

## AGENDA

State Board of Workforce Education and Career Opportunities (SBWECO)

Arkansas Rehabilitation Services – Corporate Hill

August 2, 2007  
9:30 a.m.

- TAB A     Action Item – Approval of Minutes of June 7, 2007
  - TAB B     Action Item – Megan’s Law
  - TAB C     Information Item – Special Policies and Procedures for Secondary  
            Technical Centers
  - TAB D     Information Item – Adult Education Policy and Procedures
- Arkansas Rehabilitation Services Update
- Director's Report

MINUTES - MEETING OF THE  
STATE BOARD OF WORKFORCE EDUCATION  
AND CAREER OPPORTUNITIES

June 7, 2007

Chairman Jack Justus called a meeting of the State Board of Workforce Education and Career Opportunities (SBWECO) to order at Camp Couchdale in Hot Springs, AR at 9:30 a.m.

A record of member attendance is as follows:

PRESENT

Mr. Jack Justus, Chairman	<u>Ex-Officio Nonvoting Members</u>
Mrs. Lucy Ralston	None
Mr. Robert McClanahan	
Mr. Phil Taylor	
Mr. Terry Youngblood	
Mr. William L. "Bill" Walker, Ex-Officio Secretary	

ABSENT

Mrs. Kathy Scarsdale	<u>Ex-Officio Nonvoting Members</u>
Mr. Richard Smith	Dr. Linda Beene
	Dr. Ken James

Mr. Justus introduced Mr. Marion Fletcher, program manager for Agricultural Science and Technology and state advisor for the student organization Future Farmers of America.

Mr. Fletcher welcomed the board members and guests to Camp Couchdale. He invited everyone to stay for lunch and visit with the students who were attending the 80<sup>th</sup> Arkansas FFA State Convention.

A. ACTION ITEM – APPROVAL OF MINUTES OF April 5, 2007

On motion by Mr. Taylor and second by Mr. Youngblood, the State Board of Workforce Education and Career Opportunities unanimously approved the minutes of April 7, 2007.

B. ACTION ITEM – ADOPTION OF THE 2007-2008 AGENCY BUDGET

Mr. Brown, associate director for finance, recommended that the State Board of Workforce Education and Career Opportunities approve the 2007-2008 budget as presented.

Mr. Brown stated that the budget includes the following major components:

- Public School Fund – Adult basic and general adult education, workforce coordinators/counselors, new program start-up, adult literacy, vocational center aid and the student loan forgiveness program (state funds)
- Agency Operations (state funds) and Motor Vehicle Commission transfers
- Federally Funded Programs – Federal vocational, Dislocated Workers Task Force, Veterans Approving Agency, and adult education
- Cash-Supported Operations – Federal Surplus Property and alternate retirement programs
- Trust Funds – Construction trades training and Family dwelling revolving loan program
- General Improvement Funds

Mr. Brown reported that 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 official forecasts.

Mr. Brown stated that the budgets are subject to change because of changes in actual revenues, the receipt of miscellaneous grants, and the authorized reallocation of funds among appropriations and line items. He said that the approved budgets would constitute authority to spend in a manner consistent with applicable state and federal laws and regulations. Mr. Brown stated that the director of the Department of Workforce Education is authorized to make appropriate corrections and adjustments in accordance with policies and procedures established by the State Board of Workforce Education and Career Opportunities.

On motion by Mr. Taylor and second by Mrs. Ralston, the State Board of Workforce Education and Career Opportunities unanimously approved the agency budget for 2007-2008.

Mr. Brown asked that the Board at this time suspend the rules to consider an additional agenda item that is not in your agenda manual.

#### **ACTION ITEM – INTERNAL CONTROL AND COMPLIANCE REVIEW FOR THE DEPARTMENT OF WORKFORCE EDUCATION FOR THE FISCAL YEAR ENDING JUNE 20, 2006**

Mr. Brown recommended that the State Board of Workforce Education and Career Opportunities review and file for the record the internal control and compliance review for the Arkansas Department of Workforce Education for the fiscal year ending June 30, 2006.

Mr. Brown stated that it was an honor for the agency to be chosen for only a review instead of a complete audit for three consecutive years. He further stated that there were no reportable conditions.

Mr. Brown said the review would be presented to and filed by the Legislative Joint Auditing Committee on June 7, 2007.

On motion by Mr. Youngblood and second by Mr. Robert McClanahan, the State Board of Workforce Education and Career Opportunities unanimously voted to review and file for the record the internal control and compliance review for the Arkansas Department of Workforce Education for the fiscal year ending June 30, 2006. The audit report is on file in the office of the associate director for finance.

#### C. ACTION ITEM – MEGAN'S LAW

Mr. John Davidson, deputy director of career and technical education, recommended that the State Board of Workforce Education and Career Opportunities approve for public review the Arkansas Department of Workforce Education's guidelines for disclosure of the information as required by ACT 147 of the regular session of the 86<sup>th</sup> General Assembly.

On motion by Mr. Youngblood and second by Mr. Taylor, the State Board of Workforce Education and Career Opportunities unanimously voted to approve public review of the Arkansas Department of Workforce Education's guidelines for disclosure of the information as required by ACT 147 (Megan's Law). See guidelines as attachment A.

#### D. ACTION ITEM – APPROVAL OF A LANDSCAPE CONSTRUCTION DESIGN PROGRAM FOR RIVERSIDE VOCATIONAL TECHNICAL SCHOOL

Mr. Lee Griffith, associate director for workforce training, recommended the State Board of Workforce Education and Career Opportunities approve the addition of the Landscape Construction Design program at Riverside Vocational Technical School.

