

*.As Engrossed: 2/5/91*

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representative Mahony**

# **A Bill**

**HOUSE BILL 1041**

## **For An Act To Be Entitled**

8 "AN ACT TO REQUIRE BY THE 1993-94 SCHOOL YEAR, THE  
9 IMPLEMENTATION OF A PRIMARY EDUCATION PROGRAM IN THE  
10 PUBLIC SCHOOLS OF THIS STATE; TO REQUIRE SUCCESSFUL  
11 COMPLETION OF THE PROGRAM FOR ADVANCEMENT TO THE FOURTH  
12 GRADE; AND FOR OTHER PURPOSES."

13

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

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16 SECTION 1. PURPOSE. It is the objective of the General Assembly that  
17 all pupils enrolled in public schools achieve a level of competence in the  
18 basic skills sufficient for increased success in their educational experiences  
19 throughout life. It is a finding of the General Assembly that a child's first  
20 years in school may be the most important for establishing a firm foundation  
21 for future learning and for building positive attitudes toward school and  
22 school completion. The primary education program shall establish innovative  
23 structures, curricula, and methods of continuous progress with the goal of  
24 improving children's success from kindergarten through grade three. The  
25 program shall offer expanded services to identify and assist students with  
26 existing and potential learning problems so that needs are met prior to the  
27 intermediate grades, thereby developing the basic framework for continued  
28 progress of the student, commensurate with his ability, with a reduced risk of  
29 failure and less remediation in intermediate and secondary years.

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31 SECTION 2. DEFINITIONS. As used in this act, unless the context  
32 otherwise requires:

33 (1) "Department" means the State Department of Education.

34 (2) "Director" means the director of the General Education Division of  
35 the State Department of Education.

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1           (3) "Primary education program" means that part of the elementary  
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3 school program in which children are enrolled from the time they begin school  
4 until they are ready to enter the fourth grade.

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6           SECTION 3. (a) School districts over 5,000 ADM shall establish *pilot*  
7 primary education programs in a minimum of three (3) elementary schools by the  
8 1993-94 school year. All other school districts shall establish a primary  
9 education program by the 1995-96 school year.

10           (b) Successful completion of the primary education program shall be a  
11 prerequisite for a pupil's entrance into fourth grade after that year.  
12 *Retention shall be mandatory for one year only.*

13           (c) The State Board of Education shall establish, by regulation,  
14 methods of verifying successful completion of the primary education program.

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16           SECTION 4. (a) The primary education program shall be administered,  
17 implemented, and conducted by each school district pursuant to a plan  
18 developed and approved under the provisions of this act.

19           (b) Beginning July 1, 1993, to be eligible to participate in this  
20 program, any school district or any individual school with the approval of the  
21 local school board, may submit to the Department of Education a proposed plan.

22           (c) Each plan shall be submitted in the manner and format prescribed by  
23 the department.

24           (d) The department shall make the final determination as to the  
25 approval or disapproval of all proposed plans, plan updates, and amendments.

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27           SECTION 5. (a) To be considered for approval, each plan, or amendment to  
28 a plan, shall be based on current research findings regarding children from  
29 age 5 through 10 years and effective elementary schools, shall be intended to  
30 increase the number of children experiencing success in school, and shall  
31 include at least the following:

32           (1) Demographic information on the children and families living within  
33 the school district or school attendance zone;

34           (2) Age and grade or learning level of the children to be served by the  
35 primary education program;

1           (3) A description of the innovative program of continuous progress to  
2 be developed which may include, but not be limited to changes in the  
3 following:

4                   (A) School structure and configuration, curriculum, grade  
5 sequence and placement;

6                   (B) Children's progress through learning levels;

7                   (C) Date of school entry, staffing, age groupings, class size,  
8 classroom organization and teaching methods;

9                   (D) Student assessment;

10                  (E) Parent involvement; and

11                  (F) Length of the school day and year.

12           (4) Assurances that all activities will be developmentally appropriate  
13 for the age of the children involved;

14           (5) One or both of the following:

15                   (A) A budget showing proposed expenditures and justification for  
16 any requested funds.

17                   (B) A list of the Arkansas Code provisions and State Board of  
18 Education rules for which waivers are requested.

19           (6) A description of the outcome measures to be used in ensuring  
20 accountability.

21           (7) A description of the methods to be used to evaluate the program,  
22 including student outcomes and the number of students who complete the program  
23 with their chronological age peers and the schedule for reporting this  
24 information to the director, and local boards and superintendents.

25           (8) Any other information requested by the director, local board or  
26 superintendent.

27           (b) Each approved program shall report annually to the department.

28           (c) The department shall compile the data and use this information to  
29 assist in formulating recommendations to the General Assembly for improvements  
30 to elementary education in the state.

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32           SECTION 6. (a) Based on data submitted by each program and other  
33 criteria, the director shall select certain exemplary programs as  
34 demonstration sites.

35           (b) The department shall disseminate information regarding these

1 demonstration programs and shall provide technical assistance to other schools  
2 in the state to establish these successful programs and practices.

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4 SECTION 7. (a) For purposes of this act and to facilitate innovative  
5 practices, the State Board of Education may waive specific state board rules  
6 upon recommendation of the director.

7 (b) For purposes of this act, the General Assembly authorizes the State  
8 Board of Education, upon recommendation of the director, to waive any methods  
9 or requirements contained in the minimum standards developed under the Quality  
10 Education Act of 1983, provided the legislative intent of such act is met and  
11 the district has proven that the requirement is an impediment to establishing  
12 an innovative program.

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14 SECTION 8. Funds for this program shall be appropriated by the General  
15 Assembly.

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17 SECTION 9. All provisions of this act of a general and permanent nature  
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
19 Revision Commission shall incorporate the same in the Code.

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21 SECTION 10. If any provision of this act or the application thereof to  
22 any person or circumstance is held invalid, such invalidity shall not affect  
23 other provisions or application of the act which can be given effect without  
24 the invalid provision or application, and to this end the provisions of this  
25 act are declared to be severable.

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27 SECTION 11. All laws and parts of laws in conflict with this act are  
28 hereby repealed.

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*/s/ J. Mahony*

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