



**COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC  
FACILITIES AND TRANSPORTATION**

**MEETING AGENDA**

**Arkansas Department of Education Auditorium  
March 28, 2012  
8:00 AM**

**Agenda Summary**

**1. Summary Meeting Minutes – September 29, 2011**

**Recommendation – That the Commission approve the meeting minutes for the September 29, 2011, Commission meeting.**

**2. Rules Changes**

Presenter – Mark White, ADE, Attorney Specialist

The division is presenting several rules that require changes due to statutory revisions made during the 2011 legislative session and to increase the effectiveness of division processes and support to school districts. The Public Hearing was held on December 8, 2011. A matrix summarizes all comments received and the disposition of each comment.

**Recommendation - That the Commission approve the proposed revisions and release the Rules Governing Maintenance and Operations of Public School Buses and Physical Examinations of School Bus Drivers for a second public comment period.**

**Recommendation - That the Commission approve all other rule changes and forward them to the Arkansas Legislative Council Administrative Rules and Regulations Subcommittee.**

**A. Rules Governing Appeals from Determinations of the Arkansas Division of Public School Academic Facilities and Transportation**

These draft rules contain the process for school districts to appeal written determinations made by the Division to the Commission or to the Facilities Review Board and to appeal Review Board decisions to the Commission. The rules contain the procedures that the Review Board and the Commission will use to review and hear appeals.

Legislative Changes

- School district appeals of division determinations that affect the state financial participation in a project must be heard by the Commission.

In response to a public comment, this rule change lengthens the time from thirty (30) days to sixty (60) days for school districts to appeal written determinations made by the Division to the Commission or to the Facilities Review Board and to appeal Review Board decisions to the Commission.

**B. Rules Governing the Facilities Master Plan**

Legislative Changes

- Changed master plan length from ten to six years
- Confirmed that enrollment projections for projects should be ten years

**C. Rules Governing Maintenance and Operations of Public School Buses and Physical Examinations of School Bus Drivers**

Legislative Changes

- Parental monitors on school buses.

Language has been added regarding sanctions for school districts and school bus drivers that violate the rules.

**D. Rules Governing the Academic Facilities Partnership Program**

**i. Rules & Appendix A, Partnership Program Guidelines and Application**

Legislative Changes

- Changed definition of “new construction” from improvement over “original condition” to improvement over “current condition”

Appendix A is being deleted since application process is now on-line and guidelines are instructions to submit applications, and should be separate from the Rules.

ii. **Appendix B, Arkansas Public School Academic Facilities Manual, Section 2: Standards and Guidelines, Chapter 7**

The Academic Facilities Advisory Committee met on September 8, 2011 and approved changes to the Arkansas School Academic Facility Manual.

These changes, that reflect more current building codes and practices, are contained in Section 2, Chapter 7, of the Arkansas Public School Academic Facility Manual.

- Section 7100 – Foundations
- Section 7200 – Plumbing
- Section 7300 – HVAC
- Section 7400 – Electrical
- Section 7500 – Technology

iii. **Appendix C, Program of Requirements (POR)**

The POR has been revised to allow student enrollment by individual grade level.

iv. **Appendix D, Academic Facilities Partnership Program Project Agreement**

The agreement has been revised to clarify project scope and simplify the process for districts to request reimbursements.

- Appendix A – Project Schedule - *Deleted*
- Appendix B – Payment Requests  
*Revised to simplify pay request process for districts and clarify change order process*
- Appendix C – Architect Engineer contract language  
*Deleted – Changed from requirement to recommendation*
- Appendix D – Construction contract language  
*Deleted – Changed from requirement to recommendation*

3. **Partnership Program Funding for Year Two 2011-2013 Project Funding Cycle**

Presenter – Dr. Charles C. Stein, PE, Director, DPASFT

During its April 20, 2011, meeting the Commission approved Year One and Year Two projects for the 2011-2013 project funding cycle and funded the Year One projects. With the completion of the 2012 General Assembly Fiscal Session, funding is available to fund Year Two projects of the 2011-2013 project funding cycle. The state financial participation required to fund the 31 warm, safe, and dry projects and the 20 space projects is \$31,677,460.24.

**Recommendation – That the Commission fund the Year Two projects for the 2011-2013 project funding cycle.**

#### **4. Academic Facilities Partnership Program**

Presenter – Dr. Charles C. Stein, PE, Director, DPASFT

This report presents an overview of the Partnership Program project execution and financial status. The report presents an overview of the number of projects approved, rescinded, completed, or in progress and indicates the state financial participation committed, expended, and remaining for each of the project funding cycles of the Partnership Program. The report also presents an overview of the committed funding for the Partnership Program that was reported to the Joint Senate and House Education Committee on January 10, 2012.

**Status Report – No Commission action required.**

#### **5. Commission review of 2006-2007 Project Funding Cycle Academic Facilities Partnership Program projects that have not begun construction**

Presenter – Dr. Charles C. Stein, PE, Director, DPASFT

**Recommendation – Per A.C.A. § 6-20-2507 (d)(3)(B), that the Commission review and withdraw committed funds for projects that have not begun construction, as evidenced by a signed construction contract, by January 31, 2010. Withdrawn funds to be placed back into the Partnership Program for use by 2013-2015 biennium projects.**

#### **6. Green Ribbon Schools Nomination**

Presenter – Murray Britton, Senior Project Administrator, DPASFT

The Arkansas Department of Education has nominated the Acorn School of the Ouachita River School District as the Arkansas nominee to the U.S. Department of Education (USED) Green Ribbon School Program. All Arkansas school districts had the opportunity to submit a nomination for the Green Ribbon Schools program that will recognize schools that save energy, reduce costs, feature environmentally sustainable learning spaces, protect health, foster wellness, and offer environmental education to boost academic achievement and community engagement.

The USED will recognize schools where staff, students, officials and communities have worked together to produce energy efficient, sustainable and healthy school environments and to ensure the sustainability and environmental literacy of graduates. The USED will announce winners in April 2012 during "Earth Day" week.

Acorn School of the Ouachita River School District, with very limited resources, integrated environmental education into the school's curriculum, has developed a fifteen acre outdoor classroom, identified and protected an endangered tree species (Ozark Chinquapin). The school also achieved partnerships with numerous private, public, and semi-public organizations to continue their environmental efforts

**Status Report – No Commission action required.**

## **7. Supplemental Transportation Funds**

Presenter – Mark White, ADE, Attorney Specialist

Act 1075 of 2011 provided \$500,000 of supplemental transportation funds to be distributed by the Arkansas Department of Education (ADE). ADE developed rules to distribute the funds during the 2011-2012 school year.

**Status Report – No Commission action required.**

## **8. Millage Elections**

Presenter – Dr. Charles C. Stein, PE, Director, DPASFT

School districts held millage elections in February and March 2012. Per Ark. Code Ann. 6-21-811 (f)(1)(A) the Division provided written notices to the districts with failed millage elections for a conference to discuss facility needs in the district.

**Status Report – No Commission action required.**