Mr. Griffith introduced Mr. Joe Kelnhofer, Director of Riverside Vocational Technical School. Mr. Kelnhofer stated that there is a demonstrated need for trained employees in the landscape industry. Students who complete this program will earn certification as a landscape technician.

Mr. Kelnhofer stated that the Tucker Unit currently has a Horticulture program focusing on production of greenhouse and nursery plants. The Landscape Construction and Design program is a logical next step in the horticulture industry.

On motion by Mrs. Ralston and second by Mr. Taylor, the State Board of Workforce Education and Career Opportunities unanimously voted to approve the addition of the Landscape Construction Design program at Riverside Vocational Technical School.

## DIRECTOR'S REPORT

Mr. Bill Walker asked that Mr. Robert Trevino, Commissioner of the Division of Arkansas Rehabilitation Services give the board members a update on the activities of Arkansas Rehabilitation Services.

Mr. Walker introduced the new director of communications, Reginald Jackson and his new assistant Angela Heard.

Mr. Walker informed the board that the communications offices of Department of Workforce Education (DWE) and Arkansas Rehabilitation Services have merged under one roof and would function as one voice and one family for DWE.

Mr. Walker also noted the Loan Forgiveness Program had been reinstated in May 2007.

Mr. Walker also noted that Act 1473 of 2007 designated Department of Finance and Administration (DFA) as disbursing officer for a statewide literacy program. The Department of Finance and Administration felt it would be more practicable to either disburse funds directly to our department for determining the recipients or disburse funds to recipients designated by our office.

Mr. Walker noted that the apprenticeship and applied sciences office has moved under the direction of Mr. Lee Griffith, associate director for workforce training. He stated this move was made to make the department more effective and that all parties are still involved and working collectively.

## ADJOURNMENT

Mr. Justus adjourned the meeting at 11:40 a.m.

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Bill Walker, Ex-Officio Secretary  
State Board of Workforce Education  
and Career Opportunities

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Jack Justus, Chairman  
State Board of Workforce Education  
and Career Opportunities

**ARKANSAS DEPARTMENT OF WORKFORCE EDUCATION  
GUIDELINES  
FOR  
ARKANSAS CODE ANNOTATED §SEQ, "Megan's Law"**

**INTRODUCTION**

Arkansas Code Annotated § 12-12-901 et. seq, known as the Arkansas Sex and Child Offender Registration Act, also know as "Megan's Law", is the community notification law that allows law enforcement to communicate with the public when a sexual offender is in their area. The Sex Offender Assessment Committee will assess the offender using a ratings instrument to determine the risk that the offender may pose to the community. The assessment allows local law enforcement to determine who needs to be notified in the community and to tailor the notification according to the offender's level of risk.

Four levels of risk have been developed for assessment purposes:

- Level I: Usually there are individuals with no prior history of sexual acting out and no strong antisocial tendencies or sexual compulsions or other psychological factors impairing judgment.
- Level II: Usually these are individuals with limited or circumscribed prior history of sexual acting out and/or only mild antisocial or predatory tendencies that increase the general level of risk they pose.
- Level III: These are individuals with histories of repeat sexual offending and/or strong antisocial, violent or predatory personality characteristics. Sexual compulsions are likely to be present, but may be kept under control when relapse prevention plans are followed and treatment is continued.
- Level IV: These are individuals with impaired judgment or control who have sexual or violent compulsions that they lack the ability to control. This may be due to pedophilia or other disorders of sexual attraction, mental illness or personality disorder that distorts thinking or otherwise interferes with behavioral control.

In order to determine an offender's risk of "re-offense", the law enforcement guidelines include a risk assessment scale that reviews the seriousness of the offender's crime, his offense history, and other personal and social characteristics of the offender. Point values are assigned to the factors and total points accumulated on the scale determine the offender's risk level. The assessment process is not intended to determine the actual probability of any one offender committing another crime, but to provide the basis for a rational method of notification to the public.

Law enforcement will assess the offender and will notify the schools in their area of an offender who is Level II, Level III, or Level IV and is likely to prey on school-age children. Law enforcement maintains the discretion to determine who in the community will be notified. For example, if the offender is Level II whose targets are elementary-school-aged children; law enforcement may only notify the elementary schools in the area and not the secondary schools.

Arkansas Code Annotated § 12-12-913(g) (1), (2), (3), and (4) states:

"(g) (1) The State Board of Education and the State Board of Workforce Education and Career Opportunities shall promulgate guidelines for the disclosure to students and parents of information regarding a sex offender when such information is released to a local school district or institution of vocational training by a local law enforcement agency having jurisdiction.

(2) The Arkansas Higher Education Coordinating Board shall promulgate guidelines for the disclosure to students of information regarding a sex offender when information regarding a sex offender is released to all institution of higher education by a local law enforcement agency having jurisdiction.

(3) In accordance with guidelines promulgated by the State Board of Education, the board of directors of a local school district or institution of vocational training shall adopt a written policy regarding the distribution to students and parents of information regarding a sex offender.

(4) In accordance with guidelines promulgated by the Arkansas Higher Education Coordinating Board, the board of directors of an institution of higher education shall adopt a written policy regarding the distribution to students of information regarding a sex offender.

These guidelines are to help schools distribute information to their staff, students, and parents according to the level of assessment. Law enforcement will inform the schools of an offender and the level the offender has been assessed. The level of assessment will determine whom the school needs to notify.

