

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

Subtitle of House Bill No. 1021

"AN ACT PERTAINING TO STATE SCHOOL STANDARDS AND TEACHERS SALARIES;
TO PROVIDE FOR AN ADEQUATE AND EFFICIENT EDUCATION IN ARKANSAS
SCHOOLS AND ADDRESS THE DISPARITY IN TEACHERS SALARIES."

Amendment No. 3 to House Bill No. 1021.

Amend House Bill No. 1021 as engrossed, S1/13/04 (version: 01-13-2004 15:40):

Page 6, lines 15 through 17 delete "Standards of Accreditation for Arkansas Public Schools, as the standards exist by rule on January 1, 2004," and substitute "requirements of Arkansas Code § 6-16-1203"

AND

Page 6, line 18 delete "standards of accreditation" and substitute "requirements of Arkansas Code § 6-16-1203"

AND

Page 6, lines 21 and 22 delete "Standards of Accreditation for Arkansas Public Schools" and substitute "requirements of Arkansas Code § 6-16-1203"

AND

Page 7, line 3 delete "standards of accreditation" and substitute "requirements of Arkansas Code § 6-16-1203"

AND

Page 7, lines 7 and 8 delete "Standards of Accreditation for Arkansas Public Schools" and substitute "requirements of Arkansas Code § 6-16-1203"

AND

Immediately following Section 4 of the bill add an additional section to read as follows:

 "SECTION 5. Arkansas Code Title 6, Chapter 16, is amended to add an additional subchapter to read as follows:



6-16-1201. Legislative findings.

The General Assembly finds that:

(1) The Supreme Court of Arkansas has declared that the State of Arkansas must provide substantially equal curriculum, facilities, equipment, and teacher salaries in the schools of Arkansas; and

(2) By the 2004-2005 school year, all schools and school districts in the state must meet:

(A) The standards for accreditation as set forth in this subchapter;

(B) Standards for facilities as provided by law; and

(C) Teacher salary requirements as provided in §§ 6-17-1001 through 6-17-1004.

6-16-1202. Definition.

As used in this subchapter, "unit" means the credit given for grades nine through twelve (9-12) for a course which meets for a minimum of:

(1) One hundred twenty (120) clock hours; and

(2) An average:

(A) Six-hour day; or

(B) Thirty-hour week.

6-16-1203. Equal educational opportunity.

To provide students in Arkansas public schools a substantially equal educational opportunity, school districts shall meet the following standards for accreditation of Arkansas public schools:

(1) All school district policies and actions shall be nondiscriminatory and shall be in compliance with state and federal laws;

(2)(A) Each school district in Arkansas shall develop, with appropriate staff and community participation, a five-year educational plan.

(B) School district goals shall be compatible with state and national educational goals and shall address local needs.

(C) The plan shall be filed with and reviewed annually by the Department of Education;

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

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

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

(6)(A) The administrators, teachers, other school staff of each school along with the parents or guardians of students shall develop an annual school improvement plan to monitor the school's progress and to project its continuing needs.

(B) The annual school improvement plan shall be filed with and reviewed by the department;

(7) Each school shall review each curriculum area in-depth at least once every five (5) years;

(8) Each accredited school shall use curriculum frameworks based on the annual school improvement plan to plan instruction leading to student acquisition of the Arkansas content standards;

(9)(A) The core curriculum for grades kindergarten through eight (K-8) shall encompass the broadest feasible spectrum of developmentally appropriate learning experiences and provide for differences in rates of learning among children.

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

(C)(i) One (1) unit of Arkansas history shall be taught as a social studies subject at each elementary grade level in every public elementary school in the state with greater emphasis at the fourth and fifth grade levels.

(ii) Each public secondary school in this state shall ensure that every student receives at least one (1) full semester of Arkansas history in grades seven (7), eight (8), nine (9), ten (10), eleven (11), or twelve (12).

(D) Mastery of core concepts and abilities in the following areas shall be emphasized:

(i) For grades kindergarten through four (K-4);

(a) Language arts to include reading, writing, listening, speaking, and viewing;

(b) Mathematics to include number sense, number properties, number operations, measurement, geometry and spatial sense, data analysis and statistics, and algebra and functions;

(c) Social studies to include one (1) unit of history and culture of Arkansas at each grade level with emphasis at grade four (4), history and culture of the nation and the world, including foreign language experiences, geography, economics, and civic education;

(d) Science to include life science, earth and space science, physical sciences, including physics and chemistry, and environmental education;

(e) Tools for learning to include technical skills, including research and information skills, and the use of computers and calculators, and data gathering, including use of data banks, atlases, dictionaries, almanacs, networks, news sources, and interviews;

(f)(1) For the 2004-2005 school year, fine arts to include the appreciation and application of visual arts instruction and performing arts instruction, including forty (40) minutes of art or music each week.

