

**ARKANSAS DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULES  
GOVERNING DOCUMENTS POSTED TO SCHOOL DISTRICT AND EDUCATION  
SERVICE COOPERATIVE WEBSITES**

**Effective Date: July 6, 2020**

**1.00 REGULATORY AUTHORITY**

- 1.01 **The These** Rules are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. §§ 6-10-106, 6-11-105, 6-11-129, 6-13-619, 6-15-208, 6-15-209, 6-15-1402, 6-15-1704, 6-15-2006, 6-15-2101, 6-15-2202, 6-15-2914, 6-17-201, 6-17-1901, 6-17-2301, 6-18-702, 6-18-2005, 6-23-104, 6-41-611, and 25-15-201 et seq.

**2.00 PURPOSE**

- 2.01 The purpose of these Rules is to apprise school districts, open-enrollment public charter schools, and education service cooperatives of the requirements for publishing documents mandated to be posted to the district's website or the education service cooperative's website.

**3.00 ACCESSIBILITY OF REQUIRED INFORMATION ON WEBSITE**

- 3.01 All information required to be posted on the website shall be easily accessible through the homepage of the district's website under an easily identifiable direct link titled "State—Required Information" to a page on the district's website where the information may be found.
- 3.02 On the page, the district shall subdivide the information required by these Rules by the categories of information.

**4.00 POLICY, DATA, AND INFORMATIONAL DOCUMENTS TO BE ACCESSIBLE ON WEBSITE**

- 4.01 By August 1 of each year, the following data and information are required to be posted to the school district's website:
- 4.01.1 The school-level improvement plans, including the literacy plan required by Ark. Code Ann. § 6-15-2914(b);
  - 4.01.2 The written discipline policies;
  - 4.01.3 All student handbooks;

- 4.01.4 The school calendar;
  - 4.01.4.1 If a school district chooses to implement an alternative calendar based on hours instead of days as authorized under Ark. Code Ann. § 6-10-106, the alternative school calendar;
- 4.01.5 The written bullying policies adopted in accordance with Ark. Code Ann. § 6-18-514, unless the policies are contained in the student handbook;
- 4.01.6 The comprehensive school counseling plan as required by Ark. Code Ann. § 6-18-2005; and
- 4.01.7 The plan for parent, family, and community engagement including the scheduling of at least two (2) parent-teacher conferences each year, the parental involvement plan of all public schools in the district, and informational packets required by Ark. Code Ann. § 6-15-1702;
- 4.01.8 The three (3) year teacher and administrator recruitment and retention plan required by Ark. Code Ann. § 6-17-1901; and
- 4.01.9 An open-enrollment charter school shall post the most recent version of its written charter contract.
- 4.02 The district must post the annual school performance report for each school year on the website of the district no later than ten (10) days after it is posted on the Division's website.
- 4.03 A public school district receiving Level 2-- Collaborative, Level 3-- Coordinated, Level 4-- Directed, or Level 5-- Intensive support shall post the public school district support plan as required by Ark. Code Ann. § 6-15-2914(d) no later than ten (10) days after submission to the Division.
- 4.04 When a public school district is receiving Level 5-- Intensive support, a school is identified as in need of targeted or comprehensive support, or the public school district is in fiscal distress, the district must post a parent-friendly explanation of why and what the district is doing to be removed from the classification.
- 4.05 By December 1, a public school shall post the vaccination and immunization report required by Ark. Code Ann. § 6-18-702(b) that provides information regarding the:
  - 4.05.1 Number and percentage of students within the public school who have been granted from the Department of Health an

exemption from the requirement to obtain one (1) or more vaccinations as required under Ark. Code Ann. § 6-18-702;

4.05.2 Number and percentage of students within the school who have failed to provide the school proof of the vaccinations required under Ark. Code Ann. § 6-18-702; and

4.05.3 Number and percentage of students who have not obtained an exemption from the Department of Health.

4.06 A district must post all waivers granted under Ark. Code Ann. § 6-15-103 to the district's website within thirty (30) days of the State Board of Education's approval.