Level I offenders are considered to be low-risk offenders and not dangerous to the community at large. No notification of students and/or parents is permitted. For low-risk offenders, only law enforcement agencies and adult members of the household where the offender resides, Department of Children and Family Services of the Department of Human services for juvenile offenders, and victims or guardians of victims for adult offenders should be notified.

Level II offenders are considered to be moderate risk. Law enforcement has the discretion whether to notify schools. If schools are notified on this level, the information is intended to assist staff members in the protection of their charges, not to provide notification to the community at large. For moderate-risk offenders, law enforcement

agencies, adult members of the household, and organizations that serve individuals likely to encounter the offender should be notified unless to do so would cause harm to the victim(s).

Level IV offenders are considered to be sexually violent predators. Law enforcement will notify schools, according to the offender's profile. Again, parents and/or students are not automatically notified. If schools are notified on this level, the information is intended to assist staff members in the protection of their charges. However, law enforcement may ask schools to assist in notifying students and parents as members of the community at large. Notification of members of the general public in the vicinity of where the offender lives travels and works should be done.

The principal and/or program director of each school will have the discretion to make the determination as to which employees within the school should be informed of the notification. This determination must be made within the context of the following definition and the list provided here of employees or volunteers who may fit this description:

**The principal and/or program director should share the notice with any person who in the course of their employment or assignment is regularly in a position to observe unauthorized persons on or near the property of the notified school.**

The following is an illustrative list of those employees who may be given this information for use in the course of their job-related activities. Since job duties and titles vary, this list is meant only to provide examples. It is not meant to prevent sharing the notice with someone who meets the definition above but whose job title is not included on this list. Principals and/or Program Directors should make a determination of who to notify based on the definition above and on the specific job duties carried out in their schools.

**List of employees or volunteers to be considered for notification:**

- ❖ Aids
- ❖ Bus drivers
- ❖ Coaches
- ❖ Maintenance staff
- ❖ Professional support staff
- ❖ School level administrative staff
- ❖ Security personnel
- ❖ Teacher's assistants
- ❖ Teachers

If any of the above functions are performed by private vendors (i.e. bus companies), the principal and/or program director should inform the private vendor so that employees who in the course of the duties of their employment are regularly in a position to observe unauthorized persons on or near the property of the school may be notified.

## LEVELS OF NOTICE FOR LEVEL II, III, AND IV

### A. **Level II: Persons excluded from notification**

You are not permitted to disseminate this information to the following:

- Members of the parent-teacher organizations
- Organizations using school facilities
- Other schools
- Parents or guardians of students
- Press
- Students

If an organization using school facilities request this information from school personnel, the organization should be directed to the area law enforcement that issued the notice.

If members of the press contact a school, they may be informed about the procedures that have been put in place and other general topics. No one may reveal the name or any other specifics regarding an offender. No one should confirm or deny whether notice as to any particular offender has been disseminated.

### B. **Level III or Level IV: Additional persons who may be notified**

In the case of a Level III or Level IV notification, if your school is located in an area where a vulnerable population is likely to encounter the offender, then area law enforcement notification may include the students in the school and, within law enforcement's discretion, notice will be given to the parents or guardians of those students. The determination as to the appropriate method to use in the dissemination of the notice must be reached through cooperation with area law enforcement.

A list of those persons who may be notified will be provided to you along with the notice. Notice to parents/guardians should be sent home to the parents with the children or by mail. An accompanying cover letter should explain that school employees are aware of the existence and location of the offender and that every possible precaution will be taken to protect the children. Age appropriate discussion may be held in the classroom explaining the potential danger to the students, but they should not be provided with copies of the law enforcement notice. School meetings may be held to provide parents, guardians, teaching staff and administrative staff with information and support.

Copies of the notice should not be posted on school bulletin boards, and copies of the notice should be kept in a secure place accessible to teachers and staff, but not accessible to students or members of the community at large.

#### OFFENDERS WHO ARE STUDENTS OR PARENTS/GUARDIANS OF STUDENTS

Nothing in these guidelines is intended to preclude a sex offender registrant from attending school as a student. However, the same procedures for notification apply to students who are sex offender registrants.

Nothing in these guidelines is intended to preclude a sex offender registrant who is the parent or guardian of a child enrolled in a school from entering school property for parent-teacher conference, for dropping off the child at school, or for any other activity which is appropriate for a parent or guardian. However, please note that in some cases, judicial restraining orders or conditions of probation or parole may limit such activities by sex offender registrants who are parents.

#### IMMUNITY

Public officials, public employees, and public agencies are immune from civil liability for good faith conduct under Arkansas Code Annotated § 12-12-913.

Nothing in Arkansas Code Annotated § 12-12-913 shall be deemed to impose any liability upon or give rise to a cause of action against any public employee, or public agency for any discretionary decision to release relevant and necessary information, unless it is shown that the official, employee or agency acted with gross negligence or in bad faith.

#### NEW STAFF OR STUDENTS; SUBSEQUENT SCHOOL YEARS

##### A. NEW STAFF OR STUDENTS

There is no ongoing obligation to distribute notices to students or staff that are enrolled or hired after the initial notification. However, schools may retain notices for training subsequently hired staff. Notices may also be distributed to the parents or guardians of newly enrolled students, during the same school year, at the school's discretion unless law enforcement has notified the school that notice can no longer be given.

##### B. SUBSEQUENT SCHOOL YEARS

Schools may use notices for training staff in subsequent school years at the discretion of the principal and/or program director.