(2) For the 2005-2006 school year and subsequent years, the provisions of § 6-16-130(b) shall apply.

(g) Practical living skills and career exploration; and

(h) Health and safety education and physical education, including sixty (60) minutes of physical activity each week;

(ii) For grades five through eight (5-8):

(a) Language arts to include reading, writing, listening, speaking, and viewing;

(b) Mathematics to include number sense, number properties, number operations, measurement, geometry and spatial sense, data analysis and statistics, and algebra and functions;

(c) Science to include life science, earth and space science, physical sciences, including physics and chemistry, and environmental education;

(d) Social studies to include one (1) unit of history and culture of Arkansas at grades five (5) and six (6), with emphasis at grade five (5), history and culture of the nation and the world, including foreign language experiences, geography, economics, and civic education;

(e) Physical education, including sixty (60) minutes of physical activity each week;

(f) Fine arts to include the appreciation and application visual arts instruction and performing arts instruction;

(g) Health and safety;

(h) Tools for learning to include technical skills, including research and information skills, the use of computers and calculators, and data gathering, including use of data banks, atlases, dictionaries, almanacs, networks, news sources, and interviews; and

(i) Career and technical education; and

(iii) Beginning with school year 2004-2005, for grades nine through twelve (9-12), the following courses shall be taught each year by every high school to provide a total of thirty-eight (38) units:

(a) Six (6) units of language arts to include:

(1) Four (4) units of English;

(2) Either:

(A) One (1) unit of oral

communications; or

(B) One-half (1/2) unit of oral

communications and one-half (1/2) unit of drama;

(3) One (1) unit of journalism; and

(4) Other options as approved by the

department;

(b) Five (5) units of science with each unit to provide hands-on laboratory experience for students for a minimum of twenty percent (20%) of instructional time, to include:

(1) One (1) unit of biology;

(2) One (1) unit of chemistry;

(3) One (1) unit of physics; and

(4) Other options as approved by the

department;

(c) Six (6) units of mathematics to include:

(1) One (1) unit of algebra I;

(2) One (1) unit of geometry;

(3) One (1) unit of algebra II;

(4) One (1) unit of pre-calculus

mathematics to include trigonometry; and

(5) Other options as approved by the

department;

language;

(d) Two (2) units of the same foreign

arts to include:

(e) Three and one-half (3 1/2) units of fine

(1) One (1) unit of art;

(2) One (1) unit of instrumental of

music;

- (3) One (1) unit of vocal music; and
- (4) One-half (1/2) unit survey of fine

arts or an advanced art or music course;

(f) One (1) unit of computer applications with emphasis on current application to include word processing, spreadsheets, databases, graphics, and telecommunications;

(g) Four (4) units of social studies to include:

(1) One (1) unit of American history with emphasis on twentieth century America;

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

(3) One-half (1/2) unit of civics or

government;

(4) One-half (1/2) unit of Arkansas

history if not taught in grade seven (7) or grade eight (8); and

(5) Other options as approved by the

department;

(h) One and one-half (1 1/2) units of health and safety education and physical education to include one (1) unit of physical education and one-half (1/2) unit of health and safety education; and

(i) Nine (9) units of career and technical education of which eight (8) units shall be taught every year;

(10)(A) For grades nine through twelve (9-12), the course offerings may include appropriate advanced placement or concurrent credit courses.

(B) A minimum of three (3) programs of study selected from three (3) different occupational or technical programs shall be offered annually;

(11)(A) For each school year, every school district shall operate so that the district provides for at least one hundred and seventy-eight (178) days of instruction for students.

(B) The department may approve the instruction of students for fewer than one hundred and seventy-eight (178) days in order to allow time for professional development;

(12) Except for vocational agriculture teacher contracts, all public school teacher and administrator contracts, including elementary, secondary, and vocational teacher contracts shall be for a minimum of one hundred eighty-five (185) days annually;

(13)(A) At least thirty (30) hours annually shall be used for professional development and in-service training.

(B) At least two (2) days annually shall be used for parent-teacher conferences;

(14) The planned instructional time in each school day shall not average fewer than six (6) hours per day or thirty (30) hours per week;

(15)(A) The student-to-teacher ratio for kindergarten shall be no more than twenty (20) students to one (1) teacher in a classroom.

(B) However, the kindergarten class student-to-teacher ratio maximum may be no more than twenty-two (22) students to one (1) teacher if a half-time instructional aide is employed in the class;

(16)(A) The average student-to-teacher ratio for grades one

through three (1-3) in a school district shall be no more than twenty-three (23) students per teacher in a classroom.

(B) There shall be no more than twenty-five (25) students per teacher in any classroom;

(17)(A) The average student-to-teacher ratio for grades four through six (4-6) in a school district shall be no more than twenty-five (25) students per teacher in a classroom.

