

**Hall of the House of Representatives**  
84th General Assembly - Regular Session, 2003  
**Amendment Form**

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**Subtitle of House Bill No. 2539**

"AN ACT TO CONFORM THE ARKANSAS CODE TO COMPLY WITH THE RECENT  
ARKANSAS SUPREME COURT DECISION IN THE LAKE VIEW CASE."

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**Amendment No. 1 to House Bill No. 2539.**

Amend House Bill No. 2539 as originally introduced:

Add Senator Bisbee as a cosponsor of the bill

AND

Page 1, delete line 11 and substitute the following:

"IN THE LAKE VIEW CASE; TO ESTABLISH THE STANDARDS OF ACCREDITATION FOR ARKANSAS PUBLIC SCHOOLS; TO REQUIRE THE REORGANIZATION OF SCHOOL DISTRICTS NOT MEETING THE STANDARDS; AND FOR OTHER PURPOSES."

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. 6-15-1601. Purpose and Intent.

(a) The 84th General Assembly recognizes the mandate of the Arkansas Supreme Court to provide an equal opportunity for children in the state to obtain an adequate education. The purpose of this act is to lay the groundwork for public education reform and stabilize the state public educational system for a period of three years. The state will continue its effort to refine the state's public education delivery system.

(b) The provisions of this act shall not be construed to entitle any school district to funding above that specifically appropriated by the General Assembly.

6-15-1602. School districts.

(a) As of December 31, 2003, any school district meeting and continuing to meet the Standards of Accreditation for Arkansas Public Schools, as set forth under §§ 6-15-1701 and 6-15-1704, and the accountability standards as set forth by the General Assembly and other provisions of this act shall continue to exist so long as the district continues to comply with the accreditation and accountability standards as set forth by the General Assembly and other provisions of this act.

(b) Any school district that is not meeting the Standards of



Accreditation for Arkansas Public Schools, as set forth under §§ 6-15-1701 and 6-15-1704, and the accountability standards as set forth by the General Assembly, by December 31, 2003 and thereafter shall voluntarily consolidated by May 1, 2004, as set forth under § 6-15-1603 or be reorganized by the State Board of Education effective July 1, 2004.

(c)(1) No school district shall be closed solely because of size, if the district meets the standards set forth in this act without exceeding the state average per student expenditure and the district meets the Standards of Accreditation for Arkansas Public Schools as set by the General Assembly.

(2) The State Board of Education shall identify districts with unique demographics that require above the state average funding.

6-15-1603. Voluntary reorganization.

(a) Any two (2) or more school districts that voluntarily agree to consolidate administrative units, schools, or districts by May 1, 2004 for the 2004-2005 school year and thereafter, may do so by adopting articles of consolidation approved by a majority vote of each district's board of directors and submitting the articles of consolidation to the State Board of Education for approval. Schools voluntarily consolidating under this section shall not be required to comply with § 6-13-1404(a).

(b) The State Board of Education shall not unreasonably deny the voluntary consolidation of any school districts' administrative units, schools, or districts unless the provisions contained in the articles of consolidation would violate any state or federal law or if such voluntary consolidation would not contribute to the betterment of the education of students in the district.

SECTION 2. Arkansas Code Title 6, Chapter 15, is amended to add an additional subchapter to read as follows:

6-15-1701. Standards for accreditation for Arkansas public schools.

(a)(1) The provisions as set forth under this subchapter shall be the Standards of Accreditation for Arkansas Public Schools for the 2003-2004, 2004-2005, and the 2005-2006 school years.

(2) Beginning with the 2006-2007 school year, the State Board of Education shall have authority to set the Standards for Accreditation for Arkansas Public Schools as set forth under § 6-15-202.

(b) This subchapter may be cited as the "Standards of Accreditation for Arkansas Public Schools".

6-15-1702. Requirements.

(a) All school districts' policies and actions shall be nondiscriminatory and shall be in compliance with state and federal laws.

(b) Each school district in Arkansas shall be required to develop, with appropriate staff and community participation, a five-year educational plan. School district goals shall be compatible with state and national educational goals and shall address local needs. The plan shall be filed with and reviewed by the Department of Education annually.

(c) Each school district shall provide each school year a written report to the public detailing progress toward accomplishing program goals, accreditation standards, and proposals to correct deficiencies.

(d) Each school board shall adopt written policies for the operation of the school district in accordance with guidelines established by the

Department of Education.

(e) Each school shall maintain all reports and records necessary for effective planning, operation, and education.

(f) The administrators, teachers, other school staff, and parents of each school shall develop an annual school improvement plan to monitor that school's progress and to project its continuing needs. The annual school improvement plan shall be filed with and reviewed by the Department of Education.