#### NOTIFICATION DURING VACATION

It is possible that notification will occur during summer vacation or some other time when school is closed for an extended period. If your school receives a Level II notification, the procedures of these guidelines should be followed for any school employees who are working during the vacation period. Remaining staff members should be informed when they return to work. If your school receives Level III or Level IV notification and is not in session on the day law enforcement conducts notification, notices will still be provided to the principal and/or program director. Notices should be mailed to the parents of children who are registered for the upcoming school year along with an explanation that the school employees are aware of the existence and location of the offender and that every possible precaution will be taken to protect the students.

#### LIMITATIONS ON NOTIFICATION; CONSEQUENCES OF IMPROPER DISSEMINATION OF INFORMATION

Information about convicted sex offenders is being provided to school personnel so that they can take all appropriate steps to protect students they are supervising. Only law enforcement has the authority to decide who will receive notice. Therefore, it is important that school personnel receiving notice understand that they are receiving sex offender notifications in their official capacity and are not to disseminate information about an offender to anyone outside the school.

Improper dissemination of the information about an offender may lead to disciplinary action being taken. Moreover, law enforcement will carefully investigate all allegations of criminal conduct taken by any person against the offender, the offender's family, employer, or school and, where appropriate, criminal prosecution will occur.

If any school employee has reason to believe that an offender who has been the subject of a notification is a danger to someone outside the school environs, then he or she should immediately contact the local law enforcement agency.



Department  
of Workforce Education

Mike Beebe  
Governor

William L. "Bill" Walker, Jr.  
Director

August 2, 2007

TO: State Board of Workforce Education and Career Opportunities

FROM: William L. Walker, Jr., Director   
John Davidson, Deputy Director for Career & Technical Education 

SUBJECT: ACTION ITEM – MEGAN'S LAW

**ACTION RECOMMENDED:** It is recommended that the State Board of Workforce Education and Career Opportunities approve the Arkansas Department of Workforce Education's guidelines for disclosure of information as required by ACT 147 of the regular session of the 86<sup>th</sup> General Assembly.

**INFORMATION/RATIONALE:** This policy will fulfill the requirements of the act regarding disclosure of information regarding a sex offender to students in school districts, adult education programs, CTE programs or other vocational training opportunities under the over site of the Department of Workforce Education.

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- ❖ **School level administrative staff**
- ❖ **Security personnel**
- ❖ **Teacher's assistants**
- ❖ **Teachers**

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Public officials, public employees, and public agencies are immune from civil liability for good faith conduct under Arkansas Code Annotated § 12-12-913.

Nothing in Arkansas Code Annotated § 12-12-913 shall be deemed to impose any liability upon or give rise to a cause of action against any public employee, or public agency for any discretionary decision to release relevant and necessary information, unless it is shown that the official, employee or agency acted with gross negligence or in bad faith.

#### **NEW STAFF OR STUDENTS; SUBSEQUENT SCHOOL YEARS**

##### **A. NEW STAFF OR STUDENTS**

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##### **B. SUBSEQUENT SCHOOL YEARS**

Schools may use notices for training staff in subsequent school years at the discretion of the principal and/or program director.

#### **NOTIFICATION DURING VACATION**

It is possible that notification will occur during summer vacation or some other time when school is closed for an extended period. If your school receives a Level II notification, the procedures of these guidelines should be followed for any school employees who are working during the vacation period. Remaining staff members should be informed when they return to work. If your school receives Level III or Level IV notification and is not in session on the day law enforcement conducts notification, notices will still be provided to the principal and/or program director. Notices should be mailed to the parents of children who are registered for the upcoming school year along with an explanation that the school employees are aware of the existence and location of the offender and that every possible precaution will be taken to protect the students.

#### **LIMITATIONS ON NOTIFICATION; CONSEQUENCES OF IMPROPER DISSEMINATION OF INFORMATION**

Information about convicted sex offenders is being provided to school personnel so that they can take all appropriate steps to protect students they are supervising. Only law enforcement has the authority to decide who will receive notice. Therefore, it is important that school personnel receiving notice understand that they are receiving sex offender notifications in their official capacity and are not to disseminate information about an offender to anyone outside the school.

Improper dissemination of the information about an offender may lead to disciplinary action being taken. Moreover, law enforcement will carefully investigate all allegations of criminal conduct taken by any person against the offender, the offender's family, employer, or school and, where appropriate, criminal prosecution will occur.

If any school employee has reason to believe that an offender who has been the subject of a notification is a danger to someone outside the school environs, then he or she should immediately contact the local law enforcement agency.

## HOT SPRINGS REHABILITATION CENTER

### Sex Offender Policy

**Purpose:** To ensure that a safe environment is provided to the staff and students of the facility so that our mission of working with people with physical and emotional challenges may receive employment outcomes.

**Scope:** The HSRC/ACTI Personnel Policy applies to all staff of the Hot Springs Rehabilitation Center and its potential clients/students.

**Policy Statement:** The Hot Springs Rehabilitation Center/Arkansas Career Training Institute is a comprehensive vocational rehabilitation facility that residential treatment services to students (male & female) ages 16 through adult. Therefore, we believe that the facility should consider the following as it relates to sex offenders.

Level 1 offenders are classified as Low Risk

Level 2 offenders are classified as Moderate Risk

Based upon the above classifications HRSC/ACTI can consider Level 1 or 2 offenders for possible enrollment, depending on the circumstances surrounding the offender's offense, treatment, service need, and potential outcomes as presented by the ARS Field Counselor and as determined by a required risk assessment process conducted by the Admissions Review Committee.