## **5.00 FINANCIAL DOCUMENTS REQUIRED TO BE POSTED TO THE DISTRICT WEBSITE**

5.01 By August 1, the district must post the following information:

5.01.1 Written policies for the fiscal operation of the district; and

5.01.2 Current comprehensive financial data reports including:

5.01.2.1 Local and state revenue sources;

5.01.2.2 Administrator and teacher salary and benefit expenditure data;

5.01.2.3 School district balances, including legal balances and building fund balances;

5.01.2.4 The district budget for the current year;

5.01.2.4.1 The budget must also be updated on the website within thirty (30) days following the state reporting Cycle 1 deadline (September 30).

5.01.3 A financial breakdown of monthly expenses of the district;

5.01.4 Salary schedules for all employees, including extended contract and supplementary pay amounts;

5.01.5 All current contract information with all district employees, including, but not limited to, salary, benefits, stipends, supplementary income, leave time, and all other contract terms; and

5.01.5.1 Social security numbers, telephone numbers, personal addresses, and signatures shall not be published.

5.01.6 The annual school district statistical report.

5.02 The information required by this Section must consist of actual data for the two previous school years and the projected budgeted information for the current school year.

**6.00 PERSONNEL DOCUMENTS REQUIRED TO BE POSTED TO THE DISTRICT WEBSITE**

6.01 Each district is required to post district licensed and classified personnel policies and salary schedules required under Ark. Code Ann. § 6-17-201 et seq. and Ark. Code Ann. § 6-17-2301 et seq.

6.02 By August 1 of each year, a district must provide the Division with the website where its current personnel policies and salary schedules may be found.

6.02.1 This information is currently collected in state reporting cycles 1-9.

6.02.2 The website address must be entered correctly in each cycle, especially if there are changes to the website address.

6.03 The Division will notify any district that has not posted its personnel policies, or salary schedules, or both, on the district website or provided the Division with the web address in accordance with these Rules.

6.04 A district failing to meet the requirements of this Section by September 15 will not receive in any year any additional state foundation funding from the Public School Fund until the personnel policies and salary schedules are posted to the district's website.

**7.00 DYSLEXIA INFORMATION REQUIRED TO BE POSTED TO THE DISTRICT WEBSITE**

7.01 The superintendent of a district shall annually report the results of the district screening required under Ark. Code Ann. § 6-41-603.

7.02 Before July 15 of each year, a district shall report on the website of the district, or in writing to the parents of each student in the district, the following information:

- 7.02.1 The dyslexia intervention programs used during the previous school year that were specifically responsive to assisting students exhibiting characteristics of dyslexia;
- 7.02.2 The number of students during the previous school year who received dyslexia intervention; and
- 7.02.3 The total number of students identified with dyslexia during the previous school year.
  - 7.02.3.1 For purposes of Section 7.02.3, “identified with dyslexia” means students exhibiting the characteristics of dyslexia through a school-based or outside evaluation and students with a formal dyslexia diagnosis.

7.03 Any district that fails to comply with this Section shall be in violation of the Standards for Accreditation of Arkansas Public Schools and School Districts and may be placed on probationary status.

#### **8.00 PROBATIONARY STATUS REQUIRED TO BE POSTED TO THE DISTRICT WEBSITE**

8.01. When any school of a district, or the district, is determined by the State Board of Education to be in Accredited—Probation or Accredited—Corrective Action status for failure to meet the Standards for Accreditation, that district, after exhausting its rights to appeal, shall:

- 8.01.1 Immediately after the State Board’s findings, publish the probationary status determination and findings of the State Board on the website of the district in an understandable and uniform format.

8.02 Documentation shall be posted until the State Board removes the status.

#### **9.00 SCHOOL BOARD INFORMATION REQUIRED TO BE POSTED ON THE DISTRICT WEBSITE**

- 9.01 At least ten (10) days before the date of a regular meeting of its Board of Directors, a district shall publish on the district’s website a notice of the date, time, and place of the meeting.
- 9.02 At least twenty-four (24) hours before a rescheduled regular meeting, a district shall publish on the district’s website a notice of the change in the date, time, or place of the regular meeting.

- 9.03 The district must post the minutes of regular and special meetings of the school board.

