

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: H1/23/03 S2/27/03*

## **A Bill**

**Act 413 of 2003**  
**HOUSE BILL 1040**

5 By: Representatives Chesterfield, *Bolin, Dickinson, Dobbins, Edwards, Elliott, L. Evans, Fite, Green,*  
6 *House, J. Johnson, Key, Penix, Roebuck, Thomas, Walters*

7 By: *Senators Broadway, Brown, Wilkins*  
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### **For An Act To Be Entitled**

11 AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO  
12 IDENTIFY REPORTS REQUIRED FROM LOCAL SCHOOL  
13 DISTRICTS AND TO ELIMINATE UNNECESSARY REPORTS  
14 AND PAPERWORK; AND FOR OTHER PURPOSES.

### **Subtitle**

17 AN ACT TO REQUIRE THE STATE BOARD OF  
18 EDUCATION TO IDENTIFY REPORTS REQUIRED  
19 FROM LOCAL SCHOOL DISTRICTS AND TO  
20 ELIMINATE UNNECESSARY REPORTS AND  
21 PAPERWORK.  
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code § 6-11-105 is amended to read as follows:

27 6-11-105. Powers and duties.

28 (a) The State Board of Education shall:

- 29 (1) Have general supervision of the public schools of the state;  
30 (2) Prepare and distribute plans and specifications for the  
31 construction and equipment of school buildings and approve plans and  
32 expenditures of public school funds for all new school buildings;  
33 (3) Recommend courses of study for the public schools and  
34 teacher training institutions;  
35 (4) Prescribe rules and regulations for the sanitary inspection  
36 of all buildings and for the examination of pupils to detect contagious and

1 infectious diseases and physical defects;

2 (5) Issue certificates based upon credentials presented by  
3 applicants for certificates to teach in the public schools of the state;

4 (6) Qualify and standardize public schools and prescribe  
5 requirements for accrediting and grading public schools;

6 (7) Supervise the operation of school district budgets;

7 (8) Supervise the purchase and distribution of textbooks;

8 (9) Take such other action as it may deem necessary to promote  
9 the physical welfare of school children and promote the organization and  
10 increase the efficiency of the public schools of the state; ~~and~~

11 (10) Perform all other functions which may now or hereafter be  
12 delegated to the board by law. However, nothing in this act shall prohibit  
13 the board and the Department of Education from issuing teachers' certificates  
14 upon the results of teachers' examinations as now provided by law-; and

15 (11)(A) Eliminate unnecessary reports and paperwork by yearly  
16 identifying and compiling a list of all reports that are required from local  
17 school districts by the Department of Education or the State Board of  
18 Education for the school year; and

19 (B) Adopting policies to ensure, except as allowed under  
20 subdivision (b), that local school districts are not required by the State  
21 Board of Education or the Department of Education to:

22 (i) Provide information that is already available on  
23 a Department of Education student information management system or housed  
24 within the Department of Education;

25 (ii) Provide the same written information more than  
26 once during a school year unless the information has changed during the  
27 school year; or

28 (iii) Complete forms, for children with  
29 disabilities, that are not necessary to ensure compliance with federal  
30 statutes and regulations, including, but not limited to, the Individuals with  
31 Disabilities Education Act, as amended, and state mandates and corresponding  
32 appropriations governing the provision of special education services to  
33 students with disabilities.

34 (b) The State Board of Education may require information available on  
35 a Department of Education student information management system or require  
36 the same information twice if the State Board can demonstrate a compelling

1 need and can demonstrate there is not a more expeditious manner of getting  
2 the information.

3 ~~(b)~~(c) The board may organize and, from time to time, change and alter  
4 the department into branches or sections as may be found necessary and  
5 desirable by the Director of the Department of Education to perform all  
6 proper functions and to render maximum service relating to the operation and  
7 improvement of the general education programs of the state.

8 ~~(e)~~(d) The board shall adopt rules and regulations for its meetings  
9 and proceedings as it deems advisable.

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*/s/ Chesterfield*

**APPROVED: 03/17/2003**