Level 3 offenders are classified as High Risk

Level 4 offenders are classified as Sexually Violent Predator

Based upon these classifications, these applicants will not be considered for enrollment. Due to the severity and the nature of their classification as potential repeat offenders, it would create an endangerment to our residential facility. Also House Bill 1011 Act 330 of 2003 section 3 states that it is unlawful for a sex offender who is required to register under the Sex Offender Registration Act of 1997, 1212-901 et seq. and who has been assessed as a Level 3 or 4 offender to reside within two thousand feet (2,000) of the property on which any public or private elementary or secondary school or daycare facility is located.

**Notification Guidelines:** The above named Level offender classifications will be required to notify segments of the community and other individual or agencies according to the attached regulations: See Notification Pages 21, 22, 23.

Individuals, who refuse, deliberately provide false or misleading information during an interview will be assigned to the highest level at risk.

**Notification Guidelines (Section 13):** The notification guidelines indicate which segments of the community must be notified. Notification given to any individual or agency does not authorize that individual or agency to disseminate information beyond those residing with the individual or those who have a need to know within the agency.

Generally, the higher the risk level assigned, the broader the notification that must be given. These notification guidelines apply to adult offenders and to juvenile offenders ordered by the court to register. The guidelines should be interpreted narrowly in the case of a juvenile in accordance with the level of confidentiality afforded by the juvenile justice system. It is the responsibility of the Chief Law Enforcement Officer to interpret these guidelines and prepare a notification plan. Should circumstances change that may increase the offender's risk to the community, it is the responsibility of the Chief Law Enforcement Officer to modify the existing notification plan or request a reassessment.

Discretion must be used in applying the guidelines to any offender. The harm that may be caused by a particular notification must be weighed against the protection that would be afforded the public. For example, notifying the neighbors about a Level 1 or Level 2 incest offender may further victimize the offender's spouse and child if the offender's family is known in the community.

The initial steps toward notification occur as part of the risk assessment process. The Arkansas Department of Correction is responsible for notification occur as part of the risk assessment process. The Arkansas Department of Correction is responsible for notifying the sheriff and the chief of police, ACIC, the offender, any supervising agencies, and the victim. Sheriffs and chiefs of police are encouraged to have a written working agreement to ensure that all offenders in their jurisdictions are properly registered. The notification guidelines shown below and any special recommendations will be attached to the Offender Fact Sheet.

#### **Level 1 / Low Risk**

- The law enforcement agency having jurisdiction, and other law enforcement agencies likely to encounter the offender. This may include state and federal law enforcement agencies, campus police, school safety officers, and the like.
- The offender. The fact sheet will be mailed to the offender at the same time that it is mailed to the Chief Law Enforcement Officer having jurisdiction. If the offender requests an administrative review, the Chief Law Enforcement Officer will be notified and asked to limit community notification to that indicated for Level 1 and any citizens thought to be at immediate risk, until the review has been completed.
- All adult members of the household where the offender is residing or intends to reside, unless the offender is residing or intends to reside in a residential treatment facility, group home, foster home, half-way house, or other supervised living arrangement, in which case only the residence supervisor or foster parent should be notified.
- Victims or guardians of victims of adult offenders are notified through the VINE systems operated by the Arkansas Department of Corrections. Victims or guardians of juvenile offenders should be notified by law enforcement.

**Level 2 / Moderate Risk**

- All parties specified in level 1 **must** be notified.
- The heads of agencies and organizations that serve individuals in the offender's target group must be notified. This may include but is not limited to schools, day care centers, community and youth groups, religious organizations, libraries, the Department of Human Services, women's organizations and shelters, park security, businesses frequented by children.
- State licensing boards and prospective employers will be notified if requested by the licensing board or by the human resources manager for the employer, or if law enforcement sees the type of employment as bringing the offender and potential victims into contact.

**Level 3 / High Risk**

- All of the entities and individuals listed for Levels 1 and 2 must be notified, including those designated as "discretionary" unless to do so would cause harm to the victim(s).
- Notification must be made to any member of the community whom the offender is known to be likely to encounter, based on the offender's prior history, recreational or religious interests, employment, or the characteristics of the offender's victims.
- Notification should be conducted by methods devised to notify all members of the public likely to encounter the offender. This should be done face-to-face between law enforcement and citizens to the extent possible. Those likely to encounter the offender, including all neighbors, are to be given an Offender Fact Sheet and cautioned about the appropriate use of the information.
- Offender Fact Sheet information on offenders rated at Level 3 (high risk) or Level 4 (Sexually Violent Predator) will be available to the public on the ACIC web site (<http://www.adic.org/>).

**Level 4 / Sexually Violent Predator**

- All of the entities and individuals listed for Levels 1 through 3 must be notified.
- Notification of members of the general public in the vicinity of where the offender lives travels, and works, should be done. It is preferable to notify these individuals in a face-to-face meeting, and to encourage assistance in monitoring the offender rather than instigating harassment, fear or hatred. However, open community meetings or meetings with neighborhood watch groups are also acceptable.
- Any individual having good reason may request an Offender Fact Sheet from the Chief Law Enforcement Officer. Each individual given an Offender Fact Sheet must be advised that it is not for publication, but may only be used in accordance with the law and these guidelines.
- The Department of Community Correction will be asked to provide intensive supervision, if the offender falls under the jurisdiction of that agency.
- Polygraphing will be done on reassessments, unless clearly contraindicated in view of the Sex Offender Assessment Committee.
- Community meetings may be held to inform residents of the area in which the offender is likely to be found.
- Printed materials, posters, and electronic media may be used to notify and inform the public in the most necessary and potentially dangerous situations.