(g) Each school shall review in-depth each curriculum area at least every five (5) years.

(h) Each accredited school shall use these curriculum frameworks to plan instruction leading to student demonstration of the Arkansas content standards.

(i) A minimum of three (4) programs of study selected from three (3) different occupational/technical programs offered annually

(j) Student-teacher interaction time shall be for a minimum of 178 days, except as waived by the Department of Education for professional development.

(k) All public school teacher/administrator contracts (elementary, secondary, vocational-- exception vocational agriculture) shall be a minimum of 185 days.

(l) At least thirty (30) hours shall be used for professional development and in-service training and at least two (2) days shall be used for parent/teacher conferences.

(m) The planned instructional time in each school day shall not average less than six (6) hours per day or thirty (30) hours per week.

(n) Kindergarten shall be no more than twenty (20) students to one (1) teacher in a classroom. However, kindergarten class maximum may be no more than twenty-two (22) with a one-half time instructional aide being employed for those classes.

(o) The average student to teacher ratio for grades one through three in a school district shall be no more than twenty-three (23) students per teacher in a classroom. There shall be no more than twenty-five (25) students per teacher in any classroom.

(p) The average student to teacher ratio for grades four through six in a school district shall be no more than twenty-five (25) students per teacher in a classroom, and shall be no more than twenty-eight (28) students per teacher in any classroom.

(q) In grades seven through twelve, a teacher shall not be assigned more than one hundred fifty (150) students; and an individual academic class shall not exceed thirty (30) students, provided that, in exceptional cases or for courses that lend themselves to large group instruction, these ratios may be increased.

(r) Each school district shall adopt written discipline policies consistent with those guidelines that include a code of student behavior.

(s) Each district's written discipline policies shall be filed with the Department of Education.

(t) Local districts and individual schools shall involve parents, staff, and students in the formulation and review of their student discipline policies, rules, and procedures.

(u) Schools shall inform students and parents of the rules and procedures by which the school is governed. Schools shall make the students

aware of the behavior that will call for disciplinary action, as well as the types of corrective actions that may be imposed.

(v) Students and parents shall acknowledge that they have received and understand the school's discipline policies by a signed statement. The school shall document procedures and methods used to inform parents and students of the policy.

(w) Teachers and administrators, classified school employees, and volunteers shall be provided with appropriate student discipline training.

(x) Each school district must provide a full-day kindergarten for each child age five (5) on or before September 15. A parent or guardian shall sign a waiver if they elect not to enroll a child in kindergarten at age five (5). Any six-year-old child who has not completed a state accredited kindergarten program prior to public school enrollment shall be evaluated by the school district to determine whether placement for the child shall be in kindergarten or the first grade.

(y) Schools shall be responsible for assessing each student's progress at each grade level in acquiring mastery of the competencies, skills, and other subjects required by law and Arkansas Comprehensive Testing, Assessment, and Accountability Program regulations. Assessment data may include performance assessments, competency test scores, standardized test scores, subject matter mastery test scores, and observations of teachers and parents or guardians.

(z) Grades assigned to students for performance in a course shall reflect only the extent to which a student has achieved the expressed academic objectives of the course. Grades that reflect other educational objectives such as the student learning expectations contained in the curriculum frameworks may also be given. The state uniform grading scale shall be used in grades seven through twelve (7-12).

(aa) Students with special needs shall have equal access to programs that meet the criteria for their identified Individualized Education Program and shall receive services in the least restrictive environment that meets their needs.

(bb) At least a total of twenty-one (21) units earned in grades nine through twelve shall be required for high school graduation. Only one (1) of the units may be in physical education.

(cc) A unit of credit shall be defined as the credit given for a course which meets for a minimum of 120 clock hours. A minimum average six-hour day or minimum average thirty (30)-hour week is required.

(dd) Each school shall employ at least a half-time principal. A full-time principal shall be employed when a school's enrollment reaches three hundred (300). A school district superintendent may be permitted to serve as a half-time principal (when district enrollment is less than 300) providing the superintendent is appropriately certified and is not already teaching classes. Schools with an enrollment exceeding five hundred (500) shall employ at least one full-time principal and a half-time assistant principal, instructional supervisor, or curriculum specialist.

(ee) All administrative, teaching, and other personnel shall, where required by law and rules and regulations, hold a current Arkansas teaching license.

(ff) Each school district shall develop and implement a plan for professional development and in-service training based on local educational needs and state educational goals. The plan shall provide education and

training for school board members, school and district administrators, teachers, and support staff on a continuing and regular basis throughout the school year. Teachers shall be involved in the development of the plan for their own in-service education. All programs for professional development and in-service training shall be evaluated by the participants in each program.