**10.00 DOCUMENTS REQUIRED TO BE POSTED ON THE EDUCATION SERVICE COOPERATIVE WEBSITE**

- 10.01 Each education service cooperative shall post the final evaluation, including any self-evaluation, required by Ark. Code Ann. § 6-13-1021, on the website of the education service cooperative.

Markup

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

SENATE BILL 524

By: Senator J. Sturch  
By: Representative Vaught

## For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE  
CONCERNING MINORITY TEACHER AND MINORITY  
ADMINISTRATOR RECRUITMENT PLANS; TO AMEND PROVISIONS  
OF THE ARKANSAS CODE CONCERNING THE EQUITY ASSISTANCE  
CENTER; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND TO AMEND PROVISIONS OF THE  
ARKANSAS CODE CONCERNING MINORITY TEACHER  
AND MINORITY ADMINISTRATOR RECRUITMENT  
PLANS; AND TO AMEND PROVISIONS OF THE  
ARKANSAS CODE CONCERNING THE EQUITY  
ASSISTANCE CENTER.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-17-1901 is amended to read as follows:

6-17-1901. ~~Minority teacher~~ Teacher and administrator recruitment and retention plan.

(a) ~~Beginning with the 1992-1993 school year, each school district with more than five percent (5%) African-American or other minority students~~  
By August 1, 2022, each public school district and open-enrollment public charter school in the state shall prepare a ~~minority~~ three-year teacher and administrator recruitment and retention plan.

(b) The plan shall ~~place emphasis on recruitment of African-Americans and other members of minorities for teacher and administrator positions and~~



~~on encouraging minority students to pursue a career in education set forth~~  
~~goals for:~~

(1) The recruitment and retention of teachers and administrators  
of minority races and ethnicities who increase diversity among the district  
staff and, at a minimum, reflect the racial and ethnic diversity of the  
district's students; and

(2) Increasing the number of students who pursue careers in  
education with an emphasis on students of minority races and ethnicities.

~~(c) Recruitment plans shall cover the next ten-year period and set~~  
~~forth the goal of developing equity in employee composition that reflects~~  
~~racial and ethnic diversity~~ A school district shall review annually the:

(1) Recruitment and retention plan; and

(2) Progress of the school district in meeting the goals  
established pursuant to subsection (b) of this section.

(d) The plan shall be:

(1) ~~a part of the equity assistance plan filed~~ Updated annually  
~~with the Equity Assistance Center and shall be updated annually for an~~  
~~additional ten (10) years; and~~

(2) Posted on the school district's or open-enrollment public  
charter school's website no later than August 1 of each year.

SECTION 2. Arkansas Code § 6-17-1902 is amended to read as follows:

6-17-1902. Equity Assistance Center – Coordination and contents of  
plan.

(a) The Equity Assistance Center shall provide technical assistance,  
guidance, and support to the public school districts and public open-  
enrollment charter schools in developing recruitment and retention plans and  
setting and meeting annual goals.

(b)(1) Each public school district and open-enrollment public charter  
school shall designate an employee to coordinate the implementation and  
review of the public school district's and open-enrollment public charter  
school's recruitment and retention plan.

(2) The designated equity assistance coordinator in each public  
school district and open-enrollment public charter school may serve as the  
coordinator of the public school district's and open-enrollment public  
charter school's recruitment and retention plan.



~~(c)(1) Each school district shall designate an employee to coordinate implementation of its recruitment plan.~~

~~(2) Each school district shall establish a minority teacher and administrator goal at least equal to the percentage of minority students of the school districts.~~

~~(d)(c)~~ The minority teacher and administrator recruitment and retention plan shall include, but not be limited to, the following information:

(1) The annual goals of the ~~school district~~ for the recruitment of minority teachers and administrators for the next school year and for the next ten (10) school years public school district or open-enrollment public charter school established pursuant to § 6-17-1901(b);

(2) The actions and steps the school district public school district or open-enrollment public charter school has taken and will take to meet ~~its~~ each of the public school district's and open-enrollment public charter school's goals;

(3) The progress of the ~~school district~~ in recruiting minority teachers and administrators public school district or open-enrollment public charter school in meeting each of the public school district's and open-enrollment public charter school's goals;

(4) The ~~measures~~ evaluative methods the school district public school district or open-enrollment public charter school will use to ~~meet its employment goals~~ measure progress towards meeting the public school district's or open-enrollment public charter school's goals;

