

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 H2/20/03 H3/7/03

A Bill

HOUSE BILL 1507

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

7 *By: Senator Glover*
8
9

For An Act To Be Entitled

11 AN ACT PERTAINING TO STATE SCHOOL STANDARDS; TO
12 PROVIDE FOR AN ADEQUATE AND EFFICIENT EDUCATION IN
13 ARKANSAS SCHOOLS; AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT PERTAINING TO STATE SCHOOL
16 STANDARDS; TO PROVIDE FOR AN ADEQUATE
17 AND EFFICIENT EDUCATION IN ARKANSAS
18 SCHOOLS.
19
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

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

26 6-13-1601. Definitions:

27 *For purposes of this subchapter:*

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

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

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

36 *(4)(A) "Individual school" means a public elementary or secondary*



1 educational institution that is under the administrative control of a
2 principal or head teacher.

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

4 (i) Exclusively a preschool program; or

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

7 (5) "Teacher" means:

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

12 (B) A guidance counselor; or

13 (C) A librarian.

14
15 6-13-1602. Standards for education.

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

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

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

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

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

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

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

36 (8) Adopt a parental involvement plan to enhance parental

1 involvement in the school district, which shall be approved by the State
2 Board of Education; and

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

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

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

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

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

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

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

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

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

36 (c) School districts shall meet the requirements of this section with

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

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

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

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

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

22 (2) Districts not meeting the standards shall be given until May
23 1, 2004, to adopt a plan approved by the Department of Education and the
24 State Board of Education to consolidate or annex with a district that meets
25 the standards.

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

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

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

36 (2) Between May 1, 2004 and June 15, 2004, the State Board of

1 Education shall hold no less than four (4) public hearings regarding its
2 proposed reorganization plan to address citizen concerns, comments, and
3 suggestions regarding the plan;

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

8 (4) The Department of Education and the State Board of Education
9 may take actions prior to July 1, 2004 as necessary for an orderly and
10 efficient transition of personnel, property, and boards of directors on July
11 1, 2004.

12
13 6-13-1603. Consolidation requirements.

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

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

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

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

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

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

35 (ii) If a school district believes it qualifies as
36 an isolated district and does not meet the provisions of this subsection (a),

1 it shall submit a petition with all supporting documents and information, to
2 the State Board of Education by January 1, 2006, requesting a determination
3 of status as an isolated district. The State Board shall follow the criteria
4 listed in existing law in § 6-20-601 in making the determination of an
5 isolated district.

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

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

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

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

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

24
25 6-13-1604. Local control - Uniform accounting system.

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

29 (b) The Department of Education, with the advice of the Division of
30 Legislative Audit, shall devise a uniform accounting system to be used by all
31 public elementary and secondary schools in this state beginning with the
32 2004-2005 school year.

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34 /s/ Weaver, et al

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