collect and report accurate data which reflects the number of persons whose basic skills education is supported by either federal or state education funds. Local programs must report as a participant any eligible individual whose educational training is supported by adult education.

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Salaries for Adult Education Personnel**

**POLICY:** All full-time adult education personnel hired, or rehired after a separation of service after June 30, 2015 shall be paid a salary equivalent to the LEA salary scale not to exceed \$30.00 per hour with adult education funds. The LEA may increase salary of full-time adult education personnel using LEA funds. A program may apply for a waiver with the Department of Career Education, Division of Adult Education, to exceed this limit in extenuating circumstances, though approval is not guaranteed.

Salary for a part-time administrator or instructor is to be determined by the LEA but will not exceed \$28.00 per hour with adult education funds. Salary for a substitute instructor is to be determined by the LEA but will not exceed \$28.00 per hour with adult education funds.

Salary for part-time paraprofessionals with adult education funds will not exceed the following:

Paraprofessionals with a high school diploma/GED	maximum of \$12.00 per hour
Paraprofessionals with an associate's degree	maximum of \$14.00 per hour
Paraprofessionals with a bachelor's degree	maximum of \$18.00 per hour
Paraprofessionals with a master's degree	maximum of \$20.00 per hour
Paraprofessionals with a doctorate	maximum of \$24.00 per hour

Program directors will have the flexibility of setting beginning hourly wage and a system of increasing increments.

Copies of licenses, diplomas, and other credentials must be submitted to the Adult Education Division for approval prior to beginning of employment or expenditure of Adult Education funds. Local Adult Education administrators and licensed personnel are responsible for maintaining current credentials. Adult Education funds may not be expended for personnel once a license expires. There will be no retroactive pay with Adult Education funds once the license is renewed.

**INFORMATION/RATIONALE:** The Arkansas Adult Education Division requires those employed on a full-time basis be paid a salary equivalent to the LEA salary scale.\* In order to attract and retain quality part-time education personnel, it is necessary to pay hourly salaries competitive with those paid to other part-time instructors and paraprofessionals in the LEAs based on education and experience.

\*state requirement

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Full-Time and Part-Time Paraprofessional Qualifications**

**POLICY:** Part-time and full-time paraprofessionals must have a high school diploma, GED or the equivalent. Paraprofessionals may not teach a class unless they meet the qualifications of a full-time or part-time adult education teacher.

**INFORMATION/RATIONALE:** To ensure that adult education students receive instruction by qualified personnel, the Adult Education Division requires students to be provided instruction by licensed personnel\*. Paraprofessionals who do not have the qualifications of full-time or part-time teachers must not assume the role and responsibilities of a licensed teacher.

\*state requirement

EFFECTIVE DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Adult Education Director/Coordinator Qualifications**

**POLICY:** All adult education directors/coordinators paid with adult education funds must have a minimum of a master's degree in education, administration, or related field. If not already licensed in adult education, administrators must become licensed in adult education by the Arkansas Department of Education, Professional Licensure, within three (3) years of the date of initial employment as an adult education administrator effective October 2, 2014. Newly hired adult education directors/coordinators must show academic progression toward adult education licensure annually. It is preferable that the applicant has five years experience as a teacher and/or administrator in adult education or a related field.

Adult education directors/coordinators not paid with adult education funds must meet the qualifications of the local education agencies' personnel policies.

**INFORMATION/RATIONALE:** In order for adult education programs to be operated effectively, the Arkansas Adult Education Division requires that administrators have the relevant experience and credentials.\*

\*state requirement

EFFECTIVE DATE: JULY 1, 1990

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Full-Time Adult Education Teacher Qualifications**

**POLICY:** Full-time Adult Education teachers must hold a current Arkansas Department of Education teacher's license. If not already licensed in adult education, full-time teachers must become licensed in adult education by the Arkansas Department of Education, Professional Licensure, within three (3) years of the date of initial employment as an adult education teacher effective October 2, 2014. Newly hired adult education teachers must show academic progression toward adult education licensure annually.

**INFORMATION/RATIONALE:** In order for students to be provided instruction by qualified personnel, the Arkansas Adult Education Division requires that full-time teachers have the appropriate professional teacher training and hold valid Arkansas Department of Education teaching licenses and credentials.\*

\*state requirement

EFFECTIVE DATE: JULY 1, 1990

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Part-Time Adult Education Teacher Qualifications**

**POLICY:** Part-time Adult Education teachers must hold a current Arkansas Department of Education teacher's license.

**INFORMATION/RATIONALE:** In order for students to be provided instruction by qualified personnel, the Arkansas Adult Education Division requires that part-time teachers have the appropriate professional teacher training and hold a current Arkansas Department of Education teaching license.\*

\*state requirement

EFFECTIVE DATE: JULY 1, 1990

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Substitute Adult Education Teacher Qualifications**

**POLICY:** Substitute Adult Education teachers must hold a current Arkansas Department of Education teacher's license. Employment of substitute teachers may not exceed ninety days per fiscal year without written permission from the Deputy Director of Adult Education.

**INFORMATION/RATIONALE:** In order for students to be provided instruction by qualified personnel, the Arkansas Adult Education Division requires that substitute teachers have the appropriate professional teacher training and hold a current Arkansas Department of Education teaching license.\*

\*state requirement

EFFECTIVE DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Serving Adults With Student or Tourist Visas**

**POLICY:** Nonimmigrant adults who enter the United States on either a Student Visa (F-1) or a Visitor Visa (B-1 for Business, or B-2 for Pleasure) may not be allowed to enroll in adult education or literacy programs that receive public funds from either federal or state tax dollars.

**INFORMATION/RATIONALE:** According to Section 625 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, students with F-1 visas may not study in publicly supported educational institutions unless they can reimburse the program the full cost of the services. Since Arkansas adult education and literacy programs may not charge for services, students cannot reimburse the programs and, therefore, may not enroll. According to United States Visa Services, adults who enter the country on a visitor visa are not eligible to study in any educational program or institution.

**SPECIAL PROVISION:** If a person enters the United States on a visitor visa and if that person is the relative of someone who is a permanent resident in the local program's community, then that person may enroll in adult education and literacy classes for the limited time of the person's visitor visa if there is space available in the classes.

EFFECTIVE DATE: APRIL 18, 2003  
REVISED DATE: JUNE 20, 2015

**Subject: Travel Policy**

POLICY: Local programs funded with state or federal adult education funds must adhere to Arkansas Department of Finance and Administration guidelines when requesting travel reimbursement. This includes reimbursement for mileage, lodging, meals, etc. Late registration fees for conferences or workshops are not allowable.

INFORMATION/RATIONALE: The travel policy for state agencies is mandated by the Arkansas Department of Finance and Administration, and the Adult Education Division has adopted these guidelines for local grantees.

EFFECTIVE DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**Subject: Workplace Waivers for Adult Education Teachers**

**POLICY:** The Adult Education Division requirement that full-time, part-time, and substitute adult education teachers hold a current teacher's license may be waived for adult education classes taught at a business or industry, when such classes are asked to be created for the employees of that business or industry. If the adult education program director is unable to find a licensed teacher for such classes, he/she may submit a written request for a workplace waiver for a non-licensed instructor to teach the classes. The non-licensed instructor should have sufficient qualifications and experience to teach the workplace classes successfully. The classes should be conducted at the work site, but if there is no space at the work site for such classes, then the classes may be held at an Adult Education site. If the classes end, or if the instructor with the workplace waiver is reassigned to another workplace class, the Adult Education Division should be informed of any changes in the teaching assignment. Waivers will be issued only for the current program year, and new waivers must be applied for each program year.

**INFORMATION/RATIONALE:** Since there is a shortage of licensed teachers in the state, and because of logistical difficulties finding licensed teachers to work in business and industry, the Adult Education Division may issue waivers for non-licensed instructors to teach workplace adult education classes requested by business and industry.

EFFECTIVE DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

August 4, 2015

TO: Career Education and Workforce Development Board

FROM: Charisse Childers, Ph.D., Director *Childers*  
Kathi Turner, Deputy Director, CTE *KT*  
Sonja Wright-McMurray, Associate Director, CTE Special Programs *swm*

SUBJECT: ACTION ITEM – REQUEST TO SUBMIT RULES AND REGULATIONS FOR ACT 1286

RECOMMENDATION: It is the recommendation of the agency that the Board approve the Career and Technical Education Division to begin the Legislative Rules and Regulations process for Act 1286.

INFORMATION/RATIONALE: It is the request of the Career and Technical Education (CTE) Division to begin the legislative process that follows the state's general procedures for adopting or changing rules. The purpose of the request is to complete the approval process of the Rules and Regulations for Act 1286 that will govern how the Agriculture Pilot School Program is administered, developed, implemented and evaluated within the state.

**ARKANSAS DEPARTMENT OF CAREER EDUCATION AND ARKANSAS  
DEPARTMENT OF EDUCATION RULES GOVERNING KINDERGARTEN THROUGH  
TWELVTH GRADE AGRICULTURAL SCHOOLS PILOT PROGRAM**

**1.0 PURPOSE**

1.01 The purpose of these rules is to establish the Agricultural Schools Pilot Program.

**2.0 AUTHORITY**

2.01 The State Board of Education, in collaboration with the Career Education and Workforce Development Board, enacts these rules pursuant to authority granted by Ark. Code Ann. §§ 6-11-105, 25-15-201 and Act 1286 of 2015.

**3.0 DEFINITIONS**

3.01 “Advisory board” means a seven (7) member board for each agricultural school in the pilot program comprised of representatives from the following:

4.02.1 Local agriculture business community;

4.02.2 Institutions of higher education;

4.02.3 Department of Agriculture;

4.02.4 Department of Career Education; and

4.02.5 Department of Education.

3.02 “Governing board” means a single seven (7) member board of directors of agriculture schools appointed by the Governor.

3.02.1 The governing board shall govern an agriculture school that is part of the pilot program.

3.02.2 The governing board shall develop standards for the agricultural program of schools participating in the pilot program including but not limited to course offerings, curriculum, and focus areas subject to regulations of the Arkansas Department of Education.

3.02.3 The State Board of Education and the Arkansas Department of Education shall be responsible for the monitoring and

enforcement of its laws and regulations in the same manner it is responsible for other public schools in the state.

3.02.4 The locally elected school board or charter school board of directors shall retain control over the day-to-day operations of the school.

#### **4.0 APPLICABLE LAWS AND RULES**

- 4.01 To encourage small rural communities to participate in the pilot program, § 6-13-1501(a)(2) and § 6-13-1502 shall not apply to an agriculture school that is part of the pilot program.
- 4.02 All other laws and rules applicable to a public school are applicable to an agriculture school unless specifically exempted under these rules.

#### **5.00 ELIGIBLE ENTITY**

- 5.01 A mayor of a municipality, a county judge, or board of directors of a school district may apply for an agricultural school.

#### **6.00 APPLICATION**

- 6.01 Eligible entities shall complete the application attached to these rules and submit the completed application to the governing board.
- 6.02 Within sixty (60) days of receipt of the application, the governing board shall approve or deny an application based on its established standards.
- 6.03 The governing board may seek input from the advisory board on each application.
- 6.04 The Department of Education and the Department of Career Education shall offer technical assistance to the applicant and the governing board.
- 6.05 If the applicant seeks waivers from Arkansas law or rules not authorized by these rules or Act 1286 of 2015, the applicant shall seek approval for those waivers by applying for one of the following:
  - 6.04.1 An open-enrollment public charter school under Ark. Code Ann. § 6-23-301 et seq.
  - 6.04.2 A district conversion public charter school under Ark. Code Ann. § 6-23-201 et seq.

6.04.3 A school of innovation under Ark. Code Ann. § 6-15-2801 et seq.

6.04.4 Waivers granted by the State Board of Education pursuant to Act 1240 of 2015.

## **7.00 FUNDING**

7.01 An agricultural school opened as part of the pilot program may receive funding from the public school fund and other sources as allowed by law.

1 State of Arkansas As Engrossed: S3/18/15 S3/27/15

2 90th General Assembly

# A Bill

3 Regular Session, 2015

SENATE BILL 1037

4

5 By: Senators G. Stubblefield, Bledsoe, Caldwell, E. Cheatham, Collins-Smith, J. Cooper, Flippo, J.

6 Hendren, Hester, B. Johnson, Rice, D. Sanders

7 By: Representatives C. Armstrong, Baltz, Bentley, C. Douglas, Pitsch, Ratliff, Richmond, B. Smith,

8 Sorvillo, Speaks, Tosh

9

## 10 For An Act To Be Entitled

11 AN ACT TO CREATE A PILOT PROGRAM FOR KINDERGARTEN  
12 THROUGH GRADE TWELVE (K-12) AGRICULTURE SCHOOLS; TO  
13 PROMOTE COLLEGE AND CAREER READINESS FOR A WIDE  
14 VARIETY OF CAREERS IN AGRICULTURE; TO GROW AND EXPAND  
15 AGRIBUSINESS IN THE STATE; TO STRENGTHEN ARKANSAS'S  
16 RURAL COMMUNITIES; TO DECLARE AN EMERGENCY AND FOR  
17 OTHER PURPOSES.