(5) If the ~~school district~~ public school district or open-enrollment public charter school did not meet the ~~school district's~~ public school district's or open-enrollment public charter school's goals for the previous reporting period, the ~~school district~~ public school district or open-enrollment public charter school shall state the reasons for not meeting the goals and the steps the public school district or open-enrollment public charter school will take to overcome the reasons for not meeting the goals;

(6) The steps the ~~school district~~ public school district or open-enrollment public charter school will take to encourage minority students to pursue a career in education including steps specific to students of minority races and ethnicities;

(7) ~~The number and percentage of members of racial minorities~~

~~who were employed as teachers or administrators in each of the last five (5) years~~ Public school district or open-enrollment public charter school teacher and administrator recruitment and retention data to show the:

(A) Racial and ethnic composition of teachers and administrators employed by the public school district or open-enrollment public charter school for each of the previous three (3) years; and

(B) Effectiveness of the plan; and

(8) The racial and ethnic composition of the student body and the racial and ethnic composition of the residents of the school district public school district or open-enrollment public charter school.

(d) The State Board of Education may promulgate rules necessary for implementation of this subchapter.

SECTION 3. Arkansas Code Title 6, Chapter 17, Subchapter 19, is amended to add an additional section to read as follows:

6-17-1903. Department of Education – Minority Teacher and Administrator Preparation and Recruitment Strategic Plan.

(a)(1) The Department of Education shall set goals for increasing the number of teachers and administrators of minority races and ethnicities in this state.

(2)(A) The Division of Higher Education shall collaborate with the State Board of Education, local universities, colleges, public school districts, and open-enrollment public charter schools to develop a strategic plan for increasing the number of teachers and administrators of minority races and ethnicities in this state.

(B) The Minority Teacher and Administrator Preparation and Recruitment Strategic Plan shall include without limitation recommendations to institutions with educator preparation programs on ways to:

(i) Identify methods for increasing the percentage of teachers and administrators of minority races and ethnicities in proportion to the number of students of minority races and ethnicities in this state; and

(ii) Establish programs to identify and recruit individuals of minority races and ethnicities who have already earned college degrees in other job fields to become teachers and administrators.

(b) The division shall:

1           (1) Promote educator preparation programs that increase the  
2 percentage of individuals of minority races and ethnicities who enter and  
3 successfully complete a four-year educator preparatory program and provide  
4 support to students of minority races and ethnicities who meet the  
5 requirements for entering educator preparation programs; and

6           (2) Submit a report no later than July 1, 2022, and every two  
7 (2) years following to the House Committee on Education and the Senate  
8 Committee on Education.

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11                                   **APPROVED: 4/12/21**  
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State of Arkansas As Engrossed: H2/23/21 H3/15/21 S4/7/21

93rd General Assembly

Regular Session, 2021

# A Bill

HOUSE BILL 1237

By: Representative Lowery

By: Senator Irvin

## For An Act To Be Entitled

AN ACT CONCERNING THE SCHOOL START DATE AND THE  
DEFINITION AND LENGTH OF A SCHOOL DAY; TO ALLOW  
PUBLIC SCHOOL DISTRICT BOARDS OF DIRECTORS TO ELECT  
TO IMPLEMENT AN ALTERNATE SCHOOL CALENDAR; TO AMEND  
THE DEFINITION OF A SCHOOL DAY; AND FOR OTHER  
PURPOSES.

## Subtitle

TO AMEND THE SCHOOL START DATE; TO ALLOW  
PUBLIC SCHOOL DISTRICT BOARDS OF  
DIRECTORS TO ELECT TO IMPLEMENT AN  
ALTERNATE SCHOOL CALENDAR; AND TO AMEND  
THE DEFINITION OF A SCHOOL DAY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-10-106(a), concerning the dates for the  
beginning and end of the school year, is amended to read as follows:

(a)(1)(A) ~~In each school year~~ Beginning with the 2022-2023 school  
year, the first day of the school year for student attendance in the public  
elementary and secondary schools of the State of Arkansas shall not be:

~~(i) On or after the Monday of the week in which~~  
~~August 19 falls;~~

~~(ii) Not earlier than August 14; and the Monday two~~  
(2) weeks before Labor Day

~~(iii) Not later than August 26.~~



1 (B) The date for beginning the school year shall be  
2 determined by the board of directors of ~~the~~ each school district in  
3 accordance with subdivision (a)(1)(A) of this section.