- The Offender Fact Sheets of all Sexually Violent Predators will be available to the public on the ACIC website.

**Reassessment (Section 14)**

The adult offenders, classified Levels 1 through 3, may request reassessment 5 years after the date of the most recent risk assessment. Reassessments will, at the discretion of the Sex Offender Assessment Committee, include a polygraph, voice stress analysis, and/or plethysmograph examinations to be billed to the person being reassessed.

The juvenile offender may request reassessment two years after the date of the most recent risk assessment. Once the juvenile offender reaches age 18, the guidelines for adult offenders are to be followed. The files of such offenders will be transferred from the Family Treatment Program to Sex Offenders Screening and Risk Assessment, which will conduct any further assessments.

Reassessment may be requested by any parole or probation, any law enforcement agency, the court, or the Sex Offender Assessment Committee at any time, by submission of a statement of reason to Sex Offender Screening and Risk Assessment. These requests will be reviewed by the Sex Offender Assessment Committee and granted if, in the opinion of the committee, sufficient grounds have been stated. Reassessment of a juvenile must be ordered by the Juvenile Court having jurisdiction.

Reassessments, particularly those done on the basis of suspicion of recent deviant sexual activity, will include administration of a polygraph and /or plethysmograph (measure of sexual interest) examination. The cost of polygraph, voice stress analysis and /or plethysmograph examinations on referrals by law enforcement will be borne by the Sex Offender Assessment Committee.

Refusal of, or non-compliance with, reassessment will result in a written notification to law enforcement in the area in which the offender resides, and to any supervising agency.

Request for reassessment may be made by phone (870-850-8429); fax (870-8500-5446); or mail (P. O. Box 6209, Pine Bluff, AR 71611-6209; or E-mail ([adc.sosra@arkansas.gov](mailto:adc.sosra@arkansas.gov)) by completing the form entitled Request for Sex Offender Reassessment.

Forms for requesting reassessment will be available from the ACIC web site.



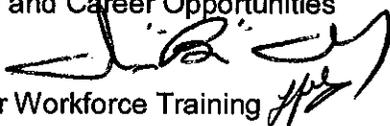
Department  
of Workforce Education

Mike Beebe  
*Governor*

William L. "Bill" Walker, Jr.  
*Director*

August 2, 2007

TO: State Board of Workforce Education and Career Opportunities

FROM: William L. "Bill" Walker, Jr., Director   
Lee F. Griffith, Associate Director for Workforce Training 

SUBJECT: INFORMATION ITEM – SPECIAL POLICIES AND PROCEDURES  
FOR SECONDARY TECHNICAL CENTERS

**INFORMATION/RATIONALE:** The current Special Policies and Procedures for Secondary Technical Centers were adopted in June 2005. Since that time it has become necessary to make minor adjustments and technical corrections in the policies and procedures. In accordance with the Administrative Procedure Act, a marked-up copy of the policies and procedures will be placed on public review for 30 days.

Upon completion of the 30-day comment period, the policies will be brought to the State Board of Workforce Education and Career Opportunities for adoption.



# **SPECIAL POLICIES AND PROCEDURES**

**FOR**

**SECONDARY AREA TECHNICAL  
CENTERS**

**Effective June 17, 2005**

## **SPECIAL POLICIES AND PROCEDURES FOR SECONDARY AREA TECHNICAL CENTERS**

### **I. Application/Approval**

#### **A. Secondary Area Technical Center Approval**

1. An application for a new secondary area technical center must be submitted to the Associate Director of Workforce Training in the Department of Workforce Education (DWE) on or before **October 1**, prior to the school year in which the center is scheduled to open. Guidelines and application forms for a new secondary area technical center may be obtained by contacting the **Associate Director for of Workforce Training, #3 Capitol Mall, Luther S. Hardin Bldg., Little Rock, AR 72201-1083**, or by calling **(501) 682-1505**.
2. Priority will be given to areas not currently being served by a center. A center will not be approved within 25 miles of an existing center unless it can be demonstrated that the creation of a new center will not adversely impact adjoining centers.
3. A sponsoring institution/entity (public high school, postsecondary technical institute, two-year college, or educational service cooperative) that has been approved by the State Board of Workforce Education and Career Opportunities (SBWECO) as a secondary area technical center may begin operation with **three occupation specific programs**, but must have **six programs of study in at least five career clusters by the start of the fourth year**. **Only occupational specific programs will be eligible for secondary area technical center funding**. Other programs will not be eligible for vocational technical center aid funding.
4. A secondary technical center that is approved by the SBWECO must serve multiple high schools in order to qualify for secondary center funding.
5. A secondary ~~area~~ technical center that closes and desires to resume operation must submit a new application to the ~~State Board of Workforce Education and Career Opportunities~~ SBWECO for approval. A center that is approved by SBWECO for start-up, but fails to begin operation within a two-year period, shall be considered null and void and must reapply.

#### **B. New or Expanded Programs**

1. For new or expanded program approval, the sponsoring institution/entity shall submit a proposal to the **Deputy Director of Career and Technical Education**, Department of Workforce Education prior to **October 1**, preceding the year in which the program(s) is to be implemented. The application is available in the Career & Technical Education link on the DWE website at Career and Technical Education.
2. ~~New programs must be approved by the Associate Director of Workforce Training before the center can draw vocational center aid.~~ Newly approved

programs must be authorized by the Associate Director of Workforce Training to receive secondary center funding.