(B) There shall be no more than twenty-eight (28) students per teacher in any classroom;

(18)(A) In grades seven through twelve (7-12), a teacher shall not be assigned more than one hundred fifty (150) students.

(B)(i) An individual academic class shall not exceed thirty (30) students.

(ii) However, in exceptional cases or for courses that are appropriate for large group instruction, these ratios may be increased;

(19)(A) If a school district is placed on probation for violation of subdivisions (15) -- (18) of this section, the district may submit evidence to establish that the violation is a result of an unanticipated population shift.

(B) If the department finds that an unanticipated population shift has occurred, the department may remove the school district from probation status;

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

(B) Each district's written discipline policies shall be filed with the department.

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

(D) Each school shall inform students and parents of the discipline rules and procedures by which the school is governed.

(E) Each school shall make the students aware of the types of behavior that will give rise to disciplinary action and the types of corrective actions that may be imposed.

(F) Students and parents shall acknowledge that they received and understand the school's discipline policies in a signed statement.

(G) Each school shall document procedures and methods used to inform parents and students of the discipline policies.

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

(21)(A) Each school district shall provide a full-day kindergarten for every child who reaches age five (5) on or before September 15 each year.

(B) A parent or guardian shall sign a waiver if he or she elects not to enroll a child in kindergarten at age five (5).

(C) Any six-year-old child who has not completed a state-accredited kindergarten program before public school enrollment shall be evaluated by the school district to determine whether placement for the child

is in kindergarten or first grade;

(22)(A) At each grade level, each school shall assess each student's progress in acquiring mastery of the competencies, skills, and other subjects required by law and by the Arkansas Comprehensive Testing, Assessment, and Accountability Program regulations.

(B) 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;

(23)(A) The state uniform grading scale shall be used in grades seven through twelve (7-12).

(B)(i) 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.

(ii) Grades that reflect other educational objectives such as the student learning expectations in the curriculum frameworks may also be given;

(24) 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;

(25)(A)(i) At least a total of twenty-two (22) units of credit earned in grades nine through twelve (9-12) shall be required for high school graduation.

(ii) Only one (1) of these units may be in physical education.

(B)(i) Seventeen (17) units must be from the smart core curriculum.

(ii) However, in a form approved by the department, a parent or guardian may waive the smart core curriculum for the student and choose the common core curriculum.

(C) A student whose parent or guardian waives the smart core curriculum must earn sixteen (16) units from the common core curriculum in order to graduate from high school.

(D) The provisions of subdivision (25) of this section shall:

(i) Not apply to a student who is eligible for enrollment in grades ten (10), eleven (11), or twelve (12) for school year 2004-2005; and

(ii) First apply to students who are eligible for enrollment in grade nine (9) for school year 2004-2005;

(26) The smart core curriculum shall consist of seventeen (17) units to include:

(A) Four (4) units of English;

(B) One-half (1/2) unit of oral communications;

(C) Three (3) units of social studies to include:

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

(ii) One (1) unit of United States history; and

(iii) One (1) unit of civics or government;

(D)(i) Four (4) units of mathematics to include:

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

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

equivalent;

(c) One (1) unit of algebra II; and
(d) One (1) unit chosen from transitions to college math, pre-calculus, calculus, trigonometry, statistics, computer math, or algebra III.

(ii) All math units must build on the base of algebra and geometry knowledge and skills.

(iii) One (1) math course shall be taken by students in either grade eleven (11) or grade twelve (12);

(E) Three (3) units of science to include:

(i) One (1) unit of biology or its equivalent;

(ii) One (1) unit of a physical science; and

(iii) One (1) unit chosen from chemistry, physics, principles of technology I and II, or PIC physics;

(F) One-half (1/2) unit of physical education;

(G) One-half (1/2) unit of health and safety;

(H) One-half (1/2) unit of fine arts; and

(I) One (1) unit of computer application;

(27) The common core curriculum shall consist of sixteen (16) units to include:

(A) Four (4) units of English;

(B) One-half (1/2) unit of oral communications;

(C) Three (3) units of social studies to include:

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

(ii) One (1) unit of United States history; and

(iii) One (1) unit of civics or government;

(D)(i) Three (3) units of mathematics to include at least:

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

and
equivalent.

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

(ii) A two-year algebra equivalent or a two-year geometry equivalent may be counted as two (2) units of the three-unit mathematics requirement.

(iii) All math units shall build on the base of algebra and geometry knowledge and skills;

(E) Three (3) units of science to include at least:

(i) One (1) unit of biology or its equivalent; and

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

(F) One-half (1/2) unit of physical education;

(G) One-half (1/2) unit of health and safety;

(H) One-half (1/2) unit of fine arts; and

(I) One (1) unit of computer application;

(28)(A) Local school districts may require additional units for graduation beyond the seventeen (17) smart core units or sixteen (16) common core units.

