Request for Support Procedures

Compliance Assistance Center (CAC)

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The Arkansas Division of Elementary and Secondary Education (DESE), Compliance Assistance Center (CAC) has developed this document to provide guidance to interested individuals. This document does not constitute legal advice.

Table of Contents

Table of Contents **3**
Introduction **4**
Before Submitting a Request for Support 4
Request for Support **5**
Requests Received 5
Request for Support Log 5
Compliance Advisor Assignment 5
Compliance Advisor Review Process 6
Request for Support Classification 6
Level 1: Not Accepted 6
Level 2: Accepted for Review - Tier 1 Support 7
Level 3: Accepted for Program Review - Tier 2 Support 7
School Support Tiers 8
School Support Tier 1 8
Indicators of a Tier 1 Request 8
CAC process for Tier 1 Request 8
School Support Tier 2 8
Indicators of a Tier 2 Request 8
CAC process for Tier 2 Request 8
School Support Tier 3 8
Indicators of a Tier 3 Request 9
CAC process for Tier 3 Request 9
Quick Resolution 10
Communication 11
Review Conclusion 11
Technical Assistance 11
Documents and Records 12
Processing Timeline 12
Appendix **14**

Introduction

The Compliance Assistance Center (CAC), established under Arkansas Code § 6-10-111, provides technical assistance to Arkansas public school districts and open-enrollment charter schools in meeting federal civil rights obligations and state accreditation requirements. The CAC's role is to review concerns, provide guidance, and recommend improvements. The CAC does not overturn district decisions (including those related to discipline, accommodations, or evaluations), adjudicate disputes, or serve as a substitute for the grievance or due process procedures required under federal or state law.

The CAC's purpose is to help public and open-enrollment charter school districts:

- Understand their responsibilities in providing equitable educational opportunities,
- Implement nondiscriminatory policies and procedures, and
- Maintain appropriate documentation.

The CAC Program Manager oversees the Request for Support process, provides approvals for official communications, and ensures consistency with DESE policies.

Before Submitting a Request for Support

A **Request for Support** is a written statement saying that a policy, procedure, or state/federal regulation may have been applied unfairly or incorrectly. It asks the CAC to review the concern and provide support to the school district. To help resolve concerns quickly and fairly, it is important to keep communication open at all levels within the school district. Before sending a Request for Support to the Compliance Assistance Center (CAC), you should first take the following steps with your school district:

1. Talk with the staff member most directly involved.
2. Share your concern with the school principal.
3. Contact the district coordinator responsible for the area of concern (for example, Section 504, Title IX, Title VI).
4. Contact district leadership, such as the Superintendent or Assistant Superintendent.
5. Follow the district's grievance or complaint process.

Requests can be submitted by online form, email, or postal mail.

Email: Send Requests for Support to ADE.CAC@ADE.arkansas.gov

Compliance Assistance Center (CAC)
Arkansas Division of Elementary and Secondary Education (DESE)
1 Capitol Mall, Box 25
Little Rock, AR 72201

Request for Support

The following procedures apply when a public school district or open-enrollment charter school is alleged to be in violation of a policy, procedure, or federal or state regulation. All written requests for support must have:

- Requestor's name, address, telephone number, and email address
- Name of the school, school district, or charter school
- No anonymous requests will be accepted

Requests Received

Every written request will be cataloged and processed according to the following procedures. The CAC team will determine if a request for support is sufficient and meets the merits of a formal Request for Support.

Request for Support Log

All Requests for Support will be cataloged by the following process.
Any team member who receives a request will forward the request to the Administrative Analyst.

- Administrative Analyst will:
    - Assign a number to the Request for Support.
        - Identify the actual Request for Support number (XXXX-XXX) based on:
            - The graduation year of the current school year (XXXX).
            - The number of Requests for Support filed that school year in numerical order (XXX).
                - The numbering of requests will reset back to one (1) on July 1.
                - EX: A Request for Support filed on July 1, 2025, would have a Request for Support number of 2026-001.
    - Create a digital file within the Microsoft Shared Drive (Equity$).
        - Save the submitted Request for Support form and/or documentation into the "equity$" Shared Drive.
            - Digital file folder location is:
                - equity$>Requests for Support>Request Files by school year
    - Email case information to the assigned Compliance Advisor.
    - Enter information regarding the Request for Support into the CAC Shared Google Drive in the spreadsheet labeled *CAC Request for Support Log*.
        - Within the spreadsheet detail each Request for Support number and information within the appropriate tab for that school year (starting with July 1).
        - List information according to the column headings.