4 (C) Labor Day shall be celebrated as a school holiday in  
5 all the school districts of the state, and school shall not be held on that  
6 date.

7 (D) As used in this section, "week" means a seven-day  
8 period that begins on a Sunday and ends on a Saturday.

9 (2)(A) The Division of Elementary and Secondary Education may  
10 grant a school district a waiver to begin school on ~~an earlier or a~~ a later  
11 date if the division determines that there exists a material and substantial  
12 reason for the school district to begin school on ~~an earlier or a~~ a later date  
13 due to very exceptional or emergency circumstances such as a contagious  
14 disease outbreak, inclement weather, or other acts of God.

15 (B) The division shall not grant a public school district  
16 a waiver under § 6-15-103 to begin school on an earlier date.

17  
18 SECTION 2. Arkansas Code § 6-10-106(f), concerning make-up days built  
19 into a school calendar, is amended to read as follows:

20 (f) A Except as provided under subsection (g), a school district shall  
21 adopt an academic calendar that includes five (5) make-up days, in addition  
22 to the number of student-teacher interaction days required by the Standards  
23 for Accreditation of Arkansas Public Schools and School Districts established  
24 by the State Board of Education, for days unavoidably lost due to exceptional  
25 or emergency circumstances resulting from a contagious disease outbreak,  
26 inclement weather, or other acts of God.

27  
28 SECTION 3. Arkansas Code § 6-10-106, concerning a school start date,  
29 is amended to add an additional subsection to read as follows:

30 (g)(1) Beginning with the 2022-2023 school year, a public school  
31 district board of directors may elect to implement an alternate school  
32 calendar.

33 (2)(A) An alternate school calendar implemented under  
34 subdivision (g)(1) of this section shall consist of:

35 (i) At least one thousand sixty-eight (1,068) hours  
36 of instructional time; and

1 (ii)(a) At least thirty (30) make-up hours, in  
2 addition to the number of hours required of instructional time, for days  
3 unavoidably lost due to exceptional or emergency circumstances resulting from  
4 inclement weather.

5 (b) If additional make-up hours are needed,  
6 the public school district board of directors shall modify its alternate  
7 school calendar to include make-up hours for the additional hours needed.

8 (B) However, there shall not be a minimum number of school  
9 days required to meet the required one thousand sixty-eight (1,068) hours of  
10 instructional time.

11 (3) A public school district board of directors that elects to  
12 implement an alternate school calendar under subdivision (b)(1) of this  
13 section shall:

14 (A) Notify the division by July 1 of each year that the  
15 public school district intends to implement the alternate school calendar;

16 (B) Post the alternate school calendar on the public  
17 school district's website by August 1 of each year that the public school  
18 district intends to implement the alternate school calendar;

19 (C) Input into eSchool, eFinance, or the Arkansas Public  
20 School Computer Network all data that:

21 (i) Affects the average daily membership of the  
22 public school district; and

23 (ii) Ensures compliance with the required minimum  
24 number of school instructional hours under subdivision (g)(2)(A)(i) of this  
25 section; and

26 (D)(i) Not be eligible for the use of alternative methods  
27 of instruction granted under § 6-10-127.

28 (ii) However, a public school district that  
29 implements an alternate school calendar under subdivision (b)(1) of this  
30 section may submit an application to operate a virtual learning option.

31 (4) The total number of instructional hours under an alternate  
32 school calendar shall be converted to school days for purposes of the:

33 (A) Number of days required in a teacher employment basic  
34 contract under § 6-17-2402(1);

35 (B) Number of days counted during the official reporting  
36 period for attendance under § 6-18-213(b)(1); and

1                    (C) Average daily membership calculated under § 6-20-  
2                    2303(3).

3                    (5) The division may promulgate rules as necessary to administer  
4                    this section.

