

## Summary of Changes to 6.02

The rule as it is currently written has had interpretation issues in the past and these changes will bring clarity. These changes will also align with the Partnership Program two-year cycle philosophy.

Currently, Partnership projects that are not funded by the Commission in the Year 2 of a cycle can be moved to Year 1 of the next cycle and Partnership projects that are not funded by the Commission in the Year 1 of a cycle can be moved to Year 2 of the same cycle.

This change will still allow Partnership projects that are not funded by the Commission in Year 1 of a cycle to be moved to Year 2 of the same cycle. However, Partnership projects that are not funded by the Commission in the Year 2 of a cycle can no longer be moved to Year 1 of the next cycle.

This change will require school districts to resubmit their Partnership application for the next cycle if they believe that there is a good chance that they will not be funded in Year 2.

**COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES  
AND TRANSPORTATION RULES GOVERNING THE ACADEMIC  
FACILITIES PARTNERSHIP PROGRAM**

**Effective: December 30, 2019**

**(As amended January 23, 2020)**

- 6.02 ~~To the extent a district's Partnership Program Project has been ranked of such low priority and there are not sufficient state funds available to fully fund the district's Partnership Project, the district shall be entitled to the following:~~
- ~~(i) The Division shall consider the district's current application a valid application for the next Partnership Project cycle and will prioritize and fund the application consistent with the prioritization and funding amounts utilized in the next Partnership Project cycle; or~~
  - ~~(ii) The district may choose to withdraw its project application prior to the next Partnership Program cycle and reapply for Partnership Project assistance in a subsequent cycle based upon that year's availability of funding pursuant to that cycle's adjusted funding rate and Partnership Program.~~
  - (ii) Approved projects not funded in the first year of a Partnership Program cycle will be moved to the second year of the Partnership Program same cycle and ranked after all of the approved year-two projects per Section 5.05 of these Rules. No project that is approved but not funded in a Partnership Program cycle will be moved to the next cycle.

**Request for Governor's Approval of Proposed Rules and Regulations**

**Department/Agency:** Commission for Arkansas Public School Academic Facilities and Transportation

**Short Title of Rule:** Commission for Arkansas Public School Academic Facilities and Transportation Rules Governing Academic Facilities Partnership Program; SECTION 6.02 ONLY

**New Rule:**  Yes  No

**Amendment to Existing Rule:**  Yes  No

**State Mandate:** \_\_\_ Yes  No      **Federal Mandate:**  Yes  No

If yes, please provide the rule, regulation, and/or statute citation

**Authority to Promulgate the Rule:** Ark. Code Ann. §§ 6-21-114, 6-20-2507, 6-20-2512

**Proposed Effective Date:** October 2020

**Emergency Rule:**  Yes  No

**Expedited Rule Requested:** \_\_\_ Yes  No

**Summary of Proposed New Rule or Proposed Amendment to Existing Rule:**

Please see attached.

**Financial Impact:** \_\_\_ Yes  No       Unknown; **If yes or unknown, please explain:**

**Public Hearing:**  Yes  No

**Controversial:**  Yes  No (Not expected)

**Documents Required for Approval Process**

Please note that the Governor's office will not begin the approval process if any of the following applicable documents are not enclosed with the approval request.

- x BLR Questionnaire
- x BLR Financial Impact Statement
- x Proposed Rule – clean version
- x Mark-Up of Rule, if amended from previous version
- x Copy of Act or Regulation, if Rule is pursuant to State or Federal mandate