

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 317

"AN ACT PERTAINING TO STATE SCHOOL STANDARDS; TO PROVIDE FOR AN
ADEQUATE AND EFFICIENT EDUCATION IN ARKANSAS SCHOOLS."

Amendment No. 2 to Senate Bill No. 317.

Amend Senate Bill No. 317 as engrossed, S2/27/03:

Add Senator Wilkinson as a cosponsor of the bill

AND

Add Representatives Weaver, Milligan, Oglesby, L. Evans, Hickinbotham, Gipson, Scrimshire, L. Prater, Mack, Bennett, Adams, Stovall, J. Taylor, Boyd, Norton, House, Gillespie, Jackson, Seawel, Scroggins, Dickinson, Jeffrey, Sullivan, Thomason, Pate, Edwards, and P. Bookout as cosponsors of the bill

AND

Delete everything after the Enacting Clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 13, is amended to add an additional subchapter to read as follows:

6-13-1601. Definitions:

For purposes of this subchapter:

(1) "Annexation" and "annexed" means the joining of an affected school district or part thereof with a receiving district;

(2) "Consolidation" and "consolidate" means the joining of two (2) or more school districts or parts thereof to create a new single school district;

(3) "Minority" means black or African American, Hispanic American, American Indian or Native American, Asian, and Pacific Islander, or other ethnic group underrepresented in a school;

(4)(A) "Individual school" means a public elementary or secondary educational institution that is under the administrative control of a principal or head teacher.

(B) "Individual school" does not include any school that is:

(i) Exclusively a preschool program; or

(ii) An instructional program operated in a



correctional facility; and

(5) "Teacher" means:

(A) An individual who is required to hold a teaching license from the Department of Education, and who is engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual's contracted time;

(B) A guidance counselor; or

(C) A librarian.

6-13-1602. Standards for education.

(a) On or before January 1, 2004, every school district in the state shall:

(1) Meet all requirements of the Standards for Accreditation of Arkansas Public Schools, comply with state laws, and State Board of Education regulations in existence on January 1, 2003;

(2) Meet or exceed all curriculum requirements of the Standards for Accreditation of Arkansas Public Schools, in effect on January 1, 2003;

(3) Pay every teacher in the school district in accordance with the minimum base salary under § 6-17-1001, as in effect on January 1, 2003;

(4) Provide educational facilities that meet all local, state, and federal building codes and other facility requirements in existence on January 1, 2003;

(5) Provide teachers and students with sufficient textbooks, supplies, scientific laboratory equipment, and other equipment needed to allow meaningful participation during instructional periods;

(6) Have a student level of proficiency as defined by the State Board of Education, under the Arkansas Comprehensive Testing and Assessment and Accountability Program or meet adequate yearly progress standards as defined in the Arkansas Comprehensive Testing and Assessment and Accountability Program;

(7) Adopt a parental involvement plan to enhance parental involvement in the school district, which shall be approved by the State Board of Education; and

(8) Establish a task force to research and adopt a plan to close the academic achievement gap for minority and disadvantaged students.

(b) On or before January 1, 2006, every school district in the state shall:

(1) Meet all laws and regulations as may be adopted by the General Assembly as necessary to ensure that schools provide students with an adequate education and equality of educational opportunity;

(2) Meet curriculum requirements as may be required by the General Assembly by law, as necessary to ensure that schools have substantially equal curricula necessary to provide students with an adequate education and to provide equality of educational opportunity;

(3) Pay every teacher in accordance with laws as may be adopted by the General Assembly as necessary to ensure that teachers are paid substantially equal salaries in an amount to ensure the quantity and quality of teachers necessary to provide students with an adequate education and to provide equality of educational opportunity;

(4) Provide educational facilities as may be required by the General Assembly by law as necessary to ensure that schools have substantially equal facilities necessary to provide students with an adequate

education and to provide equality of educational opportunity;

(5) Provide equipment required by the General Assembly by law as necessary to ensure that schools have substantially equal equipment necessary to provide students with an adequate education and to provide equality of educational opportunity;

(6) Comply with all requirements of the system or method of assessment, evaluation, and monitoring as may be required by the General Assembly by law to ensure that equal educational opportunity for an adequate education is being substantially afforded to all students in the district; and

(7) Meet the requirements of this section with the amount of local, state, and federal funds to be provided to school districts based upon the cost of an adequate education as may be determined by the General Assembly by law as necessary to provide equality of educational opportunity.

(c) School districts shall meet the requirements of this section with the current level of federal and state funding the district receives, including the funding provided as a result of subsection (b) of Amendment 74 to the Arkansas Constitution, or within the amount of state and federal funds to be provided to school districts based upon the cost of an adequate education as may be determined by the General Assembly by law as necessary to provide equality of educational opportunity.