5  
6                    SECTION 4. Arkansas Code § 6-16-102(a)(1)-(3), concerning the  
7                    definition of "school day", are amended to read as follows:

8                    (a)(1)(A) ~~As~~ Except as provided under subdivision (a)(1)(B) of this  
9                    section, as used in this section, "school day" shall mean a day in which  
10                   classes are in session and students receive at least six (6) hours of  
11                   instructional time.

12                   (B) However, "school day" for purposes of a public school  
13                   district that implements an alternate school calendar under § 6-10-106(g)  
14                   means a day in which classes are in session and students are under the  
15                   guidance and direction of a teacher or public school employee.

16                   (2)(A) Any day in which less than six (6) hours of instructional  
17                   time are provided to students shall be counted as one-half ( $\frac{1}{2}$ ) of a school  
18                   day if at least three (3) hours of instructional time are provided to  
19                   students.

20                   (B) However, subdivision (a)(2)(A) of this section shall  
21                   not apply to a public school district that implements an alternate school  
22                   calendar under § 6-10-106(g).

23                   (3)(A) Any day in which less than three (3) hours of  
24                   instructional time are provided to students shall not be counted as any part  
25                   of a school day.

26                   (B) However, subdivision (a)(3)(A) of this section shall  
27                   not apply to a public school district that implements an alternate school  
28                   calendar under § 6-10-106(g).

29  
30                   SECTION 5. Arkansas Code § 6-16-102(c), concerning planned  
31                   instructional time during a school day, is amended to read as follows:

32                   (c)(1) A school district is deemed to have fulfilled the requirements  
33                   of subsection (a) of this section if the planned instructional time in each  
34                   school day does not average less than six (6) hours each day or thirty (30)  
35                   hours each week.

36                   (2) However, subdivision (c)(1) of this section shall not apply

to a public school district that implements an alternate school calendar  
under § 6-10-106(g).

/s/Lowery

**APPROVED: 4/13/21**



State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: S3/18/21

## A Bill

SENATE BILL 251

By: Senator J. English  
By: Representative Lowery

### For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE  
CONCERNING SCHOOL DISTRICT WAIVERS; TO AMEND  
PROVISIONS OF THE ARKANSAS CODE CONCERNING PUBLIC  
CHARTER SCHOOL CHARTERS, ENROLLMENT, AUTHORIZATION,  
AND FACILITY FUNDING; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE  
CONCERNING SCHOOL DISTRICT WAIVERS; AND  
TO AMEND PROVISIONS OF THE ARKANSAS CODE  
CONCERNING PUBLIC CHARTER SCHOOL  
CHARTERS, ENROLLMENT, AUTHORIZATION, AND  
FACILITY FUNDING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-15-103(b), concerning school district  
waivers, is amended to read as follows:

(b) The petition for all or some of the waivers granted to an open-  
enrollment public charter school that is submitted by a public school  
district shall include without limitation:

(1) The name of the open-enrollment public charter school that  
has the requested waiver; and

~~(2) A copy of the waivers granted to the open-enrollment public  
charter school; and~~

~~(3)~~ (2) A list of the waivers that the public school district



1 seeks to have granted.

2  
3 SECTION 2. Arkansas Code § 6-15-103(c)(1), concerning school district  
4 waivers, is amended to read as follows:

5 (c)(1)(A) The state board shall ~~grant, in whole or in part, or deny,~~  
6 ~~in whole or in part,~~ grant or deny, in whole or in part, a petition for a  
7 waiver submitted by a public school district within ninety (90) days of  
8 receiving the petition.

9 (B)(i) The Division of Elementary and Secondary Education  
10 may request additional information if necessary.

11 (ii) If the division determines that additional  
12 information is necessary, the state board shall grant or deny, in whole or in  
13 part, the petition for a waiver within ninety (90) days of receiving the  
14 requested additional information.

15  
16 SECTION 3. Arkansas Code § 6-15-103(d), concerning school district  
17 waivers, is amended to read as follows:

18 (d) ~~The Division of Elementary and Secondary Education~~ division may  
19 promulgate rules to implement this section.