18

19

20

### Subtitle

21 TO CREATE A PILOT PROGRAM FOR  
22 KINDERGARTEN THROUGH GRADE TWELVE (K-12)  
23 AGRICULTURE SCHOOLS; AND TO DECLARE AN  
24 EMERGENCY.

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26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

28

29 SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY

30 (a) The General Assembly finds that:

31 (1) Agriculture is the backbone of the state's economy;

32 (2) Twenty-seven (27) out of every one hundred (100) jobs in

33 Arkansas are agriculture related;

34 (3) Arkansas is the number one (1) rice producing state in the  
35 nation, growing fifty percent (50%) of the nation's rice and adding more than  
36 six billion dollars (\$6,000,000,000) to the state's economy each year;



1 (4) Arkansas is the number two (2) soybean producing state in  
2 the United States, adding more than two billion dollars (\$2,000,000,000) to  
3 the state's economy each year;

4 (5) Arkansas ranks in the top ten (10) poultry-producing and  
5 egg-producing states in the nation;

6 (6) Forest products added over three billion dollars  
7 (\$3,000,000,000) to the state's economy in 2012, supporting nearly twenty-  
8 five thousand (25,000) jobs;

9 (7) Just under half of our state's population live in rural  
10 communities;

11 (8) Although agriculture is the largest business in our state,  
12 Arkansas has not been at the forefront of integrating agriculture-based  
13 education initiatives in our education system;

14 (9) Innovations in technology and equipment have transformed the  
15 agriculture industry, leaving businesses struggling to find qualified  
16 individuals to fill open positions; and

17 (10) Creating kindergarten through grade twelve (K-12)  
18 agriculture schools across the state will provide deliberate, focused  
19 instruction that will address the needs of the state's agriculture-based  
20 economy.

21 (b)(1) The Department of Career Education, in collaboration with the  
22 Department of Education, shall develop, administer, and oversee the  
23 Kindergarten through Grade Twelve (K-12) Agriculture School Pilot Program.

24 (2) An agriculture school that is part of the pilot program  
25 shall be governed by a single seven (7) member board of directors of  
26 agriculture schools appointed by the Governor.

27 (3) An agriculture school in the pilot program shall have a  
28 seven (7) member advisory board comprised of representatives from the:

29 (A) Local agriculture business community;

30 (B) Institutions of higher education;

31 (C) Department of Agriculture;

32 (D) Department of Career Education; and

33 (E) Department of Education.

34 (c)(1) To encourage small rural communities to participate in the  
35 pilot program, § 6-13-1501(a)(2) and § 6-13-1502 shall not apply to an  
36 agriculture school that is part of the pilot program.

1 (2) All other laws and rules applicable to a public school are  
2 applicable to an agriculture school unless specifically exempted under this  
3 chapter.

4 (d) The pilot program shall provide for:

5 (1) A mayor of a municipality, a county judge, or board of  
6 directors of a school district to apply for an agriculture school;

7 (2) A partnership with an institution of higher education to  
8 expand program offerings and provide opportunities for dual enrollment and  
9 concurrent credit, including industry-based certifications upon graduation  
10 from an agriculture high school;

11 (3) Students to transfer from other school districts to an  
12 agriculture school;

13 (4) At least one (1) agriculture school for grades seven through  
14 twelve (7-12) for the 2015-2016 school year;

15 (5) At least one (1) agriculture school for grades kindergarten  
16 through grade six (K-6) during the 2016-2017 school year; and

17 (6) An agriculture school to focus on the type of agricultural  
18 industry in the local region.

19 (e) An agriculture school opened as a part of the Kindergarten through  
20 Grade Twelve (K-12) Agriculture School Pilot Program may receive funding from  
21 the public school fund and other sources as allowed by law.

22 (f) The Department of Career Education, in collaboration with the  
23 Department of Education, shall adopt rules to administer the Kindergarten  
24 through Grade Twelve Agriculture Pilot Program, including without limitation,  
25 rules that address:

26 (1) Applications;

27 (2) Administration; and

28 (3) Reporting requirements.

29  
30 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
31 General Assembly of the State of Arkansas that agriculture play a key role in  
32 the state's economy; that there are a limited number of skilled individuals  
33 to fulfill the wide variety of agricultural industry jobs in the state; and  
34 that this act is immediately necessary to ensure that educational  
35 opportunities in the field of agriculture are available to students.  
36 Therefore, an emergency is declared to exist, and this act being immediately

1 necessary for the preservation of the public peace, health, and safety shall  
2 become effective on:

3 (1) The date of its approval by the Governor;

4 (2) If the bill is neither approved nor vetoed by the Governor,  
5 the expiration of the period of time during which the Governor may veto the  
6 bill; or

7 (3) If the bill is vetoed by the Governor and the veto is  
8 overridden, the date the last house overrides the veto.

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*/s/G. Stubblefield*

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**APPROVED: 04/08/2015**

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STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

August 4, 2015

TO: Career Education and Workforce Development Board

FROM: Charisse Childers, Ph.D., Director *Childers*  
Kathi Turner, Deputy Director, CTE *KT*  
Sonja Wright-McMurray, Associate Director, CTE Special Programs *SPM*  
Randy Prather, Program Manager, Apprenticeship and Construction  
Training

SUBJECT: ACTION ITEM – REQUEST TO SUBMIT RULES AND REGULATIONS  
FOR PLUMBING APPRENTICESHIP PROGRAMS

RECOMMENDATION: It is the recommendation of the agency that the Board approve the Career and Technical Education Division to begin the Legislative Rules and Regulations process for ACT 140.

INFORMATION/RATIONALE: It is the request of the Career and Technical Education Division to begin the legislative process that follows the state's general procedures for adopting or changes rules. The purpose of the request is to complete the approval process of the Rules and Regulations for ACT 140 that will govern how the Plumbing Apprenticeship Programs are to be regulated.

**RULES AND REGULATIONS**

**FOR**

**PLUMBING APPRENTICESHIP PROGRAMS**

Pursuant to act 412 of 1991 & [ACT 140 of 2015](#)

~~April 24, 2000~~

# RULES AND REGULATIONS

## FOR

### PLUMBING APPRENTICESHIP PROGRAMS

#### Pursuant to Act 412 of 1991 & ACT 140 of 2015

#### SECTION I. AUTHORITY

The following regulations are duly adopted and promulgated by the Arkansas ~~State Board of Workforce Career Education and Career Opportunities~~ and Workforce Development Board pursuant to the authority expressly conferred by the laws of the State of Arkansas in Act 200 of 1951 as amended, Act 96 of 1913 as amended, and Act 412 of 1991 as amended. The Department of ~~Workforce Career Education~~ may exercise such powers as are reasonably necessary to carry out the provisions of Act 200 of 1951 as amended, Act 96 of 1913 as amended, Act 768 of 1987, ~~and~~ , Act 412 of 1991 and ACT 140 of 2015 as amended.

#### SECTION II. PURPOSE

The purpose of these rules and regulations is to transfer the authority of the apprentice plumber program from the Arkansas Department of Health to the Arkansas Department of ~~Workforce Career Education~~. The content of these rules and regulations are basically the same as those rules and regulations pursuant to Act 768 of 1987.

#### SECTION III DEFINITIONS

- (a) The Board means the Arkansas ~~State Board of Career Education~~ Career Education and Workforce Development Board.
- (b) The Department means the ~~State~~ Arkansas Department of Career Education.
- (c) ~~Committee of Examiners~~ State Plumbing Licensing Committee means people designated by the Board of Health to determine the eligibility of applications for various types of plumbing and gas licenses in accordance with Act 200 of 1951 as amended.
- (d) Employer means any master plumber representing himself or a company that performs plumbing work in the state of Arkansas.
- (e) Apprentice plumber means a person other than a master or journeyman plumber as provided in these regulations of apprenticeship at least sixteen (16) years of age and covered by the required apprenticeship agreements.
- (f) Apprenticeship agreement means a written agreement as provided by ~~the Bureau of Apprenticeship and Training (BAT)~~ USDOL/OA and the Department of Health/Plumbing and Natural Gas section signed by the apprentice and (if the apprentice is a minor) the parent or guardian, the local apprenticeship committee and the participating company.
- (g) ~~BAT~~ USDOL/OA means the United States Department of Labor, ~~Bureau Office~~ Office of Apprenticeship and Training
- (h) State Plumbing Apprenticeship Committee means people designated by the Board ~~of Workforce Education and Career Opportunities~~ to assist in carrying out the provisions of Act 412 of 1991 as

amended.

- (i) Local apprenticeship committee means a group composed of master and/or journeyman plumbers who are licensed as prescribed by law, ~~plus one person who shall be appointed from the State Department of Career Education by the State Apprenticeship Committee, chosen~~ to carry out the provision of Act 412 of 1991 as amended.
- (j) Master plumber means any person licensed as prescribed by law skilled in the planning, superintending, and the practical installation of plumbing, and who is familiar with Act 412 Of 1991 and Act 200 of 1951 as amended.
- (k) Journeyman plumber means any person licensed as prescribed by law, other than a master or apprentice plumber, who is engaged in the practical installation of plumbing.
- (l) Local plumbing inspector means the individual authorized by the Department of Health to enforce the provisions of Act 200 of 1951 as amended and Act 412 of 1991 as amended.
- (m) Laborer means any person engaged in trenching, transporting supplies, demolition, etc., whose primary function is physical in nature.
- (n) Credit time means previous out of state work experience under the supervision of a master plumber in the plumbing trade equivalent to the educational requirements set forth by these regulations or in-state work after 1984 while registered with the Department of Health and ~~BAT~~ USDOL/OA as required by Act 412 Of 1991.

#### SECTION IV. QUALIFICATIONS

The Local Apprenticeship Committee must adhere to the USDOL/OA Standards of Apprenticeship in the selection of apprentices.

- ~~(a) The applicant for apprentice plumber shall have the ability and aptitude to master the skills of the plumbing trade.~~
- ~~(b) The applicant shall be in such physical condition to perform the work of the plumbing trade. An applicant shall not be considered if there is a disability sufficient to impair the safety of himself him/her or the safety of others on the job. The state and/or local apprenticeship committees may require a statement by a licensed physician stating that the applicant is physically able to perform the duties of the trade if all other requirements have been met.~~
- ~~(c) The applicant should and is encouraged to have the minimum of a high school education, G.E.D. certificate, or should be in the process of obtaining a high school education or G.E.D. certificate. Transcripts of education may be required before consideration by the local apprenticeship committee.~~

#### SECTION V. APPLICATIONS AND TERMS OF APPRENTICESHIP REGISTRATION

- (A) No person shall engage in work as an apprentice plumber as defined in Act 412 of 1991 as amended unless first registered to do so by the Department of Health, Plumbing and Natural Gas Section and ~~the Bureau of Apprenticeship and Training~~ USDOL/OA.
- (b) Information for apprentice plumber registration shall be on an application form supplied by the Department of Health and the application form shall be filled out completely before consideration by the local apprenticeship committee.
- (c) To establish a record of apprenticeship, every apprentice plumber shall within thirty (30) days after

employment be registered with the local apprenticeship committee, the Department of Health, and ~~the Bureau of Apprenticeship and Training~~ USDOL/OA. It is the responsibility of the master plumber to require apprentices to register with the local apprenticeship committee. The ~~Committee of Examiners~~ State Plumbing Licensing Committee may take action against a master plumber for working an apprentice for over thirty (30) days without being so registered. In the absence of an established local apprenticeship committee, an apprentice shall register directly with the State Plumbing Apprenticeship Committee, ~~BAT~~ USDOL/OA, and the Department of Health.

