

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H2/18/03

A Bill

HOUSE BILL 1507

5 By: Representatives Weaver, Milligan, Oglesby, L. Evans, Hickinbotham, Gipson, Scrimshire, L. Prater,
6 Mack, Bennett, Adams, Stovall
7
8

For An Act To Be Entitled

10 AN ACT PERTAINING TO STATE SCHOOL STANDARDS; TO
11 PROVIDE FOR AN ADEQUATE AND EFFICIENT EDUCATION IN
12 ARKANSAS SCHOOLS; AND FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT PERTAINING TO STATE SCHOOL
16 STANDARDS; TO PROVIDE FOR AN ADEQUATE
17 AND EFFICIENT EDUCATION IN ARKANSAS
18 SCHOOLS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

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

25 6-13-1601. Definitions:

26 For purposes of this subchapter:

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

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

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

35 (4)(A) "Individual school" means a public elementary or secondary
36 educational institution that is under the administrative control of a



1 principal or head teacher.

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

3 (i) Exclusively a preschool program; or

4 (ii) An instructional program operated in a correctional
5 facility; and

6 (5) "Teacher" means:

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

11 (B) A guidance counselor; or

12 (C) A librarian.

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14 6-13-1602. Standards for education.

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

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

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

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

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

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

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

35 (8) Adopt a parental involvement plan to enhance parental
36 involvement in the school district, which shall be approved by the State

1 Board of Education; and

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

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

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

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

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

18 (4) Provide educational facilities as may be required by the
19 General Assembly by law as necessary to ensure that schools have
20 substantially equal facilities necessary to provide students with an adequate
21 education and to provide equality of educational opportunity;

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

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

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

35 (c) School districts shall meet the requirements of this section with
36 the current level of federal and state funding the district receives,

1 including the funding provided as a result of subsection (b) of Amendment 74
2 to the Arkansas Constitution, or within the amount of state and federal funds
3 to be provided to school districts based upon the cost of an adequate
4 education as may be determined by the General Assembly by law as necessary to
5 provide equality of educational opportunity.

6 (d) School districts may consolidate, annex, or detach under §§ 6-13-
7 1401 through 6-13-1501, and school districts that do voluntarily consolidate,
8 annex, or detach shall receive consolidation incentive funding as may be
9 determined by the General Assembly.

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

13 (f) Any school district determined by the State Board of Education not
14 in full compliance with meeting the standards of this section on January 1,
15 2006, shall be subject to the provisions of § 6-13-1603, which include being
16 consolidated or annexed to districts that are geographically contiguous and
17 in full compliance with the provisions of this subchapter, or shall be taken
18 over by the Department of Education.

19
20 6-13-1603. Consolidation requirements.

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

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

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

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

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

33 (B)(i) If there are no contiguous districts that are in
34 full compliance with the provisions of this subchapter, if the school
35 district qualifies as an isolated district, or if consolidation of the
36 district not in compliance would have a negative educational impact or pose

1 an undue economic hardship on the contiguous district that is in compliance,
2 the State Board of Education may determine the best alternative to bring the
3 district into full compliance with the standards of this subchapter,
4 including consolidation, annexation, detachment, or requiring the school
5 district to surrender control of the district to the Department of Education.

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

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

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

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

24 (3) The State Board of Education shall finalize the
25 reorganization plan no later than June 20, 2004, and shall effectuate the
26 reorganization on July 1, 2006, pursuant to the plan developed under this
27 subsection (b).

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

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32 6-13-1604. Local control - Uniform accounting system.

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

36 (b) The Department of Education, with the advice of the Division of

1 Legislative Audit, shall devise a uniform accounting system to be used by all
2 public elementary and secondary schools in this state beginning with the
3 2004-2005 school year.

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/s/ Weaver, et al

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