20  
21 SECTION 4. Arkansas Code § 6-15-2302(a), concerning the definition of  
22 "general business manager", is amended to read as follows:

23 (a) As used in this section, "general business manager" means a chief  
24 financial officer or business manager, however the position is titled, who:

25 (1) Is an employee of the public school district or is  
26 contracted to perform financial services;

27 (2) Is responsible for the fiscal operations of the public  
28 school district; and

29 ~~(2)(3)~~ Performs his or her duties under the direction of the  
30 superintendent ~~of schools~~ of the public school district.

31  
32 SECTION 5. Arkansas Code § 6-17-2202(1), concerning the definition of  
33 "classified employee", is amended to read as follows:

34 (1)(A) "Classified employee" means any employee of a public  
35 school district in Arkansas who performs work for the school district and who  
36 is not required to hold a valid teaching license issued by the State Board of

1 Education as a condition of employment.

2 (B) "Classified employee" does not include a nonlicensed  
3 teacher; and

4  
5 SECTION 6. Arkansas Code § 6-20-1913(a), concerning the definition of  
6 "general business manager", is amended to read as follows:

7 (a) As used in this subchapter, "general business manager" means a  
8 chief financial officer or business manager, however the position is titled,  
9 who:

10 (1) Is an employee of a public school district or has contracted  
11 to perform financial services;

12 (2) Is responsible for the fiscal operations of a public school  
13 district; and

14 ~~(2)~~(3) Performs duties under the direction of a superintendent  
15 of a public school district.

16  
17 SECTION 7. Arkansas Code § 6-23-104, concerning requirements for and  
18 revisions to charter forms for public charter schools, is amended to add an  
19 additional subsection to read as follows:

20 (c) An open-enrollment public charter school shall post the most  
21 recent version of the written contract on the website of the open-enrollment  
22 public charter school by August 1 each year.

23  
24 SECTION 8. Arkansas Code § 6-23-105(a), concerning the basis and  
25 procedure for public charter school probation or charter modification,  
26 revocation, or denial of renewal, is amended to read as follows:

27 (a)(1) The authorizer may place a public charter school on probation  
28 or may modify, revoke, transfer, assign, or deny renewal of its charter if  
29 the authorizer determines that the persons operating the public charter  
30 school:

31 (A) Committed a material violation of the charter,  
32 including failure to satisfy accountability provisions prescribed by the  
33 charter;

34 (B) Failed to satisfy generally accepted accounting  
35 standards of fiscal management;

36 (C) Failed to comply with this chapter or other applicable

1 law or rule; or

2 (D) Failed to meet academic or fiscal performance criteria  
3 deemed appropriate and relevant for the public charter school by the  
4 authorizer.

5 (2) The ~~charter~~ authorizer may allow the voluntary assignment of  
6 a public charter school upon petition by the public charter school to the  
7 ~~charter~~ authorizer.

8 (3)(A) If the authorizer transfers or assigns the charter of a  
9 public charter school to an eligible entity ~~under subdivision (a)(1) of this~~  
10 ~~section~~, the authorizer shall not hold the applicant responsible for any  
11 activity that occurred before the transfer or assignment, which includes  
12 without limitation any disciplinary action taken by the authorizer.

13 (B) After the authorizer transfers or assigns a charter to  
14 an eligible entity ~~under subdivision (a)(1) of this section~~, the authorizer  
15 shall:

16 (i) Issue a new local education agency number as  
17 required under § 25-6-107; and

18 (ii) Not issue an annual report as required under §  
19 6-15-2101 until the eligible entity to which the charter was transferred has  
20 completed at least one (1) school year.

21  
22 SECTION 9. Arkansas Code § 6-23-105(c), concerning the basis and  
23 procedure for public charter school probation or charter modification,  
24 revocation, or denial of renewal, is amended to read as follows:

25 (c) The authorizer shall adopt a procedure to be used for placing a  
26 public charter school on probation or modifying, revoking, transferring,  
27 assigning, or denying renewal of the public charter school's charter.