- (d) All holders of an apprentice ~~registration~~ license issued under the provisions of this regulation may apply for renewal annually within thirty (30) days after the expiration date of the ~~registration~~ license. The Department of Health may not renew a ~~registration~~ license after the thirty (30) day period providing there is sufficient reason for not renewing such ~~registration~~ license in the time specified and upon payment of penalties as prescribed by regulations.
- (e) ~~The applicant may request credit time for previous experience.~~ **EXPERIENCE CREDIT:** The applicant must submit a request ~~for experience credit at the time of application and~~ within a sixty (60) day period of time from the date of application, furnish **notarized** records, affidavits, or bona fide evidence as may be required to substantiate the requested time. Please show all work experience present and past that you wish considered for work experience credit. The work experience must have a start date and end date (to present if current job) so work experience time can be calculated. The description of work experience should be sufficiently detailed to provide a clear understanding of work being performed. This time shall be evaluated by the local apprenticeship committee, if in existence, and approved by the State Plumbing Apprenticeship Committee. In the absence of the local committee, credit time shall be evaluated and may be granted by the State Plumbing Apprenticeship Committee. The applicant may be required to take an examination to determine credit time requested. Experience credit will only be granted for documented out of state work, for in state work while duly registered as required by these rules and regulations, or work done prior to 1984. Experience credit, when approved will be granted for both classroom and on the job hours.
- (f) The term of apprenticeship shall be a minimum of four (4) years or equal consisting of eight (8) periods of one-thousand (1,000) hours of practical work experience and eight (8) periods of 80 hours each running concurrently of related classroom instruction in technical and supplemental subjects related to the trade or as approved by USDOL/OA. When an apprentice successfully completes the required term of apprenticeship, he/she will be eligible to take the state journeyman plumbers examination as administered by the Arkansas Department of Health / Plumbing and Natural Gas Section. The Arkansas Department of Health / Plumbing and Natural Gas Section will notify the State Apprenticeship Office of the test results (pass/fail). ~~If an apprentice fails the state examination three (3) times, they will be required to complete at least six (6) months of additional related classroom study in the apprenticeship program in which they were enrolled.~~ The apprentice must pass the state examination before being released from their indenture agreement by the local committee. If the apprentice does not pass the exam by January 1, the apprentice must report to the school to receive license renewal and may be charged a fee from the school.
- (g) ~~Unless officially excused by the Department of Health, each apprentice upon completion of apprenticeship shall be required to make application with the Department of Health for journeyman plumber examination within sixty (60) days.~~

## **SECTION VI. REVOCATION OF REGISTRATION**

- ~~(a) The Committee of Examiners may on its own motion make investigations and conduct hearings or upon a complaint in writing duly signed and certified by the complainant, suspend or revoke any apprentice plumber registration if it has reason to believe that the holder of such registration has violated any provision of these regulations, any rule or order prescribed by the Board or has demonstrated incompetency to act as an apprentice plumber.~~
- ~~(b) The use of an apprentice plumbers registration to do plumbing other than permitted by the~~

~~registration shall be grounds for automatic suspension and/or revocation of such registration by the Committee of Examiners providing the registrant is duly notified within thirty (30) days of the violation and pending a full hearing under the Administrative Procedures Regulation of the Arkansas Department of Health.~~

- ~~(c) All action of the Committee of Examiners can be appealed to the Board of Health pursuant to the established Administrative Procedures and Regulation of the Arkansas Department of Health.~~

## **SECTION VII VI. RATIO OF APPRENTICES TO MASTER AND JOURNEYMAN**

The following maximum ratio amount of master and journeyman plumbers to apprentice plumbers shall be allowed on each and every job. ~~One apprentice plumber is allowed for each licensed master or journeyman employed by a plumbing company~~ One (1) master plumber or journeyman plumber may supervise up to three (3) apprentice plumbers on a single plumbing job. Apprentices will be under the ~~direct~~ supervision of a master or journeyman licensed plumber at all times. ~~except as allowed in the fourth year of apprenticeship (Section XVI, A).~~ Compliance with the U S Department of Labor Office of Apprenticeship registered Standards of Apprenticeship must be followed.

## **SECTION VIII VII. SUPERVISION OF APPRENTICES**

- (a) The supervising master or journeyman plumber shall remain within reasonable proximity of the apprentice plumber while work is being done.
- (b) The proximity of the supervising plumber to the apprentice plumber is reasonable if:
- The job site is a single family residence or a project that does not require a contractor's license. The supervising plumber is within sight of the apprentice plumber and at the same street address, adjacent to or adjoining street address or same geographical subdivision at which the apprentice plumber is working.
  - The job site is not a single family residence, requiring a contractor's license. The supervising plumber is within the line of sight of the apprentice plumber or the supervising plumber is within two hundred fifty (250) yards of the apprentice plumber and the supervising plumber and apprentice plumber are within the property boundaries of the job site.
- (c) Compliance with the U S Department of Labor Office of Apprenticeship registered Standards of Apprenticeship must be followed.

## **SECTION VIII . PROBATIONARY PERIOD**

Apprentices shall be subject to a probationary period not to exceed one thousand practical work experience hours (one period). During this probationary period, the local apprenticeship committee or employer may request annulment of the apprenticeship without the formality of a hearing. Credit time will be granted for time served under the probationary period.

## **SECTION IX HOURS OF WORK AND CONDITIONS AND SAFETY**

The hours of work and working conditions for apprentices shall be the same as for journeyman. The employer shall instruct the apprentice in safe and healthful work practices and shall insure that the apprentice is trained in facilities and other environments that are in compliance with either and occupational safety and health standards promulgates by the Secretary of Labor under Public Law

91-596, dated December 29, 1970, or state standards that have been found to be equal or exceeding the federal standards.

## **SECTION X . RELATED CLASSROOM INSTRUCTION**

The apprentice shall enroll and attend classes in related subjects at a school or other shop training facility approved by the State Apprenticeship ~~Committee~~ Office for not less than 160 hours or as approved by USDOL/OA per year. The apprentices shall also take advantage of provided instruction in recognized apprentice classes during periods of temporary unemployment. School attendance in all cases shall be obligatory; failure to attend these classes in related instruction may cause the apprentice to be disciplined or his apprenticeship agreement annulled. Apprentices are to attend school on their own time, and such school attendance shall not be considered as hours worked. The local apprenticeship committee shall not recognize any apprentice with whom they have not signed an apprenticeship agreement or who is not registered with the Department of Health and ~~the Bureau of Apprenticeship and Training~~ USDOL/OA.

## **SECTION XI. CONTINUITY OF EMPLOYMENT**

- (a) The master plumber who sponsors the apprentice, is obligated to actually employ the apprentice, and shall use every effort to keep the apprentice employed in a reasonably continuous manner and adequately instructed on the job.
- (b) It shall be the duty of the master plumber who is responsible for the registration of an apprentice to notify in writing the local apprenticeship committee when an apprentice is no longer employed.

## **SECTION XII. APPRENTICESHIP AGREEMENT**

The apprentice, and if a minor, parent or guardian, shall be required to sign an apprenticeship agreement with the Department of Health and ~~the Bureau of Apprenticeship and Training~~ USDOL/OA, which shall also be signed by an employer and by the local apprenticeship committee.

## **SECTION XIII. PROCEDURES FOR DISCIPLINARY ACTION**

- (a) An apprentice shall make every effort to complete training in accordance with the standards and policies established by this regulation. An apprentice who is absent from related instruction class sessions, unless officially excused, shall satisfactorily complete all classroom work missed before being advanced to the next period of training. In case of failure of an apprentice to fulfill the obligation regarding classroom or on the job training without due cause, the local apprenticeship committee shall take the necessary disciplinary action to ensure that the obligation is met.
- (b) The local apprenticeship committee may cancel the apprenticeship agreement, and remove for cause an apprentice from the training program at any time for failure to comply with the apprenticeship agreement, or with registered standards.
- (c) Before invoking any disciplinary action, the local apprenticeship committee must notify an apprentice by certified mail to appear before the local apprenticeship committee. If an apprentice fails to appear before the local apprenticeship committee after due notice, disciplinary action may be invoked in accordance with the Local Apprenticeship standards. In the absence of a local apprenticeship committee, the State Plumbing Apprenticeship Committee shall function in their stead.
- (d) The State Plumbing Apprenticeship Committee serves as the appeal board for the local apprenticeship committee and on training standards interpretations. Any person or firm may appeal directly to the State Plumbing Apprenticeship Committee for review.

## **SECTION XIV. SCHEDULE OF WORK EXPERIENCE**

- (a) The following schedule of work experience is set forth in approximate hours. The work experience need not be in the precise order listed nor need the hours be continuous in any experience category.
- (b) All work done by apprentices as prescribed training shall conform in every respect with the requirements of the state and local plumbing codes.

- (1) Installation of piping for water, soil sewage, vent and leader lines.....1000 hrs.
- (2) Installation of piping for hot and cold water for domestic purposes .....1000 hrs.
- (3) Installation and sizing of gas utilization piping systems, .....800 hrs.  
combustion of natural gas, sizing combustion air openings,  
venting of gas burning appliances (atmosphere and fan  
assisted.)
- (4) Assembly in positioning and connecting of fixtures and.....1800 hrs.  
appliance used in domestic heating, gas fitting,  
plumbing and drainage systems.
- (5) Welding and brazing connected with the trade.....400 hrs.
- (6) Maintenance and repairing of heating, gas fitting, and.....800 hrs.  
oil burner service.
- (7) Operation, care and use of all tools and equipment ..... 300 hrs.  
connected with the trade.
- (8) Installation and repair of safety valves and regulators ..... 300 hrs.
- (9) Installation and repair of air gaps, atmospheric vacuum .....400 hrs.  
breakers, pressure type vacuum breakers, double check  
valves, and reduced pressure zone devices.
- (10) Plumbing Code, Gas Code, blueprint reading and .....1200 hrs.  
sketching, and safety training.

Total Hours .....8000 hrs.

Compliance with the U S Department of Labor Office of Apprenticeship registered Standards of Apprenticeship must be followed .

**SECTION XV. QUALIFICATIONS FOR EMPLOYER**

The individual must be a duly licensed master plumber in the state of Arkansas who signs an employer acceptance agreement to abide by these regulations of apprenticeship.

~~**SECTION XVI. APPRENTICE IN LAST YEAR OF TRAINING AND WORK EXPERIENCE**~~

~~(a) An apprentice plumber shall be under the direct supervision of a master or journeyman plumber at all times, except in the last year of training. As a means of gaining additional experience, an apprentice may work alone and unsupervised but shall not be counted as a journeyman plumber or as an apprentice plumber in the ratio amounts as described in these regulations. The master plumber shall be responsible to ensure that all work conforms to State Plumbing Code. The Local Committee shall issue a card to each fourth year apprentice that identifies that person as being in the fourth or final year of training. The card will bear the name of the apprentice, the name of the~~

~~school or local committee, and shall have an expiration date of December of the year in which issued. Persons bearing such a card will not be relieved from their responsibility to complete their training and school attendance is required in every instance.~~

~~(b) For an apprentice to be qualified at the end of his/her apprenticeship as a skilled journeyman plumber, the apprentice, while serving the Apprenticeship, shall receive instructions and be given the opportunity to assist in the installation of plumbing materials as skill permits under the supervision of a Journeyman or Master Plumber.~~

## **SECTION ~~XVII~~ XVI. DUTIES OF THE STATE PLUMBING APPRENTICESHIP COMMITTEE**

The State Plumbing Apprenticeship Committee shall:

- (a) ~~Review and approve or disapprove local apprenticeship committee standards.~~
- (b) Upon request will assist and advise local apprenticeship committees.
- (c) Evaluate each local plumbing apprenticeship training program **annually** for compliance with the policies of the Arkansas Department of Career Education, ~~Bureau of Apprenticeship and Training~~ USDOL/OA, and the State Plumbing Apprenticeship Committee.
- (d) Serve as an appeal board for Apprentices, Local Apprenticeship Committees, and for training standards interpretations. Any person or firm may appeal directly to the State Plumbing Apprenticeship Committee for review.
- (e) Establish criteria for eligibility for hardship status pertaining to correspondence or distance training provided that the applicant for hardship resides at least thirty (30) miles by most direct route from the nearest established apprenticeship school.
- (f) Annually elect a chairperson, co-chairperson, and secretary who shall retain the power to vote in all matters before the committee.
- (g) Hold meetings at least every two (2) months. Special meetings of the committee may be called by the chairperson or by petition of a majority of the members of the committee. The chairperson shall call a special meeting when necessary to hear appeals.

## **SECTION ~~XVIII~~ XVII. DUTIES OF THE LOCAL APPRENTICESHIP COMMITTEE**

The local apprenticeship committee shall adhere to the Registered Standards by USDOL/OA:

- (a) Hold meetings at least once a month. Special meetings of the local apprenticeship committee may be called by the chairperson or by petition of a majority of members.
- (b) Annually elect a chairperson and a secretary who shall retain the power to vote on all matters before the local apprenticeship committee.
- (c) Administer the apprenticeship program and enforce its provisions and requirements.
- (d) Establish rules and procedures to govern meetings.
- (e) Establish minimum standards of education and experience for apprentice applicants.
- (f) Review apprenticeship agreements between the employer and apprentice and be responsible for submission of such agreements to ~~the Bureau of Apprenticeship and Training (BAT)~~ USDOL/OA and

the Department of Health, Plumbing and Natural Gas Section for registration.