Compliance Advisor Assignment

A CAC Compliance Advisor will be assigned as the lead reviewer for each Request for Support on a rotation basis. If the assigned Compliance Advisor is unable to be objective or may be perceived by a reasonable person to have a conflict of interest, the Request for Support may be assigned to a different Compliance Advisor at any point during the review. The CAC team will ensure confidentiality in all support reviews. CAC team collaboration on the details of a Request for Support may occur at any point

in the Request for Support process. After receiving email notification that the Compliance Advisor is the lead contact for the Request, the Compliance Advisor will complete the following steps:

Compliance Advisor Review Process

- Acknowledge the Request for Support by sending an email to the requestor.
    - Include the Program Manager on all email communication by the Advisor utilizing the CC feature.
    - The email template *'1a_CAC Initial Email to Requestor Acknowledging Request for Support 20XX-XXX'* will be used for this communication.
- Review the Request and classify the Level of the Request.
- Provide a courtesy call to the requestor if warranted based on review of correspondence in the Call Log.
- Relay Request for Support process to requestor.
- If communication cannot be established between the Advisor and the Requestor within ten calendar days, the Request for Support will be closed.
    - Notify the Program Manager before closing the Request.

Request for Support Classification

Levels are used to classify Requests for Support (RFS) and allegations applicable to Arkansas Code § 6-16-2104(c) at intake based on information sufficiency, CAC jurisdiction, and the anticipated review needed. Each matter will be reviewed by the assigned Compliance Advisor and classified according to the following Levels. Any Request for Support can be escalated up or down a level based on information provided or response from district or requestor.

Level 1: Not Accepted

Level 1 is used to determine whether a Request for Support or a report under Arkansas Code § 6-16-2104(c) includes the basic information necessary to understand the concern and whether it is appropriate for CAC processing. A Level 1 matter is identified as having one or more of the following:

- No requestor signature provided - anonymous allegation(s) cannot be accepted and processed.
- Not enough detail to perform a review of the allegation(s).
- Allegations of violation of local personnel policies.
- Allegations are currently being investigated by another entity.
- Allegations have been submitted to the Office for Civil Rights (OCR).
- Allegations have been previously resolved by the Office for Civil Rights (OCR).
- Request for Support is a request to appeal any decision of the local district including:
    - Disciplinary action
    - Promotion/Retention
    - Accommodations
    - local district policy
- Allegations singly relate to authorities within another DESE office.
    - Professional License Standards Board (PLSB)
    - Dyslexia
    - Curriculum

    - Monitoring & Accreditation
    - Alternative Education
    - Educator Effectiveness
    - Special Education
- Request for Support pertains exclusively to areas beyond the authority of the CAC to inquire and investigate or to provide support or technical assistance to districts.

Level 2: Accepted for Review - Tier 1 Support

Level 2 is used to identify Requests for Support that detail matters suitable for prompt or informal resolution, and that can be addressed efficiently without a deep or extended review. A Level 2 Request for Support is identified as having one or more of the following characteristics.

- Request for Support is not identified as Level 1.
- Request for Support contains enough information to indicate that support may be needed, but not enough information to warrant a full review.
- Support provided to districts will consist of a:
    - **Courtesy Call** – The Request for Support can be resolved informally and quickly between the requestor and the District.
    - **Quick Review** – The Request for Support provides sufficient detail to support no further action by the district is needed.
- A review of district policy can result in Tier 1 support.

Level 3: Accepted for Program Review

Level 3 is used to identify a Request for Support or a report under Arkansas Code § 6-16-2104(c) that may require a review or analysis of compliance. All level 3 Requests for Support result in technical assistance and Tier 2 support to the school district. Reports applicable to Arkansas Code § 6-16-2104(c) that are provided with a Level 3 classification are routed to Tier 3 Support for investigatory action. A Level 3 matter is identified as having one or more of the following characteristics.