28  
29 SECTION 10. Arkansas Code § 6-23-105(e), concerning the basis and  
30 procedure for public charter school probation or charter modification,  
31 revocation, or denial of renewal, is amended to read as follows:

32 (e)(1)(A) Immediately upon the revocation, transfer, or assignment of  
33 an open-enrollment charter by the authorizer, an open-enrollment public  
34 charter school shall:

35 ~~(i) Transfer to the division all state funds held by~~  
36 ~~the public charter school, which the division shall hold in receivership; and~~

1                   ~~(i)~~(i) Provide to the division a detailed  
2 accounting of all accounts payable due from the state funds held by the open-  
3 enrollment public charter school and any additional information or records  
4 requested by the division concerning the disbursement of the state funds;

5                   (ii) Provide the division with a comprehensive list  
6 of all banking information and accounts in which the open-enrollment public  
7 charter school holds state or federal funds;

8                   (iii) Receive prior approval from the division for  
9 an expenditure over five hundred dollars (\$500); and

10                  (iv) Work in coordination with the division to draft  
11 a charter closure plan.

12                  (B)(i) ~~The division shall hold funds received under~~  
13 ~~subdivision (e)(1)(A) of this section in a separate fund and shall expend the~~  
14 ~~funds only with prior approval of the Commissioner of Elementary and~~  
15 ~~Secondary Education~~ Immediately upon the state board's affirmation of a  
16 revocation, assignment, or transfer, the open-enrollment public charter  
17 school shall transfer all state and federal funds held by the open-enrollment  
18 public charter school to the division.

19                  (ii) The division shall hold funds received under  
20 subdivision (e)(1)(B)(i) of this section in receivership in a separate fund  
21 and shall expend the funds only with prior approval of the Commissioner of  
22 Elementary and Secondary Education.

23                  (C) ~~If the State Board of Education reverses the~~  
24 ~~revocation, transfer, or assignment, the division shall return any funds~~  
25 ~~remaining in receivership to the public charter school.~~

26                  (2)(A) The division shall establish a procedure for a claimant  
27 to file a claim for disbursement from the state funds.

28                  (B) The determination of the division concerning the  
29 disbursement of the state funds is final and may not be appealed.

30                  (3) If funds remain in receivership for which no legitimate,  
31 documented claim has been made to the division within one (1) calendar year  
32 after the revocation, transfer, or assignment the remaining funds shall be  
33 transferred to the ~~Public School Fund~~;

34                  (A) Entity that received the public charter school under a  
35 transfer or assignment if the public charter school was transferred or  
36 assigned; or

1                   (B) Public School Fund in all other instances.

2                   (4) The state board may promulgate rules to implement this  
3 subsection.  
4

5           SECTION 11. Arkansas Code § 6-23-402(b), concerning enrollment numbers  
6 of and the deadline for enrollment in open-enrollment public charter schools,  
7 is amended to add an additional subdivision to read as follows:

8                   (3) An open-enrollment public charter school shall have a policy  
9 concerning whether the open-enrollment public charter school will enroll  
10 students after July 30.  
11

12           SECTION 12. Arkansas Code § 6-23-703(a) and (b), concerning State  
13 Board of Education optional review, are amended to read as follows:

14           (a) On a motion approved by a majority vote, the State Board of  
15 Education may exercise a right of review of a charter determination made by  
16 ~~the Division of Elementary and Secondary Education~~ charter authorizer at the  
17 next regularly scheduled state board meeting after receiving notice provided  
18 under § 6-23-702(b).

19           (b) If the state board votes to review a final decision made by the  
20 ~~division~~ charter authorizer, the state board shall:

21                   (1) State the specific additional information the state board  
22 requires from the ~~division~~ Division of Elementary and Secondary Education,  
23 public charter school, public charter school applicant, or affected school  
24 district;

25                   (2) Conduct a full hearing regarding a final decision by the  
26 division under § 6-23-701(a); and

27                   (3) Hold the hearing at the earlier of:

28                           (A) The next regularly scheduled state board meeting  
29 following the state board meeting during which the state board voted to  
30 authorize a review; or

31                           (B) A special board meeting called by the state board.  
32

33           SECTION 13. Arkansas Code § 6-23-908(g), concerning the Open-  
34 Enrollment Public Charter School Facilities Funding Aid Program, is amended  
35 to read as follows:

36           (g) ~~The Commission for Arkansas Public School Academic Facilities and~~

~~Transportation~~ Division of Elementary and Secondary Education may promulgate  
rules to implement this section.

*/s/J. English*

**APPROVED: 4/20/21**