(gg) Each school district shall have flexibility in establishing plans for professional development and in-service training, provided the plans meet standards for inservice education as developed by the Department of Education. A minimum of thirty (30) hours of professional development is required for teachers and administrators annually.

(hh) Support services shall be designed to be comprehensive and integral to the process of schooling and the development of all students. Each school district for each school building site shall develop and implement a written plan, as set forth in current laws and regulations. The plans shall be based upon the needs identified by parents, teachers, principals, students, and other agencies with which the school district works. Further, the plan shall be incorporated into the comprehensive school improvement plan for each site.

(ii) Each school shall provide a developmentally appropriate guidance program to aid students in educational, personal/social, and career development.

(jj) Each school shall provide supportive personnel and appropriate facilities to ensure effective counseling to meet individual needs of students.

(kk) Each school shall assign appropriate certified counselor staff with the district being required to maintain an overall ratio of one (1) to four hundred fifty (450).

(ll) Sufficient resources shall be budgeted and spent yearly for purchasing and maintaining an appropriate, current collection.

(mm) The changing role of the library media center shall support technology as a tool for learning. Each school with less than three hundred (300) students enrolled shall employ at least a half-time certified library media specialist. A school with three hundred (300) or more students enrolled shall employ a full-time certified library media specialist. Schools enrolling fifteen hundred (1,500) or more students shall employ two full-time certified library media specialists. For districts with enrollment less than five hundred (500), a full-time library media specialist may serve the district. The library media specialist(s) shall ensure that access to records and resource data bases shall be available to students. The media specialist(s) shall assist students in the development and use of research skills.

(nn) Each school district shall have a health services program under the direction of a licensed nurse. The program shall include screening, referral, and follow-up procedures for all students.

(oo) Health services shall include but not be limited to: (1) Students with special health care needs, including chronically ill, medically fragile, and technology dependent, and students with other health impairments shall have an Individualized Health Care Plan. (2) Invasive medical procedures required by students and provided at school shall be performed by trained, licensed personnel who are licensed to perform the task, and the regular classroom teacher shall not perform these tasks. (3) Custodial health care services required by students under an Individualized Healthcare Plan shall

be provided by trained school employees other than the regular classroom teachers.

(pp) Special education programs and special schools shall be accredited in accordance with applicable laws and rules and regulations adopted by the State Board of Education.

(qq) Each school district shall develop procedures to identify gifted and talented students in accordance with guidelines established by the Department of Education.

(rr) Each school district shall provide educational opportunities for students identified as gifted and talented appropriate to their ability.

(ss) Each school district shall provide opportunities for qualified students to enroll in courses at institutions of higher education.

(tt) Each school district shall provide appropriate alternative program(s) for students who are identified as requiring such programs to continue their education.

(uu) Each room shall be furnished with equipment and instructional materials necessary to provide the environment and working conditions appropriate for subjects or activities assigned.

(vv) In reference to required class size and ratios, the Department of Education will review evidence submitted to determine unexpected population shifts, which could result in removal of probation for the violation of these standards.

6-15-1703. Curriculum - Core curriculum.

(a)(1) The core curriculum for grades kindergarten through eight (K-8) shall encompass all types of developmentally appropriate learning experiences and provide for differences in rates of learning among children.

(2) It shall emphasize reasoning and problem solving, communicating, connecting such as linking knowledge, skills, and other understandings within and across disciplines to real-life situations, and internalizing, such as acting on the learning to make it meaningful, useful, and worthwhile.

(3) Mastery of core concepts and abilities in the following areas is to be emphasized:

(A) For students in grades kindergarten through four (K-4) mastery of core concepts and abilities in the following areas is to be emphasized:

(i) Language arts, including:

(a) Reading;

(b) Writing; and

(c) Listening, speaking, viewing;

(ii) Mathematics, including:

(a) Number sense, properties, and operations;

(b) Measurement;

(c) Geometry and spatial sense;

(d) Data analysis and statistics; and

(e) Algebra and functions;

(iii) Social studies, including:

(a)(1) History and culture of Arkansas, including a unit at each grade level with emphasis at grade four (4);

(2) The nation; and

(3) The world, which shall include

foreign language experiences;

- (b) Geography;
- (c) Economics; and
- (d) Civic education;

(iv) Science, including:

- (a) Life science;
- (b) Earth and space science;
- (c) Physical sciences, including physics and

chemistry; and

(d) Environmental education;

(v) Tools for learning, including:

(a) Technical skills including, research and information skills, use of computers and calculators; and  
(b) Data gathering including, use of data banks, atlases, dictionaries, almanacs, networks, news sources, and interviews;

(vi) Fine arts, including:

(a) Visual arts instruction, appreciation, and application; and  
(b) Performing arts instruction, appreciation, and application;

(vii) Practical living skills or career exploration;

and

(viii) Health and safety Education and physical

education;

(B) For students in grades five through eight (5-8), mastery of core concepts and abilities in the following areas is to be emphasized:

(i) Language Arts, including:

- (a) Reading;
- (b) Writing; and
- (c) Listening, speaking, and viewing;

(ii) Mathematics, including:

- (a) Number sense, properties, and operations;
- (b) Measurement;
- (c) Geometry and spatial sense;
- (d) Data analysis and statistics; and
- (e) Algebra and functions;

(iii) Science, including:

- (a) Life science;
- (b) Earth and space science;
- (c) Physical sciences, which may include

physics and chemistry; and

(d) Environmental education;

(iv) Social Studies, including:

(a)(1) History and culture of Arkansas including a unit at grades five (5) and six (6) with emphasis at grade five (5);

(2) The nation; and

(3) The world, which shall include

including foreign language experiences;

(b) Geography;

(c) Economics; and  
(d) Civic education;  
(v) Physical education;  
(vi) Fine arts, including:  
(a) Visual arts instruction, appreciation, and  
application; and  
(b) Performing arts instruction, appreciation,  
and application;  
(vii) Health and safety;  
(viii) Tools for learning, including:  
(a) Technical skills, including:  
(1) Research and information skills; and  
(2) Use of computers and calculators;  
(b) Data gathering, including use of data  
banks, atlases, dictionaries, almanacs, networks, news sources, and  
interviews; and  
(ix) Career and technical education.

(C) Each school shall be encouraged to offer in the  
seventh (7<sup>th</sup>) and eighth (8<sup>th</sup>) grades, instruction in reading and mathematics  
skills to assist those students who need additional instruction to make  
satisfactory progress in their required courses;

(D) A unit of Arkansas history shall be taught as a social  
studies subject at each elementary grade level in every public elementary  
school in this state with greater emphasis at the fourth (4<sup>th</sup>) and fifth (5<sup>th</sup>)  
grade levels, and at least one (1) full semester of Arkansas history shall be  
taught to all students at the seventh (7<sup>th</sup>), eighth (8<sup>th</sup>), ninth (9<sup>th</sup>), tenth  
(10<sup>th</sup>), eleventh (11<sup>th</sup>), or twelfth (12<sup>th</sup>) grade level in every public  
secondary school in this state.

(E)(i) It is strongly recommended that schools offer at  
least one (1) level I foreign language course and Algebra I;

(ii) These traditionally ninth-grade courses may be  
counted as credit toward high school graduation.

(F) For student in grades nine through twelve (9-12)  
during the 2003-2004 school year, the following courses of thirty-eight (38)  
units shall be taught every year by an accredited high school:

(i) Six (6) units of language arts, including:  
(a) Four (4) units English;  
(b) One (1) unit oral communications or one-  
half (½) unit oral communications and one-half (½) unit drama;  
(c) One (1) unit journalism, this course may  
be offered every other year; and  
(d) Other options as approved by the

Department of Education;

(ii) Five (5) units of science, with active student  
participant in laboratory experience for no less than twenty percent (20%) of  
instructional time), including:

(a) One (1) unit biology;  
(b) One (1) unit chemistry, this course may be  
offered every other year;  
(c) One (1) unit physics, this course may be  
offered every other year; and  
(d) Other options as approved by the



Department of Education;

- (iii) Six (6) units of mathematics, including:
  - (a) One (1) unit of algebra I;
  - (b) One (1) unit of geometry;
  - (c) One (1) unit of algebra II, this course may be offered every other year;
  - (d) One (1) unit of pre-calculus mathematics to include trigonometry, this course may be offered every other year; and
  - (e) Other options as approved by the

Department of Education;

- (iv) Two (2) units of foreign languages;
- (v) Three and one-half (3½) units of fine arts, including:
  - (a) One (1) unit of art;
  - (b) One (1) unit of instrumental music;
  - (c) One (1) unit of vocal music; and
  - (d) One-half (½) unit survey of fine arts or an advanced art or music course, this course may be offered every other year;
- (vi) One (1) unit of computer applications with an emphasis on current applications, including:
  - (a) Word processing;
  - (b) Spreadsheets;
  - (c) Databases;
  - (d) Graphics; and
  - (c) Telecommunications;
- (vii) Four (4) units of social studies, including:
  - (a) One (1) unit American history each year with emphasis on 20th Century America;
  - (b) One (1) unit world history;
  - (c) One-half (½) civics or government;
  - (d) One-half (½) of Arkansas history, if not taught in grades seven (7) or eight (8); and
  - (e) Other options as approved by the