- Incidents must be reported within 120 calendar days of occurrence.
- Allegations must be adequately detailed and include:
    - Dates
    - Names of relevant individuals including position or title
    - Relationship of relevant individuals
    - Relevant accommodations
    - Relevant behavior
    - Event(s)
    - Location(s)
- Requests a review.
- Requested resolution is identified.
    - If resolution is only to overturn a district decision, the Request for Support will not be accepted.
- Request must include allegations related to issues within the support or technical assistance responsibilities of the CAC including:

- Arkansas Code § 6-18-514 Antibullying Policies
- Arkansas Code § 6-18-502–503 Student Discipline and Handbook Policies
- Arkansas Code § 6-16-2000 Antisemitism
- Policies and Procedures related to Federal Regulations including:
  - Section 504 of the Rehabilitation Act of 1973 (OCR)
  - Title IX of the Education Amendments of 1972 (OCR)
  - Title VI of the Civil Rights Act of 1964 (OCR)

School Support Tiers

Tiers are used to describe the type and intensity of support after a level is identified. They guide how CAC engages with an LEA, from technical assistance and informal resolution to more structured oversight or review. Each matter is assigned to one of the following Tiers.

School Support Tier 1

Tier 1 School Support results in the CAC requesting verbal information from the district via phone calls to the appropriate school official.

Indicators of a Tier 1 Request

- Request does not contain sufficient information to determine if the District followed their Policies & Procedures.
- Request contains information to suggest that the District did not follow their Policy & Procedure.
- A review of district policy revealed issues that are cause for concern regarding state or federal laws and regulations.

CAC process for Tier 1 Request

- Courtesy call to the District Coordinator or Superintendent regarding the request.
- Convey the expectation that the district works with the requestor to resolve the issue.
- Comply with any CAC guidance given. {Examples include: Training Videos, IDEAS courses, etc.}

School Support Tier 2

Tier 2 is used to provide assistance on a specific matter through discussion, targeted guidance, or facilitated problem-solving. Results in the CAC requesting written information from the district. Information can be requested digitally through a digital form.

Indicators of a Tier 2 Request

- Contains enough information to warrant deeper review than a courtesy call
- Consent form may be needed

CAC process for Tier 2 Request

- Request from district information regarding the Request for Support
- Collect data from district via form submission

- Demonstration of compliance (preventing a Review) OR
- Demonstration of need for implementation assistance (may escalate to Tier 3)
  - Provide technical assistance via the digital form as needed.
- Provide the CAC an opportunity to collect data on district responses by topic.
- Provide the district with a summary of the concern detailing the key concern, key need.

School Support Tier 3

Tier 3 is used to provide support on complex or persistent matters through a structured review and coordinated follow-up. Results in the CAC requesting written information using current letter templates. Can result in On-Site visits for verification purposes.

- Continued issues after Tier 3 support can result in referral to the District Review Team.

Indicators of a Tier 3 Request

- Request contains enough information to indicate that an issue with district policies or procedures regarding state laws and regulations exists.
- Contains enough information to indicate that the allegations are severe and pervasive.

CAC process for Tier 3 Request

- Assigned Compliance Advisor will:
  - Determine what information can be collected via a desktop audit from the District's website, MySchoolInfo, Statewide Information System (SIS), TRIAND, eSchool etc.
  - Determine the district policy and/or state or federal regulation alleged to be in violation.
  - Review district public facing written policies, procedures, and practices, generally found on district website.
  - Determine what additional information is needed to fully investigate the claim (*e.g.,* district policies, notices, evidence, plans, student records, etc.).
    - If allegations and details are closely related to those of a previously investigated CAC Request for Support from the same district, assess any additional questions related to the allegations to identify questions not posed in the previous *Data Request*.
  - Draft an *Initial Letter and Data Request to the School District* stating the Requestor's allegation(s).
    - The purpose of the *Data Request* questions is to:
      - Assist the Compliance Advisor in determining if there is evidence of need of support to the district with federal and state laws and local school board-approved policies
      - Assist the Compliance Advisor in identifying any needed technical assistance
      - A *Data Request* is a series of questions that if answered provide the Compliance Advisor clarity and context on the:
        - District's policies and procedures
        - Requestor's allegations
        - District's position on the complainant's allegations and/or
        - Comprehensive context of described events and situations