- (g) Determine, through examination, the progress of their apprentices in manipulative skills and technical knowledge as may be deemed necessary, but not less than four (4) times per year.
- (h) Promote apprenticeship by enlisting public support and by contact with all organizations concerned with it.
- (l) Issue certificates of completion of apprenticeship to those apprentices who have satisfactorily completed training.
- (j) Notify ~~the Bureau of Apprenticeship and Training~~ [USDOL/OA](#) and the Department of Health ~~and the State Apprenticeship Office~~ of all actions affecting apprenticeship such as new hires, completions, suspensions and cancellations.
- (k) Assure that all apprentices are duly registered with the Department of Health/Plumbing and Natural Gas Section within thirty (30) days of employment by a master plumber and registration by the Local Apprenticeship committee or prior to any actual classroom attendance.
- (l) Secure competent instructors whose knowledge, experience and ability to teach shall be carefully examined. When possible, the instructors shall take such teacher training courses as are available.
- (m) Establish a set of local standards and submit those standards to ~~the State Apprenticeship Committee and Bureau of Apprenticeship and Training~~ [USDOL/OA](#) for approval. If the local apprenticeship committee revises any part of their standards, then a re-submission of their standards shall be required for review before implementation.
- (n) Examine the progress of the apprentice on the job and in related instruction not less than four (4) times per year.
- (o) Keep complete and accurate records on each apprentice. The records shall consist of but are not limited to: copies of registration with ~~the Bureau of Apprenticeship and Training~~ [USDOL/OA](#), registration with the Department of Health, registration with the local committee, on the job and related instruction progress, advancements, and other records pertinent to the apprentice or to the conduct of the program. Records shall be maintained for a period of five (5) years.
- (p) ~~Ascertain~~ [Verify](#) that each participating employer is in agreement with the terms of their standards, including any training trust fund established or hereafter established to implement the local apprenticeship program.
- (q) Establish starting and stopping times for classroom instruction to insure the completion of eight (8) periods of eighty (80) hours ~~or as approved by USDOL/OA~~.
- (r) Be responsible for the administration and financing of [their](#) local programs.

## **SECTION XIX . HEARINGS**

~~In the case of each final order issued by the Department of Health, any affected party may within 30 days of such order submit a written request for a hearing to the Director of the Department of Health.~~

~~**NOTICE:** All hearings will be scheduled within a reasonable time and held after reasonable notice has been provided to all known affected parties.~~

**SECTION ~~XX~~ XVIII. SEVERABILITY**

If any provision of these Regulations, or the application hereof to any person is held invalid, such invalidity shall not affect other provisions or applications of these Regulations which can give effect without the invalid provisions of applications, and to this end the provisions hereto are declared to be severable.

**SECTION ~~XXI~~ XIX. REPEAL**

All Regulations and parts of Regulations in conflict herewith are hereby repealed.

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

# A Bill

SENATE BILL 153

5 By: Senator Hester  
6 By: Representative Dotson  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE TRAINING AND  
10 LICENSURE OF PLUMBERS; AND FOR OTHER PURPOSES.  
11

### Subtitle

14 TO AMEND THE LAW CONCERNING THE TRAINING  
15 AND LICENSURE OF PLUMBERS.  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code Title 17, Chapter 38, Subchapter 4, is  
21 amended to add an additional section to read as follows:

22 17-38-409. Supervision of apprentice plumbers.

23 (a) It is the intent of the General Assembly that an apprentice  
24 plumber should be trained in a manner that:

25 (1) Develops the skills of the apprentice plumber;

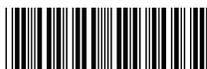
26 (2) Ensures the safety of plumbers and the public; and

27 (3) Guarantees that the work of the apprentice plumber complies  
28 with legal requirements and meets industry standards.

29 (b)(1) An apprentice plumber shall not engage in plumbing unless he or  
30 she is supervised by a master plumber or a journeyman plumber.

31 (2) The work done and the tools and methods utilized by the  
32 master plumber, journeyman plumber, and apprentice plumber in the course of  
33 supervision shall comply with legal requirements and meet industry standards.

34 (3)(A) The master plumber or journeyman plumber shall observe  
35 the work of an apprentice plumber in person at regular and reasonable  
36 intervals.



1                   (B) The State Board of Career Education shall promulgate  
2 rules which determine the regular and reasonable intervals under subdivision  
3 (3)(A) of this section in consideration of the:

4                   (i) Nature of the work; and

5                   (ii) Skill and experience of the apprentice plumber.

6                   (4)(A) The supervising master plumber or journeyman plumber  
7 shall remain within reasonable proximity of the apprentice plumber while work  
8 is being performed.

9                   (B) The proximity of the supervising plumber to the  
10 apprentice plumber is reasonable if:

11                   (i) The job site is a single family residence or a  
12 project that does not require a contractor's license, and the supervising  
13 plumber is:

14                   (a) Within the line of sight of the apprentice  
15 plumber;

16                   (b) At the same street address at which  
17 apprentice plumber is working;

18                   (c) At a street address adjacent to or  
19 adjoining the street address at which the apprentice plumber is working; or

20                   (d) Within the same geographical subdivision  
21 in which the apprentice is located; or

22                   (ii) The job site is not a single family residence,  
23 requires a contractor's license, and:

24                   (a) The supervising plumber is within the line  
25 of sight of the apprentice plumber; or

26                   (b) The supervising plumber is within two  
27 hundred fifty (250) yards of the apprentice plumber and the supervising  
28 plumber and the apprentice plumber are within the property boundaries of the  
29 job site.

30                   (c) One (1) master plumber or journeyman plumber may supervise up to  
31 three (3) apprentice plumbers on a single plumbing job.

32  
33  
34                   **APPROVED: 02/23/2015**

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

August 4, 2015

TO: Career Education and Workforce Development Board

FROM: Charisse Childers, Ph.D., Director *Childers*  
Kathi Turner, Deputy Director, CTE *KT*  
Sonja Wright-McMurray, Associate Director, CTE Special Programs *SWM*  
Randy Prather, Program Manager, Apprenticeship and Construction Training *RP*

SUBJECT: ACTION ITEM – REQUEST TO SUBMIT RULES AND REGULATIONS  
FOR ELECTRICIAN APPRENTICESHIP PROGRAMS

RECOMMENDATION: It is the recommendation of the agency that the Board approve the Career and Technical Education Division to begin the Legislative Rules and Regulations process for ACT 1122.

INFORMATION/RATIONALE: It is the request of the Career and Technical Education Division to begin the legislative process that follows the state's general procedures for adopting or changes rules. The purpose of the request is to complete the approval process of the Rules and Regulations for ACT 1122 that will govern how the Electrician Apprenticeship Programs are to be regulated.

**RULES AND REGULATIONS**

**FOR**

**ELECTRICIAN APPRENTICESHIP PROGRAMS**

Pursuant to Act 1289 of 1997 & [ACT 1122 of 2015](#)

~~April 24, 2000~~

**RULES AND REGULATIONS**  
**FOR**  
**ELECTRICIAN APPRENTICESHIP PROGRAMS**  
Pursuant to Act 1289 of 1997 & [ACT 122 of 2015](#)

**SECTION I. AUTHORITY**

The following Rules and Regulations are duly adopted and promulgated by the Arkansas Board of ~~Workforce Career~~ Education ~~and Career Opportunities~~ pursuant to the authority expressly conferred by the laws of the State of Arkansas in ACT 1289 of 1997 [and ACT 1122 of 2015](#) and transferred to the [Arkansas](#) Department of ~~Workforce Career~~ Education through a Memorandum of Understanding with the Arkansas Department of Labor and the Board of Electrical Examiners. The Department may exercise such powers as are reasonably necessary to carry out the provisions of Act 1289 of 1997 [and ACT 1122](#).

**SECTION II. PURPOSE**

The purpose of these Rules and Regulations is to transfer the authority of overseeing the Apprentice Electrician Program from the Arkansas Department of Labor and the Arkansas Board of Electrical Examiners to the Arkansas Department of ~~Workforce Career~~ Education.

**SECTION III. DEFINITIONS**

- (a) The Board means the Arkansas State Board of ~~Workforce Career~~ Education ~~and Career—Opportunities~~.
- (b) The Department means the ~~State~~ [Arkansas](#) Department of ~~Workforce Career~~ Education.
- (c) Board of Electrical Examiners means people designated by the Arkansas Department of Labor to determine the eligibility of applications for various types of licenses in accordance with Act 1289 of 1997.
- (d) Employer means any master electrician representing himself or a company who signs an Apprenticeship agreement to abide by these Rules and Regulations of Apprenticeship.
- (e) Apprentice electrician means a person other than a master or journeyman electrician, residential master or journeyman, industrial maintenance electrician, or air conditioning electrician as provided in these guidelines of apprenticeship who is at least sixteen (16) years of age and covered by the required apprenticeship agreements.
- (f) Apprenticeship Agreement means a written agreement as provided by the United States Department of Labor/~~Bureau of Apprenticeship and Training (BAT)~~ [/Office of](#)

Apprenticeship (OA) signed by the Apprentice and (if the Apprentice is a minor) the parent or guardian, the Local Apprenticeship Committee and the participating company.

- (g) ~~BAT OA~~ means the United States Department of Labor, ~~Bureau of Apprenticeship and Training~~ Office of Apprenticeship.
- (h) State Electrical Apprenticeship Committee means people designated by the Board of ~~Workforce Education and Career Opportunities~~ to assist in carrying out the provisions of ACT 1289 of 1997.
- (i) Local Apprenticeship Committee means a group composed of master and/or journeyman electricians who are licensed as prescribed by law, plus one person who shall be appointed from the Arkansas Department of ~~Workforce~~ Career Education by the State Electrical Apprenticeship Committee chosen to carry out the provision of ACT 1289 of 1997.
- (j) Master electrician means any person, licensed as prescribed by law, skilled in the planning, superintending and the practical installation of electrical work and familiar with the laws, rules, and regulations governing the same.
- (k) Journeyman electrician means any person, licensed as prescribed by law, other than a master electrician or an apprentice electrician, who is engaged in the practical installation of electrical work.
- (l) Industrial maintenance electrician means any person, licensed as prescribed by law, who maintains and/or extends electrical conductors and equipment for electrical power and control systems on or within industrial, manufacturing, or similar type facilities.
- (m) Air conditioning electrician means any person, licensed as prescribed by law, who installs, maintains, or extends electrical conductors or equipment solely for the purpose of supplying heating and air conditioning and refrigeration units.

#### **SECTION IV. QUALIFICATION**

The applicant for apprentice electrician shall have the ability and aptitude to master the skills of the electrical trade.

The applicant shall be in such physical condition to perform the work of the electrical trade. An applicant shall not be considered if there is a disability sufficient to impair the safety of ~~himself~~ him/her or the safety of others on the job. The State and/or Local Apprenticeship Committees may require a statement by a licensed physician stating that the applicant is physically able to perform the duties of the trade if all other requirements have been met.

The applicant should and is encouraged to have the minimum of a high school education, GED certificate, or should be in the process of obtaining a high school education or GED certificate. Transcripts of education may be required before consideration by the Local Apprenticeship Committee.

## SECTION V. APPLICATIONS AND TERMS OF APPRENTICESHIP REGISTRATION

No person shall engage in work as an Apprentice electrician as defined in ACT 1289 of 1997 unless first registered to do so by the Arkansas Department of Labor and ~~the Bureau of Apprenticeship and Training~~ United State Department of Labor/ Office of Apprenticeship, and is enrolled in and attending a ~~BAT~~ OA approved training program.

Information for apprentice electrician registration shall be on an application form supplied by the Arkansas Department of Labor and the application form shall be filled out completely before consideration by the Department of Labor and ~~the Bureau of Apprenticeship and Training~~ OA. To establish a record of apprenticeship, every apprentice electrician, shall within thirty (30) days after employment, be registered with the Arkansas Department of Labor, the Local Apprenticeship Committee, and ~~the Bureau of Apprenticeship and Training~~ OA. It is the responsibility of the master electrician to require apprentices to register with the Local Apprenticeship Committee. The Board of Electrical Examiners may take action against a master electrician for working an apprentice for over thirty (30) days without being so registered. In the absence of an established Local Apprenticeship Committee, an apprentice shall register directly with the State Electrical Apprenticeship Committee.

All holders of an apprentice registration issued under the provisions of this regulation may apply for renewal annually within thirty (30) days after the expiration date of the registration. The Arkansas Department of Labor may not renew a registration after the thirty (30) day period providing there is sufficient reason for not renewing such registration in the time specified and upon payment of penalties as prescribed by regulations.

The term of apprenticeship shall be a minimum of four (4) years consisting of eight (8) periods of one-thousand (1,000) hours of practical work experience and eight (8) periods of 72 hours each, running concurrently, of related classroom instruction in technical and supplemental subjects related to the trade or as approved by USDOL/OA.

Unless officially excused by the Arkansas Department of Labor, each apprentice upon completion of apprenticeship should make application with the Arkansas Department of Labor for the journeyman electrician examination within sixty (60) days.

**EXPERIENCE CREDIT:** The applicant must submit a request for experience credit within a sixty (60) day period of time from the date of application, furnish notarized records, affidavits, or bona fide evidence as may be required to substantiate the requested time. Please show all work experience present and past that you wish considered for work experience credit. The work experience must have a start date and end date (to present if current job) so work experience time can be calculated. The description of work experience should be sufficiently detailed to provide a clear understanding of work being performed. This time shall be evaluated by the local apprenticeship committee, if in existence, and approved by the State Electrical Apprenticeship Committee. In the absence of the local committee, credit time shall be evaluated and may be granted by the State Electrical Apprenticeship Committee. The applicant may be required to take an examination to determine credit time requested. Experience credit will only be granted for documented out of state work.