(d) School districts may consolidate, annex, or detach under §§ 6-13-1401 through 6-13-1501, and school districts that do voluntarily consolidate, annex, or detach shall receive consolidation incentive funding as may be determined by the General Assembly.

(e) No school district shall be required to abide by future modifications in the existing standards until those modifications have been approved by the General Assembly.

(f) Any school district determined by the State Board of Education not in full compliance with meeting the standards of this section on January 1, 2006, shall be subject to the provisions of § 6-13-1603, which include being consolidated or annexed to districts that are geographically contiguous and in full compliance with the provisions of this subchapter, or shall be taken over by the Department of Education.

(g)(1) On January 1, 2004, the State Board of Education shall make a determination of the districts not in compliance with subsection (a).

(2) Districts not meeting the standards shall be given until May 1, 2004, to adopt a plan approved by the Department of Education and the State Board of Education to consolidate or annex with a district that meets the standards.

(3) Upon approval the plan shall be implemented in June or after school has been dismissed for the year.

(h) If no plan is presented to the department, the department shall recommend to the State Board of Education in the May meeting, a plan for the districts that do not meet the standards that may include consolidation, annexation, and control of the district by the department, the following shall apply:

(1) Between January 1, 2004 and May 1, 2004, the State Board of Education shall develop a plan for the reorganization of all public school districts not in compliance with § 6-13-1602(a)(1)- (a)(9);

(2) Between May 1, 2004 and June 15, 2004, the State Board of Education shall hold no less than four (4) public hearings regarding its

proposed reorganization plan to address citizen concerns, comments, and suggestions regarding the plan;

(3) The State Board of Education shall finalize the reorganization plan no later than June 20, 2004, and shall effectuate the reorganization on July 1, 2004, pursuant to the plan developed under subsection (b) of this section; and

(4) The Department of Education and the State Board of Education may take actions prior to July 1, 2004 as necessary for an orderly and efficient transition of personnel, property, and boards of directors on July 1, 2004.

6-13-1603. Consolidation requirements.

(a)(1) Before May 1, 2006, the State Board of Education shall determine whether each school district, and each individual school in the district, is in full compliance with the provisions of this subchapter.

(2)(A)(i) Any school district that is not in full compliance with meeting the standards of this subchapter shall be consolidated with the school district or districts that are:

(a) Geographically contiguous with the non complying district; and

(b) In full compliance with provisions of this subchapter.

(ii) A determination of compliance shall be in the sole judgment of the State Board of Education.

(B)(i) If there are no contiguous districts that are in full compliance with the provisions of this subchapter, if the school district qualifies as an isolated district, or if consolidation of the district not in compliance would have a negative educational impact or pose an undue economic hardship on the contiguous district that is in compliance, the State Board of Education may determine the best alternative to bring the district into full compliance with the standards of this subchapter, including consolidation, annexation, detachment, or requiring the school district to surrender control of the district to the Department of Education.

(ii) If a school district believes it qualifies as an isolated district and does not meet the provisions of this subsection (a), it shall submit a petition with all supporting documents and information, to the State Board of Education by January 1, 2006, requesting a determination of status as an isolated district. The State Board shall follow the criteria listed in existing law in § 6-20-601 in making the determination of an isolated district.

(iii) The State Board of Education may make the decision on the best alternative to bring those districts qualifying for isolated status into compliance, including consolidation, annexation, or surrendering control to the State Department of Education.

(b)(1) Before May 1, 2006, the State Board of Education shall develop a plan for the reorganization of all public school districts not in compliance with this subchapter.

(2) Between May 1, 2006 and June 15, 2006, the State Board of Education shall hold no less than four (4) public hearings regarding its proposed reorganization plan to address citizen concerns, comments, and suggestions regarding the plan.

(3) The State Board of Education shall finalize the

reorganization plan no later than June 20, 2006, and shall effectuate the reorganization on July 1, 2006, pursuant to the plan developed under this subsection (b).

(c) The Department of Education and the State Board of Education may take actions prior to July 1, 2006, as necessary for an orderly and efficient transition of personnel, property, and boards of directors on July 1, 2006.

6-13-1604. Local control - Uniform accounting system.

(a) This subchapter does not limit nor diminish the existing powers and duties of local school boards except to the extent specifically provided in this subchapter.

(b) The Department of Education, with the advice of the Division of Legislative Audit, shall devise a uniform accounting system to be used by all public elementary and secondary schools in this state beginning with the 2004-2005 school year."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Miller
LDH/JMB - 031120030948
JMB362

Secretary