        - The *Suggested Data Request Guiding Questions: By Topic & Area* should be used as a resource in identifying targeted questions
    - Evaluate the District's compliance based on issues of fact.
        - Determine if all requested information listed in the *Data Request* was provided.
        - Analyze the District's compliance based on issues of fact in the areas of:
        - Determine whether the collected information and discovered facts align or do not align with each allegation or relevant policies and regulations.
        - Detail the investigative findings based on evidence, minimal evidence, or lack of evidence that reflect the District's attempt to comply with each line-item component in relevant written local policies and procedures, and state and federal regulations.
            - Cite location of evidence in closing letter in the format {SDR pg 1}
            - If the district does not respond directly or indirectly to a question in the *Data Request*, the absence of a response may be considered a lack of evidence of the component in question.
        - Determine whether evidence was found to support a conclusion of sufficient or insufficient evidence of need for support to be provided by DESE.
            - Determination will be made based on the totality of the present evidence, minimal evidence, and lack of evidence.
            - The *Evidence Determination Guide: By Topic & Area* should be used as a resource in identifying the Request for Support conclusion.
    - Determine if technical assistance is warranted.
        - "Technical assistance" is suggestions or recommendations to the district concerning inconsistent or inequitable practices, procedures and/or policy adjustments, practices that could have prevented missteps, and/or communication improvements between the district and the complainant.
    - A "Quick resolution" may be obtained at any time during the review process.
    - Send Draft email/letter to CAC Program Manager for approval and communication with the District.
- CAC Program Manager will
    - Determine if an on-site visit should be conducted.
        - On-site visits will be conducted by or with the Program Manager and DESE Monitoring Team.
    - Submit to the District the findings of the review of all data.
    - Escalate concerns to the DESE District Review Team as deemed necessary.

Quick Resolution

A Request for Support may be resolved at any point (e.g., immediately following the submission of a Request for Support, mid-review, immediately prior to mailing a closing letter) via "quick resolution" when the requestor withdraws their Request for Support allegations in writing. The CAC reserves the opportunity to provide technical assistance to the district when a Request for Support is closed due to a "quick resolution."

A Request for Support may be resolved at the conclusion of a review, when the CAC determines if there is no longer a need for support to be provided by the DESE.

If there is insufficient evidence of need for support from the DESE, the CAC provides the school district or charter school with a letter stating the findings and the determination of adequate evidence that the school district or charter school was compliant with district/charter policy, state, and/or federal laws.

If there is sufficient evidence of need for support from the DESE, the CAC provides the school district or charter school with a *Closing letter and Technical Assistance Recommendation* letter stating the findings and the determination of the lack of required evidence that the school district or charter school policies and processes supported a learning environment free from discrimination. The letter will contain suggestions for timely implementation of procedures and practices that need attention. The letter also requires documentation from the District of a timely commitment to implementation.

The Assistant Commissioner of the Office of Public School Accountability is made aware if the school system does not implement technical assistance recommendations and/or continues the practice, procedure, and/or policy that has been determined to not support compliance.

Communication

All CAC communications with districts are sent under the direction of the Program Manager. The Program Manager will:

- Communicate with all CAC staff the roles and responsibilities of each member
- Identify Districts for Initial Policy Review
- Send communications to districts regarding submitted Requests for Support
    - Identify to the District the level of support that will be offered.
- Communicate to District the importance of bringing policy and practice into congruence with state and federal laws and regulations and with DESE rules and regulations.
- Follow-up with the district if requested information was not provided
    - When warranted, allow additional timeline deadlines for submission

Review Conclusion

Opening and closing communications require Program Manager approval.