## SECTION VI. REVOCATION OF REGISTRATION

The Board of Electrical Examiners may on its own motion make investigations and conduct hearings or upon a complaint in writing duly signed and certified by the complainant, suspend or revoke any apprentice electrician registration if it has reason to believe that the holder of such registration has violated any provision of these Rules and Regulations or any rule or order prescribed by the Board of Electrical Examiners or has demonstrated incompetency to act as an apprentice electrician.

The use of an apprentice electricians registration to do electrical work other than permitted by the registration shall be grounds for automatic suspension and/or revocation of such registration by the Board of Electrical Examiners providing the registrant is duly notified within thirty (30) days of the violation and pending a full hearing under the Administrative Procedures Regulation of the Arkansas Department of Labor.

## SECTION VII. RATIO OF APPRENTICES TO MASTER AND JOURNEYMAN

The maximum ratio amount of master and journeyman electricians to apprentice electricians shall be ~~one~~ three (3) licensed apprentice electricians to one licensed master or journeyman electrician on a single electrical job. ~~except apprentices in the fourth or final year of training. An apprentice in the fourth or final year of training will not be counted as a journeyman or as an apprentice electrician in the ratio amounts stated above. Each local apprenticeship training committee will issue a card to each fourth or final year apprentice that identifies that person as being in the fourth or final year of training. The card shall bear the name the apprentice, the name of the school or local committee, and shall have an expiration date that is the same as the apprentice's license. Persons bearing such a card will not be relieved from their responsibility to complete their training and school attendance is required in every instance~~ Compliance with the U S Department of Labor Office of Apprenticeship registered Standards of Apprenticeship must be followed.

## SECTION VIII. PROBATIONARY PERIOD

Apprentices shall be subject to a probationary period not to exceed one thousand practical work experience hours (one period). During this probationary period, the Local Apprenticeship Committee or Employer may request annulment of the apprenticeship without the formality of a hearing. Credit time may be granted for time served under the probationary period.

## SECTION IX. HOURS OF WORK AND CONDITIONS AND SAFETY

The hours of work and working conditions for apprentices shall be the same as for journeyman. The employer shall instruct the apprentice in safe and healthful work practices and shall insure that the apprentice is trained in facilities or other environments that are in compliance with either the Occupational Safety and Health Standards promulgated by the Secretary of Labor under Public Law 91-596, dated December 29, 1970, or state standards that have been found to be equal or exceeding the federal standards.

## SECTION X. RELATED CLASSROOM INSTRUCTION

The apprentice shall, within 30 days of employment, enroll in and attend classes in related subjects at a school or other training facility approved by the State Electrical Apprenticeship Committee for not less than 144 hours per year or as approved by USDOL/OA. The Apprentices shall also take advantage of provided instruction in recognized apprenticeship classes during periods of temporary unemployment. School attendance in all cases shall be obligatory; failure to attend these classes in related instructions may cause the apprentice to be disciplined or his apprenticeship agreement cancelled. Apprentices are to attend school on their own time, and such school attendance shall not be considered as hours worked. The Local Apprenticeship Committee shall not recognize any apprentice with whom they have not signed an apprenticeship agreement or who is not registered with the Arkansas Department of Labor and ~~the Bureau of Apprenticeship and Training~~ OA.

## **SECTION XI. CONTINUITY OF EMPLOYMENT**

The master electrician who sponsors the apprentice is obligated to actually employ the apprentice and shall use every effort to keep the apprentice employed in a reasonably continuous manner and adequately instructed on the job. It shall be the duty of the master electrician who is responsible for the registration of an apprentice to notify in writing the Local Apprenticeship Committee when an apprentice is no longer employed.

## **SECTION XII. APPRENTICESHIP AGREEMENT**

The apprentice (and, if a minor, the parent or guardian) shall be required to sign an apprenticeship agreement with the Arkansas Department of Labor and ~~the Bureau of Apprenticeship and Training~~ OA, which shall also be signed by the employer and by the Local Apprenticeship Committee.

## **SECTION XIII. PROCEDURES FOR DISCIPLINARY ACTION**

An apprentice shall make every effort to complete training in accordance with the standards and policies established by these Rules and Regulations. An apprentice who is absent from related instruction class sessions, unless officially excused, shall satisfactorily complete all classroom work missed before being advanced to the next period of training. In case of failure of an apprentice to fulfill the obligation regarding classroom or on the job training without due cause, the Local Apprenticeship Committee shall take the necessary disciplinary action.

The local Apprenticeship Committee may cancel the apprenticeship agreement, and remove for cause an apprentice from the training program at any time for failure to comply with the apprenticeship agreement, or with registered standards.

Before invoking any disciplinary action, the Local Apprenticeship Committee must notify an apprentice to appear before the Local Apprenticeship Committee. If an apprentice fails to appear before the Local Apprenticeship Committee after due notice, disciplinary action may be invoked in accordance with the Local Apprenticeship Committee standards. In the absence of a Local Apprenticeship Committee, the State Electrical Apprenticeship Committee shall function in their stead.

The State Electrical Apprenticeship Committee serves as the appeal board for the Local Apprenticeship Committees and on training standards interpretations. Any person or firm may appeal directly to the State Electrical Apprenticeship Committee for review.

**SECTION XIV. SCHEDULE OF WORK EXPERIENCE**

The following schedule of work experience is set forth in approximate hours. The work experience need not be in the precise order listed nor need the hours be continuous in any experience category.

- (a) Preliminary work: (Names and uses of tools and equipment; safety)..... .. 600 hrs.
- (b) Residential and Commercial Rough Wiring:..... 2000 hrs.  
(Blueprint reading; Materials and usage; Conduit bending and installation; Termination of wires to switches and equipment; Pulling wire with and without fish tape; Safety)
- (c) Residential and Commercial Finish Work: ..... 1500 hrs.  
(Connecting and setting switches and receptacles; Proper sizing of wires, services, and over current protection; Safety)
- (d) Industrial Lighting and Service Installation:..... 1500 hrs.  
(Air conditioning and Heating wiring and controls; Rigid conduit installation; Service entrance installation for large equipment and industrial settings; Safety)
- (e) Troubleshooting: .....1000 hrs.  
(Checking circuits and equipment for faults; Diagnosing and correcting Voltage and phase problems; Reading schematic wiring diagrams; proper and safe use of all types of volt/ohm meters and other test instruments for electrical troubleshooting and diagnosis; Safety)
- (f) Motor Installation and Controls:..... 800 hrs  
(Installation of over current devices; Verification of proper installation and rotation; Selection and sizing of replacement motors; Analyzing and trouble-shooting motor circuits and controls; Installation of emergency generators and controls; Installing pushbuttons, pilot lights, relays, timing devices, and interlocking controls; Safety).
- (g) Electrical Code, blueprint reading and sketching, and Safety training. .... 600 hrs.

Total Hours..... 8000 hrs.

All work done by apprentices as prescribed training shall conform in every respect with the requirements of the state and local codes.

**SECTION XV. QUALIFICATIONS FOR EMPLOYER**

The individual must be a duly licensed master electrician, as prescribed by law, in the State of Arkansas and who signs an employer acceptance agreement with ~~BAT~~ [OA](#) to abide by these Rules and Regulations of apprenticeship.

**SECTION XVI. ~~APPRENTICE IN LAST YEAR OF TRAINING AND WORK EXPERIENCE~~  
SUPERVISION OF APPRENTICES**

~~An apprentice electrician shall be under the direct supervision of a master or journeyman electrician at all times, except in the last year of training. As a means of gaining additional experience, an apprentice in the fourth or final year of training may work alone but shall not be counted as a journeyman or apprentice electrician in the ratio amounts as described in these guidelines.~~

~~For an apprentice to be qualified at the end of his/her apprenticeship as a skilled journeyman electrician, the apprentice, while serving the apprenticeship, shall receive instructions and be given the opportunity to assist in the installation of electrical materials (as skill permits) under the supervision of a journeyman or master electrician. The master electrician or journeyman electrician shall observe the work of an apprentice electrician in person at regular and reasonable intervals. The supervising master or journeyman electrician shall remain within reasonable proximity of the apprentice electrician while work is being done. The proximity of the supervising electrician is reasonable if the apprentice electrician is within line of sight and at the same street address. If the job site is not a single-family residence and requires a contractor's license the supervising electrician must be within the line of sight of the apprentice electrician.~~

**SECTION XVII. MAKE UP AND DUTIES OF THE STATE ELECTRICAL APPRENTICESHIP COMMITTEE**

The State Electrical Apprenticeship Committee shall be comprised of the following members:

- (a) 4- Master electricians, one from each congressional district of the state (voting)
- (b) 1- Engineer, professional or registered, with knowledge of the electrical trade (voting)
- (c) 1- Journeyman electrician, at large from the state (voting)
- (d) 1- Consumer, from this state, at large (voting)
- (e) 1- U.S. Department of Labor/~~Bureau of Apprenticeship and Training~~ OA (non voting, advisory)
- (f) 1- Arkansas Department of Labor/Board of Electrical Examiners (non voting, advisory)
- (g) 1- Arkansas Department of ~~Workforce~~ Career Education (non-voting, advisory)

The State Electrical Apprenticeship Committee shall:

- (a) ~~Review and approve or disapprove Local Apprenticeship Committee standards.~~

- (b) (a) Assist and advise Local Apprenticeship Committees.
- (e) (b) Evaluate each local apprenticeship training program ~~annually~~ for compliance with the policies of the Department of ~~Workforce Career~~ Education, ~~Bureau of Apprenticeship and Training~~ OA, and the State Electrical Apprenticeship Committee.
- (d) (c) Serve as an appeal board for apprentices, Local Apprenticeship Committees, and for training standards interpretations. Any person or firm may appeal directly to the State Electrical Apprenticeship Committee for review.
- (e) (d) Annually elect a chairperson, co-chairperson, and secretary who shall retain the power to vote in all matters before the Committee.
- (f) (e) Hold meetings at least every two (2) months. The chairperson when necessary to hear appeals may call special meetings of the committee.

## SECTION XVIII. DUTIES OF THE LOCAL APPRENTICESHIP COMMITTEE

The Local Apprenticeship Committee shall:

- (a) Hold meetings at least every two months. Special meetings of the Local Apprenticeship Committee may be called by the chairperson or by petition of a majority of members.
- (b) Annually elect a chairperson and a secretary who shall retain the power to vote on all matters before the Local Apprenticeship Committee.
- (c) Administer the apprenticeship program and enforce its provisions and requirements.
- (d) Establish rules and procedures to govern meetings.
- (e) Establish minimum standards of education and experience for apprentice applicants.
- (f) Review apprenticeship agreements between the employer and apprentice and be responsible for submission of such agreements to ~~the Bureau of Apprenticeship and Training (BAT)~~ OA and the Arkansas Department of Labor for registration.
- (g) Determine, through examination, the progress of apprentice in manipulative skills and technical knowledge as may be deemed necessary, but not less than four (4) times per year.
- (h) Promote apprenticeship by enlisting public support and by contact with all organizations concerned with it.
- (i) Issue certificates of completion of apprenticeship to those apprentices who have satisfactorily completed training.
- (j) Notify ~~the Bureau of Apprenticeship and Training~~ OA ~~and~~ the Arkansas Department of Labor and the State Apprenticeship Office of all actions affecting apprenticeship such as new hires, completions, suspensions and cancellations.
- (k) Assure that all apprentices are duly registered with the Arkansas Department of Labor within thirty (30 days) of registration by the Local Apprenticeship Committee ~~or prior to any actual classroom attendance.~~

- (l) Secure competent instructors whose knowledge, experience, and ability to teach shall be carefully examined. When possible, the instructors shall take such teacher training courses as are available.
- (m) Establish a set of local standards and submit those standards to the State Electrical Apprenticeship Committee and ~~Bureau of Apprenticeship and Training~~ [OA](#) for approval. If the Local Apprenticeship Committee revises any part of their standards, then a re-submission of their standards shall be required for review before implementation.
- (n) Examine the progress of the apprentice on the job not less than four (4) times per year.
- (o) Keep complete and accurate records on each apprentice. The records shall consist of but are not limited to: copies of registration with the ~~Bureau of Apprenticeship and Training~~ [OA](#), registration with the Arkansas Department of Labor, registration with the Local Committee, on the job and related instruction progress, advancements, and other records pertinent to the apprentice or to the conduct of the program. Records shall be maintained for a period of five (5) years.
- (p) ~~Ascertain~~ [Verify](#) that each participating employer is in agreement with the terms of their standards, including any training trust fund established or hereafter established to implement the Local Apprenticeship program.
- (q) Establish starting and stopping times for classroom instruction to insure the completion of eight (8) periods of (72) hours [or as approved by USDOL/OA](#).
- (r) Be responsible for the administration and financing of local programs and establish fees and tuition for their programs.
- (s) ~~Issue cards to apprentices in their fourth or final year of training that identifies them as such and states the name of the school or training program and the expiration date of the card.~~

**~~SECTION XX XIX.~~ — HEARING**

~~In the case of each final order issued by the Arkansas Department of Labor, any affected party may within 30 days of such order submit a written request for a hearing to the Director of the Department of Labor.~~

~~NOTICE: All hearings will be scheduled within a reasonable time and held after reasonable notice has been provided to all known affected parties.~~

**~~SECTION XXI XIX.~~ SEVERABILITY**

If any provision of these Rules and Regulations, or the application hereof to any person is held invalid, such invalidity shall not affect other provisions or applications of these Rules and Regulations which can give effect without the invalid provisions of applications, and to this end the provisions hereto are declared to be severable.