(B) Additional units may be in academic or technical areas, or both.

(C) For each student in grades nine through twelve (9-12), the sum of common core or smart core units, career focus units, and elective units shall total at least twenty-two (22) units in order to graduate from high school;

(29)(A) Each school shall employ at least one (1) half-time principal.

(B) A full-time principal shall be employed when a school's enrollment reaches three hundred (300).

(C)(i) A school district superintendent may be permitted to serve as half-time principal if the district enrollment is fewer than three hundred (300).

(ii) However, the superintendent shall be appropriately certified and shall not be engaged in classroom teaching.

(D) Schools with an enrollment exceeding five hundred (500) shall employ at least:

(i) One (1) full-time principal; and

(ii) One (1) half-time principal, instructional supervisor, or curriculum specialist;

(30) If required by law or regulation, all administrative, teaching, and other personnel shall hold a current Arkansas teaching license;

(31)(A) 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.

(B) 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.

(C) Each teacher shall be involved in the development of the plan for his or her own in-service education.

(D) All programs for professional development and in-service training shall be evaluated by the participants in each program;

(32)(A) Each school district shall have flexibility in establishing plans for professional development and in-service training, if the plans meet standards for in-service education developed by the department.

(B) A minimum of thirty (30) hours of professional development shall be required for teachers and administrators annually;

(33)(A) Support services shall be designed to be comprehensive and integral to the process of the education and the development of all students.

(B)(i) Each school district shall develop and implement a written plan for each school building site in accordance with current laws and regulations.

(ii) The plans shall be based upon the needs identified by parents, teachers, principals, students, and other agencies with which the school district works.

(iii) The plan shall be incorporated into the comprehensive school improvement plan for each site;

(34) Each school shall provide a developmental guidance program to aid students in educational, personal, social, and career development;

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

(36)(A) Each school shall assign appropriate certified counselor staff.

(B) Each school district shall maintain an overall ratio of one (1) certified counselor to four hundred fifty (450) students;

(37) Each school shall budget and spend sufficient resources each year to purchase and maintain an appropriate, current library

collection;

(38)(A) Each school with fewer than three hundred (300) students enrolled shall employ at least one (1) half-time certified library media specialist.

(B)(i) A school with three hundred (300) to fourteen hundred ninety-nine (1,499) students enrolled shall employ at least one (1) full-time certified library media specialist.

(ii) A school with fifteen hundred (1,500) or more students enrolled shall employ two (2) full-time certified library media specialists.

(iii) A school district with fewer than five hundred (500) students enrolled may employ one (1) full-time library media specialist to serve the district.

(C) The library media specialist shall ensure that access to records and resource databases is available to all students.

(D) The media specialist shall assist students in the development and use of research skills;

(39)(A)(i) Each school district shall implement a health services program under the direction of a licensed nurse.

(ii) The program shall make screening, referral, and follow-up procedures available for all students.

(B)(i) The health services program shall provide an individualized health care plan for students with special health care needs, including chronically ill, medically fragile, and technology-dependent students, and students with other health impairments.

(ii) Invasive medical procedures required by students and provided at the school shall be performed only by personnel who are trained and licensed to perform the task. Regular classroom teachers shall not perform invasive medical procedures.

(iii) Custodial health services required by students under an individualized healthcare plan shall be provided by trained school employees. Regular classroom teachers shall not perform custodial health services;

(40) Special education programs and special schools shall be accredited in accordance with applicable laws and regulations;

(41)(A) Each school district shall develop procedures to identify gifted and talented students in accordance with guidelines established by the department.

(B) Each school district shall provide tailored educational opportunities to students identified as gifted and talented;

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

(43) Each school district shall provide appropriate alternative programs for students in need of alternative programs in order to continue their education; and

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

6-16-1204. Monitoring of school districts.

(a) The Department of Education shall monitor each school district to ensure that:

(1) The content of each course offered by the school district is consistent with content standards and curriculum frameworks developed by the State Board of Education and is presented to students in a manner that is rigorous, specific, sequenced, clear, focused, and measurable; and

(2) All required courses are taught each year.

(b) The department shall verify that each school district is complying with subsection (a) of this section during the standards review visit of the school district.

(c) If the department determines that a school district has failed to align the content of each class and subject area as required by the state board to content standards and curriculum frameworks developed by the state board, the department shall:

(1) Note the failure to comply in the annual school performance report under § 6-15-1402; and

(2) Cite the failure of each school to comply in the Standards for Accreditation of Arkansas Public Schools annual report.”

AND

Appropriately renumber the subsequent Sections of the bill

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

By: Senator Miller

JDF/CDS - 01-14-2004 12:14

CDS677

Secretary