- Send a written notification to the district regarding the conclusion of the review.
- A Request for Support may be resolved at any time before the conclusion of the review by the requestor withdrawing the allegation in writing.
- The Program Manager may close a Request for Support at any time before the conclusion of the review if a parent/guardian has not responded to a request for information from a Compliance Advisor either by phone or email after a period of 10 days.
- If the requester elects to file the same Request for Support allegations with any other entity while the CAC is reviewing, the CAC review may cease.
- Send to the district the *Closing letter and Technical Assistance Recommendation* attachment when warranted.
- Send resources to the district that relate to Request for Support findings, when warranted.
- Identify, create, and share CAC-developed publicly available resources to assist the District.
    - Resources can include guidance documents, training materials, suggested training, video links, and website links.
- Carbon-copy the below notifications to the district to the DESE Assistant Commissioner, DESE District Review Team, or the Office of Civil Rights as necessary:
    - *Second Attempt to Collect Information* from the District.

- *Technical Assistance Recommendation Attachment*

Technical Assistance

When a review reveals that the District is in need of support from DESE regarding meeting their state, federal, or DESE rules and regulations obligations, Technical Assistance is provided.

- Recommendations in a technical assistance letter coincide with findings:
  - Policy Review
  - Request for Support submitted to the CAC
- Technical assistance recommendations assist the district in documenting efforts to correct and enhance systems and processes.
- When a conclusion of sufficient evidence of need for support from DESE is identified, a *Technical Assistance Recommendation* is required along with a time frame for submitting to DESE the steps the District has taken or will take regarding the recommendation(s). (60 or 90 calendar days)
  - District evidence of achieving the recommendations must be provided to CAC by the date listed in the *Technical Assistance Recommendation* when a conclusion of sufficient evidence of need for support is identified.
    - Failure to provide the requested documentation may result in escalation of the issue to the DESE District Review Team.

Documents and Records

All documents sent to and received from districts are saved in the equity$ drive.

- Utilize Request for Support process letter templates located in the Shared Equity Drive.
  - Save letter templates in the order they are used in the Request for Support process.
  - Save letter templates in a folder labeled as follows: “Request for Support Letter Templates”.
  - Label letter templates by the letter type as follows: #.CAC.___(type of letter)____.
  - Saved letter templates using approved ADE letterhead for multiple pages.
- Records retention of written Requests for Support, Request for Support file logs, correspondence letters, attachments, and all evidence used in the review are maintained in the electronic server, Shared equity$ drive, for five years from the date of the written report.
- Documents and related correspondence and records may be released upon request in accordance with the Freedom of Information Act.
  - If the CAC receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.
  - Forward written request to the ADE Office of Legal Services via FOIA@ade.arkansas.gov for prompt response consistent with the Freedom of Information Act.