**~~SECTION XXII XX.~~ REPEAL**

All Rules and Regulations and parts of Rules and Regulations in conflict herewith are hereby repealed.

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

*As Engrossed: S3/19/15*  
**A Bill**

SENATE BILL 754

5 By: Senator Hester  
6 By: Representative Dotson  
7

8 **For An Act To Be Entitled**

9 AN ACT TO AMEND THE LAW CONCERNING THE TRAINING AND  
10 LICENSURE OF ELECTRICIANS; AND FOR OTHER PURPOSES.  
11

12  
13 **Subtitle**

14 TO AMEND THE LAW CONCERNING THE TRAINING  
15 AND LICENSURE OF ELECTRICIANS.  
16

17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code Title 17, Chapter 28, Subchapter 3, is  
21 amended to add an additional section to read as follows:

22 17-28-312. Supervision of apprentice electricians.

23 (a) It is the intent of the General Assembly that an apprentice  
24 electrician should be trained in a manner that:

25 (1) Develops the skills of the apprentice electrician;

26 (2) Ensures the safety of electricians and the public; and

27 (3) Guarantees that the work of the apprentice electrician

28 complies with legal requirements and meets industry standards.

29 (b)(1) An apprentice electrician shall not engage in electrical work  
30 unless he or she is supervised by a master electrician or a journeyman  
31 electrician.

32 (2) The work done and the tools and methods utilized by the  
33 master electrician, journeyman electrician, and apprentice electrician in the  
34 course of supervision shall comply with legal requirements and meet industry  
35 standards.

36 (3)(A) The master electrician or journeyman electrician shall



1 observe the work of an apprentice electrician in person at regular and  
2 reasonable intervals.

3 (B) The Board of Electrical Examiners of the State of  
4 Arkansas shall promulgate rules which determine the regular and reasonable  
5 intervals under subdivision (b)(3)(A) of this section in consideration of  
6 the:

7 (i) Nature of the work; and

8 (ii) Skill and experience of the apprentice  
9 electrician.

10 (4)(A) The supervising master electrician or journeyman  
11 electrician shall remain within reasonable proximity of the apprentice  
12 electrician while work is being performed.

13 (B) The proximity of the supervising electrician to the  
14 apprentice electrician is reasonable if:

15 (i) The supervising electrician is:

16 (a) Within the line of sight of the apprentice  
17 electrician; or

18 (b) At the same street address at which the  
19 apprentice electrician is working; or

20 (ii) The job site is not a single-family residence,  
21 requires a contractor's license, and the supervising electrician is within  
22 the line of sight of the apprentice electrician.

23 (c) One (1) master electrician or journeyman electrician may supervise  
24 up to three (3) apprentice electricians on a single electrical job.

25  
26 /s/Hester

27  
28  
29 **APPROVED: 04/06/2015**

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

August 4, 2015

TO: Career Education and Workforce Development Board

FROM: Charisse Childers, Ph.D., Director *CC Childers*  
Kathi Turner, Deputy Director, CTE *KT*  
Sonja Wright-McMurray, Associate Director, CTE Special Programs *sum*  
Randy Prather, Program Manager, Apprenticeship and Construction Training *RP*

SUBJECT: ACTION ITEM – REQUEST TO SUBMIT RULES AND REGULATIONS  
FOR ARKANSAS REGISTERED APPRENTICESHIP PROGRAMS

RECOMMENDATION: It is the recommendation of the agency that the Board approve the Career and Technical Education Division to begin the Legislative Rules and Regulations process for Arkansas Registered Apprenticeship Programs..

INFORMATION/RATIONALE: It is the request of the Career and Technical Education Division to begin the legislative process that follows the state's general procedures for adopting or changes rules. The purpose of the request is to complete the approval process of the Rules and Regulations that will govern how the Arkansas Registered Apprenticeship Programs will operate.

**RULES AND REGULATIONS**  
**FOR**  
**ARKANSAS' ~~TRADITIONAL~~ REGISTERED APPRENTICESHIP PROGRAMS**

**Pursuant to Act 684 of 1989,  
Acts 546, 553 and 10 of 1991 and  
As Amended by Act 830 of 1993, ACT 140 of 2015 and ACT 1122 of 2015**

~~April 24, 2000~~

EXECUTIVE SUMMARY  
RULES AND REGULATIONS FOR ARKANSAS' TRADITIONAL APPRENTICESHIP  
PROGRAMS

Pursuant to Act 684 of 1989 and Acts 546, 553, and 10 of 1991  
and as amended by Act 830 of 1993, [ACT 140 of 2015 and ACT 112 of 2015](#)

- A. Objectives of Apprenticeship Training: The objectives of apprenticeship training are to (1) help fill the country's industrial, commercial, and private sector needs for qualified, skilled craft persons; (2) teach and develop good work habits; (3) assure that skills are passed from one generation to the next, (4) provide ~~an~~ [a concurrent and or](#) alternative to other educational programs for those high school graduates who want to enter the trade or technical fields; and (5) offer a training program in which an individual earns while learning.
- B. General: Apprenticeship training is a method of training an individual in a skilled occupation through a combination of on-the-job training and related classroom instruction. Both on-the-job training and related classroom instruction are required to produce a skilled worker. Apprenticeship develops a most valuable asset - development of a skilled and knowledgeable work force - in which the people have made an investment through the educational system. Less tax support is required for apprentice training programs because of the contributions of segments of the industry employing the apprentices. Because the apprentices are working students, they are taxpayers. In many cases apprentices contribute more money to the tax system than the cost to the system of their education. The self-sufficient apprentice working toward greater employability makes a better citizen. The public is assured of a higher quality of workmanship in the products they use or consume. The apprentices are potential business and community leaders of the future as well as stable workers and citizens.
- C. Eligibility For Apprenticeship: Applicants must be citizens of the United States or legally qualified to work if they are not citizens. There can be no discrimination among qualified applicants because of race, creed, color, sex or national origin. Minimum age and education requirements are established by the individual training committees. Normally the minimum age will vary from 16 to 18. In most cases a high school education is required. Usually the required education equivalency may be established through the General Education Development Certificate. Various other qualifications are established by each training committee to meet the needs of its particular craft. Under no circumstances will the apprenticeship system discourage any person from completing a high school education in order to enter an apprenticeship program.
- D. The [Training Apprenticeship](#) Committee: Apprenticeship training programs are normally conducted by a sponsor or sponsors through a training committee. These committees also are known as local apprenticeship committees. If there is more

than one sponsor, each is represented equally on the committee. If management and labor co-sponsor a program, each is equally represented and the committee is called a Joint Training Committee or Joint Apprenticeship Committee. The [training apprenticeship](#) committee is an autonomous local group which provides for the orderly operation of the apprentice training program for a particular craft or technical area. Each trade or craft will have its own committee.

- E. Instructors: Related classroom Instructors are selected/recommended to the local education agency by the training committee. Instructors should have a high school education or to establish, through a general education development test, that they have the equivalent of such education. Five years of experience may be required in the appropriate trade or technical area with at least two of these years as a journeyman. The instructors are encouraged to continue their own education through available means. For teaching such subjects as craft-related mathematics and blueprint reading, persons other than the journeyman are considered; teachers with the ability to relate subject matter to job conditions may be used for these subjects with the approval of the local education agency.
- F. Monitoring And Evaluation: After establishing a program, one of the prime concerns of the committee is the monitoring and evaluation of the training. This is a responsibility of the [local training apprenticeship](#) committee, [BAT USDOL/OA](#), and the State Apprenticeship Office of the [Arkansas](#) Department of [Workforce Career](#) Education, through which funds are provided. It provides a means of determining the effectiveness of the instructors and of the training program. Monitoring of classes begins immediately where new instructors are involved. This is advantageous to the [local training apprenticeship](#) committee in determining where deficiencies may exist. To determine whether or not the training program is accomplishing its purpose, the [local training apprenticeship](#) committee relies on employee reports and testing of students in the classroom. Changes are incorporated where needed. Evaluations are made less often in older programs or those with experienced instructors. The requirements will vary among trades and technical committees, with each committee determining its own needs.
- G. Funding: Act 10 of 1991 allows eligible recipients (program sponsors) to submit applications for funds to improve apprenticeship related classroom instruction. All application amounts will be developed on the basis of the current contact hour rate not to exceed a maximum contact hour rate established by the Arkansas Apprenticeship Coordination Steering Committee (AACSC). Depending on the number of programs, the current contact hour rate of funding may be less than the maximum rate established. The AACSC in consultation with the [State Apprenticeship Office](#), [Arkansas](#) Department of [Workforce Career](#) Education shall establish the current contact hour rates. Normally, programs will be funded up to a maximum of 160 hours of instruction ~~as described below per instructor. There will be two rates of funding available for programs. Option "A" funding is designed for smaller programs and payment will be based on the actual hours an instructor is in~~

~~class up to a maximum of 200 hours per year, if approved. Option “B” funding is designed for larger classes and funding will be based on actual hours of attendance of each apprentice up to a maximum of 200 hours per year per apprentice, if approved. Classes approved for funding above 160 hours up to 200 hours maximum must demonstrate at least a two-year history of having trained to this higher level.~~

Pursuant to Act 684 of 1989, a public school district and a state post secondary/higher education institution may receive an administrative fee to cover the costs of processing the records of the apprentice which shall not exceed \$25.00 ~~for each course in which the apprentice is enrolled~~ per apprentice per school year. No more than 15% of the state funds may be used by the program sponsor for administrative purposes such as supervisory and/or secretarial salaries, travel, office supplies, etc. The AACSC may require an independent audit (to be paid for by the program) of any program.

- H. ~~Programs may apply for and be approved for funding to conduct “journeyman upgrade” training. “Journeyman upgrade” training should consist of not more than forty (40) hours of classroom training to address the industry needs created by new or emerging technology in the occupation affected. Programs approved for funding will be reimbursed at a rate equal to the current “Option A” rate of reimbursement. Funding for these “journeyman upgrade” programs will be approved only if funds are available and in no case will apprenticeship funds be reduced to fund “journeyman upgrade” programs.~~
- I. Application: Every application must address each of the requirements of the application. The State Apprenticeship Office reserves the right to reject any and all applications, ~~applications~~ that addresses only part of the requirements contained in ~~this~~ the application. ~~will not be considered for improvement funds~~. It should be clearly understood that an approved application will not necessarily receive the requested amount if a lesser amount is determined to be appropriate.

One application with original signatures must be submitted. Applications sent by mail should be addressed to:

State Apprenticeship Office  
Arkansas Department of ~~Workforce~~ Career Education  
#3 Capitol Mall  
Little Rock, AR 72201-1083

Hand delivered applications will be accepted at the above address daily between 8 a.m. and 4 p.m., except Saturdays, Sundays, and holidays. In establishing the time and date of receipt, the State Apprenticeship Office will rely solely on the date stamp of the "Apprenticeship" Office within the Arkansas Department of ~~Workforce~~ Career Education.

J. Program Starting and Ending Dates: The local program sponsor may determine the need for providing apprenticeship programs at various times during the year. Therefore an application may be submitted at any time. However the application will be reviewed and approved/disapproved at selected times. Due to the limits on program improvement funds and the need to use these funds efficiently. ~~August 1 is established as the first open date when applications will be reviewed. Other dates, later in the fiscal year, should be opened for the purpose of reviewing new applications for additional funds. In either case, funding for each program may not start before July 1 (for applications reviewed on August 1) or a later announced date (for applications reviewed at later open dates), and must end on or before June 30 of each year.~~ The AACSC will establish deadline dates each year.

K. Registered Apprentices and Programs: All apprentices and apprenticeship programs must be registered with the U.S. Department of Labor, ~~Bureau of Apprenticeship and Training~~, Office of Apprenticeship (USDOL/OA). ~~Appeals:~~ Requests for appeals to the approval and/or funding process should be addressed to:

Director  
Department of ~~Workforce~~ Career Education  
#3 Capitol Mall  
Little Rock, AR 72201-1083  
Telephone: 501/682-1500

M. Inquiries: Inquiries concerning the apprenticeship programs, improvements funds, services, and activities should be directed to the address listed in paragraph H ~~1~~ above, to telephone 501/682-1360 or FAX 501/682-~~4509~~ 1355.