### C. Satellite Locations

1. An existing secondary area technical center or proposed center, approved by the SBWECO, may provide satellite location(s) to school districts that are located **outside the 25 miles or 30 minutes of driving time**. Satellite locations must be shared by **more than one school district**. Satellite locations will be eligible for funding in the same manner as center programs.
2. A Memorandum of Understanding (MOU) shall be completed, signed by cooperating parties, and on file in the secondary area technical center director's office concerning the operation of satellite locations.
3. **All applications for a satellite location require the approval of SBWECO.**

### D. Regional Technical Center

1. A secondary area technical center designated as a regional technical center will have the same service area as the sponsoring college.

## II. Finance

### A. Funding

1. ~~Vocational~~ Technical center aid will be calculated and distributed by the Department of Workforce Education based upon each secondary area technical center's eligible student FTE count.
2. The minimum training fee is set in accordance with ACA 6-20-2305(2)(A) and shall be calculated from the eligible student FTE count of the previous school year.
3. The secondary area technical center will bill each participating high school based upon current enrollment.
4. A secondary technical center will only receive funding for eligible students.
4. ~~5.~~ Funds not expended in accordance with Act 819 of 2004 ACA 6-51-301 to 6-51-305 shall be carried forward into the succeeding year.
5. ~~6.~~ Funding modifications shall be approved by the SBWECO.

### B. Supplemental Funds

1. Secondary area technical centers shall be eligible for new program start-up funds as outlined in Program Policies and Procedures for Secondary Programs.
2. Secondary area technical centers may from time-to-time be eligible for federal vocational funds. The Department of Workforce Education DWE

will inform secondary area center directors of these as soon as they become available.

3. Secondary area technical centers may apply for and receive on ~~its~~ their own merit any special grant funds from other agencies. Funding of secondary area centers is not limited to state funding as described above.

### **III. Expenditures Reports**

#### **A. Reporting ~~Semester~~ Reports**

1. Enrollment data shall be submitted to DWE each semester. Each center will include enrollment verification from each participating high school. Enrollment and verification forms are available on the Secondary Area Technical Center website.

#### **B. Yearly Reports**

1. An Annual Expenditure Report is to be completed and sent to the Department of Workforce Education.
2. The center will report to DWE each school year a list of participating high schools (School Participation Report)
3. The center will report to DWE all students enrolled in center programs during the school year (End of Year Report).
4. The center sponsored by an institution of higher education or having a Memorandum of Understanding (MOU) with an institution of higher education shall report annually the number of students earning concurrent credit and the number of hours earned. (Annual Concurrent Credit Report).

### **IV. Operations**

#### **A. Secondary Area Technical Center Responsibility**

1. The management, maintenance, and operation of a secondary area technical center shall be the responsibility of the sponsoring institution or entity in accordance with the policies established by the SBWECO.
2. Failure to properly maintain and operate a secondary area center may result, by recommendation to the SBWECO, closure of the center.

#### **B. Designation of Secondary Area Technical Center Director**

1. Each secondary area technical center having a minimum of six programs must employ a vocational director on a half-time or full-time basis.
2. The secondary area center director must hold one of the following credentials: CTE Administrator License  
or  
Secondary Vocational Director Endorsement
3. The secondary center director must have a minimum of 3 years of

secondary teaching or administrative experience.

### **C. Secondary Area Center Council**

1. Each secondary area technical center shall have an **active area secondary center council**. The council shall be comprised of **superintendents** of the sponsoring and local school districts participating in the secondary area technical center along with the **director** of the center. When a postsecondary institution is designated as a secondary area technical center, the director or president/chancellor of that institution shall be a member. Additionally, where secondary area technical centers are sponsored by an education service cooperative, the director shall be a member of the council. The secondary area technical center council shall serve in an advisory capacity for the secondary area technical center in all areas of administration and operation, e.g., scheduling, student discipline, program design, etc. The center council may also assist with determining the capacity of a center.
2. The council serves in advisory capacity only. The local board of the host institution serves as the governing authority of the secondary technical center.

### **D. Instructor Qualifications**

1. See certification/qualifications in Program Policies and Procedures Manual.
2. Technical instructors teaching at a college-based secondary technical center must have a minimum of an associate degree within the area of instruction and must have completed Arkansas State Police and FBI background checks and meet all college accrediting standards for instructors. Secondary technical centers should submit documentation of these records to the Office of Workforce Training, ADWE. Centers will annually submit a list of instructors providing concurrent credit and meeting the above requirements. They 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.

### **E. Employee Policies**

1. The sponsoring institution/entity shall adopt official employee policies and procedures, including a salary schedule, sick leave, inclement weather, grievance, benefits, and other policies. These must be adopted by the start of the second semester of operation.

### **F. Student Handbook**

1. The sponsoring institution/entity shall adopt a student handbook outlining the rules and regulations relating to discipline, attendance, hand tools, textbooks, OCR Grievance Procedures, and other matters. **These must be adopted by the start of the second semester of operation.**

### **G. Class Periods**

1. Class periods shall conform to the minimum class hours established by the Standards for Accreditation of Public Schools and North Central Association (NCA). In order to restructure a program of study, the secondary area technical center may work with the Department of Workforce Education to implement course design and class lengths.
2. Each participating high school shall be guaranteed seats in each program. The individual school's percentage of 10<sup>th</sup> grade enrollment calculated from the total 10<sup>th</sup> grade enrollment of all participating high schools shall be the method used to determine available seats. Any school not fulfilling its quota shall relinquish the unfilled seats to other schools.