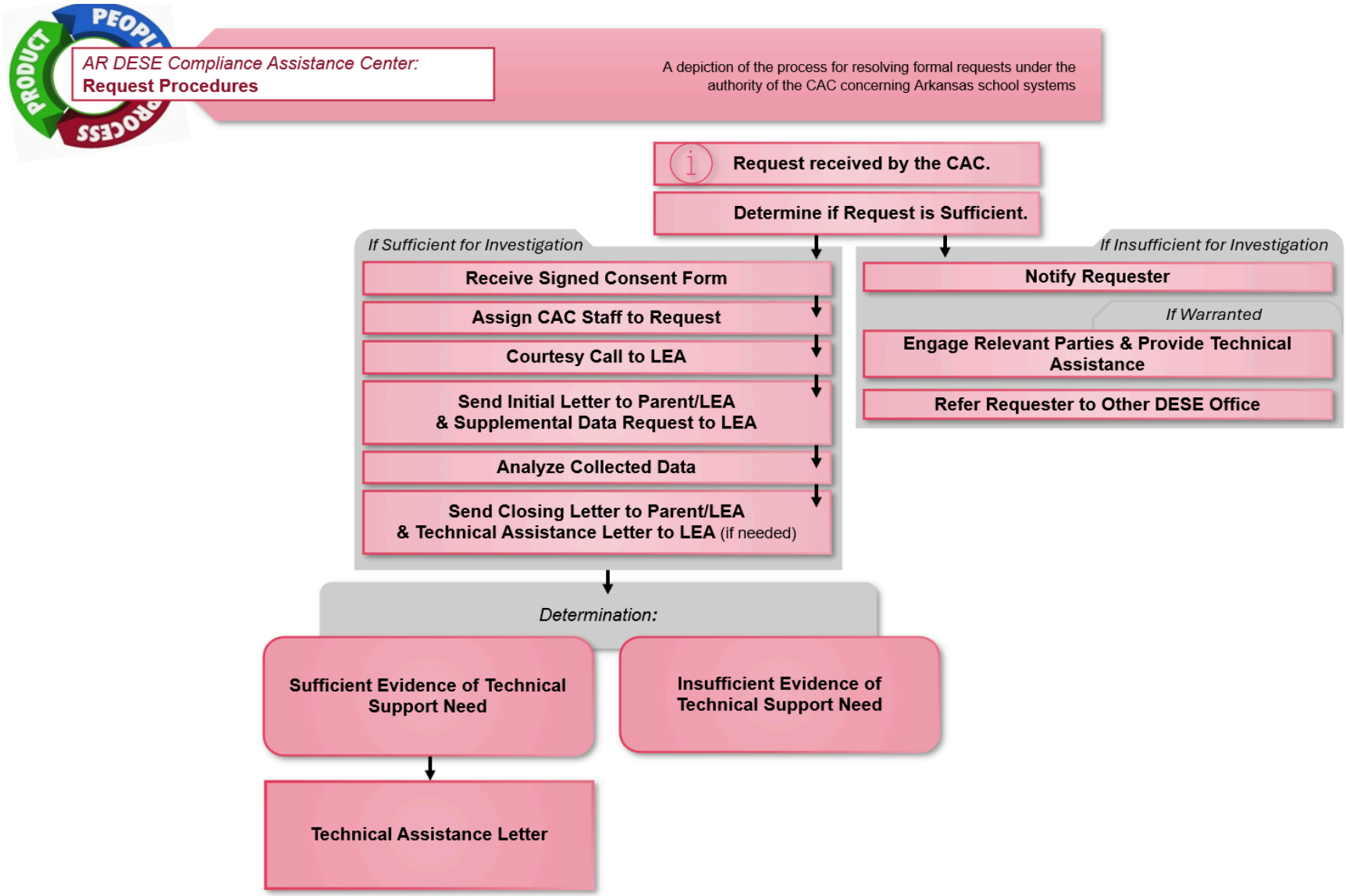
Processing Timeline

- The Request for Support must contain allegations of incidents that occurred within 120 calendar days of the date the Request for Support is received.
- Once the CAC receives a Request for Support, the filing date of a Request for Support is determined as follows:
  - If the Request for Support is postmarked or timestamped if emailed.

    - If the Request for Support is received by any Arkansas Department of Education office, whichever is earlier.
- The Request for Support is provided to a Compliance Advisor within 5 calendar days of the Request for Support's receipt by the CAC.
- When necessary, a courtesy call to the superintendent is made within 15 calendar days of the Compliance Advisor's receipt of the Request for Support.
- The *Initial Letter* and *Data Request to the district* is sent within 30 calendar days of the Compliance Advisor's receipt of the request and approval of CAC Program Manager.
- The district must respond within 30 calendar days of the date of the *Data Request*.
- A *Second Attempt to Collect Information* letter is sent to the district if no response within 30 calendar days of mailing the *Data Request*.
- After receipt of the district's response to the *Data Request*, the CAC mails the *Closing Letter* to the district within 60-90 calendar days of receiving a response.
- If information is not provided, the Program Manager or designee will follow up with the district and extend the deadline as warranted

The Request for Support process is viewable in a flowchart (Appendix 1) for general reference.

Appendix


AR DESE Compliance Assistance Center:
Request Procedures
A depiction of the process for resolving formal requests under the authority of the CAC concerning Arkansas school systems
Request received by the CAC.
Determine if Request is Sufficient.
If Sufficient for Investigation
Receive Signed Consent Form
Assign CAC Staff to Request
Courtesy Call to LEA
Send Initial Letter to Parent/LEA & Supplemental Data Request to LEA
Analyze Collected Data
Send Closing Letter to Parent/LEA & Technical Assistance Letter to LEA (if needed)
If Insufficient for Investigation
Notify Requester
If Warranted
Engage Relevant Parties & Provide Technical Assistance
Refer Requester to Other DESE Office
Determination:
Sufficient Evidence of Technical Support Need
Insufficient Evidence of Technical Support Need
Technical Assistance Letter