**RULES AND REGULATIONS  
FOR  
ARKANSAS' ~~TRADITIONAL~~ REGISTERED APPRENTICESHIP PROGRAMS**  
Pursuant to Act 684 of 1989,  
Acts 546, 553 and 10 of 1991 and  
As Amended by Act 830 of 1993, ACT 140 of 2015 and ACT 1122 of 2015

**SECTION I. AUTHORITY**

The following rules and regulations are duly adopted and promulgated by the Arkansas State Department of ~~Workforce Career~~ Education ~~and Career Opportunities Board~~ pursuant to the authority expressly conferred by the laws of the State of Arkansas in Act 684 of 1989, and Acts 546, 553, and 10 of 1991 and as amended by Act 830 of 1993, Act 140 of 2015 and Act 1122 of 2015. The Arkansas Department of ~~Workforce Career~~ Education ~~and Career Opportunities~~ and Workforce Development Board may exercise such powers as are necessary to carry out the provisions of these Acts and the associated rules and regulations.

**SECTION II. DEFINITIONS**

**APPRENTICE:** An APPRENTICE is an individual enrolled in an apprenticeship training program that is registered by the United States Department of Labor / ~~Bureau Office~~ of Apprenticeship ~~and Training (BAT)~~ (OA), working at their chosen occupation, who has a signed indenture agreement on file with ~~BAT~~ OA and, when working in an occupation where a license is required, has been issued such a license.

**APPRENTICE COORDINATOR:** An APPRENTICE COORDINATOR is the person designated by the program sponsor to be the primary contact person for the program and to coordinate the program.

**APPRENTICESHIP TRAINING PROGRAM:** An APPRENTICESHIP TRAINING PROGRAM is a training program that provides on-the-job training, preparatory instruction, supplementary instruction, or related instruction in a trade that has been registered/certified as an apprenticeable occupation by the ~~Bureau of Apprenticeship and Training of the~~ United States Department of Labor, Office of Apprenticeship.

**ARKANSAS APPRENTICESHIP COORDINATION STEERING COMMITTEE (AACSC):** The AACSC is a committee appointed by the Governor of the State of Arkansas who represent bargaining agents, employers, minorities and female

workforce, the general public, and educators whose purpose is to oversee the operation and funding of apprentice training programs in the State of Arkansas.

**APPRENTICEABLE OCCUPATION:** An APPRENTICEABLE OCCUPATION is an occupation recognized by the [BAT OA](#) and throughout an industry as a skilled occupation learned through structured on-the-job training requiring at least 2,000 hours of per year supplemented by related instruction requiring at least 144 hours per year.

**APPRENTICESHIP:** APPRENTICESHIP is a learning approach that enables an individual to become a qualified professional in a skilled occupation. This training consists of on-the-job training with job related (off-the-job) instruction.

**APPRENTICESHIP STANDARDS:** APPRENTICESHIP STANDARDS are the rules and regulations that the sponsor registers with the [BAT OA](#) that describes the way in which an apprenticeship training program will be conducted.

**BAT OA:** [BAT OA](#) stands for the ~~Bureau of Apprenticeship and Training~~ [Office of Apprenticeship](#) of the United States Department of Labor.

**CONTACT HOUR:** A CONTACT HOUR is a block of contact time of 60 minutes during which an apprentice receives instruction in a supervised classroom or laboratory environment. [State funding can be requested in 15 minute increments](#)

**INDENTURE AGREEMENT:** An INDENTURE AGREEMENT is a signed agreement between the apprentice and the sponsoring entity, person or firm. This agreement includes the basic standard rules and regulations of the particular program and are registered (filed) with the [BAT OA](#).

**JOURNEYMAN:** A JOURNEYMAN is an individual who has (if required) completed an apprenticeship training program and been released from their indenture agreement, has been recognized by their peers as having attained journeyman status, has by examination or other proof of competence demonstrated their ability to perform work as a journeyman, or when working in an occupation requiring a journeyman license has been issued such a license.

**LOCAL EDUCATION AGENCY (LEA):** The LEA is a public community college, technical college, secondary or post secondary vocational-technical school, technical institute, university, life-long learning center, adult education center, area vocational center, or a public school system that has an assigned "LEA Number" recognized or accepted by the Department of ~~Workforce~~ [Career](#) Education. The LEA will be the funding link between the apprenticeship program sponsor and the [Arkansas](#) Department of ~~Workforce~~ [Career](#) Education.

**STATE EDUCATION AGENCY (SEA):** The SEA is the Arkansas Department of ~~Workforce~~ Career Education. The point of contact ~~with~~ at the Department will be the State Apprenticeship Office (SAO) located at:

3 Capitol Mall, Room 501-D  
Luther S. Hardin Building  
Little Rock, AR 72201  
501-682-1360

**ON-THE-JOB TRAINING (OJT):** Each apprentice must receive on-the-job training and related instruction concurrently. On-the- job training is defined as work performed at a job or work site that relates to the classroom training received by the apprentice or trainee. This training should reinforce the theoretical or classroom skills gained in the classroom and requires proper and direct supervision at all times.

**PREPARATORY INSTRUCTION:** PREPARATORY INSTRUCTION is a course of instruction lasting six months or less that teaches the basic skills required for an individual to enter the workforce.

**PROGRAM SPONSOR:** The PROGRAM SPONSOR is any person or organization operating a registered apprenticeship program. The person or organization may be either an employer or a representative of the apprentice.

**RELATED INSTRUCTION:** RELATED INSTRUCTION is organized, off-the-job instruction in subjects required for the completion of an apprenticeship program for a particular apprenticeable occupation. The instruction is designed to enhance both theoretical and applied skills. The related instruction is documented by appropriate written and/or performance tests.

**SUPERVISION:** The on-the-job training must be under the ~~direct~~ supervision of a journeyman or master.

[SAO: State Apprenticeship Office](#)

**SUPPLEMENTARY INSTRUCTION:** SUPPLEMENTARY INSTRUCTION is a course of instruction that is designed to provide new skills or upgrade the current skills of fully qualified person in apprenticeable occupations.

## **SECTION III. QUALIFICATIONS**

### **A. APPRENTICE**

1. [The Local Apprenticeship Committee must adhere to the USDOL/OA Standards of Apprenticeship in the selection of apprentices.](#)

~~1. The applicant for Apprentice shall have the ability and aptitude to master the~~

~~skills of the trade or technical area.~~

- ~~2.—An applicant shall not be considered if there is a disability sufficient to impair his/her safety or the safety of others on the job. The Local Apprenticeship Committees may require a statement by a licensed physician stating that the applicant is physically able to perform the duties of the trade if all other requirements have been met.~~
- ~~3.—The applicant should and is encouraged to have the minimum of a high school education, GED certificate, or should be in the process of obtaining a high school education or GED certificate. Transcripts of education shall be provided before consideration by the Local Apprenticeship Committee.~~
- ~~4.—Applicants shall be at least 16 years of age for non-hazardous occupations and at least 18 years of age for hazardous occupations.~~

## **B. INSTRUCTOR**

The related training instructors are selected and recommended ~~to the local educational agency~~ by the ~~training~~ local apprenticeship committee. Program sponsors will set the minimum requirements or criteria for trainers, teachers, or instructors in their training programs. Instructors should have a high school education or be able to establish, through a general education development test, that they have the equivalent of such education. Five years of experience may be required in the appropriate trade or technical area with at least two of these years as a journeyman. The instructors are encouraged to continue their own education through available means. For teaching such subjects as craft-related mathematics and blueprint reading, persons other than journeymen are considered; teachers with the ability to relate subject matter to job conditions may be used for these subjects. ~~with the approval of the local education agency.~~

## **SECTION IV. APPLICATIONS AND TERM OF APPRENTICESHIP REGISTRATION**

All apprentices shall be placed under a written apprenticeship agreement between the employer and the apprentice. Each agreement shall be registered by the ~~BAT~~ OA.

The term of apprenticeship shall be consistent with training requirements established by ~~BAT~~ OA approved standards.

## **SECTION V. PROBATIONARY PERIOD**

A probationary period reasonable in relation to the apprenticeship term, with full credit for such time toward completion of apprenticeship will be established. The apprenticeship agreement may be terminated at the request of either party to the

agreement. After the probationary period, the agreement may be canceled only after adequate cause has been shown, and all parties to the agreement have had an opportunity to be heard.

## **SECTION VI. WORKING CONDITIONS AND SAFETY**

The working conditions and safety afforded an apprentice shall be the same as that of a journeyman in the trade or technical area.

## **SECTION VII. RELATED INSTRUCTION**

The apprentice will be required to attend classes of related theoretical instruction. A minimum of 144 hours per year, ~~(4 hours per week during the regular academic year), is normally considered necessary.~~ or as mandated in the standards of apprenticeship. Safety instruction will be included as part of the curriculum provided in the classroom or other organized courses of related instruction. School attendance shall not be considered as hours worked. In accordance with Apprenticeship Standards, an employer may or may not pay apprenticeship wages for related instruction time. Written documentation of the training consisting of time or attendance sheets, student sign-in sheets, or other documentation as approved by the SAO and/or the AACSC will be kept on file by the program sponsor for a period of not less than five (5) years.

## **SECTION VIII. APPRENTICESHIP AGREEMENT**

The Apprentice shall be required to sign an apprenticeship agreement, which shall also be signed by an employer and by the Local Apprenticeship Committee. Every apprentice entering into an apprenticeship agreement shall be given the opportunity of reviewing the standards.

The following parties should receive a copy of the completed apprenticeship agreement:

- A. The Apprentice
- B. The Local Apprenticeship Committee
- C. The Employer

The following agency must receive a copy of the agreement:

~~The Bureau of Apprenticeship and Training (BAT)~~ USDOL/OA.

## **SECTION IX. THE ARKANSAS APPRENTICESHIP COORDINATION STEERING COMMITTEE (AACSC)**

To conduct business associated with apprenticeship training, the AACSC will be reimbursed travel as per State travel regulations in effect at the time the expense was incurred to attend official scheduled meetings as well as a stipend approved by the State of Arkansas ~~(\$50.00 currently).~~

## **SECTION X. DUTIES OF THE LOCAL APPRENTICESHIP COMMITTEE**

The Local Apprenticeship Committee shall [adhere to the USDOL/OA Standards of Apprenticeship](#):

- A. Establish standards and goals for preparatory instruction, supplementary instruction, and related Instruction for apprentices in the program;
- B. Establish, distribute, and enforce rules governing on-the-job training and other instruction for apprentices in the program;
- C. Plan and organize instructional materials designed to provide technical and theoretical knowledge and basic skills required by apprentices in the program;
- D. Select/Recommend qualified instructors for the program;
- E. Monitor and evaluate the performance and progress of each apprentice in the program and the program as a whole;
- F. Establish a selection process that is fair and unbiased, interview candidates, and select those most qualified for entrance into the program;
- G. Provide a system for the keeping of records of the on-the-job training, classroom instruction and testing, and the progress of each apprentice;
- H. Encourage instructors to maintain recommended qualifications; and
- I. Perform any other duties which, in the opinion of the Local Apprenticeship Committee, promote the goals of individual apprentices and of the program as a whole.

## SECTION XI. GUIDELINES ON HOW THE SPONSOR INITIATES AN APPRENTICESHIP PROGRAM

An apprenticeship program must be managed by the apprenticeship sponsor. The sponsor may subcontract the management of their program to an LEA for any of the services listed below. [The USDOL/OA Standards of Apprenticeship must be followed.](#) The sponsor's responsibilities include:

Establishing the administrative policies governing on-the-job training and other instruction for apprentices in the program;

Establishing standards and goals for preparatory, supplemental and related instruction for apprentices enrolled in the program;

Planning and organizing instructional materials designed to provide the job related instruction to enable the apprentices to demonstrate knowledge and skill competencies for job related subjects;

Selecting/Recommending qualified instructors for the program;

Interviewing applicants and selecting those most qualified for entrance into the apprentice program.

Monitoring and evaluating the performance and progress of each apprentice in the program and the program as a whole;

Providing for the maintenance of records for each apprentice of their on-the-job training and progress through the related instruction;

Ensuring that the instructors maintain recommended qualifications.

Providing for continual improvement of the program; and

Ensuring that an appropriate Affirmative Action Plan is in place.

Upon Completion of the steps listed above, the following results will have been obtained:

~~The sponsor will have an LEA endorsed program approved by the Arkansas Department of Workforce Education.~~

The sponsor will have a program certified and registered by the **BAT** [OA](#).

The sponsor will have a designated apprentice coordinator.

The sponsor will have **BAT** [OA](#) registered apprentices.