#### H. Instruction

1. Each approved program offered must follow curriculum frameworks and administer student competency tests.
2. Concurrent credit classes offered for secondary career and technical credit in a college based secondary technical center must have approval and alignment by ADWE. Secondary Career and Technical Education course frameworks must be matched to college classes. One 3-hour college course will equate to .5 Carnegie units.
2. 3. An active advisory council is recommended required for each occupational program area.

#### I. Transportation

1. Responsibility for transporting students to and from the local school to a secondary area technical center shall be determined by the secondary area technical center director and the administration of the local school district.

#### J. Exceptions

1. Expansion of secondary area technical centers into areas not being served is a priority of the Department of Workforce Education. The director may, upon request, make exceptions to the above stated policies when such requests are supported by adequate justification.

#### V. Sanctions

1. A secondary technical center that serves only one high school during a school year will be placed on probation effective the following school year.
2. A secondary technical center that is on probation and does not serve more than one high school during the probation year will cease to exist on June 30 of the probation year.

#### V VI. Definitions

- **Access** is an attempt for every high school student in Arkansas to have the opportunity to participate in any of a minimum of three occupation specific

~~vocational~~ technical programs offered within 25 miles or 30 minutes of the home schools.

- **Capacity** of a secondary area technical center is determined by multiplying the number of blocks of occupation-specific programs (two or three hours) by 20.
- **Concurrent Credit** is received by high school career and technical education students who take classes offered through an institute of higher education. These classes will be transcribed by the local high school for secondary credit and by the institute of higher education for college credit.
- **Eligible Student** is a student enrolled in the ~~10 through 12<sup>th</sup>~~ 10-12 and who is pursuing a program of study in a secondary area technical center. ~~Only an eligible student shall qualify for vocational center aid and secondary area technical center pass-through funds. This definition becomes effective July 1, 2006.~~
- **Full-Time Equivalent (FTE)** shall be considered the equivalent of one student attending class for six class periods per day per year, e.g., one student attending a three period class the full year would equal one-half FTE.
- **Local districts** are the districts in the locality, which are eligible to participate in ~~vocational~~ technical center programs.
- **Occupation-specific ~~vocational~~ education programs** are a ~~vocational or~~ technical programs which have paid employment in specific occupations as their objective.
- **Private and/or home-schooled students** are eligible to participate in secondary area technical center programs through the local school district in which they officially reside.
- **Regional Technical Center** is defined as a secondary area technical center having the same service area as the host college.
- **Satellite location** is the extension of a secondary area technical center located outside the boundaries of an existing center (25 miles or 30 minutes of driving time) or to students in isolated areas. Satellite locations will be provided by an approved secondary area technical center, and must be shared by more than one school district. All satellite locations require the approval of the SBWECO.
- **Secondary area technical center** is a public secondary ~~vocational~~ technical institution organized for the specific purpose of educating high school students in specific occupational/~~vocational~~ technical areas. A center will serve students from more than one participating high school district. Students eligible to attend a secondary area technical center will generally come from a twenty-five (25) mile radius or thirty-minute (30) driving time from the local school. A secondary area technical center must be comprised of three specific ~~vocational~~ technical programs to begin operation. ~~Also,~~ It must have at least six programs out of five career clusters in operation by the start of the fourth year.

- ~~Short-term adult vocational classes are specialized classes organized for the purpose of providing training, retraining, and upgrading of skills for which there is an identified demand in the employment market.~~
- **Sponsoring institution** is a comprehensive high school, a postsecondary vocational technical institute, a two-year or community/technical college, an education service cooperative, or any other entity authorized by law that has been approved by the SBWECO. The sponsoring institution will function as the fiscal agent, and will manage, and administer the secondary area technical center. (Reference Act 788 of 1985 and Act 819 of 2004 ACA 6-51-301 to 6-51-305)

RELATED LINKS for Secondary Area Technical Centers:

<http://dwe.arkansas.gov/CTEPostsecondaryTechEd.htm>  
<http://dwe.arkansas.gov/CTElogopage.htm>  
<http://dwe.arkansas.gov/CTESCTENewandExpandedPrograms.htm>  
<http://dwe.arkansas.gov/sacdirectorinformation.html>  
<http://uark.edu/depts/awecc/content/listing.html>

**Effective June 17, 2005**



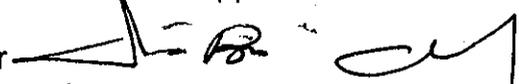
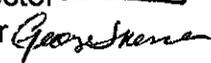
Department  
of Workforce Education

Mike Beebe  
Governor

William L. "Bill" Walker, Jr.  
Director

August 2, 2007

TO: State Board of Workforce Education and Career Opportunities

FROM: William L. "Bill" Walker, Jr., Director   
George French, Deputy Director 

SUBJECT: INFORMATION ITEM – ARKANSAS ADULT EDUCATION SECTION  
PROGRAM POLICIES

**INFORMATION/RATIONALE:** It has become necessary to make minor adjustments and technical corrections in the policies and produces. In accordance with the Administrative Procedure Act, a marked-up copy of the policies and procedures will be placed on public review for 30 days.

Upon completion of the 30-day comment period, the policies will be brought to the State Board of Workforce Education and Career Opportunities for approval and adoption.

The draft copy of the policy will begin public review on July 30, 2007. The public comment period will end on August 29, 2007.