Department of Education;

- (viii) One and one-half (½) unit health and safety education and physical education; including:
  - (a) One (1) unit physical education; and
  - (b) One-half (½) unit health and safety education;
- (ix) Nine (9) units of career and technical education, with no less than eight (8) units taught every year;
- (x) A minimum of three (3) programs of study selected from three (3) different occupational and technical programs offered annually from the following list:
  - (a) Agriculture education;
  - (b) Business technology;
  - (c) Health occupations;
  - (d) Home economics education;
  - (e) Marketing technology;
  - (f) Trade, industrial, and technical education; and
  - (g) Work-based learning or apprenticeship;

(xi) The course offerings should include appropriate advanced placement courses; and

(xii) Additional foreign language courses such as the level III and IV of the same foreign language and other foreign languages should be included.

(G)(i) For student in grades nine through twelve (9-12) beginning with the 2004-2005 school year and each year thereafter, the courses set forth under subdivision (a)(3)(F) shall be increased by the State Board of Education to forty-three (43) units which shall be taught every year by an accredited high school.

(ii) The additional five (5) units shall be required as determined by the State Board of Education after public hearing and comments regarding appropriate course selection.

6-15-1704. Graduation requirements.

(a) At least a total of twenty-one (21) units earned in grades nine through twelve (9-12) shall be required for high school graduation. Only one (1) of these units may be in physical education.

(b) A unit of credit shall be defined as the credit given for a course that meets for a minimum of one hundred twenty (120) clock hours. A minimum average six-hour day or minimum average thirty (30) hour week is required.

(c)(1) Beginning in the school year 2001-2002, twenty-one (21) units of credit will be required for graduation.

(2) These requirements shall include the following:

(A) The common core of fifteen (15) units which shall include:

(i) Four (4) units of English;

(ii) One-half ( $\frac{1}{2}$ ) unit of oral communications;

(iii) Three (3) units of social studies, including:

(a) One (1) unit of world history;

(b) One (1) unit of U. S. history; and

(c) One-half ( $\frac{1}{2}$ ) unit of civics or government;

(iv) Three (3) units of mathematics which must build on the base of algebra and geometry knowledge and skills, including:

(a) One (1) unit of algebra or its equivalent;  
and

(b) One (1) unit of geometry or its equivalent; or

(c) A two-year algebra equivalent or a two-year geometry equivalent may be counted as two units of the three-unit requirement;

(v) Three (3) units of science, including:

(a) At least one (1) unit of biology or its equivalent; and

(b) One (1) unit of a physical science;

(vi) One-half ( $\frac{1}{2}$ ) unit of physical education;

(vii) One-half ( $\frac{1}{2}$ ) unit of health and one-half ( $\frac{1}{2}$ ) unit safety; and

(viii) One-half ( $\frac{1}{2}$ ) unit of fine arts; and

(B)(i) Career focus units.

(ii) All units in the career focus requirement shall

be established through guidance and counseling at the local school district based on the students contemplated work aspirations.

(iii) Career focus courses shall conform to local district policy and reflect state frameworks through course sequencing and career course concentrations where appropriate.

(d)(1) Local school districts may require additional units for graduation beyond the fifteen (15) common core and the career focus units.

(2) These may be in academic or technical areas, or both.

(e) All the common core, career focus, and elective units must total at least twenty-one (21) units to graduate.

SECTION 3. Arkansas Code § 6-15-202 is amended to read as follows:

6-15-202. Accreditation - Development of regulations and standards.

(a)(1) The Beginning with the 2006-2007 school year, the State Board of Education is authorized and directed to develop comprehensive regulations, criteria, and minimum standards to be used by the board and the Department of Education in the accreditation of school programs in elementary and secondary public schools in this state.

(2) Until the 2006-2007 school year, the core curriculum requirements the Standards of Accreditation for Arkansas Public Schools shall be as set forth under §§ 6-15-1701 and 6-15-1704.

(b) After the regulations are adopted and implemented by the board, standards shall regularly be reviewed by the House and Senate Interim Committees on Education at least once every two (2) years, and recommendations and advice in regard thereto may be filed by the committees with the board for its consideration."

The Amendment was read \_\_\_\_\_

By: Representative Cleveland

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Chief Clerk