

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

Subtitle of House Bill No. 2697
"THE OMNIBUS QUALITY EDUCATION ACT OF 2003."

Amendment No. 2 to House Bill No. 2697.

Amend House Bill No. 2697 as engrossed, H4/7/03:

Add Representatives C. Johnson, White, Penix, King, Judy, Borhauer, J. Johnson, Haak, Mahony as cosponsors of the bill

AND

Add Senators Gullett, Womack, Trusty, Whitaker as a cosponsor of the bill

AND

Page 8, delete lines 10 through 30, and substitute the following:

"SECTION 9. Arkansas Code § 6-15-403 is amended to read as follows:
6-15-403. Authority of State Board of Education.

The State Board of Education through the Department of Education is ~~hereby authorized to~~ shall:

(1) Develop a single comprehensive testing, assessment, and accountability program which utilizes the most current and effective testing, evaluation, and assessment research information designed to achieve the following purposes set forth in this subchapter:

(A) Set clear academic standards that are periodically reviewed and revised;

(B) Establish professional development;

(C) Establish expected achievement levels;

(D) Report on student achievement and other indicators;

(E) Provide evaluation data;

(F) Recognize academic excellence and failure; ~~and~~

(G) Apply awards and sanctions; and

(H) Comply with current federal and state law and State Board of Education rules and regulations;

(2) Promulgate such rules and regulations as may be necessary to develop and implement the comprehensive testing, assessment and accountability program; ~~and~~

(3) Employ staff and enter into contracts as may be necessary to carry out the provisions of this subchapter; ~~;~~



(4) Classify school services, designate the licensure subject areas, establish competencies, including the use of technology to enhance student learning, and licensure requirements for all school-based personnel, and prescribe rules in accordance with initial, standard and provisional licenses;

(5) Identify critical teacher shortage areas; and

(6) Collect and maintain the management information databases for all components of the public kindergarten through grade twelve (K-12) education system."

AND

Page 12, line 32, delete "Comprehensive school plan" and substitute "Comprehensive school improvement plan"

AND

Page 17, delete lines 17 through 24, and substitute the following:

"SECTION 16. Arkansas Code Title 6, Chapter 15, Subchapter 4 is amended to add an additional sections to read as follows:

6-15-424. School improvement or academic distress.

(a) Those public individual schools identified by the Department of Education as failing to meet established levels of academic achievement shall be classified as being in school improvement as required by the Arkansas Comprehensive Testing, Assessment, and Accountability Program rules and regulations.

(b) Those public school districts identified by the Department of Education as failing to meet established levels of academic achievement shall be classified as being either in school improvement or academic distress, or both, as required by the Arkansas Comprehensive Testing, Assessment, and Accountability Program rules and regulations."

AND

Page 18, line 23, delete "comprehensive" and substitute "revised comprehensive"

AND

Page 18, delete line 36, and substitute the following:

"6-15-426. District testing programs.

Each district school board shall annually provide a written evaluation of student performance and achievement within each school of the district. This evaluation and suggested measures to improve performance shall be presented in a public hearing in the same locality as the school district and then submitted with comments made at the public hearing to the Arkansas Department of Education.

6-15-427. Academic distress identification, notification, classification, and appeal.

(a) The school board president and superintendent of a school district identified by the department as being in academic distress shall be notified

in writing by the department, via certified mail return receipt requested, and shall have a right of appeal to the State Board of Education.

(b) Any school district identified in academic distress may appeal to the State Board of Education by filing a written appeal, with the office of the Director of the Department of Education, via certified mail return receipt requested, within thirty (30) calendar days receipt of the written notice of academic distress status from the department.

(c) The State Board of Education shall hear the appeal of the school district within sixty (60) days of receipt of the written appeal in the director's office. The State Board of Education's determination shall be final except that a school district may appeal to the circuit court of Pulaski County under the Arkansas Administrative Procedures Act.

(d) Those school districts identified by the Department of Education as being in academic distress shall be classified as a school district in academic distress upon final determination by the State Board of Education.

6-15-428. Academic distress – Required action.

(a) A public school district identified as in "academic distress" shall have no more than two (2) consecutive school years from the date of receipt of notice of identification from the Department of Education to be removed from academic distress status.

(b) The State Board of Education may, at any time, take enforcement action on any school district in academic distress status including, but not limited to, annexation, consolidation, or reconstitution of a school district pursuant to § 6-13-1401 et seq. and the authority of this subchapter, except no public school district shall be allowed to remain in academic distress status for a time period greater than two (2) consecutive school years from the date of receipt of notice of identification of academic distress from the Department of Education.

(c) If a public school district fails to be removed from academic distress status within the allowed two (2) year time period, the State Board of Education shall annex, consolidate, or reconstitute the academic distress school district prior to July 1 of the next school year unless the State Board of Education, at its discretion, issues a written finding supported by a majority of the board, explaining in detail that the school district could not remove itself from academic distress during the relevant time period due to impossibility caused by external forces beyond the school district's control.

6-15-429. State Board of Education authority of school in academic"

AND

Page 19, delete lines 1 through 36

AND

Page 20, delete lines 1 through 2

AND

Page 21, line 5, delete "6-15-429." and substitute "6-15-430."

AND

Page 21, line 15, and delete "6-15-425." substitute "6-15-431."

AND

Page 24, line 22, delete "Deb" and substitute "Debt"

AND

Page 25, delete lines 32 through 35, and substitute the following:
"consecutive school years of receipt of notice of identification of fiscal distress status by the department unless the State Board of Education, at its discretion, issues a written finding supported by a majority of the board, explaining in detail that the school district could not remove itself from fiscal"

The Amendment was read _____
By: Representative Green
KAS/VJF - 041020031038
VJF913 _____ Chief Clerk