## SECTION XII. PROCEDURES FOR START-UP OF TRADITIONAL APPRENTICESHIP TRAINING

### A. PROCEDURES FOR APPLICATION:

- ~~4 . The State Education Agency (SEA) Apprenticeship Office (SAO) will notify all Local Education Agencies (LEAs) and sponsor(s) that funds are available for the academic school year (July 1 - June 30).~~
2. The sponsors will be eligible to apply for apprenticeship funds based on the number of ~~estimated~~ contact hours of related instruction (~~usually max: 160 hours~~) unless a two year prior history is documented X authorized number of instructors X established rate per hour. ~~If documented at the higher level, programs may qualify for funding up to 200 hours per year maximum) of registered apprentices in each participating trade or technical program. One of two options for funding will be available for approved programs:~~

~~Option "A" Funding will pay programs based on the actual hours of instruction an instructor is in the classroom teaching apprentices up to a maximum of 200 hours per year, if approved, not including the month of June.~~

~~Option "B" Funding will pay programs based on the actual number of hours each apprentice is in class and receiving instruction up to a maximum of 200 hours per year per apprentice, if approved, not including the month of June.~~
3. The ~~SEA SAO~~ will send a letter along with appropriate forms (Application Packet) following the regularly scheduled AACSC meeting of each year requesting preliminary contact hours and other information to LEAs/program sponsors.
4. No later than the established deadline date August 4, the LEA/sponsor will send ~~a copy of their preliminary apprenticeship contact hour estimates on the Annual Application Forms (Form WE APP-242)~~ to the ~~SEA SAO~~ for the contract period. ~~Applications received after August 1 15 will be held but will not be considered until the next open funding period. Applications must state the percentage of funds used for administration of the program. No more than 15% of state funds will be allowed for administrative costs. No equipment may be purchased with these funds.~~
5. NOTE: The application with original signatures must be submitted to the State Apprenticeship Office. Hand-delivered applications will be accepted between 8 a.m. and 4 p.m., excepting Saturdays, Sundays, and holidays. The date stamp of the "Apprenticeship" Office will be used to establish the time of receipt.
6. The ~~SEA SAO~~ in consultation with the AACSC will notify LEA's/sponsors of

the contact hour rate based on these estimates.

Programs will be reimbursed at the current contact hour rate in effect at the time the programs are approved for funding by the AACSC. (The current contact hour rate will never exceed a maximum contact hour rate established by the Arkansas Apprenticeship Coordination Steering Committee (AACSC). Depending on the number of programs and apprentices, the current contact hour rate of funding may be less than the maximum rate established. The AACSC in consultation with the [SAO](#), [Arkansas Department of Workforce Career Education](#) shall establish the current contact hour rate.)

NOTE: No more than 15% of the state funds may be used by the program sponsor for administrative purposes such as supervisory and/or secretarial salaries, travel, office supplies, etc.

- ~~7. Within three weeks following the official third class meeting, but not later than November 1, the LEA/sponsor will submit the Class Organization Report(s) (WE-APP-233) to the State Apprenticeship Office of the SEA. One copy of the Class Organization Report should be retained by the LEA/sponsor. If these forms are not received in the Apprenticeship Office by November 1, the Department of Workforce Career Education is not obligated to fund/reimburse the applicable program sponsor/LEA.~~
8. The AACSC in coordination with the [SEA SAO](#) will review/approve/disapprove all funding requests that are associated with each Class Organization Report (i.e. each Apprenticeship Training Program).
9. Each LEA/sponsor must submit the Attendance/Contract Hour Report (Form WE-APP-237) and the Reimbursement Request form (Form WE-APP-236) showing actual student attendance. ~~These should be submitted monthly (no later than the 20<sup>th</sup>). The form and report will generate reimbursement based on the current contact hour rate.~~
10. NOTE: The LEA may elect to charge and receive an administrative fee to cover the costs of processing the records of the apprentice and reimbursement requests of the program sponsor. Pursuant to Act 684 of 1989, a public school district and a state postsecondary or higher education institution may charge an administration fee, not to exceed \$25.00 ~~for each course in which the apprentice is enrolled~~ [per apprentice per school year](#).
- ~~11. Sponsors/LEA's will submit an annual report detailing the number of apprentices trained and the associated expenditures for each training program to the SEA no later than August 1 following the last fiscal year. A summary of the annual reports will be submitted to the AACSC by the SEA.~~

## SECTION XIII. FUNDING AND OTHER INFORMATION

### A. RESPONSIBILITIES AND ACTIONS

1. To ensure that all citizens of Arkansas have an equal opportunity to benefit from the apprenticeship training programs, the Department of ~~Workforce~~ Career Education shall make every reasonable effort to give statewide notification to potential program sponsors the following information:
  - a. The amount of funds that will be available to support apprenticeship training programs during the current and following fiscal years, and
  - b. Other Information recommended by the AACSC and approved by the Department of ~~Workforce~~ Career Education.

NOTE: The method of providing the above information will be recommended by the AACSC.

2. On the recommendation and/or coordination with the AACSC, the Department of ~~Workforce-~~ Career Education/Apprenticeship Office has the responsibility to:
  - a. Adopt formulas and administrative procedures to be used in requesting appropriations of state funds as a budgetary line item for the Apprenticeship System;
  - ~~b. Prepare an apprenticeship instruction cost study which shall be updated prior to each biennial session of the state legislature (on/about October 1 of each year); and~~
  - ~~c. Reserve until December 31 of each year a percentage of funds appropriated under the line item to be used for starting new apprenticeship instruction programs in mid-cycle of the fiscal year.~~

NOTE: This does not include retroactive reimbursement prior to January 1. Claims for class attendance reimbursement cannot be approved for classes conducted before the Annual Application Form (WE-APP-242) is approved.

NOTE: The percentage of funds appropriated for apprenticeship instruction programs shall be established by the formulas adopted on the recommendation of the AACSC. ~~Funds that are not obligated on December 31 may be used for preparatory and supplementary instruction programs as well as related instruction programs.~~

3. No funds shall be distributed to an LEA or a program sponsor until the LEA or

sponsor has filed all reports required by the AACSC and the Department of ~~Workforce~~ Career Education.

4. After all paper work and reimbursement requests have been submitted, programs should allow one month for processing.
5. Annual funding for a program will be limited to a maximum of one hundred and sixty hours unless otherwise approved by the AACSC.
6. Each instructor should have no more than ~~20~~ 25 apprentices per class.
7. A program must be co-sponsored by an LEA (public school, post-secondary vocational-technical school, technical institute, technical college, community college, or four-year institution of higher education. See “definitions” ) pursuant to a contract between the district or institution and a Local Apprenticeship Committee and/or sponsor.
8. Pursuant to Act 684 of 1989, a public school district, a state post-secondary/higher education institution may receive an administrative fee to cover the costs of processing the records of the apprentice which shall not exceed \$25 ~~for each course in which the apprentice is enrolled~~ per apprentice per school year.
9. No more than 15% of the state funds may be used by the program sponsor for administrative purposes such as supervisory and/or secretarial salaries, travel, office supplies, etc.
- ~~8. Funds may be used for “journeyman upgrade” training if available. Funds will be paid at the current “Option A” funding rate and usually no more than forty (40) hours of classroom instruction will be reimbursed for any single class.~~

## **B. USAGE OF FUNDS**

1. Payroll costs: May include salaries and fringe benefits for supervisors, a secretary, a clerk and instructors. (Fringe benefits must be in compliance with local policies.) No more than 15% of the state funds may be used by the program sponsor for administrative purposes such as supervisory and/or secretarial salaries, travel, office supplies, etc
2. Purchased and contracted services: May include rental of instructional space; detailed information is required. Consulting fees are not eligible expenses.
3. Supplies and instructional materials: May Include items necessary for the, instructional process, such as paper, pencils, workbooks, and consumable

construction and industrial materials consumed or used by the apprentice; also, supplies needed to properly administer the program.

4. Other operations expense which may be considered: Funds may be utilized by apprenticeship instructor(s) for travel to and from related instruction inservice or workshops provided by the Department of ~~Workforce~~ Career Education or the sponsor.

#### **SECTION XIV. GUIDELINES FOR ADMINISTERING AN APPRENTICESHIP PROGRAM**

##### **A. GENERAL GUIDELINES:** In general, the instruction should:

Reflect the current skill of the occupation for which the apprentice is learning to become competent;

Periodically be up-dated to reflect the changing skills of the occupation;  
Be for the occupation for which the apprentice is registered;

Simulate the job environment as much as possible; and

Be of sufficient duration and depth to ensure that the apprentice is able to become fully qualified to perform the tasks of their chosen occupation.

##### **B. SPECIFIC GUIDELINES:** The guidelines listed below are more specific and are intended to standardize the administration of the instruction.

The time an apprentice spends in instruction should correspond with the time of their apprenticeship.

The instruction should provide off-the-job skills development.

The instruction is generally made available through unit classes organized by occupation, group study in which two or more occupations are represented in the class, and/or in-house courses.

The approval to issue credit for previous work experience is the responsibility of the program sponsor.

##### **C. INSTRUCTION:** Apprenticeship instruction programs provide the necessary off-the-job learning experiences that help the apprentice become qualified in their chosen "apprenticeable" occupation. Programs are organized for apprentices by the program sponsor using several formats. The format selection depends on:

The number of apprentices in the occupations,

The needs of the program sponsors, and

The availability of classroom and laboratory facilities.

**D. CORRESPONDENCE COURSE:** Since there are no contact hours associated with correspondence courses, they do not meet the criteria for state funding.

**SECTION XV. APPEALS**

Any appeals concerning the above regulations and/or process for Implementing should be addressed to:

Director

Department of ~~Workforce~~Career Education

#3 Capitol Mall

Little Rock, AR 72201 – 1083

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

August 4, 2015

TO: Career Education and Workforce Development Board

FROM: Charisse Childers, Ph.D., Director *Childers*  
Kathi Turner, Deputy Director, CTE *KT*  
Sonja Wright-McMurray, Associate Director CTE Special Programs *SWM*  
Randy Prather, Program Manager, Apprenticeship and Construction Training *RP*

SUBJECT: ACTION ITEM - APPOINTMENT OF A NEW MEMBER TO THE  
STATE PLUMBING APPRENTICESHIP COMMITTEE (SPAC)

RECOMMENDATION: It is recommended that the Career Education and Workforce Development Board appoint:

James Corser, to the State Plumbing Apprenticeship Committee (SPAC)

INFORMATION/RATIONALE: Act 200 of 1951 Plumbers Law – The Career Education and Workforce Development Board shall appoint a State Apprenticeship Committee consisting of seven voting members.

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

July 23, 2015

TO: Director Charisse Childers, Ph.D. *Childers*

FROM: Randy Prather, Education and Instruction Manager, Apprenticeship Office *RP*

Through: Ms. Sonja Wright-McMurray, Associate Director, CTE Special Programs *sonj*

SUBJECT: Recommendations for Replacement Appointment to the State Plumbing Apprenticeship Committee (SPAC), Congressional District 2 position, vacated by Jeff Voegelé.

During the last SPAC meeting, July 2, 2015, the committee reviewed the resume submitted for the Master Plumber, Congressional District 2 position. The following nominee was recommended to fill this position:

- James Corser:

The committee felt that Mr. Corser is qualified to serve in the vacated position. I have enclosed a copy of the nominee's letter to be reviewed for your convenience.

If you are in need of additional information please contact Randy Prather at 682-1360.

Enclosure

15/RP/138

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
*Governor*

Charisse Childers, Ph.D.  
*Director*

August 4, 2015

TO: Career Education and Workforce Development Board

FROM: Charisse Childers, Ph.D., Director *CC*  
Kathi Turner, Deputy Director, CTE *KT*  
Sonja Wright-McMurray, Associate Director CTE Special Programs *sm*  
Randy Prather, Program Manager, Apprenticeship and Construction Training *rp*

SUBJECT: ACTION ITEM - APPOINTMENT OF A NEW MEMBER TO THE  
STATE ELECTRICAL APPRENTICESHIP COMMITTEE (SEAC)

RECOMMENDATION: It is recommended that the Career Education and Workforce Development Board appoint:

Roger Chaple, to the State Electrical Apprenticeship Committee (SEAC)

INFORMATION/RATIONALE: Pursuant to the authority expressly conferred by the laws of the State of Arkansas in ACT 1289 of 1997 and transferred to the Department of Career Education through a Memorandum of Understanding with the Arkansas Department of Labor and the Board of Electrical Examiners, the Career Education and Workforce Development Board shall appoint a State Apprenticeship Committee consisting of seven voting members.

STATE OF ARKANSAS



Department of  
Career Education

Asa Hutchinson  
Governor

Charisse Childers, Ph.D.  
Director

July 23, 2015

TO: Director Charisse Childers, Ph.D. *Childers*

FROM: Randy Prather, Education and Instruction Manager, Apprenticeship Office *RP*

Through: Ms. Sonja Wright-McMurray, Associate Director, CTE Special Programs *sonm*

SUBJECT: Recommendation for Replacement Appointment to the State Electrical Apprenticeship Committee (SEAC), Master Electrician, Congressional District 4 position vacated by Raymond Cossey.

During the April 3, 2015 SEAC meeting, the committee reviewed a Resume' submitted for the Congressional District 4 position. The following nominee was recommended to fill this position:

- Roger Chaple: Mr. Chaple has over 21 years of experience as an electrician and contractor. Mr. Chaple lives in Rogers and is currently is the President of Arkansas College of Electricity.

The committee felt that Mr. Chaple was qualified to serve in the vacated position. I have enclosed a copy of the nominee's Resume' to be reviewed for your convenience.

If you are in need of additional information please contact me at 682-1360.

Enclosure

15/RP/137